

UNCORRECTED PROOF ISSUE

Tuesday 9 June 2015 - Estimates Committee B (Goodwin)

LEGISLATIVE COUNCIL

ESTIMATES COMMITTEE B

Tuesday 9 June 2015

MEMBERS

Mrs Armitage
Mr Dean
Mr Finch
Ms Rattray
Mrs Taylor (Chair)
Mr Valentine

IN ATTENDANCE

Dr the Hon. Vanessa Goodwin MLC, Attorney-General, Minister for Justice, Minister for Corrections, Minister for the Arts

Department of Justice

Simon Overland, Secretary
Nick Evans, Deputy Secretary
Ginna Webster, Deputy Secretary
Dale Webster, Director of Building Standards and Occupational Licensing
Kerry Worsley, Manager, Crown Law
Dale Webster, Acting Director, Consumer Affairs and Fair Trading
Neale Buchanan, Director, Monetary Penalties Enforcement Service
Catherine Vickers, Director, Office of Legislation Development and Review
Dr Graham Hill, Director, Legal Aid Commission of Tasmania
Stephen Morrison, Director, Finance
Richard Connock, Ombudsman
Diane Merryfull, Chief Executive Officer, Integrity Commission
Daryl Coates, Acting Director of Public Prosecutions (Criminal)
Paul Turner, Assistant Director of Public Prosecutions (Civil)
Pam Honan, Director, Community Corrections
Brian Edwards, Director of Prisons
Jarrold Bryan, Project Officer - Single Tribunal
Catherine Edwards, Manager, Victims Support Services

Wayne Johnson, Administrator of Courts (Magistrates)
Jim Connolly, Registrar, Supreme Court of Tasmania
Martha Robson, Registrar, Mental Health Tribunal
Kylie Hillier, Acting Public Guardian
Michael Flood, Programme Manager, PIRP Stage D
Jo Maxfield, Chief Superintendent, Tasmanian Prison Service
Jennifer Lee, Director, Communications and Executive Support
Donna Spong, Registrar, Guardianship and Administration Board
Gavin Wailes, Assistant Director, Finance
Ann Owen, Registrar of Births, Deaths and Marriages
Robin Banks, Anti-discrimination Commissioner
Mr Julian Type, Electoral Commissioner

Department of Arts

Kim Evans, Secretary
Bob Rutherford, Deputy Secretary Industry and Business Development
Amanda Russell, Acting Deputy Secretary Business Services
Glen Dean, Finance Director
Jacqui Allen, Deputy Secretary Cultural Industries and Tourism Supply Support
Janet Carding, Director Tasmanian Museum and Art Gallery
Andrew McPhail, Director Screen Tasmania
Katherine Hough, Director Arts Tasmania

Ministerial Staff

Jonathan Duniam, Acting Chief of Staff
Kristy Bourne, Senior Adviser
Ella Woods-Joyce, Adviser
Kay Cuellar, Corrections Adviser

The committee met at 9 a.m.

DIVISION 9

(Department of State Growth)

Output group 5

(Culture and creative industries)

5.1 Tasmanian Museum and Art Gallery -

CHAIR (Mrs Taylor) - Good morning, minister, good morning everyone. Welcome to the first day of Estimates. We will start, minister, by asking you to introduce your team and then perhaps make an opening statement on this portfolio.

Dr GOODWIN - On my right is Kim Evans, Secretary of the Department of State Growth; immediately to my left is Jacqui Allen, Deputy Secretary of Cultural Industries and Tourism Supply Support; Amanda Russell, Acting Deputy Secretary of Business Services.

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The Liberal Government is a strong supporter of the arts in Tasmania. We recognise the importance of the cultural and creative industries to the Tasmanian economy, to tourism and our community. This Government's plans and strategies are aimed at growing this vibrant sector. Our arts, cultural and creative sectors are among Tasmania's competitive strengths.

In 2011 over 6 500 people were employed in a cultural occupation or industry in Tasmania. That is the most recent statistic we have.

Tasmania's vibrant arts and culture sector is fast becoming a drawcard for visitors to the state, helping to achieve the Government's vision of attracting 1.5 million visitors to our state annually by 2020.

While the sector has blossomed in recent times, we believe the way things have been going in the past can be improved. Since coming to Government and being appointed Minister for the Arts, it has been apparent that in the past that government has perhaps operated without a whole of sector view and without a strategic approach. We have a number of agencies, each doing excellent work, but by working more collaboratively in a contemporary best practice legislative framework, with an overarching strategy, we can achieve much more for the sector, for the community and the economy. To this end, I have initiated a governance and legislative review of the sector. We are also continuing the development of a cultural policy for the state and the Department of State Growth is assessing how arts agencies and other complementary units can better work together, share knowledge and resources for better outcomes.

In this Budget, we will deliver a range of initiatives, support the sector, including delivering on our election commitment to provide \$150 000 for jobs and growth plans to map out further opportunities in the sector. We are investing substantial additional resources in TMAG, including operational funding of \$500 000 for the next financial year and a further \$250 000 in 2016-17 to support changes to make TMAG more sustainable into the future. We are also committing \$460 000 for works on the roof of the 1966 building. We are also maintaining our commitment to protect the \$2.8 million in competitive arts grants that support artists and organisations across the state.

We have committed \$40 000 in biennial funding for the Premier's literary prizes. We are one of the key partners in the ACIPA, the Academy of Creative Industries and Performing Arts, and we have committed \$15.3 million to this project which includes land and also \$12 million towards construction.

In summary, the Liberal Government is a strong supporter of the arts in Tasmania through renewed strategic focus and further investment in the area. That support will only grow into the future.

CHAIR - We thank you for the succinct statement. We occasionally have a minister who gives us a long statement for about half an hour and we have no time left for questions, so thank you for that.

The first Output item is the Tasmanian Museum and Art Gallery and Mr Valentine would like to lead the questioning on that.

Dr GOODWIN - I invite Janet Carding, the new director of TMAG, to the table.

CHAIR - Welcome. First year in the hot seat.

Mr VALENTINE - Minister, perhaps you could outline for us the impact on TMAG in terms of the level of FTEs that it has to function with over the forward Estimates. Is there going to be any extra reduction of FTEs? You might also like to cover whether there are certain functions internally being dropped that might help to cope with the level of FTEs you are going to tell us about.

Dr GOODWIN - I will provide some context to start with. TMAG has been facing ongoing budget challenges for some time. Its budget has been blowing out by an average of \$1 million per year. It needs to be on a sustainable footing for the future.

There was some criticism of TMAG in the report by the Auditor-General including concerns about its governance arrangement and the interaction between the trustees and the department about clear lines of responsibility. That is why I have initiated the legislative review across the portfolio and the strategic review.

It was also important with a new director coming on board, to wait until she had the opportunity to see how TMAG is operating and where some improvements could be made.

Regarding immediate savings, the trustees suggested the change to the opening hours, including closing on Mondays. I certainly supported the trustees in their efforts to bring the budget onto a more sustainable footing. There has been some work on that new arrangement and staffing changes as a result. I will invite either Jacqui or Janet to talk in a little more detail about those changes. Maybe Jacqui in the first instance and then hand over to Janet.

Ms ALLEN - We have a challenge to position TMAG within its ongoing budget appropriation. The trustees and the department have been looking at a variety of strategies to do that. It is going to take a number of years - there is no straightforward solution. Janet has been in the role a couple of months now. The plan, in consultation with Janet and the trustees, is to undertake a strategic review at TMAG, probably responding to the Auditor-General's comments regarding the necessity for a strategic plan for TMAG. It will allow us to be a lot clearer about the priorities and how TMAG positions itself in the future. Janet, I am not sure whether you have anything to add at this stage.

Ms CARDING - I have started work on the strategic planning process, but it is going to take several months to do that review and put the plan in place.

Mr VALENTINE - Presumably you are going to be looking at major opportunities to work with other sections of State Growth to minimise the corporate services and the like that you have to deliver within TMAG. Is that already the case?

Dr GOODWIN - This is my point about wanting to have a whole of portfolio perspective in relation to the arts, rather than what I have seen in the past, which has been more of a silos approach - so Screen Tas does its own thing, largely Arts Tas does its own thing, and TMAG does its own thing. I want to bring them all much closer together and have this whole-of-portfolio perspective. There may well be some opportunities to share back of office functions. State Growth is working through that process across the whole agency. I am certainly interested in any opportunities to have those three outputs working much closer together because it will benefit the arts sector as a whole, and Tasmania as well.

Obviously there are also significant overlaps with events and tourism. Many of our events have an arts focus or aspect to them, so we need to have a much more collaborative approach. In that sense there may well be some opportunities for shared functions and staff at that level.

Mr VALENTINE - Looking at the line item in the Budget, it clearly shows that the extra money coming in is 24.42 per cent higher than last year. Then it goes down by 2.15 per cent and then is only 0.03 per cent in 2017-18 and 2.5 per cent increase in 2018-19. I cannot see where that extra \$250 000, for instance, in 2017-18 is, in being able to assist TMAG, if it is only getting \$3 000 extra for that particular year. There must be something in there that I am not seeing correctly.

It is \$1.9 million going up from last year and that is the - sorry, this is on page 266. It is \$1.9 million extra and that accounts for the work you are talking about and the extra \$460 000 for the roof. Plus the \$500 000, presumably, going into the operational component. But then in 2016-17, it drops by \$211 000, which is only 2.15 per cent.

Mr EVANS - There are two factors that come into play here. One is the 27 pays rather than 26.

Mr VALENTINE - That is still with us. That is in 2016-17 or 2015-16, is it not?

Mr EVANS - In 2015-16, yes. More importantly, we have taken the opportunity with the redesign of State Growth to look at the model by which we apportion the overheads right across the organisation. So there are some ups and downs in the apportionment of overheads.

Mr VALENTINE - That is about \$200 000, is it not?

Mr EVANS - Yes.

Mr VALENTINE - From last year, I believe it was mentioned that there would be \$200 000 moved.

Mr EVANS - That is right.

Mr VALENTINE - That is an output transfer talked about last year. Is that what you are talking about?

Mr EVANS - Yes.

Mr VALENTINE - Is that \$200 000 part of the \$500 000 extra that you are talking about or is that over and above that?

Mr EVANS - No. We have the base budget, then we have shifts in overheads, and on top of that there is \$500 000 in this next financial year and \$250 000 the following financial year. Those are injections of funds to assist with the reorganisation of TMAG following the work that Janet will do as the new leader in the redesign.

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Mr VALENTINE - So it is a bit difficult at this point in time to say how the organisation might change because you are doing the review, and whether there are going to be any functions that are dropped off as a result of that review.

Dr GOODWIN - Yes, and that is the key point here, that Janet has only just come onboard. We need to get TMAG on a sustainable footing from a budget perspective. We need a strategic plan and all of these things need to fall into place before we can make some decisions about what TMAG might look like going forward. The key point here is that we need to make sure we have the right legislative framework in place and clear lines of responsibility between the trustees and Janet as the Director and the department. We also need to know what TMAG's strategic direction is in the future. They are both very important pieces of work that will help inform what TMAG looks like in its future staffing model.

Mr VALENTINE - Going back to the original question about FTEs, how many FTEs have been saved since you have come onboard as Government?

Dr GOODWIN - The opening hours change is the main area at the moment where there have been some changes in the staffing level with a reduction of just under four FTEs.

Mr VALENTINE - Four FTEs?

Dr GOODWIN - Yes.

Mr VALENTINE - But there is still work being done on that closed Monday, is there not, by staff? I think we were told somewhere in the budget papers that some of that work is still -

Dr GOODWIN - It did take quite some time because the new staffing model involved negotiations with the union. Then there was some - was it transitions from people who were casuals to -

Ms ALLEN - Correct. The FTEs are visitor service officers, not the core staff of TMAG, who, as you say, are still there.

Mr VALENTINE - In doing your review, are you going into that review with the premise that Mondays will still be closed, or is it all on the table and you will review that closure on Monday?

Dr GOODWIN - At this stage the plan is to keep Mondays closed, although there may be the odd Monday where it might be open for a special event or something. The priority was to start to get TMAG operating on a sustainable footing. This was one of the suggestions that the trustees came up with, and we supported them in that. It does not just provide an opportunity for some budget savings, but it also provides an opportunity to do back-of-house work, which is important in any facility.

At the moment there is no plan to open again on Mondays. I am sure the trustees, the department, Janet and I will all think about that. As to whether there will be any plan in future to reopen on Mondays, at this stage I cannot see that. Who knows?

Mr VALENTINE - A final question regarding the budget overrun this year. Do you feel there is going to be a huge overrun this year as well, or not?

Dr GOODWIN - I think there will be an overrun because this has been an issue with TMAG. It has been experiencing overruns for the last several years. It has taken time even to implement the change to the opening hours and the changes to the visitor services operating model to achieve any future savings. There has been a lag-time because of the need to negotiate with the unions and actually be able to implement that model. There will be a budget overrun this year. As to the quantum, I am not sure.

CHAIR - That is this financial year, not next financial year?

Dr GOODWIN - Yes. We have made this additional allocation of \$500 000 next year and \$250 000 the following year in recognition of the fact it is going to take some time for TMAG to put itself on a sustainable footing. Structural change will be required, but it needs to be informed by what we see as TMAG's strategic direction. That is an important part of this process.

Mr VALENTINE - Are you going to benchmark this review? When you do your review, are you going to be benchmarking it against other regional museums, for instance, to see that you have a reasonable level of staffing for the functions you need to perform?

Dr GOODWIN - Certainly part of the review is looking at what other jurisdictions do - how other museums operate and what their framework is. For example: are they a statutory authority? What sort of model are they? Do they sit within or outside the department? Having a look at how things work in other jurisdictions. In that sense, there will be some benchmarking.

CHAIR - To finish that off, the fact you have almost the same figure for 2016-17 and 2017-18, and again not much more for the following year in your forward Estimates, are you really saying this is not set in concrete because once you do the review things might well change?

Dr GOODWIN - In terms of the budget allocation, are you suggesting it could be more or less?

CHAIR - I am, because one would assume if you are doing the same things in any one given year, your budget needs to rise. Cost pressures rise, wages rise, everything rises. The fact you only have \$3 000 more in the year after 2016-17 does not seem reasonable if everything else were to stay the same. I am presuming that because you are going to do a strategic review, this is a guesstimate?

Dr GOODWIN - It is, and some other factors are at play as well.

CHAIR - We will not take the forward Estimates as gospel.

Ms RATTRAY - So we can disregard the forward Estimates?

Dr GOODWIN - No, I would not say that. The intention is to have TMAG operating within its budget. There is no doubt about that. That is exactly what the plan is.

Ms RATTRAY - So, by 2017-18 you expect that TMAG will be more self-funded?

Dr GOODWIN - It is going to take a couple of years for TMAG to be able to operate sustainably.

Mr EVANS - There will certainly be opportunities to do that. As the Auditor-General pointed out, the governance arrangements are not clear between the department and the board of trustees. That is a factor of the reality that the legislation is old. It was developed at a time when we did not operate under modern governance arrangements. We would want to modernise the governance. What that looks like is the subject of the review and the work the minister has talked about. With Janet on board now too, we will look at how the organisation itself operates. Janet has a lot of experience in running museums in other parts of the world.

CHAIR - You are suggesting it is not going to cost more to run TMAG?

Dr GOODWIN - No, that is not the intention. We want to put it on a sustainable footing so it can operate within its allocation.

Ms RATTRAY - Most of my questions were around that review process and the governance structure. Minister, do you think those roles and responsibilities will be completely restructured?

Dr GOODWIN - There will be a significant change in the governance model, because it has been quite difficult operating under the current model.

Ms RATTRAY - No-one knew who was responsible for what. Would that be fair to say?

Dr GOODWIN - There is certainly a degree of that, and it makes it very difficult for the director, because she finds herself torn – well, she may not have found it yet, but previous directors have. The trustees have day-to-day superintendence of the museum and the department is responsible for the staff and the budget. It puts the director in a very difficult and challenging position - to be in the middle of that. We need to make sure the new governance structure provides clear lines of responsibility and enables TMAG to be a more flexible organisation, given the role it plays. It is such an important cultural and tourism asset, we need to make sure it has as much flexibility as possible. It also desperately needs a clear strategic direction for the future. That is going to be very important work for TMAG.

Ms RATTRAY - I heard the director say the review would take a couple of months. Is that realistic?

Ms CARDING - My aim is to complete the strategic plan by the end of the calendar year - in around six months.

Dr GOODWIN - There are two bodies of work - the strategic plan Janet is taking carriage of, and the governance review of the legislation and the framework. That is a whole of portfolio review.

Ms RATTRAY - That is going to take longer than six months?

Dr GOODWIN - No, we want to get onto it pretty quickly, and it is in our 365-day plan, so we are working on the end of September.

Mr VALENTINE - I would have thought the governance review should come before the strategic plan, otherwise you do not know what you are working with.

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Dr GOODWIN - It will certainly help inform the strategic plan, and it is important to work out the governance structure.

Mrs ARMITAGE - I have a few questions regarding staffing and costs. I notice the Auditor-General in his report in March showed TMAG had the highest figure for staffing costs as a percentage of costs compared to major museums in South Australia, the ACT and Queensland. TMAG came in with staffing costs at 62 per cent of total costs, with Queensland at 53 per cent, Canberra at 42 per cent and South Australia at 45 per cent. How many full time and part time staff does TMAG have? How many of these are managers? What are your staffing costs and what is being done to get the staffing costs down?

Dr GOODWIN - The staffing levels - 68.52 FTEs. I am not sure if I have a breakdown. Janet, do you have additional information about that?

Ms ALLEN - If I could respond to the issue of comparing staffing costs as a percentage of total budget across different institutions in the country. One of the challenges with TMAG is that it is not a straightforward 'apples-with-apples' comparison. You are talking about institutions of different size and scale and number of sites. One of the benchmarking challenges for TMAG is the fact that it is quite an unusual institution in that it is a combined art gallery and museum and herbarium. The only state-run collecting institution that combines the gallery and the museum functions in the country is the Museum and Art Gallery of the Northern Territory. There are some issues of scale with regard to physical facility and size of collection, and the staffing percentage goes with that. It is one of the challenges with benchmarking an appropriate percentage of budget to go on core staff costs.

Mrs ARMITAGE - It reminds me of the Queen Victoria Museum and Art Gallery - that gets a lot less funding, of course.

Dr GOODWIN - This is, of course, a state institution.

[9.30 a.m.]

Mrs ARMITAGE - I appreciate that. I have one other question and it is not on the staffing, and apologies if it has been mentioned when I have been in with Health, but the *Mercury* newspaper reported on 16 January the legs of a \$300 000 antique sofa were damaged when a visitor sat heavily on it. Minister, how was a visitor able to sit on a museum exhibit that is worth the price of a house?

Dr GOODWIN - Yes, that was a most unfortunate incident and we deeply regret what happened. Janet can probably address that even though she was not here at the time.

Mrs ARMITAGE - Could you advise the cost to fix it and whether the antique has been ruined? Has security been improved since then?

Ms CARDING - The sofa was displayed on a plinth and the plinth was designed so that you knew not to reach out and touch or sit on the sofa. Unfortunately, it was an isolated incident. A young person did that. Since then the sofa has been off display. We have conserved the sofa using our own resources so there has been no additional cost to mend and restore and conserve the sofa. We aim to have it back on display soon.

It has not been damaged in the long term. As with all conservation, it has been an opportunity to learn more about the sofa, its manufacture, how it was put together. Although I wish this had not happened, no harm has been done in the long term. We are currently assessing how to make sure, when it goes back on display, that it is not touched.

Mr FINCH - In listening to questions and answers up to now, and over the last 13 years, about TMAG, it seems that the organisation has never really been settled. Each year it is like a new adventure that we go on with TMAG. I am pleased to hear about, at last, a strategic plan.

I am befuddled that there is not one already, or there is an old one that you are working to. Every business that now applies for a grant, a loan or wants to deal with a bank, must have a strategic plan. It is about time.

In reference to what I have already said, I can only feel for the staff. If you have 68-odd people working there, they have also been on the joy-ride. I want to ask about morale and with this uncertainty of not having a strategic plan, not having a clear way forward, what effect that might have on the morale of the staff.

Dr GOODWIN - I will make some preliminary comments and then hand over. While there is not a strategic plan currently, there are other documents that have informed the work that TMAG does. They have not been completely directionless. There has been other documentation. You are right, a strategic plan is a key document that all organisations need these days to know what direction they are headed in.

The staff have had the benefit of a terrific change in that we now have a new director who has a lot of excellent experience and is going to be a great asset to TMAG. That will provide a great deal of encouragement to the staff and probably relief that there will now be some stability.

I commend Jennifer Storer, who was the acting director for quite some time, for the work that she did in helping to keep TMAG travelling along and she also negotiated the change to the visitor service model and that closing time change. We also pay tribute to the work she is doing.

We now have Jennifer and there is also a new Chair of the trustees. There is quite a bit of change happening and change in some ways can cause people concern, but it can also be a great opportunity for an organisation to be reinvigorated.

The fact that we are looking at the governance structure, the legislative framework, that we have a new director who is working on the strategic plan, is a source of comfort to the staff. Janet is on the ground and she can talk a bit more about how they are feeling.

Ms CARDING - My initial assessment, talking to the staff is that we have a very hardworking, talented group of people who have dealt with all the challenges that are involved in running a museum and art gallery. They have kept the facility operating and all with putting our visitor service first. I am very impressed with the staff I found there.

Since I arrived I have been putting together some opportunities so that we can talk about what TMAG should be doing. What I have heard from that is that the staff are very much in favour of the idea of a strategic plan and really want to be involved in putting that plan together and so I am going to make sure that they are involved over the next few months. For me that is the way forward; I will be involving and using the talents of the people I have there on the ground.

Mr FINCH - Minister, is there any sense that staff numbers might need to be diminished with the strategic plan? I am thinking about the uncertainty for the staff. Are they comfortable in their zone with the work they are doing and the experience they have and the skills that they have that they are going to be able hold their jobs into the future?

Dr GOODWIN - The important point to note is that TMAG has to operate on a sustainable footing. Also, we need to have the clear direction forward and we need to know what the governance framework is going to look like. I think there will be some staffing changes because it is inevitable if you are going to look at the way an organisation operates and there is change in its governance structure and the strategic plan. There could be some staffing changes; that is probably inevitable. As to what that will look like, I do not know because we have not done the work yet. I would be very surprised if there were not some staffing changes that come out of this whole process. The work has to be done first before we can reach that conclusion.

Mr FINCH - It will be interesting to compare notes next year and see what actually happens on the back of the strategic plan. On the closing of TMAG on Mondays, what sort of reaction have you had from the public?

Dr GOODWIN - There were some concerns; the Tourism Industry Council has expressed concerns about that on a number of occasions.

CHAIR - Particularly on days when there is a cruise ship in.

Dr GOODWIN - Yes, but it is important to note a deliberate choice was made to close on Mondays as opposed to Tuesdays because MONA closes on Tuesdays. There is still a cultural offering on Mondays, because they do have the option of going to MONA. On Tuesdays MONA is closed so people can only go to TMAG if that is what they are looking for. In that sense there is a degree of collaboration between MONA and TMAG on closing hours. There is that opportunity for one to step in when the other one is closed. It provides the opportunity for back-of-house work to be done as well. It would be great if all museums, all hotels and all tourism and hospitality venues could be open every day, 24 hours a day. It is just not realistic in the world we live in.

Giving credit to the trustees, they had to knuckle down and come up with some solutions to the budgetary issues that TMAG has been facing over a very long time and which have not been addressed by previous governments. These organisations have to operate within their budget allocations. There is just no question about that. The trustees took the decision they thought was appropriate in the circumstances and I fully support them in that. We are where we are. Of course there is some disappointment on occasions because the museum is closed but people probably are disappointed that MONA is closed on Tuesdays as well, so this is just the reality of what can happen.

Mr FINCH - The strategic plan might throw up the idea of going back to seven days, you never know.

Dr GOODWIN - TMAG opened, with the support of the Hobart City Council, on a few Friday nights during summer, which went down pretty well. Of course, as part of the strategic plan there is an opportunity to look at different opportunities and, Janet, you were involved in

some work in your previous role about opening museums at different times to do different things. Do you want to talk about that?

Ms CARDING - What we are seeing now in museums and galleries around the world is that people are looking at different opening hours for different audiences - for adults, opening in the evening; for families, having special weekend activities. At TMAG there have been experiments in all of these areas and I would like to factor that into the strategic planning.

CHAIR - You have alluded to it, minister, and I raise the issue of the relationship between TMAG and MONA. Maybe not only MONA but any other private institutions or organisations. I note with some sadness you say MONA is open on Mondays so people can go to MONA instead. If only there were good public transport for people to do that, but that is not your portfolio so we will address that in another way. The wonderful thing about TMAG is that it is central and it is in the city. What is the relationship currently between MONA and any other private institution and TMAG? Do you see building on that? It might be that you support each other to a great degree.

Dr GOODWIN - There has been a good record of collaboration between MONA and TMAG. Janet or Jacqui might like to talk about some of the specific examples of that. From my perspective, I see great opportunities for more collaboration, and that is a really important thing. Across the portfolio, I would like to see much more of that occurring.

CHAIR - It is a private institution so you have no control over that.

Dr GOODWIN - MONA, no I do not, but there is already a good relationship which can be built on. The same thing with QVMAG. I know the director of QVMAG is interested in exploring opportunities for collaboration. I am sure Janet and Richard have already had some conversations about that. There has already been an example of a collaborative effort. I hand over to Janet to talk more about that.

CHAIR - Regarding strategic planning, are you planning to involve other people apart from Government.

Ms CARDING - Absolutely. It is really important we work out how we can become the partner of choice. As the state museum and art gallery, it is part of our role to work out how we partner with others and do that well - to provide access to the collections and opportunities to make sure we reach every part of the state. In terms of MONA, we have had some good collaborations in the past and we have two collaborations as part of Dark MOFO which are opening in the next few days, one at TMAG, an exhibition of John Kelly's work, and one at the historic house Nerryna, which TMAG manages, a special exhibition for Dark MOFO.

In terms of working with QVMAG, I have taken the opportunity with a touring exhibition coming to Australia from France, to partner with QVMAG over that. That is coming in 2017 and will appear at both of our locations. Richard and I have talked about how we can make sure of most of the opportunity for Tasmania by having it appear in both venues. I am planning to talk to Richard about how we might collaborate more in future.

Mr DEAN - Where are we with visitor numbers? What impact has Mondays had in relation to those numbers?

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Dr GOODWIN - Over the past 10 months it is estimated TMAG will attract 380 000 visits in the 2014-15 financial year, or 1 125 visits per day.

Mr DEAN - How does that compare with previous years?

Dr GOODWIN - The previous year there were 1 314 visits per day. That figure, I point out, was corrected. The 2014-15 Budget was incorrect and it has been corrected to 1 314 visits per day. That was picked up.

Mr DEAN - That is in the 2013-14 year which is significantly more than we are getting now?

Dr GOODWIN - What happens when you have a redevelopment, it is fairly typical in the first opening year after that to see a spike in visitor numbers and then it settles back down to a lower level. Once again, this comes back to the strategic plan and what Janet was talking about, the different target audiences and trying to think about what might appeal to different audiences to help boost visitor numbers as well.

Mr DEAN - With tourist numbers in this state increasing, and they have improved quite significantly, it does not look good for TMAG. We have had all that redevelopment concentrating on TMAG but our numbers, whether it was due to the redevelopment in 2013-14 or not, have dropped off now with tourism numbers increasing. Are we promoting the TMAG in the right way? Is it interactive enough? That is what people now are asking for in museum visits, being interactive. If you travel around the world, the museums are becoming very interactive. Are we progressing in the right way?

Dr GOODWIN - This is a work in progress from Janet's perspective. She has only been here a couple of months.

Mr DEAN - I am not pointing the finger at Janet.

Dr GOODWIN - I am putting it on the record that I know these are things that she is looking at because we have discussed it and it is all part of the strategic planning process to think about the position of TMAG for the future. You have to factor in things that are going to appeal to different audiences and the Friday nights example that I mentioned was great for kids and parents. While the parents would go along and have a glass of wine and chill out on a Friday night, the kids were able to watch a movie. There are all sorts of opportunities to be explored but it is part of the strategic planning process and working closely with tourism and events as well to work out what collaborative opportunities there are - MONA, for example, and the events that we have; we have already mentioned Dark Mofo, and there are a whole range of other events where we could partner with them.

Mr DEAN - It seems that you are emphasising the strategic plan and that the strategic plan is going to sort it all out and fix it all. I cannot be so confident because I would have thought that you would be concentrating on those issues, those developments and they would get people into the museum. There is not much point in having a museum if we cannot get anyone to go to it. I would have thought that you would have been working on those issues.

Dr GOODWIN - It still remains the most visited tourism site in the state so it is not that no-one is going there, it is just that you expect there to be a spike after the redevelopment. As

much as anything, it is locals going to have a look at what has happened with this redevelopment but it is certainly a focus.

Mr DEAN - Is there move to make it more interactive?

Dr GOODWIN - I will hand over to Janet.

Ms CARDING - Interactivity is something which has an important place in museums but broader than that, it is how people feel if they are involved. Sometimes it is through interactivity, sometimes it is about getting people involved in different ways. All of that we want to take into account as part of the strategic planning process.

CHAIR - I am conscious of the fact, Mr Dean, unless there is an urgent question, we have actually spent three-quarters of the time on the first output item and we have not got to the others.

Mr DEAN - I was going to ask about security at TMAG. Is it a secure place because of the thefts we have had from the museums? The other thing was, how much do you do with Devonport and Burnie and Queenstown, how much interaction is there with the other museums in the state?

Ms CARDING - For security, we have established the appropriate number of visitor services officers that need to be in place for the museum to be open safely for the collections and the public, and make sure that they are always in place when we are open to the public. As for partnering with other museums, in the two months that I have been here I have focused on getting to know the people inside TMAG and closer to it, but I am aiming to travel across the state within the next few weeks and months to build those partnerships.

The minister has made sure that I have met as many people as I can so far through a number of opportunities she has created for me. For me it is a matter of time in how we build those partnerships.

Mr DEAN - When you visit Zeehan, you will need to speak to the member for Rosevears. He will give you the map and show you how to get there.

Ms CARDING - It is on my list.

CHAIR - I am already failing as Chair of this committee by allowing too much time to be spent on the first Output. So let us go onto the second Output, which is the Arts Industry Development.

5.2 Arts Industry Development -

Dr GOODWIN - I will introduce Katherine Hough from Arts Tasmania. She is the director.

CHAIR - Welcome, Katherine. Minister, I find this whole Arts budget a little confusing because the description of this allocation includes:

This Output focuses on working with Tasmanian artists and arts organisations to grow this important industry. It aims to build the sustainability of arts businesses. This is achieved by providing funding to individual artists, arts

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organisations and major Tasmanian cultural institutions to assist their planning and realisation.

It seems that the funding from this Output is obtained by application. Why is this Output not included with grants and subsidies, if that is how you are going to spend this money?

Dr GOODWIN - This particular Output is a bit of a mixture. Some of it is grants funding. But there is also the QVMAG allocation and allocations to other regional museums included. I will hand over to Katherine if she wants to elaborate on that.

Ms HOUGH - As the minister has said, there is direct funding by the state Government of 10 regional museums and art galleries, QVMAG included. There is also the competitive funds that go through the Tasmanian Arts Advisory Board by virtue of this legislation. The Tasmanian Arts Advisory Board direct grants is about \$2.8 million; that amount is for artists, arts organisations and small museums, galleries and collections, and also programs like the matched crowd funding program, Crowbar. There is also within that what Arts Tasmania does, programs that assist arts businesses such as the Collect Art purchase scheme, and the Tasmanian Arts Guide, which are about promoting and building capacity amongst those businesses to gain further audiences and market opportunities.

CHAIR - They are not ongoing funding?

Ms HOUGH - They are within this output, yes.

CHAIR - Why would that not be in grants and subsidies rather than as part of your base funding? That is going to vary from year to year, one presumes, the \$2.8 million.

Dr GOODWIN - The grants fund. It is fairly stable.

CHAIR - But you do not give it to the same people every year.

Dr GOODWIN - No. It varies as to who receives the funding. As to why it is not - I do not know. We will get some advice to see if we can have an explanation. That is the way it has always been. I do not think it has been any different.

CHAIR - Minister, your Government keeps telling us the way it has always been does not have to be the way it is going to stay so -

Dr GOODWIN - No, I know but -

CHAIR - That is the whole point about the new Government, is it not, that you are looking at everything?

Dr GOODWIN - Yes.

CHAIR - It seems that if it is \$2.8 million that you give every year, or you expect to give the same sort of amount -

UNCORRECTED PROOF ISSUE

Ms HOUGH - That figure has historically fluctuated, as the minister will be aware. There is the matter of multi-year contracts with some organisations that are funded for more than one calendar year at a time.

Ms RATTRAY - Chair, is it possible for the committee to have a list of the individuals and the organisations that are funded over one year or up to three years? I believe some of them are three-year funding.

CHAIR - You cannot give us that today, but could we have that list?

Dr GOODWIN - We can give you a list.

Ms RATTRAY - I thought they would be prepared, Chair. We ask for it every year.

Ms HOUGH - You do. Did you want to table that, minister, or did you want to take that on notice? It is brief number 8. We do not have it by organisation, but we have it by program.

Dr GOODWIN - Do you want details of the recipients or - yes, so we will have to take that one on notice.

Ms HOUGH - They are on the website.

Dr GOODWIN - But we will get that information for you.

CHAIR - Thank you. The other question I had was about the Moonah Arts Centre - the new redeveloped Moonah Arts Centre that receives no funding from the Government. It has only received occasional funding for one or two specific projects, on applications and grants.

My questions are about partnership with local government, and that happens to be one example. There are others obviously. Is there any plan to look at ongoing funding from various councils' arts resources, as you do, for instance, for QVMAG? That is another way to develop the industry - every time there is a festival across the state, you could partner with many local government areas. Is there any kind of strategic plan or intention to make that an official program, so the Government initiates cooperation, rather than individual councils applying to the Government to get support for events?

Dr GOODWIN - There are some facilities that receive funding through Arts Tasmania - some regional galleries and museums. As far as funding - are you are talking about festivals or things of that nature?

CHAIR - Or exhibitions.

Dr GOODWIN - Or exhibitions.

CHAIR - A lot of local government areas have small -

Dr GOODWIN - Normally they would apply through the competitive grants process, or for events funding. A new events regional start-up fund has been provided for in this Budget. That falls under the Minister for Tourism

CHAIR - I was talking in particular about partnering with local government.

Ms RATTRAY - That does not belong in this portfolio?

Dr GOODWIN - Events?

Ms RATTRAY - Events, regional events.

Dr GOODWIN - No, we do not have events. But there is a fair degree of cross-over between events and arts.

Ms RATTRAY - Seven ministers for State Growth.

Dr GOODWIN - Yes.

Ms RATTRAY - You might recall I mentioned that last week. How does anyone get their head around that for budget papers?

Dr GOODWIN - No, there is not a specific local government stream of funding, if you like.

CHAIR - A partnership agreement is what I am talking about.

Dr GOODWIN - There are probably still some partnership agreements in place across councils, I am not sure.

CHAIR - You used to have a system of state government/council partnerships but that seems to have fallen by the wayside.

Dr GOODWIN - Nothing specific to the arts - no specific stream of funding for local government - but there would be partnerships.

CHAIR - So the only way local government can get funding is by applying for grants?

Dr GOODWIN - Yes.

CHAIR - Ms Rattray, you had some questions.

Ms RATTRAY - Yes, about the regional events start-up funding. I will ask the Premier on Thursday, thank you, Chair.

Mrs ARMITAGE - I assume Ten Days comes under Arts.

Dr GOODWIN - It does.

Mrs ARMITAGE - Footnote 7 points out the reduction in grants and subsidies in 2017-18 reflects the Government's commitment to reduce funding for Ten Days on the Island. However, in a press release from your own office on 19 March you described the Tasmanian International Arts Festival, formerly known as Ten Days on the Island, as a 'statewide event of international significance'.

You also highlighted that it , and I quote -

[TBC] Contributes to the Hodgman Liberal Government's target of attracting one and a half million tourists each year by 2020. [TBC]

If this festival is internationally significant and an important contributor to this state, why are you - to quote directly from the Budget document on page 268 - 'committed to reduce funding for Ten Days on the Island'? That is my first question.

Dr GOODWIN - This was an election commitment. It was part of our alternative budget that we would reduce funding to Ten Days on the Island. There is currently a deed in place, which expires in 2016-17. The funding is locked in until then. From that point onwards, we have flagged a reduction in funding to Ten Days on the Island or the Tasmanian International Arts Festival. The rationale is that we believe it has a very strong brand now and it ought to be able to stand on its own two feet, with some government funding obviously.

When Ten Days on the Island was initiated back in 2001, it was probably the only major arts festival in Tasmania. Things have moved on a bit since then and we have a number of festivals in Tasmania. Should we really be giving such a high level of guaranteed funding to one festival when other festivals have to compete for events funding through a different process?

There are a lot of other festivals on offer and we should not be giving them a guaranteed high level of funding when, having had a long time to build up their brand and establish themselves as a festival, they are probably in a better position to attract other sources of funding.

There are many other festivals still in their infancy but there is certainly a lot more choice now.

Ms RATTRAY - In relation to that, is there any intention that there might be some more local artists used for the Ten Days on the Island? Do you have any input into that?

Dr GOODWIN - I do not have any input into the programming. The organisers are trying to make it as attractive as possible to participants both from here and interstate. I have attended a number of the Tasmanian International Arts Festival events, including the world premiere of the renowned Tasmanian company Big hART's monumental and ambitious new show *Blue Angel* at the Astor Hotel. There were other Tasmanian artists such as Terrapin; Justus Neumann, who does *Alzheimer Symphony*, which is a really good show; Tasdance and MADE, which is the Mature Artists Dance Experience. They toured their outstanding productions around the island as well.

Ms RATTRAY - It would be good to support our own local artists in preference to thinking that overseas or international ones are always better.

Dr GOODWIN - It is the Tasmanian International Arts Festival, so there is a combination of local artists but also international acts. Tasmanians also like to experience artists from overseas. The headline act *La Soiree* was one of the most popular shows in the program; it completely sold out 14 of its 16 performances in the Spiegel tent. It is quite a diverse program of activity.

I take this opportunity to pay a special tribute to the outgoing Chair of Ten Days, Sir Guy Green. He is also the former Chair of the TMAG trustees and has put a lot of time and effort into the arts in Tasmania. We need to thank him and recognise his tremendous commitment.

CHAIR - And he has loved every minute of it.

Dr GOODWIN - Absolutely. He has a special role as Patron for Ten Days; it is excellent that he will still have some involvement.

Ms RATTRAY - Which usually means that he will need to provide a large cheque!

CHAIR - Minister, \$40 000 is allocated for the biennial Premier's Literary Prizes, it says. The Arts Tasmania website gives details of the literary prizes. It lists the Tasmanian book prize as \$25 000, the only literary prize that is actually sponsored by the Government. Two of the others are sponsored by UTAS and the last is sponsored by a private philanthropist. Is the Tasmanian book prize being increased to \$40 000?

Dr GOODWIN - No, there is some cost involved in setting up the structure of the literary prizes event, to support it and all of those things.

Ms HOUGH - It is the event, it is the marketing, it is the administration, and it is the payment of judges. It is the short-listing event. It is the online entry for publishers and writers to be able to submit their work.

CHAIR - So it is the support around the prizes.

Ms RATTRAY - Why would you need to pay a judge?

Ms HOUGH - Because they are professional writers of a very high calibre who are undertaking judging by reading a significant number of books. We have 130-odd entries this year.

Ms RATTRAY - They wouldn't do something like that as a community service?

Ms HOUGH - No.

CHAIR - Short answer.

Dr GOODWIN - The whole literary industry is a pretty competitive business these days.

Ms HOUGH - Absolutely.

Mr DEAN - What is the Theatre Royal lease? How is that controlled?

Dr GOODWIN - It is a crown land lease.

Mr DEAN - It is crown land, but as I understand it, the lease is only annual now. Is that true?

Dr GOODWIN - It is annual lease.

Mr DEAN - Coming from that, if the Theatre Royal lease is done annually, where is the security for the people involved?

Mr EVANS - I think you need to ask the minister for Crown Lands that question. I understand they are looking at making some changes to deal with that more broadly.

Dr GOODWIN - This is connected to the ACIPA project as well. That project involves the Academy of Creative Industry and Performing Arts, the state government, the Australian Government and the university. The plan is locate the building next to the Theatre Royal in what is a carpark at the moment. This will help address some of the Theatre Royal's back-of-house deficiencies, or the functionality issues. You would be aware of the cramped front-house space, issues with the toilets and the back-space theatre, and all of those things that really need to be addressed. The ACIPA Project will help address those.

Mr DEAN - How far advanced is that?

Dr GOODWIN - The department is heavily involved in the negotiations around that. At this point, we are just trying to finalise the process for the early works application.

CHAIR - Apropos of that, you have actually postponed it. It looks like you have postponed the funding for another year, for this project, which is a bit of a worry.

Dr GOODWIN - The department is heavily in negotiations with the university on this project at the moment. The funding is in there.

CHAIR - It is in forward Estimates, but it has been moved out another year.

Dr GOODWIN - There is quite a bit of work to do, first up. The early works process would involve archaeological investigations.

Mr EVANS - We are only a matter of a week or so from resolving the early works permit?

Mr VALENTINE - Edburg Garrett?

Mr EVANS - Yes, to do some initial geotech work.

CHAIR - This project is not new, though. How long since it was announced? Three years, two years?

Dr GOODWIN - There has been a redesign of it by the university.

Mr EVANS - Several times.

Dr GOODWIN - Several, yes.

CHAIR - When it was announced, it seemed like such a fantastic project, and it is just stringing out.

Dr GOODWIN - It is a fantastic project. From the state's perspective, we have to protect the Theatre Royal and make sure that, to the greatest extent possible, the functionality issues of the Theatre Royal are addressed through this project. We have to also protect the Theatre Royal as a building as well and make sure it is very well looked after. It is a terrific cultural asset for us; it is

just a beautiful theatre and people love performing there. It is really important that we get that right. Yes, certainly it is a great project and it would be terrific if it could move along, but we do still need to resolve some issues.

CHAIR - We look forward to some progress.

Dr GOODWIN - Yes.

Mr VALENTINE - How did the Crowbar crowd-sourcing trial end up? It seemed to be going well last year - I think government put in \$16 150 and the public raised \$50 960. How did that end up?

Dr GOODWIN - The 2014 pilot programs supported 20 projects to date, with one more to be completed. Government investment of \$30 150 in these projects realised \$113 036-worth of public support, which is great - leveraging of 23.7 per cent government investment to 76.3 per cent public support. The 2014 Crowbar projects attracted 1 554 investment pledges from every state and territory in Australia and from America, Canada, Sweden, Singapore, Thailand, the United Kingdom and the Netherlands. Based on this success, Crowbar is again being offered in 2015 with a total government investment of \$30 000. Crowbar is delivered in partnership between Arts Tasmania and the Australian crowdfunding platform, Pozible, one of the biggest worldwide crowd-funding platforms.

The 2015 program opened in February this year and already four projects have been successful in meeting their campaign targets. It has been a really good program and I congratulate Arts Tasmania on their initiative. It is terrific.

Mr VALENTINE - A quick question about the roving curators. It is not a large amount of money. How many people are involved in that, and how many organisations are you helping over this past financial year and intend to over the forward Estimates?

Dr GOODWIN - I will hand over to Katherine on that one.

Ms HOUGH - There are two part-time curators based in Tasmania who work on a range of projects throughout the year. There are, as members would be aware, something like 140 small museums and collections around the state and we have worked with almost all of them in the time the programme has been going. It is our tenth birthday next year and there is \$38 500 in the Small Museums and Collections competitive funding pool, so organisations can apply for cash and/or roving curators' time.

Mr VALENTINE - Is that outside the grants that you provide to, say, Burnie and the West Coast Mining Museum?

Ms HOUGH - Yes, that is separate from the direct fund to museums. In 2014-15, we are still working through activities that we supported. I think the girls have around 30 organisations they are working with currently.

Ms RATTRAY - Is that \$1 000 each?

Ms HOUGH - It is not just cash, it is also hours of their time. It depends on the project, so for some projects it might be a very simple assessment of the collection as a starting point.

Ms RATTRAY - Like my Woodsdale.

Ms HOUGH - Yes, exactly. For other projects it might be more complicated: let us design an exhibition, or let us do some conservation. That is one of the areas where we work closely with our colleagues at TMAG, and also QVMAG, where the curators are assisted with their staff and advice. In Burnie last month, the curators produced the 10 Objects-10 Stories exhibition from a range of collections. This year the theme was the commemoration of Anzac and the First World War.

Mr VALENTINE - Is that Peter Mercer's?

Ms HOUGH - Yes. We had a fantastic collection of objects in the Burnie Regional Art Gallery and the roving curators, you might remember, did 21 Objects and 21 Stories last year. That won a Highly Commended at the Museums of Australia National Awards in Sydney last month.

CHAIR - We might go on to the next Output item. We are a bit over time but with your indulgence we are running into the next bit, but we have a long time for the next and if we run out of time we have the capacity for extra hours.

5.3 Screen Industry Development

Dr GOODWIN - I will introduce Andrew McPhail, Acting Director of Screen Tasmania.

Mr FINCH - Minister, very disappointing figures in the Budget this year - \$2.103 million this year, dropping to \$1.854 million next year, even further in the forward Estimates. I know the decreases in expenses in these Outputs are primarily attributable to the cash flows of election commitments. It may have been an election commitment to cut funding to Tasmania's screen industry but how can that be justified when there is so much promise from Screen Tasmania, so many opportunities, and in a lot of ways linked to our image, our branding, and also to the tourism industry? We are trying to increase numbers and anything that is filmed or any work that is done projects us to the mainland or internationally so well. Can you give me some justification for the diminution of the numbers?

CHAIR - I do not think the commitment was to decrease funding. I think the election commitment was a lot of promises to do things which they then have carried out.

Dr GOODWIN - Also, *The Kettering Incident* was a one-off special funding allocation. *The Kettering Incident* has finished production and it is about ready to have its sneak screening this week, which is exciting. There was additional funding for *The Kettering Incident*. That is why it looks like an increase and then a drop in allocation, because it excludes *The Kettering Incident* funding.

[10.15 a.m.]

Ms RATTRAY - Do you have some detail about what input *The Kettering Incident* had for the community? I will see if my figures line up with yours, minister.

Dr GOODWIN - The series produced by Porchlight Films, New South Wales and Sweet Potato Films Tasmania had a total budget of \$14.3 million. The Government's investment

through Screen Tasmania of \$1 million generated a direct spend of \$5.9 million on Tasmanian goods and services, creating 110 jobs in cast and crew roles. This spend is well above Screen Tasmania's investment to spend target ratio of 4:1. Additionally, Screen Tasmania facilitated 13 professional training attachments on the production for emerging Tasmanian practitioners. Six of these went on to full time employment with the production allowing all individuals to gain further valuable experience and consolidation of skills, which will enable them to establish ongoing careers in the local and national industry.

To clarify what *The Kettering Incident* is all about - it is an eight by one hour television drama series financed by Foxtel, BBC Worldwide, Screen Australia and Screen Tasmania. It will be released on Foxtel later this year and distributed internationally by BBC Worldwide. It is about to complete post-production. It will have its world premiere screening on 10 June when the first two episodes will open the Dark MOFO film festival. By way of additional information, Dark MOFO runs from 10 June to 22 June and is supported by Screen Tasmania in the form of a \$10 000 grant. There has been an unprecedented rush for tickets for the world premiere screening. It sold out within two hours of going on sale. Festival organisers ended up hiring every theatre at the State Cinema in North Hobart on the same night to accommodate the demand. There is a very strong level of interest in *The Kettering Incident*. A number of well known actors are in it, including Matt Le Nevez from *Offspring* and Elizabeth Debicki.

Mr McPHAIL - She was the support in *The Great Gatsby*.

Dr GOODWIN - There are also actors with Tasmanian connections. Alison Whyte is someone I know quite well - she is in it, and a few others as well.

Ms RATTRAY - So, effectively a \$14 million project and we have cut funds to Screen Tasmania. We can see what it can do.

Dr GOODWIN - It was specialist. It was a special funding allocation. It was an out of session -

Mr McPHAIL - It was a request for additional funding provided. It was over two years. The previous financial year it was a \$300 000 allocation in our budget. This financial year it has been a \$700 000 allocation in the budget. Next financial year the budget will look as though it has gone down by \$700 000 because *The Kettering Incident* has already run through the system.

Ms RATTRAY - So when is the next '*Kettering*' coming along?

Dr GOODWIN - It would be great if there was a series 2 but I guess we have to see how series 1 goes first.

CHAIR - A similar project. Are we looking for them?

Dr GOODWIN - Apart from *The Kettering Incident* there have been a number of other screen industry activities going on here in Tasmania. There was the filming of the Dreamworks feature *The Light Between Oceans*. You might recall seeing footage last year about that in Stanley. Quite a bit of work was done to transform Stanley, including building a wharf that has remained a permanent structure and the department contributed some funding to that construction. There are productions by local company, Roar Film, an Irish-Australian co-production drama documentary *Death or Liberty* starring Billy Bragg. More recently there was the filming of *Lion*,

the biopic of Saroo Brierley directed by Emmy Award winning director Garth Davis, and produced by Academy Award winning producers Emile Sherman and Iain Canning, starring Dev Patel, Nicole Kidman and David Wenham. There was some publicity on that as well.

There is quite a bit of interest in Tasmania. These films and this drama series will hit the screen shortly. Hopefully there will be renewed interest in Tasmania as a potential destination for the screen industry for productions.

CHAIR - Are we being proactive in promoting that and seeking that, or are we just waiting until someone comes along and says, 'Can I please do it in Tasmania?'

Dr GOODWIN - I will hand over to Jacqui and Andrew, or whoever would like to talk more about that.

Ms ALLEN - In regard to making sure we are making the connections between tourism outcomes and screen production, Screen Tasmania is working very closely with Tourism Tasmania to make sure that we can work through those issues in social media and exploit the screening of this work to the best promotional advantage we can. Andrew, could you talk about some of the production attraction work that we are doing?

Mr McPHAIL - Since *The Kettering Incident* was filmed here, the industry has had an incredible response both nationally and locally. Apart from providing jobs to the local industry here, what we have been able to do is the -

CHAIR - It put a lot of money into Collinsvale. A lot of film was shot in and around Collinsvale.

Mr McPHAIL - A lot of filming will be done in Collinsvale and Tasmanians will be disappointed that Kettering in fact is Collinsvale. The rest of the nation and the rest of the world will not be aware of that. The reaction from the national cast and crews who came down here have been nothing but resoundingly positive.

As a consequence of that, word has got out into the industry that Tasmania is a fantastic place to shoot. In addition to *The Kettering Incident*, we have had local projects like *Noirhouse*, which have already filmed down here and have already been released on the web. That has been, in effect, another proof of concept that they can deliver fantastic quality productions at a very competitive price.

With the combination of both the local production and the *Kettering* production which has come to shoot here, the interest is beginning to rise. For example, we have the ABC coming down on Friday, and they are developing a new comedy series which they wish to shoot here. There have been a number of other enquiries since the Estimates papers have been prepared, for people wanting to shoot down here. One of them is a show called *Doolittle's Raid*, which is an Australian-Chinese co-production. We have just taken them around the state showing them locations for the potential for them to come down here later in the year to film. We have another two series in development, one of which is a one-by-eight-hour series of similar size to *Kettering*, and probably on a similar budget, which is being prepared by Essential Media. At the moment they are in discussions with the international marketplace to see whether they wish to come onboard. There is a lot of interest at the moment.

CHAIR - You do not have money in the forward Estimates for that?

Mr McPHAIL - No. Such shows would be, again, on a case-by-case basis.

Mr FINCH - I only have a sense of frustration about the figures. They just seem to be so paltry when we have heard you positively, minister, speak about the benefits that come to Tasmania, as we have just heard from the director as well, and how positive these things are. With the typography and the geography of Tasmania and the opportunities that exist here for these sorts of things to go on, I am just hoping that you are going to push with your colleagues for some sort of substantial increase in the budget to try to help support our young people particularly who want to develop in the film industry, and also the people at Screen Tasmania, to give them the opportunity to do more things, to take up more opportunities.

Dr GOODWIN - I go back to *The Kettering Incident* and make the point that, although it occurred under the previous government, we committed the funding when we came into Government to that. That was an out-of-session request, if you like, for funding for *The Kettering Incident*, so of course we will always consider those opportunities as they come along.

As you have heard, there is renewed interest in Tasmania as a destination for filming - a great place to come and film a documentary or a drama series or a movie. There is a lot of interest in Tasmania. Of course we want to capitalize on that interest. If there are opportunities that come our way, I will take them to my colleagues in Cabinet, if we are not able to fund them within the existing allocation. We also need to recognise that Screen Tasmania is doing excellent work already, and have been doing excellent work for a number of years. It is a very good board that sits across Screen Tasmania, a very effective board, and terrific staff as well.

We also should recognise the work of the previous director, Karina, who did a fantastic job putting Tasmania on the map as far as the screen industry goes.

Mr FINCH - On that subject, are you the acting director? When will a substantive appointment be made, minister?

Ms ALLEN - We expect to be in the market soon, recruiting for that substantive appointment.

CHAIR - We do not like words like 'soon' or 'in the near future', Jacqui.

Ms ALLEN - I cannot be more specific at this stage, unfortunately. We have taken the opportunity to look at the requirements for staffing in Screen Tasmania and the division. We are in the final stages of process to go to market for that, as soon as we can.

Mr FINCH - Minister, you talk about support for potential opportunities - you remember my special interest speech about Wide Angle Tasmania - yet, they are struggling. They are the ones who are building the future of the screen industry, or can have the potential to build the future of the screen industry in Tasmania, and also create opportunities for our young people, yet they are struggling. I wonder whether there might be some improvement in the next budget - because it is not in this one - that might help support groups like Wide Angle Tasmania.

Dr GOODWIN - I will provide a bit of background for the benefit of members about Wide Angle Tasmania and the funding arrangements. Wide Angle Tasmania has been provided with

annual funding from the state government since it began 10 years ago. I have met with Wide Angle, and been to a number of their events. I know you have too, Mr Finch. I greatly appreciate all they do for emerging film makers and the screen industry in Tasmania.

It is regrettable that Screen Australia has made the decision to cease funding in 2015. Both the Premier and I have written to the federal minister seeking special consideration for continued funding. I have also raised it with my federal colleagues in the Senate, including Senator Abetz and Senator Bushby. The state Government, through Screen Tasmania, will keep working with Wide Angle Tasmania to ensure its valuable services can continue despite the withdrawal of federal funding. The federal budget cut means that Wide Angle's income will be reduced by \$80 000 per annum. In addition to operational funding, Screen Australia has provided Wide Angle with \$35 000 per annum to administer the Raw Nerve short film initiative in Tasmania.

Screen Tasmania board members and management continue to liaise closely with Wide Angle as it tries to develop a sustainable business plan. I am not sure whether you saw *The Examiner* this morning on this issue of Wide Angle. A crowd funding campaign in aid of Wide Angle has raised almost \$23 000. It will be matched by the federal government and the funding will allow the organisation to run its Step-Up initiative, paving the way for two films to be made this year.

Wide Angle is to be congratulated on that initiative in crowd funding and raising that money, which will be matched by the federal government. We will continue to work closely with Wide Angle while they work on their strategic plan for the future. I do not know, Andrew, if you want to add any more? That has been a regrettable decision of Screen Australia, but they have also had a funding cut. I am directly lobbying my federal counterpart, Senator Brandis.

[10.30 a.m.]

Mr FINCH - Everyone else is stepping up to the plate except the state Government.

Dr GOODWIN - We already provide funding through Screen Tasmania, and we have done for 10 years.

Mr FINCH - To what extent?

Mr McPHAIL - With funding we have done a tripartite agreement. That funding ceases at the end of this year, but we have been working closely with the Wide Angle management and board, meeting on a regular basis. We have encouraged Wide Angle to put an application in for a funding request, which we will be reviewing at our next board meeting in September.

Mr FINCH - What is the figure at the moment - support for Wide Angle?

Mr McPHAIL - We are waiting on their application.

Mr FINCH - No, what is the current figure?

Mr McPHAIL - This year it is \$80 000.

Mr FINCH - Minimal for potential, I would suggest.

Dr GOODWIN - To be fair, the federal government provided funding as well. They have cut their funding. It is unrealistic to expect the state to always pick up where the federal government cuts funding. It is just not possible for us to do that. We have budget pressures across government when the federal funding changes and we just do not have the capacity to pick up every cut that the federal government makes to funding.

We are continuing to work with Wide Angle on their model. We highly value the work they do, but we just do not have the capacity to pick up every cut the federal government makes to funding for Tasmanian organisations.

Mr FINCH - I appreciate the pressure you are putting on the federal government through the state senators. I have made the point, minister. I know you are interested in the arts and the film industry and you will be a champion. I am just highlighting the paltry amount we are investing in the future of what could be a really buzzing industry for Tasmania - especially for young people.

Mr VALENTINE - Given that there is significant interest in film in Tasmania, with respect to the FTE profile, what is happening in Screen Tasmania? Is it being reduced the same as every other government department, and to what level has it been cut? That is one question that needs to be looked at.

Also, where are the gaps in Tasmania in skill levels? What we are doing to identify and close those gaps, so that companies coming into the state, wanting to film, will have an incentive to do so. So they will not be faced with a lack of certain types of skills.

Dr GOODWIN - I will answer the first question, then hand over to Andrew to answer the second question. The department is still working through the process of changes to staffing levels across the arts portfolio, and indeed across State Growth. I mentioned that I want to do a whole-of-portfolio review, and there may well be opportunities for some back of office functions to be shared - administrative support, marketing, that sort of thing.

Mr VALENTINE - Yes, I know those reviews are going to happen, but the attention is on us now. Is there a possibility that we are going to miss that boat? The spotlight moves on. While there are companies coming in and wanting to film here, it is important to make sure we have people on the ground to take up those opportunities - that we guide them and do whatever else is needed. We need to have qualified people to work with these companies that are showing an interest. That is my concern.

Dr GOODWIN - We do. The intention, as Jacqui mentioned, is to recruit a new director. We currently have Andrew in the role. We also have the Screen Tasmania board, which is involved in this process as well. Applications come in for funding continuously and they are assessed by the board and by Screen Tasmania. That process is continuing. It is not intended that there will be any huge cut to Screen Tasmania staffing levels. It is not a huge outfit anyway. There are currently six FTE's in Screen Tas. As I said, there is a process of review going on across the Arts portfolio, and within State Growth as a whole.

The second question I will hand over.

Mr McPHAIL - In addition to the attachment schemes - for every production that comes into the state, or any production in the state, it is mandatory that there is at least one attachment. In *Kettering* there were 13 attachments, and five of those participants went on after their attachment

period to take up full time work on the show. In addition to those kinds of attachments, and working closely with Wide Angle and our own professional development fund, we want to build a career pathway for young Tasmanians as they come out of school. Through Wide Angle's processes to Screen Tas and then hopefully onto productions. Production activity is the best educator.

Mr VALENTINE - That is good. What about infrastructure that might be required, or equipment? Things that cost money to bring into the state that might be a show stopper for some. Have you done any analysis on that?

Mr McPHAIL - We are doing an analysis as we speak. One of the issues we have is that the best thing for training, and to give confidence to the industry, is production activity within the state. As there is more and more production activity, suppliers will build up their assets and resources. They will increase their skills, et cetera.

For us, the big fish to catch is an ongoing television series. If it ran for four or five seasons for example, a mainland production company would come in and perhaps employ 30 to 40 per cent of Tasmanians in key roles initially. As it went on from season to season and the Tasmanians were skilled up, we would expect that to radically increase, so ultimately at the end of a four or five year run, we would be looking at 80 to 90 per cent of key roles being filled by Tasmanians. That has been the conscious strategy we have run in the last five years.

CHAIR - If there are no more questions on this, we have Grants and Subsidies left and we have already covered most of them.

I have a question about the Tasmanian Symphony Orchestra. In Grants and Subsidies you have two items - the Government contribution, and their contribution as part of the Tasmanian icon program. I note there is no increase over the forward Estimates. It is effectively a cut in funding if you give them the same dollar amount for the four years - five years - we are looking at here. Minister, how does that work?

Dr GOODWIN - The icon funding is a flat rate. There are three icons.

Ms RATTRAY - Cricket is one of them.

Dr GOODWIN - Cricket, Menzies and the TSO.

CHAIR - That program has not increased for a number of years - from the previous government to yours. Costs rise every year, so why not index it?

Dr GOODWIN - There is a contract in place between the state, the Commonwealth and the TSO that covers funding arrangements until December 2015. Provision of funding to TSO following 2015 will be the subject of discussions between the parties commencing as early as next Monday. Although at this stage there is nothing specific in the state Budget to address indexation, indexation is required to be paid.

CHAIR - So the forward Estimates - the \$1.519 million - is not correct over the next four years?

Dr GOODWIN - It has to be renegotiated.

Ms RATTRAY - Chair, I am starting to wonder whether we need forward Estimates. We should just have last year's figures and what this year's is going to be.

Dr GOODWIN - When you have funding agreements with the Commonwealth that require renegotiation, it is a bit difficult to predict where they might go.

Ms RATTRAY - TBA might be better.

CHAIR – Yes.

Dr GOODWIN - They are estimates at the end of the day.

CHAIR - Best guess estimates. Are there any other questions about grants and subsidies members?

Dr GOODWIN - Before we move off Arts, could I clarify something about visitors to TMAG? Visitor numbers remain strong at 40 per cent above pre-redevelopment figures of 800 visitors per day. The target numbers for 2015-16 of 1 125 per day are actually 40 per cent above pre-redevelopment figures.

CHAIR - That closes this particular session.

Dr GOODWIN - I thank the departmental representatives.

CHAIR - Thank you very much and thank you to the departmental people for the honest and straightforward answers to the extent that you were able to give them.

The committee suspended from 10.40 a.m. to 10.56 a.m.

DIVISION 5

(Department of Justice)

Output group 1

Administration of justice

CHAIR - If you would not mind introducing people at the table with you and then a brief statement.

Dr GOODWIN - To my right, I have Simon Overland, the Secretary of the Department of Justice; next to me is Ginna Webster, the Deputy Secretary, Administration of Justice; and Nick Evans, Deputy Secretary, Corrections and Enforcement.

CHAIR - Thank you.

Dr GOODWIN - I am very proud of the progress that this Government has made over the past 12 months in justice reform. I very much look forward to the challenges and opportunities that lie ahead. I am sure honourable members are aware, the Justice portfolio is an extremely

diverse one. The agency includes a number of independent agencies, including, but not limited to, the courts and various tribunals. We also have legislative reform and policy development areas, Crown Law, victims support services, consumer affairs and fair trading, births, deaths and marriages, and the Monetary Penalties Enforcement Service.

I place on the record my sincere appreciation for the staff who work within this portfolio, particularly their dedication, outstanding professionalism and commitment to their respective roles. As many members would appreciate, tackling the serious issue of domestic violence is a top priority for this Government. I am pleased that work of my department is able to contribute to this body of work, through the provision of an additional \$720 000 over four years, to the Safe at Home Program, Tasmanian's integrated criminal justice response to family violence.

This Budget also sees an extra \$100 000 per annum allocated to the Victims Support Service, which does a fantastic job supporting victims, including victims of family violence. There is also commitment of an extra \$500 000 to the operation of the Mental Health Tribunal to ensure that it is operating effectively and delivering the service that Tasmanians deserve.

Another priority for this Government is cutting red tape, which is why it has invested \$135 000 over the next two years to investigate the establishment of a single administrative tribunal and appeals structure. Consistent with its plans to be tough on crime, the Government has committed \$1.3 million to enable the Director of Public Prosecutions and Tasmania Police to establish a unit dedicated to tracking down and seizing unexplained wealth in this state. The allocation of funds to this unit was preceded by a 12-month pilot project, undertaken by the DPP and Tasmania Police, which was extremely successful. The Government's view is that this new unit will eventually become self-funding. I look forward to talking a bit more about that this afternoon.

In addition to legislation that we have introduced over the past year, the Department of Justice continues to work hard behind the scenes to progress a number of legislative reforms for this Parliament to consider. Just to name a few, these reforms include legislation to provide a right-to-appeal mechanism for persons convicted of an offence in certain circumstances, amendments to Solicitor-General and DPP acts to provide for fixed-term appointments, and miscellaneous justice amendments regarding an assortment of statutes that require minor changes and updates.

I look forward to being able to explore these and other legislative projects in further detail over the course of the day.

CHAIR - The first output group is Supreme Court Services.

1.1 Supreme Court Services -

Dr GOODWIN - I invite Mr Jim Connolly, Registrar of the Supreme Court of Tasmania, to join us at the table.

Mr DEAN - As I understand it, there has been a salary increase for judges and others across the service. Can you advise what the salary increase is, who gets the increase, and the amount?

Dr GOODWIN - I will hand over to Mr Overland to talk about the specifics. I think the Auditor-General recently provided this year's figures.

Mr OVERLAND - It works off a statutory formula, Mr Dean. The Chief Justice's salary is set each year by the Auditor-General relevant to the average of the salary of the Chief Justice in South Australia and the Chief Justice in Western Australia. The Auditor-General has just reset the salary for this year. The salary of the Chief Justice in South Australia has not moved and the salary of the Chief Justice in Western Australia has increased. I think the salary averaged out for the Chief Justice here is around \$480 000 per annum. I can get the exact figure for you, if you would like.

Mr DEAN - I would like to know what the increase is right across the board in that area. What is the total cost to this state of those increases?

Mr OVERLAND - Sure. It then flows through, so puisne judges get 90 per cent - the Chief Justice is \$474 717 -

Mr DEAN - That is with the increase?

Mr OVERLAND - No, an increase has come through that will apply from 1 July.

Mr DEAN - Which will take it to?

Mr OVERLAND - I think it takes the Chief Justice to around about \$480 000, but I will get the exact figure. It is an increase of about \$6 000. It flows through though, so puisne judges get 90 per cent of that, and it flows through to the Chief Magistrate, the magistrates, the Director of Public Prosecutions and the Solicitor-General. They are all referenced off the salary of the Chief Justice.

Mr DEAN - I would appreciate it if you could get a total cost to the Government of the increases within that area.

Mr OVERLAND - This is for the coming financial year?

Mr DEAN - Yes, the current financial year. If I can get that, I would appreciate it.

I want to look at the pending cases older than 12 months within the Supreme Court. I notice that the target set for this year was a tremendous cut. In 2013-14, it was 26.4 per cent; the target for this year was 10 per cent. How are we progressing to meet that figure?

Dr GOODWIN - You are talking about the criminal jurisdiction?

Mr DEAN - Yes, pending cases over than 12 months; Supreme Court, criminal jurisdiction.

Dr GOODWIN - I will make some general observations about that before handing over to Mr Connolly to talk about this area in a bit more detail.

I want to highlight some issues we have had with some particularly long trials that impacted on the backlog of the criminal cases. We have had a number, but there were two particularly long trials - the Standage double murder trial in the Supreme Court ran for approximately six months and concluded in August 2014; and the Rusterholz murder trial in Launceston ran for

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approximately 10 weeks, ending in May 2015. They affected the throughput of many other trials and pleas of guilty.

Members can appreciate that when these cases run for so long, they are the only ones that can be dealt with in that court and everything else backs up. The Chief Justice and Mr Connolly have been working through those issues and trying to address the backlog as best as possible. The Chief Justice has been scheduling additional sittings in the criminal jurisdiction to work through that. This happens from time to time. You cannot always predict when you are going to end up with long and complex criminal trials. It is one of those things that has to be worked through but I am confident that the Supreme Court is on top of it. I will hand over to Jim to add a bit more.

Mr DEAN - The question was, the predicted figure for 2014-15 was 10 per cent down from 26.4 per cent of the previous year, so where are we travelling? What percentage are we at at the present time?

Mr CONNOLLY - The 10 per cent figure is a national target that is adopted in all jurisdictions.

CHAIR - That is your automatic -

Mr CONNOLLY - Yes, it is an aspirational target. No jurisdiction meets it.

Mr DEAN - Why have it? Why have the damn thing? It is a nonsense.

Mr CONNOLLY - It is a target to aim for. It is adopted by the Productivity Commission and the committees that develop those targets.

Mr DEAN - Where did we get to then? What is the percentage at this stage?

Mr CONNOLLY - At the end of April our backlog indicator for cases in the 12 to 24-month age bracket has increased from 46 cases to 92. Whilst this is a percentage figure that we are talking about with targets, the numbers are in the order of an extra 40 to 50.

Mr DEAN - We have doubled. From 46 up to?

Mr CONNOLLY - Up to 92.

Mr DEAN - We have doubled in that period of time?

Mr CONNOLLY - That is caused, as the Attorney-General said, by having fewer judges available. We have had one judge solely occupied with one criminal case for six months.

Mr DEAN - Minister, if I can look at the civil jurisdiction of the Supreme Court, whereabouts is that with cases? Have they dropped or have they also increased? Have we seen an increase?

Dr GOODWIN - I will hand over to Jim, but make the observation that while the long-term trend of civil lodgements has been fluctuating in recent years, in the year to April 2015 the court has experienced a 16 per cent decrease in the number of civil lodgements, particularly in the debt recovery and mortgagee possession categories. It has to be borne in mind that only a small

proportion of civil matters proceed to trial before a judge. A reduction in total civil lodgements does not have an impact in courtrooms and use of judicial time.

CHAIR - That is lodgements rather than -

Dr GOODWIN - I will hand over to Mr Connolly. The pending cases or backlog figure in the civil jurisdiction at 30 June 2014 showed 28 per cent or 181 cases of the pending, non-appeal cases were older than 12 months, which compares favourably with a national average of 34 per cent. Similarly, Tasmania has fewer older civil cases, greater than 24 months pending at a rate of 8 per cent, or 70 cases, compared with a national average of 15 per cent.

Mr DEAN - I fail to see why the national average has anything to do with it but keep going, minister.

Dr GOODWIN - It is a comparison, I guess.

CHAIR - So the figure to April this year for that same - for the civil -

Mr CONNOLLY - All I would add is that the other indicator that we use is what we call a clearance rate, which is the number of matters finalised in a given year, compared with -

Mr DEAN - My simple question is, in the civil jurisdiction has there been an increase in outstanding cases, cases involving 12 months or longer, or has there been a decrease?

Mr CONNOLLY - I would have to check that and compare our own figures last year with this year. But my understanding is it has reduced.

Mr DEAN - My next question follows from that. What is happening in regard to bringing those numbers down? How is that going to be done? Is there any plan in place for that to occur? Where are we at, minister, with that?

Dr GOODWIN - For the whole jurisdiction?

Mr DEAN - The outstanding older cases in the criminal jurisdiction and in the civil jurisdiction, what is the plan for bringing those cases back to what you and I think would be an acceptable level, and to meet - to use your words - the national standards?

Dr GOODWIN - The court is continuously working on trying to resolve matters. In civil matters the court employs case management and other dispute resolution processes such as mediation that are alternatives to formal adjudication. It is a bit of a balancing act for the court, because there is an issue with the backlog in the criminal jurisdiction. With those two long trials the Chief Justice has been trying to schedule an additional judge in the criminal jurisdiction to deal with that backlog. That can then have an impact on the civil jurisdiction, because you might have fewer judges working in the civil jurisdiction at the time.

It is really just a constant balancing act for the courts. I make the point that we are quite well served in terms of accessibility because we have 1.4 judicial officers per 100 000 population for our higher courts, which is significantly higher than the national average of 1.1. We have enough judges, it is just a matter of working through any backlog that we have, which from time to time can build up because of these long cases. Sometimes you have very long civil trials as well. In

the past there have been civil cases that have gone on for months and months. It is a constant balancing act that the courts have to deal with. Do you want to add anything more?

Mr CONNOLLY - I will add that there are no delays in getting matters on for trial in civil trials in the Supreme Court of Tasmania at all. If the parties are ready to proceed to trial, they can get a trial date within three months. By national standards that is exceptional. As far as the criminal jurisdiction goes, the Chief Justice reviews the age of the pending caseload at regular intervals, and will ensure that directions hearings are held to get matters ready for trial, and to bring them on at an appropriate time. He will allocate additional judges to sit in crime, when they would otherwise be sitting in the civil jurisdiction. He has recently done that in Launceston, where we might have two courts sitting at the same time, where normally we would only have one. It is a matter of just allocating the resources to deal with the particular types of trials that are required to be held.

Mr DEAN - Looking forward, minister, in the coming year, is it envisaged - I guess you would have some idea of what is in these court now - that there will be any long-lasting criminal court trials occurring?

Dr GOODWIN - I have to defer to Jim, I do not know the specifics of what cases are coming up.

Mr CONNOLLY - We do have another relatively long criminal trial due, but it is anticipated it will only go for four to six weeks. That is the only one that we have on the horizon at the moment.

Mr DEAN - Right. You might get some relaxation from the long-running court cases, to clear up some of the backlog.

Mr CONNOLLY - Indeed, yes.

Mr DEAN - Minister, the other question I have relates to the pay pause. Last year I asked a question in relation to the pay pause. This was my question then. This is a hypothetical question, minister, but is reality. If the pay pause is not supported and you are asked to make those further cuts that the Government has said will occur if the pay pause is not enacted, have you addressed the situation and what are the likely ramifications of that? The pay pause did not occur, so what were the changes within the Supreme Court to meet the target set by the Government?

Dr GOODWIN - There were changes across the agency. I will defer to Simon to talk about that. We had an FTE savings requirement, as did all agencies. You might recall that the bulk of savings were required of Health, Education and State Growth, but Justice certainly had a requirement. We have been able to achieve that and some of those savings will flow through to this financial year and following financial years but I will hand over to Simon to talk you through the specifics.

[11.15 p.m.]

Mr OVERLAND - Because the pay pause did not occur, there was no loss of budget for the department. As you recall, money had originally been taken on the basis that the pay pause would come through. It did not, so that money was restored but there were other savings that we needed to find across the department. My recollection was there were two FTEs from the Supreme Court

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that were part of the overall saving strategy that had to be achieved across the department. Basically it was two FTEs at the Supreme Court.

Mr DEAN - That was the only change that the Supreme Court had to make to meet the adjustment required of the government?

Mrs ARMITAGE - I realise you have given percentages of cases in the Supreme Court, but how many cases are waiting to be currently in the Supreme Court?

Dr GOODWIN - Jim, have you a figure?

Mrs ARMITAGE - Can you indicate how old some of the older ones are, whether the defendants are incarcerated, or whether they are on bail?

Mr CONNOLLY - I do not have that figure at my finger tips.

Mr OVERLAND - I think we have it. In the criminal jurisdiction, for the previous financial year, the pending cases over the year are up from 316 to 348. We have talked about the backlogging indicator, so older cases pending 12 to 24 months are up from 46 to 92.

CHAIR - At when?

Mr OVERLAND - That is 2013-14.

CHAIR - The member is asking for current figures.

Mrs ARMITAGE - If I could have as current as possible.

Dr GOODWIN - I do not think we have any more current than that, so we will take that on notice.

Mrs ARMITAGE - If you could. Also the second part of my question, as to the defendants in those cases, whether they are on bail or whether they are currently incarcerated.

Mr OVERLAND - We will do our best to find that information. I am not sure how easy that will be to establish.

Mrs ARMITAGE - I think it is an important question because if there is such a backlog and some of the defendants in those cases may not be found guilty, particularly if they are incarcerated. It would be interesting to know whether they are on bail, depending on what the trials might be. That could come on notice too please, if you could do your best.

Do you believe Attorney-General, the Budget matches the demand being placed on the Supreme Court?

Dr GOODWIN - As I indicated, we are fairly well served in the number of judicial officers we have. It is not just the courts that have a role to play. You also need to factor in prosecution at the DPP's office and also the defence lawyers and the extent to which they are ready to proceed. With a single jurisdiction, it is those parties involved in civil matters as well. It is not just the

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courts' responsibility to keep matters coming through the system, there is also the responsibility of the litigants and their legal representation.

Mrs ARMITAGE - With such a large number, you would have to think about people on bail, the cost of people checking in regularly, and people being available. It is a bit difficult to answer.

Dr GOODWIN - It is, and all we can say is we acknowledge that long criminal trials have had an impact on the backlog, and the court is working through that issue to the best of its ability. It is something it deals with from time to time - lengthy criminal trials and the flow-on effect that has. The Chief Justice has been, as I said, scheduling an additional judge in the criminal jurisdictions.

Mrs ARMITAGE - We are not short on judges, we have enough judges at present?

Dr GOODWIN - We are well served by the number of judicial officers we have.

Mrs ARMITAGE - The minister might take my next question on notice. When you are getting the details for the long cases - you said that it was 12 to 24 months in 2013-14 - could you indicate the seriousness of some of those crimes?

Dr GOODWIN - The long cases have been murder trials.

Mrs ARMITAGE - No, I do not mean the ones they have already done. I mean -

Dr GOODWIN - Sorry, the backlog. Right.

Mrs ARMITAGE - The backlog. The seriousness of some of the backlog crimes actually sitting there, particularly if people are on bail.

Dr GOODWIN - There may be quite a bit of work in that. We would probably have to do it manually so it may take some time to work through that.

Mrs ARMITAGE - It is important to know what sort of cases are still sitting there waiting to be dealt with. That is all.

CHAIR - Perhaps, minister, you might actually do that by exception. Mrs Armitage is actually asking about serious cases. We do not necessarily need to know every detail, just what serious cases -

Mrs ARMITAGE - Yes, serious cases. Not every case that is there, but -

Mr OVERLAND - We will still have to go through it manually to find the serious cases. We do not have a system that can just produce that. So we will have to do that -

Dr GOODWIN - We can possibly get a bit of a feel for this when we have Mr Coats this afternoon. He might have a good idea as well.

Mrs ARMITAGE - I think it is important for the community to know whether serious cases, ones that might have been sitting there for two or three years, have not been dealt with.

Mr OVERLAND - We can do it. I am just trying to explain that it may take us a bit of time to get the information.

Mrs ARMITAGE - No, I understand that. I am just surprised that the computers cannot do something like that, particularly if people are on bail. That is probably more the case.

Mr DEAN - I guess it is taken for granted that the hold-up occurred because of the lack of available courts and judges. Staff from the DPP's office may know whether - and I will also ask Mr Coats this question this afternoon - there are other reasons for the backlog becoming so great? Is it because of the unavailability of judges?

Dr GOODWIN - A whole range of factors beyond the court's control can influence the level of pending cases. The listing of criminal trials depends on such things as the readiness of the case for trial, the availability of prosecution and defence lawyers, the availability of witnesses and the availability of Legal Aid.

The current criminal pretrial procedure brings cases from the Magistrates Court into the Supreme Court jurisdiction earlier for case management. Then many cases are then returned to the Magistrates Court for a preliminary examination of witnesses, but are counted as pending in the Supreme Court during that time for statistical purposes. So while the new procedures enable Supreme Court judges to supervise the pretrial stage of the proceedings, and shortened the time a case spends in the Magistrates Court before proceeding to the Supreme Court for trial or sentence, it is nevertheless reflected in the Supreme Court's statistics. So a range of factors is at play there.

Mr DEAN - My next question relates to other areas as well. Does the backlog in the criminal court jurisdiction indicate a need to look at the legislation to see whether we have it right with the cases now going into the criminal court? Does it indicate that we need for an opportunity or avenue to move some of those cases into the Magistrates Court? Do we need to change that?

Dr GOODWIN - Interesting you should say that. We are working on the Magistrates Court package at the moment. We hope to have it ready to be introduced into Parliament towards the end of the year, but it is a longstanding project. How long has it been going, Jim?

Mr CONNOLLY - A bit over 10 years.

Dr GOODWIN - A bit over 10 years. As part of that project, consideration will be given to whether some matters currently dealt with in the Supreme Court could be dealt with within the Magistrates Court. Obviously, there will be a consultative process around that, but certainly that is on the cards.

Mr DEAN - It seems to me that is the way we should be going because of the cost of the jury system as well and the time trials take. I am very pleased that is going to occur. Just one other question, which once again goes to another area: Are there any cases of unexplained wealth coming into the Supreme Court at this stage? Are there any cases around that?

Dr GOODWIN - It is pretty early days as far as the unexplained wealth is going. Mr Coats is probably better positioned to answer that this afternoon. But, really we have just had a pilot project on that. I think there was a successful case where money was able to be seized and then some targets identified. But Mr Coats will be able to talk about that in more detail this afternoon.

Mr DEAN - Yes, sure. Thank you.

CHAIR - Thank you. We will go onto the next output item, the Magisterial Court Services.

1.2 Magisterial Court Services -

Ms RATTRAY - Minister, in our notes last year there was some information that some magistrates were to be appointed after expressions of interest advertised in August 2014. Can you tell me whether those vacancies have been filled?

Dr GOODWIN - I invite Wayne Johnson up to the table from the Magistrates Court, who is the Administrator of Courts.

I appointed two magistrates. Sharon Cure is in Launceston, she is a Tasmanian, born here and had a career here as an educator but then went to Victoria, where she studied law, worked as a practitioner and was appointed as a magistrate in Victoria. Sharon is now working in Launceston.

Andrew McKee is my appointee to the Devonport Magistrates Court. Andrew came out of the office of the DPP Civil Division.

The Chief Magistrate is set to retire later this year so we are currently recruiting for Chief Magistrate. I put on the record my appreciation for the work of Michael Hill, who has been an outstanding Chief Magistrate and an innovator in our Magistrates Court with the therapeutic jurisprudence approaches.

Ms RATTRAY - There is actually a decrease in the allocation of around \$257 000. Does that mean that the 27th pay does not kick in for magistrates? I doubt that is the case but I am looking for some explanation of that. It is on page 125, table 5.10.

Dr GOODWIN - In 2014-15 the Magistrates Court budget was reduced by \$50 000 and in 2015-16 the total reduction will be \$195 000. The court has implemented a number of strategies to reduce costs and meet budget requirements.

Ms RATTRAY - There is no issue with a backlog in relation to the Magistrates Court?

Dr GOODWIN - Yes, the Magistrates Court does have some backlog issues and has had backlog issues for some time. This is one of the reasons why we want to progress this Magistrates Court legislative package. It is hoped that this will help to streamline some of the processes within the Magistrates Court as well.

Ms RATTRAY - In the percentage of cases older than 12 months, if you go to table 5.3, there is an increase of 11.4 per cent, yet the target was only 20 per cent for the increase in the last financial year. Do you have any up-to-date actual figures for this financial year, or is that not available, the same as the answer to the member for Windermere's question previously?

Dr GOODWIN - Do we have any further information?

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Mr JOHNSON - We do not have year-to-date figures. The figures you have here are taken from the Report on Government Services. I stepped in after Jim had commenced but I am not sure whether he referred to it.

Ms RATTRAY - There were no figures available for the year to date for the Supreme Court so I am assuming that there will not be any available for the Magistrates Court, or can you do some homework for the committee?

Mr JOHNSON - Until the report is done we do not have the figures for this year. These figures are taken from the Report on Government Services, which is published in January of every year. They are the national benchmark or the national target figures that you referred to earlier. They will be available January next year, they will probably be available even before that when the Magistrates Court's annual report is tabled in Parliament because we put them in there as well.

Ms RATTRAY - I would have thought, particularly for the Coronial Division, it would be a very important area to try to keep on top of. Is there any intention of looking at that? We all know that having those coronial inquiries completed in a timely manner is very important for closure for families.

Dr GOODWIN - I have some information on the Coronial Division. This year the percentage of pending cases has increased in the Coronial area by 11 per cent.

Ms RATTRAY - That is 11.4 per cent.

Dr GOODWIN - During the 2013-14 reporting period, the Coronial Division was undergoing a restructure and from April this year the allocation of magisterial resources to the Coronial Division has changed, with two magistrates now being dedicated to the area on a full time basis. Previously, the jurisdiction was spread across nine magistrates around the state. As a result, the court is already seeing cases being dealt with more quickly. In addition, administrative resources has been reallocated to the Coronial Division, and changes have been made to the way files are managed. The court expects to see further improvements in 2015-16.

Ms RATTRAY - So that 36.4 per cent of pending cases older than 12 months should be reduced when we see the figures come through from the updated report? I look forward to that, minister.

Around the country courts - some of the outlying areas. I know some of my communities regrettably have to access the court process, so I am interested in what is happening. There was some unnecessary chatter about not having those external, or country, courts in the future.

Dr GOODWIN - There was an issue with the Smithton Court. Court sittings in Smithton ceased for a time, but fortunately we were able to negotiate with the Magistrates Court and the Circular Head Council to resume those sittings, with the council providing a facility within their chambers and video link facilities as well. Court sittings will resume in Smithton on 8 July. There was an issue with where the court facility previously operated in Smithton.

Ms RATTRAY - All the other areas around the state will remain as is?

Dr GOODWIN - Yes. Regular circuit country court sittings are held in Queenstown, Smithton, Currie and Whitemark.

Ms RATTRAY - And Scottsdale? It must have been missed off the list?

Dr GOODWIN - It must have been. I only have the north-west brief - I do not have the full list of country courts.

Ms RATTRAY - There are quite a few country courts around the state that provide a service for people who have trouble accessing transport.

My next question, minister - one of the new initiatives was to commence criminal proceedings via a court attendance notice instead of a charge sheet complaint.

Dr GOODWIN - Yes, this is part of the Magistrates Court reform package that has been going on now for over 10 years. We hope to have it finalised by the end of this year with legislation -

Ms RATTRAY - It has not commenced yet?

Dr GOODWIN - No, because it will be part of a new legislative package, as I understand it.

Ms RATTRAY - We talked about it 12 months ago.

Dr GOODWIN - As I said, this project has been going on for at least 10 years. We are doing our best to get it finished this year, with legislation tabled.

Ms RATTRAY - So we might be able to see some outcomes from that particular initiative in next year's Budget?

Dr GOODWIN - If we get the legislation tabled, debated and passed by the end of this year, then it will have to be implemented. There will be a process of implementation, and that will take some time. But as soon as we get it in, I hope we will start to see some changes.

Mrs ARMITAGE - Can you advise how many cases currently pending are older than two years?

Dr GOODWIN - Civil, criminal or everything?

Mrs ARMITAGE - Statewide. If it is easy to do a breakdown once you get the statewide, it would be handy to have a breakdown of the others. Also the Department of Public Prosecution Tasmania 2013.

CHAIR - Cases older than two years.

Mrs ARMITAGE - Older than two years, concurrently, it is not from 2014. The Department of Public Prosecution Tasmania 2013-14 report is that drug prosecutions now form 20 per cent of their work. We are reading a great deal in the media about the problem ice is becoming in the community. Can you tell us whether the courts are noticing an increase in these cases coming through? Is it likely to be greater than 20 per cent now?

UNCORRECTED PROOF ISSUE

Dr GOODWIN - I am not sure I can answer that and I am not sure Wayne is in a position to either. In terms of drug-related cases.

Mrs ARMITAGE - It was 20 per cent previously. I wondered whether that has increased.

CHAIR - We keep hearing about the ice crisis.

Dr GOODWIN - The DPP also deals with Supreme Court matters and not Magistrates' Court matters.

Mrs ARMITAGE - Would you rather I asked that when we get to DPP?

Dr GOODWIN - He only knows about the Supreme Court matters. He does not necessarily know about the workload in the Magistrates' Court and what is underpinning that. I am not sure if we have any offence breakdown.

Mr JOHNSON - We break it down in the annual report on page 11 but that talks about case lodgement. It talks about criminal youth matters of about 1 900. It does not go into whether they involve drugs or not. Perhaps the report you mentioned is from the DPP?

Mrs ARMITAGE - That was to do with drug prosecutions. I am assuming it is people using, selling and growing.

Dr GOODWIN - The difficulty is with offending related to drugs is that you might be committing burglaries to fund your drug habit.

Mrs ARMITAGE - With respect, that was not what I was meaning. I was referring to the report where it said drug prosecutions now form 20 per cent of their work. I was looking to see whether ice and sale of ice had increased from 20 per cent.

Dr GOODWIN - The DPP might be able to shed more light on that.

Mrs ARMITAGE - I will ask them, thank you.

Ms RATTRAY - In relation to the table and the measurements, the performance information. Why are the youth justice pending cases measured in six months and some in 12? Wouldn't it be more consistent to have them either one or the other? Is there any reason for that, Wayne?

Mr JOHNSON - In coronial cases, for example, it talks about pending cases older than 12 months. The national benchmark recognises that coronial cases generally take longer to finalise than other types of cases do and should. Your run of the mill, if there is such a thing, criminal cases, youth justice cases, you can expect reasonably that they have set the benchmarks such that most of those should be resolved within six months. Looking at percentages, you can see that the majority are.

Mr VALENTINE - Mine is a simple observation with regard to the line item in the Budget. You have a 10.57 per cent increase in the Supreme Court services and it is put down to the 27th pay and the rest. Then Magisterial Court services is down by 3.6 per cent. Can you explain why there is a difference between these two line items in that regard?

Mr OVERLAND - The figures reflect some work the department has been doing to adjust what we call overhead charges. They are apportioned out to outputs. All of the corporate support services we offer across the department are paid for out of the outputs. We have been working over the last two years to look at the way overheads have been apportioned. It relates to a range of factors about how much services, particular outputs, require from corporate and head count. A range of factors have gone into it. What you are seeing in some of the figures here are reflecting the adjustments made to overheads.

Mr VALENTINE - Something similar happened in State Growth, didn't it? That explains it. It will be nice when we get a budget that has not being fiddled with so we can do some proper comparisons.

Dr GOODWIN - There has been output restructure, has there not, since last year? From how many down to -

Mr OVERLAND - The budget papers have changed because we have gone back to four output groups. Previously we had 11 and we have taken it back to four, which we think provides more transparency, not less. That is part of the restructure that was done in the department two years ago.

Mr VALENTINE - But you can see it from our side. The next government will come in and probably put it back up again.

Mr OVERLAND - There is always change, Mr Valentine.

Mr VALENTINE - It is frustrating and we cannot compare, but anyway thank you for that.

Mr OVERLAND - We try to include notes that spell out where there are changes.

Mr VALENTINE - Yes that is all right, but there is no note against that.

CHAIR - We understand it changes - it just means you cannot compare.

Mr VALENTINE - There is no note against that one. That is why I asked the question.

Mr DEAN - You have spoken about setting up a special court - a magistrates court dealing with domestic violence issues. How far has that progressed? Where are we at? Is it likely to occur?

Dr GOODWIN - By clarification, one of the recommendations that came out of the Safe at Home internal performance review was to explore the feasibility of a specialist family violence court. There are a number of different models operating interstate that we could look at, but one of the concerns is that Western Australia has moved away from their specialist family violence court and into something different because they found it was not operating as they had hoped in reducing family violence.

We have a family violence court list that operates in the Magistrates Court but it does not have a formalised structure like the court-mandated diversion program for drug related offences, which has a legislative basis. Part of the work in the lead up to the release of the action plan in August - the Premier's action plan on family violence - will be to have a look at the Safe at Home

recommendations. There were 17 recommendations. Some of them have already been implemented, and some require more work - like the specialist family violence court.

Certainly more work needs to be done on a specialist family violence court. We need to have a look at what has happened in Western Australia and learn from their experience, but also have a look at other models operating interstate.

It may be that we can formalise and improve on what we already have. Rather than a complete change, it might be that we just need to tighten up what we already have.

Mr DEAN - The family violence list in the Magistrates Court, is that a growing list or a declining list? Whereabouts is it? It is a very important issue.

Mr JOHNSON - It is in the annual report. The figures have gone up slightly. It is on page 35 in the annual report, which is tabled in front of you. Last financial year - 2013-14 - family violence order applications that were lodged with the court - 887. That was up on the previous year - 2012-13 - which was 756. That was down on the year before that - 2011-12 - which was 913. The year before that - 2010-11 - was 881. It fluctuates a bit. We do not have the year to date figures until the financial year closes, but based on last year's figures, yes it has risen.

Mr DEAN - Can we get the up to date figures?

Mr JOHNSON - The year to date figures, yes.

Mr DEAN - So much has been said about it, it is important to know where we are travelling.

Dr GOODWIN - With the heightened focus on family violence, the reporting levels may go up as well, and flow through to the courts.

Mr JOHNSON - They do not include police family violence orders. You might also be interested to know the restraint order applications, which can cover similar sorts of conduct, are up at well. Last financial year it was 1 134. Compared to - sorry, they are slightly down - 1 134 compared to 1 272

Mr DEAN - A slight decrease in the restraint orders?

Mr JOHNSON - A slight decrease in restraint orders. It is difficult to know why.

Mr DEAN - So, the family violence orders are issued by police, then the restraining orders come through the Magistrates Court?

Dr GOODWIN - Two levels of family violence orders: one level is issued by the police, the police family violence orders; and then other level is issued by the court, which are the family violence orders. Then you have restraint orders, which are separate.

Mr DEAN - So we do not have something that just encapsulates all of those figures? That is what I would like to know.

Mr JOHNSON - The court does not report on those. The court reports on matters that come before us, so family violence order applications, restraint order applications, Safe at Home.

Mr DEAN - Yes.

Mr JOHNSON - They will report on both family violence order applications and police family violence orders. I remember seeing a report - I think, a review - put out by Safe at Home in the last week or so; those figures should be in it.

Mr DEAN - Have you got those figures?

Dr GOODWIN - We only have figures up to 2013-14, so I will just give you the last few years. I will start with figures for 2007-08, which is when the police began separating incidents and arguments: 3 404 incidents, 1 358 arguments; next year, 3 443 incidents, 1 562 arguments. In 2009-10, 3 105 incidents, 1 652 arguments; in 2010-11, 2 675 and 1 628; in 2011-12, 2 527, 1 645; in 2012-13, 2 248, 1 612; and in 2013-14, 2 380, 1 691. So yes, there was an increase: the total for 2013-14 was 4 071, compared to 3 860. It does fluctuate as well.

Mr DEAN - It indicates that we need to do a lot more here. The Chief Magistrate's position that you have now - thank you for that, for the change I think that you made in the advertising of that position. Whose decision was it to advertise it for the south of the state? I do not want to be parochial, so I do not want to probably go into that too much. It is probably a matter for the Justice Department.

Mr OVERLAND - I am happy to put my hand up for that, Mr Dean, yes.

Mr DEAN - So you put your hand up for that. It will not happen again, will it?

Dr GOODWIN - In defence of Simon, I would just point out that the current Chief Magistrate is in Hobart. The vacancy is going to be in Hobart. It is a statewide position. I said before, Hobart is the capital city. At the risk of being beaten up - so of course, if an outstanding candidate comes along for the position of Chief Magistrate and that person expresses a desire to be based in Hobart, of course we will negotiate with that person.

Arnold Shott, as has been pointed out, was based in Launceston. But at this point in time, the vacancy is actually in Hobart where the workload is. When the current Chief Magistrate vacates his position, there will be a workload issue down here, by virtue of the fact that he is here.

Mr DEAN - If a northern magistrate applies for it, there will be no, I guess -

Dr GOODWIN - We will negotiate with that person.

CHAIR - We have discussed this in Parliament. We will not go through those words again.

Mr DEAN - No, I just wanted to make sure that they were. When will the position be known?

Dr GOODWIN - We have only just called for expressions of interest. There is a process. It closes on -

Mr OVERLAND - It closed last Friday.

Dr GOODWIN - So there is a process. We have to follow the protocol and then there is a process around that.

Mr DEAN - Okay. Thank you.

1.3 Births, deaths and marriages -

Mrs ARMITAGE - We have an understanding in the footnotes of why there is a slight change in the budget. In 2013 I noticed they had 14 000 phone calls with a standard time for processing certificates being six days. Can you tell me how this processing response time compares nationally?

Dr GOODWIN - I will invite Ann Owen to come to the table, the Registrar of Births, Deaths and Marriages. Ann might be able to answer that.

Ms OWEN - As far as the phone calls, I am not sure. As far as processing the certificate applications, it is pretty good. Some of the larger jurisdictions are up to six to eight weeks, depending on transactions and peak processing times. It is quite good.

Mrs ARMITAGE - How many staff, permanent and full time, do we have and where are they located?

Ms OWEN - They are all based in Hobart. We have a central office. We have seven FTEs and we have two on fixed term contracts at the moment.

Mrs ARMITAGE - How much of their work would be face-to-face as opposed to being done on the phone?

Ms OWEN - Most of our transactions are processed through Service Tasmania. It is only people who come to the Registry Office to have a change of name registered, or a change of sex registered, or have some specific need to speak to a Registry officer about a specialised topic that we would have an appointment face-to-face. Most of it is back office processing with the majority of our transactions through Service Tasmania.

Dr GOODWIN - On the location, from 1 June, Births, Deaths and Marriages will be located at new premises in Rosny Park in the wonderful electorate of Pembroke.

CHAIR - Is there an even spread of the budget across Births, Deaths and Marriages work, or is there a heavier focus in one particular area?

Ms OWEN - It is pretty evenly spread because we need to register events as efficiently as possible. We also need to make sure the people who need identity documents receive certificates in a timely way. We try to spread out the resources that we apply to those to make sure that if one area is falling behind, we reallocate resources to cover that area to ensure we provide a consistent service as far as possible.

Mrs ARMITAGE - I wondered about the on-going work, the digital ties, the 1920 to 1970 birth records, and the last Justice Annual Report 2013, showed that some of this had been held up by staffing changes. Were those staff numbers that were cut, and if so, how many were there and what kind of hold ups in the work resulted from these staff changes?

Ms OWEN - That was handled as a separate project. It was really back-filling positions that were associated with that project. The work stalled when we were filling those positions. It was kept separate from the standard processing because we wanted to maintain our service standards and that was handled as a separate project.

Mrs ARMITAGE - Has it been completed now?

Ms OWEN - We are due to complete in November.

Mrs ARMITAGE - Right. I also noticed there is a big focus on moving into on-line and I congratulate the department on that. Budget-wise, I wondered if Births, Deaths and Marriages has sufficient funds to continue the work that they have from 2015-16 and beyond, or will there need to be an increase.

Dr GOODWIN - Yes. They are fine.

Mrs ARMITAGE - Thank you.

CHAIR - Are there any further questions on that item? We will go onto the next one which is the support and compensation for victims of crime.

1.4 Support and compensation for victims of crime -

Mr FINCH - Minister, in table 5.10, reserve by law allocation, I want to get an understanding of these funds. So, \$1.5 million this year and for the forward Estimates.

Dr GOODWIN - This is for the victims of crime compensation.

Mr FINCH - And how that works.

Dr GOODWIN - There is a reserved by law amount that is provided every year to cover the cost of compensation to victims. Victims apply. There is a process of assessing the application for compensation and there is payment out of the fund to cover that compensation.

Mr FINCH - There is a separate allocation in the appropriation?

Dr GOODWIN - Yes

Mr FINCH - I want to know, minister - the \$1.5 million - is it fully utilised? Is interest gained on that? Does that build as time goes by? Is it used for the criminal injuries compensation fund?

Dr GOODWIN - I will invite Catherine Edwards, the manager of Victim Support Services and Stephen Morrison, our Director of Finance to assist you, but the money will be fully utilised this year.

Mr FINCH - How is that handled by the department?

UNCORRECTED PROOF ISSUE

Ms EDWARDS - When victims of crime and compensation awards are made by the commissioner the victims of crime assistance unit processes the award and then it is sent across to the finance department for payment.

Mr FINCH - Does this Victims of Crime Assistance Act allocation increase each year or does it stay steady?

Dr GOODWIN - It stays the same.

Mr MORRISON - It is \$1.5 million.

Mr FINCH - My next question is coming back to the output group, where we have -

Dr GOODWIN - The total is \$3.5 million for victims of crime compensation but there is a reserved by law amount and an amount that comes out of consolidated revenue.

Mr FINCH - So the reserved by law money is included in the \$5.342 million?

Dr GOODWIN - Three and a half million.

Mr FINCH - Three and half million is in the reserved by law pool of money?

Dr GOODWIN - No, \$1.5 million is the reserved by law bit and then there is a total of \$3.5 million. The rest comes out of consolidated revenue.

Mr FINCH - How much of that is utilised?

Dr GOODWIN - All of it.

Ms EDWARDS - The amount of money in the fund depends on the amount of awards that are being paid out and also moneys coming in through the Special Deposits Fund - the confiscation of profits money.

Mr FINCH - Can the committee have some idea of the allocation of those funds, say over the previous 12 months, so we get some idea of how much is outgoing from that fund? That \$5.342 million -

Dr GOODWIN - I have some figures here. I have an amount awarded by offence category, but I also have some numbers for you.

From 1 July 2014 to 30 April 2015 there were 319 applications received, 313 awards finalised and the average award was \$12 816. The male/female split was 148 male, 165 female. The total amount awarded was \$3 921 815. A whole range of offences is covered by those awards but the bulk of the funding appears to go to common assault cases. I do not know how many there are but \$1.3 million of the funding was for common assault, so that is a fairly big area of application.

Mr FINCH - Can that information be tabled please?

Dr GOODWIN - We have a breakdown of the components that make up the awards of compensation. The biggest component is compensation for pain and suffering and that amount was \$3 130 364, but there are other components as well such as dental and medical expenses, and wages future and past. We can certainly table that information.

Mr FINCH - How does the system work? When people appear before the court as victims are they given guidance by the court as to their rights and what may be available to them? Are they counselled and advised?

[12.00 p.m.]

Dr GOODWIN - They make an application through the Victims Assistance Unit area. It is not necessarily that they are steered in that direction by the court, but they might make contact in the first instance. After becoming a victim of crime the police might suggest they contact Victims of Crime Services and they will be assisted to make an application for compensation. They may do that through Safe At Home as well or through other avenues. Catherine can probably expand on that.

Ms EDWARDS - We do get a number of referrals from police and other service providers as well who will often refer victims to our Victims of Crime Service which provides counselling and support for victims of serious crimes of violence. The Victims of Crime Service in turn can often refer victims of crime to the Victims Assistance Unit for assistance with the application for criminal injuries compensation. There are a number of referral points but we are increasingly getting referrals from Tasmania Police.

Mr FINCH - I notice, minister, variations are coming in for next year and a slight increase for the following two years in the forward Estimates. How do you read that? Are we likely to have a diminution and then an increase? What would happen if you expend all the money put into the pool? Is that a possibility?

Dr GOODWIN - This is around the compensation funding?

Mr FINCH - Yes.

CHAIR - The Budget says \$5.5 million and you have talked about \$3.5 million.

Dr GOODWIN - That is the budget for the unit. That covers staff who work in various roles within Victim Support Services, some of the compensation and then the extra is the reserve by law. We could get extra reserve by law money if we needed it and did not have enough.

Mr FINCH - Thanks very much.

CHAIR - We go onto the next line item, which is Legal Aid.

There is an increase of \$225 000 over last year's appropriation Budget. Last year, you mentioned Legal Aid conducted 109 community legal education events reaching 5 220 people. There is no mention of community legal education in the performance information provided for this output item. What were the figures for this year or did you not have them?

Dr GOODWIN - There were 74 community legal education events, reaching 4 190 people. That is from 1 July 2014 to 30 April 2015 year to date.

CHAIR - Thank you, I missed those.

Dr GOODWIN - I do not think they were provided in the budget papers.

CHAIR - What will be the impact on Legal Aid services of the Government's focus and intended actions on combating family violence?

Dr GOODWIN - It is hard to predict at this point because we have not developed the action plan nor have we worked through the recommendations from the Safe at Home internal performance review. Legal Aid certainly receives some dedicated funding relating to family violence matters.

CHAIR - It is often the first point of call, isn't it? After the police.

Dr GOODWIN - Legal Aid generally are the first point of call, and it depends on where the matter goes and whether Legal Aid is required for a matter that might proceed to court.

CHAIR - So you are expecting an increase?

Dr GOODWIN - I am not expecting anything until we have been through the process of working through the recommendations and developing the action plan.

CHAIR - Last year there were 64 FTEs, about 40 of these were lawyers; about \$4.1 million was spent on grants of aid to the private profession. What is the staffing level this year? How much was spent on private lawyers this year?

Dr GOODWIN - The staffing of the Legal Aid Commission is 60.94 FTEs, and a head count of 37 at 31 March.

CHAIR - The reduction in FTEs is as a result of budget cuts last year?

Dr GOODWIN - No, Legal Aid, off its own bat, made some changes to its staffing levels to try to manage its budget on a sustainable footing and that occurred outside of the process around the pay pause and the flow-on savings.

CHAIR - Last year you spent about \$4.1 million on grants to the private profession for legal aid. How much this year?

Dr GOODWIN - I do not think I have that, we will have to take it on notice. We do not have Dr Hill, the Director of Legal Aid, here so we will take that on notice because I cannot find any information.

CHAIR - If you are right about the staff level being able to be reduced because of efficiencies, that will not have any effect on spending more on private lawyers, but it would be nice to know whether that was the case or not.

Dr GOODWIN - I can elaborate on that reduction in staffing because I have found a relevant brief on that. In 2014 the commission committed to move into a balanced budget and to this end the commission's board decided to bring salaries into line with the budget by reducing total

numbers of staff. The commission reduced its staff complement by 15, 13.33 FTEs, through a combination of voluntary separation arrangements and natural turnover in fixed-term contracts coming to an end. There were no forced redundancies. Reductions in staffing numbers were spread across the commission geographically and in different practice areas, through more efficient structure arrangements and the internal reallocation of staff.

The commission expects little or no diminution in outputs or service to the community as a result of reduced staffing. Reductions in staffing did not impact on the performance of the commission. The Legal Aid Commission now expects to be operating within a sustainable financial structure and apart from unforeseen circumstances, does not anticipate further cuts or reductions. The commission continues to operate an internal vacancy control policy.

To be perfectly clear, the reductions in staffing were not attributable to funding cuts by either the Commonwealth or state government.

CHAIR - I understand that.

Dr GOODWIN - I have some data on activity which might to some extent answer your question. During the period 1 July 2015 to 30 April 2015, Legal Aid provided 15 463 phone calls providing legal advice and 4 558 face-to-face consultations providing legal advice. I have already mentioned the 74 community legal education events, reaching 4 190 people.

CHAIR - That is down from 109 community legal events the previous year.

Mr OVERLAND - That is only until the end of March.

Dr GOODWIN - It provided 2 345 duty lawyer services, there were 227 931 hits on the Legal Aid website seeking information, and there were 4 019 new grants of legal aid for representation. For representation, the break-up of law is as follows: Criminal - 2 945 received, approved 2 502; Family - 1 350 received, approved 1 008; Civil - 591 received, approved 509. The totals are 4 886 received, and 4 019 approved, or 82.26 per cent.

I will give Legal Aid a plug in the areas where it leads the nation because this is something to be commended. Our Legal Aid determines applications for legal aid on the same working day. The national legal aid benchmark is within five days, but no other state meets that. We pay accounts to law firms by the next working day. The benchmark is 14 days but no other state meets that. We contain the cost of administering grants to less than five per cent of the total value of grants. The nearest interstate competitor is at 9 per cent. Legal Aid Tasmania conducted 400 family dispute resolutions last year with a 93 settlement rate which was the highest in the nation. Legal Aid Tasmania provides joined up services that deliver a better outcome for the client so that only 3.3 per cent of clients return within two years with the same legal problem. The National Partnership Agreement benchmark currently is to have less than 20 per cent returning within two years. Legal Aid is performing very well. The 50-50 split between in-house and private practitioner grants - we will get to that.

CHAIR - It would be nice to see how that compares with the previous year.

Mr VALENTINE - Approximately 22 000 calls a year is not smart.

UNCORRECTED PROOF ISSUE

CHAIR - Indeed. Minister, you advised that you had asked how procedures could be tightened regarding the Solicitor's Guarantee Fund. Have any changes taken place?

Dr GOODWIN - Yes, we have had a grant deed developed by Crown Law. That will provide a much greater check and balance on these grants in reporting obligations. If the grant is not expended we will have the capacity to require it to be paid back into the fund so it can benefit some other organisation. Whereas there was nothing before.

CHAIR - There was some discussion last year about the composition of the Legal Aid Commission, a reduction in its size and a move to skills based?

Dr GOODWIN - I initiated a review of Legal Aid which was recently completed and released on Friday. One of the recommendations was to reduce the size of the Legal Aid Commission and make it more of a skills based board. I intend to act on that but we will need to change the legislation.

CHAIR - So the progress from this time last year is that you have now done the review?

Dr GOODWIN - We have done the review. That supports what it was we intended to do. It had input from stakeholders which is important.

CHAIR - It always feels like things take a very long time.

Dr GOODWIN - Often they do. We want to make sure by the time we bring legislation to this place that we have

CHAIR - Have you drawn up the legislation yet?

Dr GOODWIN - No, the review was only released recently but we will move onto it as quickly as possible.

CHAIR - Are there other questions on Legal Aid?

Mr DEAN - You have partly answered this. I have been speaking to a lawyer who primarily concentrates on family violence issues. She says it is creating a lot of trauma within these areas when the victim is unable to be supported by a lawyer because of inadequate Legal Aid funding to that person. That is creating a lot more trauma for the victim, having to turn people away. Can a special case be made out for funding in those cases? Where the alleged offender has a lawyer, will the victim always be guaranteed a lawyer under Legal Aid?

Dr GOODWIN - The Legal Aid Commission currently receives \$236 000 specific funding to provide services for Safe At Home. I am not sure of the specifics of the situation you are talking about, where someone has not been able to receive Legal Aid because there has not been sufficient funding available. It is a bit difficult to answer that in the absence of the director. Certainly, as part of this whole Safe at Home internal performance review and the development of the action plan, it is something that could well be taken into consideration. The other recommendation that forms part of the internal performance review was on the financial audit of the Safe at Home money that is allocated across a number of agencies to make sure that it is sufficient and is going towards what it is meant to be going towards in the Safe at Home program as well.

Mr DEAN - I have a lot more details on it, but I would be reluctant to disclose the details. I do not want to identify anyone.

Dr GOODWIN - If you would like to raise that with me directly, I will try to get some advice for you from the director privately.

Mr DEAN - There was concern that the victim - in a number of cases, I am told, but in one case - was very traumatised by the fact that she was unable to get the legal support, and therefore the company involved was unable to support her.

Dr GOODWIN - Yes. I do not know the specifics of the case. I can really only deal with it through the director.

Mr DEAN - I thought there might be review mechanisms within.

Dr GOODWIN - That is right. There certainly are review mechanisms within Legal Aid. Without knowing the specifics of the case, there is a financial means test on grants of legal aid as well, but I cannot comment any more than that.

Mr DEAN - If I just put it this way, the current Government is concentrating, and they are to be commended for that, on changing as much as they can in the area of family violence to get on top of it and to educate. I would have thought that in this case there ought to have been a position that anybody who fits the category for being provided with legal aid ought to be supported in any domestic violence situation. That is the point we are making, and that is the point this firm of solicitors is making to me as well.

Dr GOODWIN - We will take that on notice to raise with the director and see if I can get some more advice on that.

Mr DEAN - Thank you.

Mr VALENTINE - I am wondering where the funding for some of the frontline services like the women's shelter, counselling services, those sorts of things, is that handled with respect to this item?

Dr GOODWIN - That would fall within the Department of Health and Human Services. Safe at Home is our integrated criminal justice response, but it spreads across Police, Health and Human Services and Justice. We deal with court processes and legal aid, but Health and Human Services is the one that deals with those sorts of funding requirements. Just to give you a bit of a breakdown -

Mr VALENTINE - Is that Ms Petrusma?

Dr GOODWIN - Yes, Ms Petrusma.

CHAIR - Tomorrow, I think.

Mr VALENTINE - Tomorrow.

Dr GOODWIN - Police receives just under \$2 million to cover victim safety response teams, police prosecutions, operational police and detention. Justice receives just over \$1.5 million for the Safe at Home Coordination Unit, Court Support and Liaison Service, Legal Aid, Magistrates Court and the Family Violence Offender Intervention Program. The bulk of the funding, which is nearly \$5 million per year, goes to the Department of Health and Human Services for the Family Violence Counselling and Support Service, which is an adult and children's service, the Defendant Health Liaison Service, and the Child Protection Service. Then separate to that, they also within the Health and Human Services portfolio, would cover some of the shelters and things that you are talking about.

Mr VALENTINE - The educational side of it - services to help people maintain respectful relationships - would be under Health and Human Services? Or would that come into Education?

Dr GOODWIN - Yes, we provided some additional funding in the Budget for the Our Watch program.

Ms RATTRAY - That is out of the Department of Premier and Cabinet.

Dr GOODWIN - Yes, I know. It spreads right across and I guess that is why it is our whole-of-Government response to family violence. Premier and Cabinet do a bit. I must emphasise that Safe at Home is a criminal justice response. Family violence is a bigger issue than just the criminal justice response. When we respond to it, we need to respond across all the portfolio areas. That is why the Premier has established the Family Violence Committee of Cabinet, which includes representatives from Health, Education, Justice of course, and Police as well as Premier and Cabinet.

Ms RATTRAY - Is there a total amount - what has been spent on that particular program across all agencies?

Dr GOODWIN - Safe at Home - \$8.5 million per year at this stage for Safe at Home. In 2103-14 it was \$8.4 million. We have allocated an additional \$180 000 per year across the forward Estimates. As the Treasurer indicated with regard to the additional allocation for the broader issue of family violence - which includes Safe at Home - that was just a down payment. We are waiting to see what comes out of the action plan, and that will be released in mid-August.

1.6 Protective jurisdictions

Ms RATTRAY - That obviously covers the Guardianship and Administration Board, and there was to be a reduction in the number of board members. Can we have an update on that?

Dr GOODWIN - I do not think so, not the GAB Board.

CHAIR - Was that not one of the boards you were going to look at?

Dr GOODWIN - No.

Ms RATTRAY - So there is no change at all to the Guardian and Administration Board? Are there any pending changes?

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Dr GOODWIN - We have had some additional members appointed in the north-west but that is a constant process of needing to replace members who might not continue for one reason or another. Apart from that, no change.

Ms RATTRAY - Can we have the numbers then?

Dr GOODWIN - The number of members? We will have to take that on notice. We will look around for that - to get the exact number of board members. The composition of the board changes.

Ms RATTRAY - There was no data available for the Mental Health Tribunal last year because it had only just commenced in February. Can I have some data on the tribunal and its functions?

Dr GOODWIN - Under the new act, the tribunal's workload has increased approximately 350 per cent, with a dramatic increase in the number of reviews required. Hence that additional \$500 000 allocation for the tribunal.

Ms RATTRAY - So it is \$2 million over four years? You have put that out over four years?

Dr GOODWIN - Yes, \$500 000 each year.

Under the previous act there was only one review required over the lifetime of an order, held within 28 days of the application being made. Under the current act hearings are held within 10 days, 30 days and recur every 90 days for the lifetime of the order. Reviews are also conducted for variations, failure to comply, admission to secure mental health units, and at the request of the patient or any other interested party. The tribunal currently deals with approximately 126 matters per month, which consists of 47 interim orders, 37 treatment orders and 42 reviews.

On average last year the tribunal dealt with approximately 95 matters per month, which typically would consist of 47 interim orders, 31 treatment orders and 17 reviews. There has obviously been an increase in the number of reviews this year.

The tribunal has conducted 50 forensic hearings between 1 July 2014 and 30 April 2015 as compared to 42 last financial year. This is an increase from 3.5 per month to 5 per month.

Ms RATTRAY - Minister, you do not anticipate a reduction in those numbers?

Dr GOODWIN - We are looking at some changes to the legislation. The Mental Health Act is the responsibility of the Minister for Health. We are looking at some potential amendments to the act to perhaps streamline the processes a bit. Those amendments are in progress.

Ms RATTRAY - Can I get your views on the elder abuse campaign - the cost of the campaign and what the results have been?

Dr GOODWIN - That actually falls within the responsibility of the minister for Human Services. I can indicate that I intend to refer the Guardianship and Administration Act to the Tasmanian Law Reform Institute for review. As part of that process, I want to ask the institute to

consider the issue of elder abuse. I will be working with stakeholders to finalise the terms of reference for that review.

A number of people in the community have expressed concerns about the issue of elder abuse, including some members of the Legislative Council. Although the Guardianship and Administration Act is not the whole answer to the issue of elder abuse, arguably some of the act's mechanisms help to address instances of elder abuse, and potentially help to prevent incidences of elder abuse. More broadly, I would like some advice on from the Law Reform Institute the issue of elder abuse.

The Guardianship and Administration Board has approximately 30 members, including three new members from the north-west who were recently appointed.

Ms RATTRAY - The public guardians are still under your domain?

Dr GOODWIN - Yes.

Ms RATTRAY - Last year we talked considerably about the elder abuse issue exactly under this protective jurisdiction. It is no wonder I continue to be confused.

Dr GOODWIN - I do not fund the elder abuse strategy. That comes under the Minister for Health and Human Services. Certainly, the issue of elder abuse is an ongoing concern.

Ms RATTRAY - Can you give me a rundown on what is happening in the area of the Public Guardian?

Dr GOODWIN - The previous Public Guardian, Mrs Lisa Warner, resigned from the position effective 20 April 2015. She was the first Public Guardian appointed in Tasmania and prior to her resignation, had performed the role for 17 years. I place on the record my sincere appreciation for her dedicated service to the Tasmanian community in this role. She certainly went above and beyond the call of duty in performing the role of Public Guardian and she really was outstanding.

The department advertised for a new Public Guardian on Saturday, 16 May with a closing date of 29 May. There will be a process to select a new Public Guardian. The period of appointment will be two years, which reflects that a number of transitional matters are being addressed. Specifically, we are looking at the implementation of a shared services arrangement with the Public Trustee. This would potentially allow the two officers to share premises, reception services and other office facilities, which would result in efficiencies for each entity.

Lisa was based in the Executive Building within Consumer Affairs for some time, and it was perhaps not the best location for her. She was somewhat isolated in terms of the work she was doing. The Public Trustee is potentially a much better fit for the Public Guardian to be located. Arguably there could be some good support in the crossover of the work done by both Public Guardian and the Public Trustee. Obviously there is potential to share some services as well.

CHAIR - As long as she remains accessible.

Dr GOODWIN - Yes.

Ms RATTRAY - Do we have someone acting in the role as we speak?

Dr GOODWIN - We have an acting Public Guardian, who is here with us today.

Ms RATTRAY - Has there been any increase in the number of matters coming in to the office?

Dr GOODWIN - We do not have any figures. If we invite Kylie to the table, she might be able to give us some information about that.

Ms HILLIER - At the end of the last reporting year, 2014, there were 158 open cases, 168 orders were made for that year, and 253 emergency orders. When you compare that to, for instance, 2008-09, there were 87 emergency orders. You can see that there has been a steady increase of orders over the last six years.

Ms RATTRAY - Minister, have you been looking at why there is such a big increase?

Dr GOODWIN - This is part of the reason for the review of the Guardianship and Administration Act, to have a look at what is going on in terms of the increase in demand and how best to address it with a contemporary legislative framework. The demand has been growing for some time.

CHAIR - Is that part of an ageing population?

Dr GOODWIN - Yes, I think it is part of the ageing population.

Ms RATTRAY - Are families not taking on their responsibility and expecting someone else to do it?

Dr GOODWIN - For example, most nursing homes now have adopted a practice of having a guardian appointed to consent to secure care, even when all parties agree that secure care is in that person's best interests. That has led to an increase in emergency guardianship orders for people with dementia over the last five years.

Ms HILLIER - Under the legislation, only the Public Guardian can be appointed under an emergency order, which is one of the reasons we are looking at it.

Ms RATTRAY - Is the department receiving enough funds to deal with the increase in their work obligations, Minister?

Dr GOODWIN - The office has been under pressure. That is why it is a good opportunity to look at this shared-services arrangement with the Public Trustee, to see to what extent that might alleviate some of those pressures. Also, the review of the Act is important.

Ms RATTRAY - What is the staffing number of that particular area?

Dr GOODWIN - There are 3.75 FTEs, and they work across Tasmania.

Ms RATTRAY - A small contingent with a large and onerous task.

Mrs ARMITAGE - Most of the questions have been answered, but in 2013-14 I note that 79 per cent of the matters were determined within the statutory time frame. What is the statutory time frame?

Ms HILLIER - With the Guardianship and Administration Board?

Mrs ARMITAGE - With most of those. It comes up on page 111.

Dr GOODWIN - The Guardianship Administration Board.

Mrs ARMITAGE - I wondered what the statutory time frame is.

Dr GOODWIN - It is 45 days.

Mrs ARMITAGE - Second, I note that the target for 2014-15-16 is 100 per cent. I wondered how they are tracking to achieve dealing with 100 per cent of cases in the statutory time frame for this financial year. It seems like a very big ask.

Dr GOODWIN - Tracking at about 83 at the moment.

Mrs ARMITAGE - Does the funding allocated put them in a better position to improve their response rates for such cases?

Dr GOODWIN - The funding is fairly stable, I think.

1.7 Anti-discrimination Commissioner

Dr GOODWIN - Welcome to the Anti-Discrimination Commissioner, Robin Banks.

Mr VALENTINE - I have a quick question about the dominant areas that have been dealt with this year. Can you give us a profile on that? In 2013-14, 47 per cent of complaints were on disability; 10 per cent on race, 12 per cent on gender, and 17 per cent on age. Can you give us a similar breakdown?

Ms BANKS - The disability percentage is 51 per cent at the moment, so it is continuing to grow. The others I do not have the detailed figures for but they are not significantly different as far as I can tell. Race certainly has dropped away a bit, with gender and age staying stable.

Mr VALENTINE - Out of all of the cases that are brought before you, are there any actually placed on hold due to a lack of resources to address them?

Ms BANKS - None are placed on hold because there are statutory deadlines. I cannot put something aside for any period of time because of those deadlines. Certainly, there are times when we have to seek consent of complainants to extend the time for investigation, generally not because of lack of resources, more likely because of delays by parties in responding to issues. The one place I think we do see delays due to resource constraints is at the tail end; if a matter is being referred to a tribunal there are times when, because of the work that is involved in doing that referral, it can be delayed.

We are putting a lot of emphasis on trying to get matters to resolution early because we know that they are the ones for which we are more likely to get good outcomes with the parties, if we can get them together with a conciliator early in the process. There is some delay at the later end of the process, which is not satisfactory and it is something that I am trying to address.

Mr VALENTINE - Would there be some that have been delayed for reasons outside your control? What would be the oldest of those, in months?

Ms BANKS - We have at least one complaint that was opened in 2012 and that is still open. It is in the late stages of being open but it is still open. I think there is only one from 2012-13 but I may be wrong about that; I do not have the data in front of me. I can look at that and provide an answer.

Mr VALENTINE - Without identifying anyone, what are the causes of that remaining open, is it because of you cannot get court time or something?

Ms BANKS - My part of the process does not involve the court; my part of the process is to receive the complaints to consider whether or not they fall within the scope of the legislative framework, and if they do, to attempt to resolve them. If we cannot resolve them, we investigate them to see what the response is, what the parties say and whether there is evidence to support either side's version of events. At the end of the investigation I have three choices: I can have the matter proceed to further conciliation conducted by my office, I can refer it direct to the Anti-Discrimination Tribunal for an inquiry, which is where the court-type process comes in, or I can dismiss the complaint.

The number that are delayed generally are delayed because of difficulty getting detailed responses from parties, both from the complainant and from the respondent; it is not always one or the other. I am increasingly using the power available to me under section 97 of the act to require production of information. We cannot require a person to respond to a complaint, the act does not allow that but I can certainly identify relevant evidence and ask for that evidence to be produced to me, and we do increasingly use that as part of our investigation.

Mr VALENTINE - Thank you. How is the early dispute resolution process travelling at the moment in terms of success?

Ms BANKS - At present the rate of resolution is in the order of 67 per cent of matters where early resolution is attempted, and that is a pleasing result. We are seeing that going up, which is also a pleasing result. We get very little resistance to people coming into that process, which is also a very positive thing. The word hopefully is getting out that it is worth participating to see if a matter can be resolved and that seems to be bearing fruit, so I am very pleased with the positive outcomes there. I would like to see it continue to rise. I would not expect it ever to get to 100 per cent because there are reasons things do not resolve. There are reasons some complaints need to be dealt with as formal hearings by the tribunal. You cannot force parties to agree on things.

CHAIR - We have done a fair amount of legislation over the last few years, and some significant anti-discrimination legislation in the past year. Is the workload increasing or decreasing? One would hope -

Dr GOODWIN - Robin is probably the best person to answer that.

Ms BANKS - If you look at just the complaint load, it is down a little this year. We are tracking at about 83 per cent or 84 per cent of where we were at the same time last year. Last year was a record high. So it is a bit hard to know if it is decreasing or if last year was an anomaly.

In other areas - I have nine functions under the act. Complaint handling is one of them. The others include education, awareness raising, research and various other things.

In the other areas we are seeing generally the same level of demand. It has fallen off a bit in the paid education area, which means we need to be concerned about income from that stream in the future. But we are much more active - or proactive - in the area of policy reform, working with government and others to try to remove potential problems before they arise. That has always been the focus for me, in my role. If we can prevent a problem happening, that is much better than dealing with it through a formal complaint after the fact.

CHAIR - Even our legislation has to be increasing awareness. So hopefully there should be fewer complaints.

I know you can dismiss some complaints. What percentage of complaints do you dismiss?

Ms BANKS - I do not have that number with me. It is -

CHAIR - Is it big? Little?

Ms BANKS - It is little. Because there are very strict constraints on when I can dismiss a complaint because I am not a finder of fact. That is the role of the tribunal. The only real circumstances where I can dismiss a complaint are if the complainant drops out of the process, or disappears and does not keep in contact with us. One of the reforms that was made to the act at the beginning of last year was to allow me to dismiss that kind of complaint, even if the allegations made appear to have substance. In the past I would have to refer them to the tribunal. I do not anymore, and that has certainly been a positive outcome.

Occasionally I will get a response that demonstrates very clearly that the respondent had a valid, non-discriminatory reason for what occurred. So they have provided really solid evidence that is not contested. That is the kind of circumstance where I most likely would be able to dismiss a complaint. It is rare for it to be so - because there is a defence under the act - unless the defence very obviously applies.

An example of a defence that would obviously apply would be if, for example, a young person made a complaint about a shopkeeper refusing to sell them cigarettes. The law very clearly says they cannot do that. I would not even need to take that to dismissal stage. I could reject it because it would be clearly within the defence. But many of the defences - most of the defences require the testing of evidence. That is not my job at the end of the day. If there is a dispute about evidence, it has to go to the tribunal.

CHAIR - Even if there was, say, a frivolous complaint, you cannot decide that?

Ms BANKS - It is very rare for it to be that clear. In my time, which is coming up to five years, I have dismissed one claim as vexatious.

CHAIR - Vexatious?

Ms BANKS - Yes.

CHAIR - Thank you.

Mr DEAN - What areas are creating the largest number of complaints to your office at present? Is it racism or -

Ms BANKS - Disability complaints. So, 51 per cent of complaints allege disability discrimination. There are 22 attributes. One attribute is the subject of 51 per cent of the complaints. The rest are spread across the other 22, with race, age and gender being the dominant other three.

Mr DEAN - Is there a reason for that? Do you think it is lack of education of the persons who are discriminating in that way, or are alleged to have discriminated in that way? Where are we going wrong?

[12.45 p.m.]

Ms BANKS - I think, we as a society, and I do not narrow this to Tasmania, still have a long way to go to create an inclusive environment for people with disability. Many aspects of work and life really struggle to understand how to effectively include people with disability. I am on the education minister's task force about education and disability. We are looking at what better supports can be provided at the school level. That is one area we get complaints. It is generally not a lack of goodwill, it is generally a lack of understanding of how disability impacts on people in their lives and what creates barriers to include them.

Many people are oblivious to the effect of the way systems operate to exclude. We have a long way to go to redesign our world to be more inclusive of people with disability. That is probably the biggest thing. We get complaints across transport, education, employment. Disability is the one area where we see a very strong number of complaints around the provision of good services and facilities. We see as many, if not more complaints in that area as we do in employment.

Mrs TAYLOR - Against government agencies in that case.

Ms BANKS - Against government and non-government and private sector, yes.

Mr DEAN - On employment, are there many complaints coming in about age employment, people not being employed because of age, is that an issue? That is an area we are currently concentrating on.

Ms BANKS - We get complaints about that, enough to know that it is an issue. We get more inquiries than we get complaints. It is very interesting looking at to what extent inquiries become formal complaints. A lot of people indicate they have a sense that that is what is going on. They would find it hard to prove. One of the benefits about making a formal complaint is that I can ask a respondent to demonstrate the basis on which they made a recruitment decision, and that age was not a factor. We often do not get to that point because we do not get the formal complaint about it.

Mr DEAN - Have you forwarded many through to the tribunal?

Ms BANKS - The level of complaints going through to tribunal has remained pretty stable over the last five years. I would say of referral for inquiry it is probably less than or around 20 in a year. I would have to check that number, because it is not something that is at the front of my mind.

Mr DEAN - That is still too many, isn't it?

Ms BANKS - Yes, it is still more than we would like.

Mr DEAN - The other question was - and I asked it last year - is bullying an issue? Is it still an issue?

Ms BANKS - It is still an issue, particularly workplace bullying is the one raised most in formal complaints. We receive inquiries and occasionally indications of what people would describe as bullying in the education complaints that we get. They are the two big areas we see. People use that word relatively quickly and that is something we have to watch out for. I will get complaints that say, 'I was bullied'. They will not say anything more than that. Before we can even assess them, we need to understand what the conduct was that is alleged to have happened. The word bullying means something different to me than it does to a complainant.

Dr GOODWIN - We have the Tasmanian Law Reform Institute looking at the issue of bullying, including cyber bullying. They have released an issues paper, which is out for public consultation. People can feed in to that process.

Mr DEAN - Is cyber bullying becoming a bigger issue? Is it physical? Where are we with cyber bullying?

Ms BANKS - We are seeing an increasing number of complaints of on-line inappropriate conduct, whether it is bullying or otherwise, use of abusive and derogatory comments on people's Facebook pages about people on other people's Facebook pages. They can be quite tricky complaints because proving who was involved can be difficult.

At a meeting I was at in February this year of all of the agencies across Australia, we met with the chief general counsel for Facebook, and are developing some protocols around working with them to be able to get better evidence from them when we receive allegations of that sort. That is the kind of work that can make it difficult to deal with those complaints. We are talking about global players who manage quite extraordinarily vast systems. Monitoring and managing those systems is a challenge for them. It is also a challenge for regulators across the world, and that includes those in the discrimination area.

Mr DEAN - I am going to ask you this question, but the minister will probably interject. I was at a function on Saturday night for Angels Hope. The Governor was in attendance as well, which was wonderful. It is all about bullying and the tragedies that occur as a result of bullying. The organiser of the function said it was time we had legislation specifically for bullying. How do you see that, Robin?

Dr GOODWIN - That is why I have the Tasmanian Law Reform Institute looking at the issue. They are specifically looking at whether we need any changes to our legislation, or any

additions to our legislative response to bullying, including cyber bullying. But it is a broader issues than just the legislative response. Education is a huge factor as well.

The Tasmanian Law Reform Institute is doing that work at the moment. They posed a number of specific questions in the issues paper about the sort of response we should have.

Mr DEAN - Thank you.

1.8 Elections and referendums -

Dr GOODWIN - I will invite Julian Type, the Electoral Commissioner, to speak.

Mr DEAN - A number of positions were lost in the TEC as a result of the Budget. I can start by referring to the headline in *The Examiner*, last week - "Staff stressed", says TEC head'. Minister, what is the future position for the TEC? There is a lot of evidence to suggest they are not able to do what they are required to do by law. The staff is doing the best they possibly can, but they are stressed, according to the organisation head. What are the government's intentions in relation to the TEC in the future?

Dr GOODWIN - With regard to the FTE numbers, at 31 March 2015 there were 8.8 FTEs with a head count of 10.

In terms of the TEC's funding it has three basic sources - it has an annual departmental appropriation, reserved by law funding and also fee for service income. The combination of the move to quadrennial local government elections and a reduction in the departmental appropriation has impacted on the resources and business model for the TEC. In 2014-15 the Budget allocation to the TEC was reduced as a result of the withdrawal of the pay pause bill. There have not been any additional cuts to the TEC budget in this year's Budget.

CHAIR - But it is less.

Dr GOODWIN - Yes, I am just working my way through this. Although under the Electoral Act 2004, the commission is able to draw on reserved by law funding to cover costs associated with conducting elections and other statutory functions, the government will always ensure the TEC has sufficient funds to undertake its vital work, including the provision of additional funds to run elections as required. You would all be familiar with the fact that the Legislative Council Government Administration Committee B is currently conducting an inquiry into the operations of the TEC.

Mr DEAN - They are too.

Dr GOODWIN - I look forward to reviewing the committee's report, and will give careful consideration to its recommendations. It is not appropriate for me to comment too much more until the inquiry is finalised. The committee is hearing from the TEC about that.

Mr DEAN - I wonder how far I should go, because I am part of that committee.

The local government elections were all in, all out in October last year. How did the TEC cope with that? How did that proceed?

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Dr GOODWIN - They handled it very well. It is a big change. Last year was a really big year, but I will hand over to Julian to talk about the specifics.

Mr DEAN - There's no doubt they are working hard.

DR GOODWIN - They are doing a great job.

Mr TYPE - The move to all in, all out elections creates a problem for us. We had a very big 2014 and we know we are going to have a very big 2018, and we have a period of less activity in between. Although it does not seem like that at the moment. We managed the transition to all in, all out elections very satisfactorily. We introduced a new computer counting system for the larger and more complex council elections and that was a considerable success and we will look to extend that if we can to further councils in 2018.

It is an enormous challenge for us to run those two big events in the same calendar year. We look enviously across Bass Strait at our Victorian colleagues who have the local government elections and state elections offset by two years.

Mr DEAN - The other question I had is in the area of technology. How is the TEC adjusting to what is happening in the area of technology, with Facebook and electronic counting of votes? Are we moving into that area, or is that a long way off?

Mr TYPE - We have invested considerable resources into things like our Facebook page, a completely revamped website, and an Elections Tas application, which will do things like locate the nearest polling place to your telephone in real time. As I mentioned before, we are moving to a computer counting system for the more complex Hare Clark elections.

We have also, since 2010, had a system of email voting called 'express voting', which has now been extended to local government elections. We can use modern communication methods to make sure people who are in the four corners of the earth do not miss out on voting at Tasmanian elections.

All this comes at a cost because we have to provide all the old channels of communication at the same time as we are providing these new and varied channels of communication.

Mr DEAN - The Legislative Council elections are referred to in Budget Paper No. 2 Volume 1. It identifies that the Legislative Council elections participation rate in 2013-14 was 83.3 per cent. However, at the elections conducted recently - in the Windermere electorate in particular - the participation rate was only about 75 per cent. What are we able to do in that area? Is it education, is it simply a lack of interest, or is it a combination of a lot of issues? Or they didn't have a suitable candidate to vote for?

CHAIR - Don't take it personally.

Mr DEAN - No.

Dr GOODWIN - Julian, do you want to comment on that?

Mr TYPE - Mr Dean, the turn out for Windermere was 78.6 per cent and that compares with 80.5 per cent at the equivalent election in 2009. You are right. Turn out was down across all three divisions that went to election this year. I wish I could put a finger on it.

We write, as you know, to every elector on the roll explaining that the election is happening and that they have an obligation to vote. We spend considerable funds on a television, radio and press advertising campaign. At the moment we are carrying out some analysis, as we do for local government elections, to try to figure out if we can nail down the age group and the demographic of people who are not turning up. Hopefully within the next few months, when we get a chance to look at the data, we may get a better idea of who we need to target.

We suspect that it is probably going to turn out to be 20- to 35-year-olds, and that people moving into that cohort are the people we need to address. When we get some clearer data, we will see if it guides any action. There is certainly a problem with a minor deterioration in turnout. It is not falling off a cliff, but it is a minor deterioration, which is of great concern to the TEC.

Mr DEAN - You raised an issue that I had a question on, and that was, is there a survey done of what is behind this? You mentioned that you are looking further into this to try to come up with some reasons for it. Those people who did not vote, other than telling them to cough up their \$15 or \$20, do we ask them why they did not vote, to try to get the information as necessary to put a position together?

Dr GOODWIN - When they are faced with having to pay the fine, they probably try to provide a reason why they have not voted. I will again hand over to Julian.

Mr TYPE - We do and we do not, Mr Dean. The system, for a number of years now, in fact since the 2004 act, gives people the option of paying the penalty or providing a valid and sufficient reason for their failure to vote. At Legislative Council elections we have many people who simply pay the penalty, so we do not really know their reason for failing to vote, although I strongly suspect that in the majority of cases it is simply that they forgot. I do not think we will ever get to the stage where turnout at Legislative Council elections is as good as it is at House of Assembly elections, because we are not in the situation where we have the whole state going to election on the same day and saturation media coverage. I think it is simply the fact that people are leading busier lives, which means it is not front line.

Our other metrics, participation in House of Assembly elections, by comparison with every other state, is very good indeed. Our participation at local government elections, by comparison with the two states with whom we are comparable, South Australia and Western Australia, is almost double. Really, the level of engagement of the Tasmanian community on many measures is quite good. I agree with you that for Legislative Council elections it is not good enough.

Mr DEAN - Thank you very much for that. Because of the committee I do not feel I should go any further.

Mr FINCH - I am wondering how seriously we pursue that fining process for people who do not vote, and how much revenue is gained from the people who pay the fine and those who provide excuses.

Mr TYPE - I do not have the figures at my fingertips. I think with penalties in the last financial year, we were running at between \$50 000 and \$100 000. We do not see that money, we

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simply collect it and pay it into consolidated revenue. There are quite a number of valid and sufficient reasons for failure to vote, for example, an unexpected illness, a belief that voting would interfere with the free exercise of a person's religion, and so on.

We find that the majority of people who give us a reason have a valid and sufficient reason for failing to vote. As I said previously, for those that simply pay the penalty, we will never know.

We sometimes move to prosecution, although with advent of the monetary penalties enforcement service, we very rarely need to do that. If we do not hear from people, we issue an infringement notice and the monetary penalties enforcement service takes over collection of the penalty.

In recent times, we have only had one matter where an elector chose to have the matter heard by a court and that case was dismissed.

If an elector chooses to have the matter heard by a court, we will instruct the Director of Public Prosecutions accordingly.

CHAIR - If there are no further questions, thank you very much. It is my intention to break at this point, to have lunch. We will come back at 2.00 p.m. We will go on with the Integrity Commission, the Office of the Director of Public Prosecutions and the Office of the Ombudsman between 2.00 p.m. and 3.00 p.m. At 3.00 p.m. we will resume, if that is okay with the minister, with the other outputs in this portfolio.

Dr GOODWIN - Madam Chair, a quick answer. On the Chief Justice salary - 1.28 per cent increase, to \$480 809. Total cost to the state of increases for the coming financial year - 2015-16 - for judicial officers is \$112 411. Total cost is \$8.87 million. That includes judges, magistrates, the DPP, the SG, the Crown Solicitor, the Workers Rehab and Compensation Tribunal chief commissioner, but not the Integrity Commissioner. It totals \$8.87 million.

CHAIR - Thank you minister. Thank you everyone.

The committee suspended from 1.07 p.m. to 2.00 p.m.

DIVISION 13

(Integrity Commission)

Output group 1

Integrity Commission

1.1 Integrity Commission -

CHAIR - Thank you very much. Let us start again. Minister, would you like to introduce people at the table.

Dr GOODWIN - Deputy Secretary Ginna Webster and Diane Merryfull, the CEO of the Integrity Commission.

CHAIR - Do you have any opening remarks?

Dr GOODWIN - As there is only a short time for this next session, let us go straight into questions.

Mr VALENTINE - In last year's *Hansard*, it was stated that there was a savings requirement of \$3.1 million over the Budget and forward Estimates; the savings are \$532 000 in 2014-15, and then \$846 000 delivered annually from 2015-16. When I look at these numbers, they certainly do not seem to reflect that statement. I wonder what is happening. The note talks about a \$43 000 one-off extension of forward funding; adjustment of savings requirements, \$71 000 ongoing; and review cost, \$60 000 one-off. It does not seem to make up anything like the figure talked about last year. I wonder if you might explain what is happening in this space.

Dr GOODWIN - The Integrity Commission was required to find two lots of savings. One was around our alternative budget commitment. I think that was a \$600 000 saving. Then there was an additional savings requirement on top of that as part of all the savings agencies were required to find. There was a budget-saving strategy of co-locating the three integrity entities - the Anti-Discrimination Commissioner, the Office of the Ombudsman and the Integrity Commission. While all three organisations explored the possibility of co-location, in the end it was ruled out. As part of that process the Integrity Commission was able to renegotiate the rent on its current building and achieve savings of \$62 000. Out of the original allocation for the colocation savings, that amount was taken out and the rest was effectively put back into its budget.

There was an intention to reduce the number of board members. That was the Government's preferred option but there is the review of the Integrity Commission Act which is currently underway by the Joint Standing Committee on Integrity, and there will also be an independent review which is required by the legislation at the end of the year. Some of the board's funding has been put back in to reflect that.

CHAIR - That is the \$43 000?

Dr GOODWIN - Yes, so temporary extension of forward funding. There have been some changes to reflect those developments.

Mr VALENTINE - With a commission that has a statutory requirement, would that not be a case for having funding reserved by law as it is needed for cases, as opposed to trying to budget this way?

Dr GOODWIN - I am not sure, but this was the way the Integrity Commission budget was set up. It was a global allocation to the Integrity Commission which included the board fees and the Chief Commissioner and CEO salary components.

Mr VALENTINE - Can you understand what I am saying? There is no way the Integrity Commission can guarantee what is going to come forward in any one year, almost like the Electoral Commission knowing it has to oversee elections. It has to do it, regardless.

Dr GOODWIN - If the Integrity Commission needed an integrity tribunal, for example, then that is a separate allocation.

CHAIR - It would be found if and when you need it.

Dr GOODWIN - Yes.

Ms MERRYFULL - The act provides that you can come forward and that money can be given to us without going through appropriations.

Mr VALENTINE - You would never find yourself in a situation where you did not have the funds to be able to properly investigate a matter that may seem significantly urgent to do so?

Ms MERRYFULL - No, if we have to convene an integrity tribunal that is a separate process. We have not convened one of those yet. That would happen in the case of a particular matter if the board deemed it appropriate to convene a tribunal. The day-to-day investigations are found out of our normal appropriation. So they extract special ways of getting moneys, only in relation to convening an integrity tribunal.

Mr VALENTINE - My only other question is to do with the caseload numbers for this current financial year. I know we are not quite there yet, but if you can give us some idea of year to date and how that is tracking?

Ms MERRYFULL - Year to date, once again the number of complaints coming in has gone up. Last year it was 113 complaints and this year to the end of May, was 126. In terms of investigations, there are two, one own motion and one other investigation on foot but we have not concluded those. We commenced six assessments and concluded four of those. Like every other Integrity agency, only a small percentage of our complaints go to investigation or assessment.

Mr VALENTINE - Thanks for that.

Ms MERRYFULL - We have also done another audit.

Mr VALENTINE - The website that you use internally, is that functioning okay? Are you happy with that?

Ms MERRYFULL - The case management system investigator?

Mr VALENTINE - Yes.

Ms MERRYFULL - We spent a lot of time and effort getting that system functioning so, yes, that works.

Mr VALENTINE - The one that provides documents for members that need to sit in judgment on these things. It is high security?

Ms MERRYFULL - No, that was something else we were thinking of doing. That was meant to be like a high security space to place our documents for the board members. That has not eventuated. We were planning to work off one that was being developed by the Department of Justice but that has not developed. They could tell more about that. Our board members still get their documents in hard copy form. Sometimes you can also use a thing called Objective Connect which is an open source programme where you can place documents in a secure website

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location. We use that to make, for example, draft reports available to people who we are giving procedural fairness; we place it into Objective Connect which is a secure kind of Dropbox, and they can access it from there.

Mr VALENTINE - Is that a third-party drop box or is it handled by Government?

Ms MERRYFULL - It is ours; we use that.

Mr VALENTINE - So it is not being held in a cloud somewhere?

Ms MERRYFULL - Everything is held in a cloud somewhere, Mr Valentine. The whole world is held in a cloud somewhere now.

CHAIR - It cannot be any less secure than hard copy.

Dr GOODWIN - On the complaint numbers, it might be useful if Ms Merryfull elaborated. There is a further break-up in what has been referred, what is not accepted or dismissed after triage and what is under consideration.

Ms MERRYFULL - The ones that are not accepted or dismissed, of the 126 last year was 84. Another 29 were referred to the agencies because under the act we are meant to allow agencies to investigate, and 13 were either put into assessment or in some other way dealt with inside the commission.

Mr VALENTINE - Thanks.

CHAIR - Minister, a straight question, you may have said it already but I did not pick it up if you did. When do you expect the review of the act to be completed?

Dr GOODWIN - Which one? The Joint Standing Committee on Integrity is doing a review and you could ask the Chair of the Joint Standing Committee, who is sitting next to you, but I could not possibly comment on that. The independent review has to commence early next year, the end of the year, essentially.

CHAIR - So we are not reviewing soon?

Dr GOODWIN - We have one underway and then we have the independent review which is to commence early next year.

Ms MERRYFULL - There is a three-year review and a five-year review. The five-year review is meant to commence as soon as possible after December 31 this year. That is the independent five-year review.

CHAIR - You may not want to say too much, but how do you see the Integrity Commission at the moment, as a commissioner? When we set it up, you remember why and how it was set up. There was talk of corruption and all sorts of things and no instances of that have been found in Tasmania as far as I am aware.

Ms MERRYFULL - I would not go so far as to say that. The commission was set up to do two things: one is to deal with misconduct, and the other is to have an education and prevention

focus. In respect of investigating misconduct, there have certainly been a number of cases. Keep in mind that most of our work is done in private; misconduct is the key, not corruption.

CHAIR - But you could deal with corruption if there is corruption.

Ms MERRYFULL - I guess you could say that all corruption would be misconduct but not all misconduct would be corruption. We were set up to deal with misconduct and we have certainly conducted a number of investigations. Some of those have been made public but some of them have not. We have certainly sent enough material to agency heads to deal with or to the right people to indicate misconduct. It is not correct to say there is no misconduct or corruption in Tasmania. How do I see it working?

CHAIR - There is a lot of public money involved and there are people in the public who ask if we need one, other people say it needs it to be much tougher or bigger than it is. Other people say we do not need one at all because we are pretty good. Where do you sit?

Ms MERRYFULL - I think we sit in the base that there is a need for it. I think we are doing valuable work. The work on investigation and education, if we were not doing it nobody would be doing it. We have certainly found areas not only of misconduct but misconduct risk that would not have been found if we had not been looking for it. Yes, we have had a significant cut in our budget. That means we have had to trim our sails to meet the wind, so to speak. We would have preferred that not to happen but we are still working on our charter and doing the job. Everyone is focussed on that.

It is certainly the right size for the jurisdiction. There are many amendments needed to the act though. A number of those amendments have been with the Government for some time. There were presumably amendments to come as suggested from the Joint Standing Committee report although it has not been received yet. The commission could do a better job if it had a better piece of legislation to deal with. That is the bottom line.

Ms RATTRAY - Will the work done by the joint committee be used in the review process? Or will it be completely aside, assuming it gets onto the table by the end of the year? Will any of that information be used?

Dr GOODWIN - I expect it would, but ultimately that is a matter for the person who does the independent review. That has to be someone who is essentially a retired judge, someone of that standing. That is a requirement of s.106 of the act. I am sure the work of the Joint Standing Committee would be taken into consideration in that process to some degree or another. I do not know exactly how much because, as I said, that is a matter for the independent reviewer.

Ms RATTRAY - It is interesting that the legislation was supposed to pick the best out of every piece of legislation that we could find around the country.

Dr GOODWIN - If you recall, it was somewhat rushed through Parliament. We were making amendments to it in the wee hours of the morning, perhaps -

Ms RATTRAY - It is a lesson to be learned?

Dr GOODWIN - Well, maybe, yes. I think that was directed at me, with my other hat on -

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Ms RATTRAY - And to members of the House as well.

CHAIR - Not just to you. It happened with previous governments as well.

Ms RATTRAY - We are all responsible.

Mr VALENTINE - A question with regard to the workforce. How many FTEs does the commission have?

Ms MERRYFULL - Obviously we have had to reduce our FTEs to cope with our funding. There are two different kinds of FTE: one is our establishment, which on 1 July will be 14.2, but a number of staff who have the establishment of full-time positions are working part-time to help us meet our budgetary requirements. That is probably more around 13.5 or so, or even less than that possibly even next year. I have an establishment on 1 July of 14.2, so over the years we have lost a number of positions.

CHAIR - That is not FTEs. The 14.2 is not FTE.

Ms MERRYFULL - The 14.2 will be the establishment.

Mr VALENTINE - Before you stated that was the right size for the jurisdiction you have to deal with.

Ms MERRYFULL - Well, I could use some more staff. We have had \$600 000 per annum cut from our budget. We will live within that, but, generally speaking, we could use a bit more but we are the right kind of general size for the jurisdiction. I have done some work on the website of the joint standing committee; we did a third submission to the committee in which I compared jurisdictions and the size of their populations to the size and the budget of the commission. Generally speaking, the Budget was reasonably commensurate with the size of the population.

Mr VALENTINE - Do you need all full-time staff, or can you do with part-time staff at certain points?

Ms MERRYFULL - The trouble with bringing people on when you need them is the particular skill mix you need. We are not just doing general policy work or accounting and all of that kind of stuff. What we are doing is -

CHAIR - Unskilled stuff?

Ms MERRYFULL - No, different kinds of skills. Plus, of course, we have particular requirements relating to security clearances and stuff that we need. It is not that easy to bring people on for the surge work that we might do.

CHAIR - Are you developing a backlog as a result of the Budget cuts?

Ms MERRYFULL - Things take longer. I guess that is the thing about the Budget cuts. We continue to do the work, but things take longer because you do not have necessarily a lot of people to throw something when it happens. You need to have your background work going. If you have a big matter, you might need to put a bit more effort into it. People need to work harder,

but we are here to work hard - that is our job. We do not have a surge capacity, if we needed it, unless it was an integrity tribunal.

Ms RATTRAY - I note that in the overview you talked about renegotiating the lease on the office space. I remember visiting the site and at the time I thought it was ginormous - and there were people everywhere. Is that space now too big for the organisation?

Ms MERRYFULL - We got a really good deal. He reduced the actual cost per square metre. We drew up plans to shrink our space down, to see if that would help us meet the budget savings the Government asked us to meet - or told us to meet - but the capital fit out costs meant would not see a return on investment for five years. It was more cost effective to keep the same amount of space but at the reduced rate the Government negotiated with the landlord. We have a reduced rate for the floor space and the landlord is putting in new air conditioning, so our electricity bill will be considerably less. It is a lot of space but it is very cheap space, compared to other places - other buildings in town.

Ms RATTRAY - Could you sub-let part of that?

Ms MERRYFULL - We put a submission to the Government because we did not have the capital for the fit out. We could have divided our office in half and squashed in, and the other half would have been available, but that was going to cost over \$300 000. We have servers, and a whole lot of infrastructure capacity that would have to be moved, and toilets built, et cetera.

Ms RATTRAY - But the space is too large for the organisation as it stands today?

Ms MERRYFULL - It depends what you mean by 'too large'. There is no standard amount of square meterage per public servant that I am aware of that applies across the public sector. It is very reasonably priced accommodation.

Ms RATTRAY - Are you rattling around in the building.

Ms MERRYFULL - I would not say I am rattling around in the building. For example, we need a large meeting room for the board and for interviews. Sometimes people bring in barristers. We need the infrastructure we have - big servers for our special case management system, which is a stand alone system from the Department of Justice.

Ms RATTRAY - Thank you.

Mr VALENTINE - Can I ask an extra question on that? In regard to the server systems - who manages those on daily basis?

Ms MERRYFULL - The Department of Justice provides us with some technical backup but we have a software company - Wynyard - that provides the investigative case management system. I have some specially trained people on staff who can do support and administration on the system. We do back up tapes, which we store.

Mr VALENTINE - All those sorts of security things. Okay, thank you.

Ms MERRYFULL - Yes.

CHAIR - Do we have any other questions members. Thank you, minister. Thank you Diane.

DIVISION 16

(Office of the Director of Public Prosecutions)

Output group 1

The Office of the Director of Public Prosecutions

1.1 The Office of the Director of Public Prosecutions -

Dr GOODWIN - We have the Acting Director of Public Prosecutions, Daryl Coates and Kerry Worsley, the manager of Crown Law.

CHAIR - You do not want to make an opening statement.

Dr GOODWIN - No, just reiterate that it is very pleasing to have funding in this Budget for the unexplained wealth initiative, to enable Daryl to engage the services of a dedicated prosecutor and a forensic accountant to go after unexplained wealth in conjunction with the police. They had a successful pilot project and this follows on from that.

Mr DEAN - You said a big part of the increased funding is for the unexplained wealth initiative. Is there any activity in that area now? What is happening there?

Dr GOODWIN - I will let Daryl answer that one.

Mr COATES - The legislation came into force in March last year, which, due to the election, was very late in the Budget cycle. Last year we did not get any funding for it but we had a pilot project. From the DPP side we had one crown counsel, who still had indictable crime duties, dealing with unexplained wealth. Two police officers were also working on it. They have identified in excess of 20 targets. There is also property being restrained using the proceeds of crime that has come out of the unexplained wealth unit, of approximately \$700 000. We had an unexplained wealth order of \$60 000. So that has basically been over the last seven or eight months. The money will allow us to have a full-time Crown counsel dedicated to unexplained wealth, which will also assist in the normal proceeds of crime, identifying that with other Crown counsel.

It will allow us to employ a forensic accountant, which is essential to identify assets and determine whether they are unexplained. There will also be a part-time administrative assistant, and the police are going to provide two police officers. It should be emphasised that it is going to take time before all this flows through because to do the investigations, to obtain the financial material from the banks and other departments, takes a considerable amount of time.

Mr DEAN - So the police working in that area, will they be paid for out of this money and compensated to the police department? Or will the police department still pay them?

Mr COATES - Basically they are in the serious crime unit of the police, and they will be paid out of that. Identifying unexplained wealth will also assist in the normal investigation of criminal activity.

Mr DEAN - Can it become self-funding over a long period of time?

Mr COATES - That remains to be seen.

Dr GOODWIN - That is the hope, particularly from the Treasurer's perspective.

Mr DEAN - Is it a reality that that could happen? We know what is happening in the state.

Mr COATES - In the Northern Territory over the last six years - and they are a smaller jurisdiction than we are - they have netted \$16 million. I can tell you anecdotally, in a number of drug cases recently police have nabbed people with many thousands of dollars in the car. There seems to be substantial amounts of money particularly involved in drug crime in the state.

Mr DEAN - They have to be spending it somewhere. They are earning big money, some of these criminals, so it has to go somewhere. In regard to staff within the Department of Public Prosecutions, is it sufficient to do the work that is now required? Since the removal of Mr Ellis, has there been another position filled within the Department of Public Prosecutions to take that place?

Dr GOODWIN - Mr Coates is the acting DPP. I do not think his position has been back filled, has it?

Mr COATES - Ms Lynda Mason has been given higher duties. Until Mr Ellis left, there was no backfill at all. For the last three months we have had a level 2 lawyer from the police for three months on secondment, and we have paid for that. She is going back. And another level 2 lawyer from the police is coming across. That has helped with our work, plus it has also given them some professional development. We cannot fill that position until we know what is going to happen with the DPP position.

Mr DEAN - My question is, is there sufficient staff within the DPP's office to be able to effectively carry out all of their functions and duties. And has there been any hold up in any criminal court cases and matters because of insufficient staff in the DPP office?

Mr COATES - No.

Mr DEAN - The staff?

Dr GOODWIN - The office has been under significant pressure ever since Mr Ellis has not been working there, during the period he was suspended and since. We need to recruit a new DPP. I want to move on the amendments to the DPP act and the Solicitor-General act before we appoint the new DPP, so that person knows what it is they are signing up for, whether it be a fixed term of 10 years or not, depending on what happens with the legislation. It is important that is clear. We are working as fast as we can. That legislation is out for consultation at the moment. I expect we can fill that position by the end of the year.

It does place some pressure and strain on the office to be still in that position. I acknowledge that. I also acknowledge the work of Daryl and his team. They do and have been doing an outstanding job. They are to be commended on that.

Mr DEAN - We all recognise the work they do. Where is currently the greatest amount of work within that office? Is it in the area of straight-out crime? Is it drugs, ice? We were told that there has been an increase in work in that office over a period of time. Is there any major area that is more obvious than others?

Dr GOODWIN - There has been an increase in sexual offences.

Mr COATES - There has been an increase in the sexual offence part of advising over the last 12 months. Whether that will go into increased prosecutions remains to be seen. When I say advising, that is advice that we have given to police about whether they should charge people. There has been a significant increase in that. In the last annual report, 21 per cent of our total crimes were drug-related. I cannot give you a breakdown in relation to the drug, whether it is cannabis, amphetamines or what, but I can say a larger and larger proportion all the time is amphetamine-based drugs and fewer cannabis prosecutions.

Mr DEAN - Do we see any gambling matters? Are they prominent within the criminal system, the DPP's office? In other words, crime committed to supplement gambling or committed because someone has lost it.

Mr COATES - We do not have many, but when we have a large fraud case, a fair percentage of that time it is gambling-related. We do not have a significant number of them. I cannot give you the numbers. We could give you the dishonesty offences. We have 80 pending, but that includes armed robbery, burglary, receiving stolen property, and so on. If we had a large workplace fraud, often gambling would be the motive for that. We have about seven fraud cases at the moment.

Mr DEAN - Is the DPP's office, or yourself, concerned with the backlog we have seen in the Supreme Court and matters outstanding for a long period of time? Where does the DPP's office fit there? Are they able to clear those matters?

Dr GOODWIN - We were having a discussion this morning about the impact of the long trials we have had: Standage and Rusterholz. Other cases have backed up as a result of some of those long trials.

Mr COATES - At the moment we have a list of the older cases which we are trying to give priority to. You cannot always give priority to the older cases because you could have a person in custody or there could be a serious case with a victim that you want to get onto very quickly.

Mr DEAN - I take it the sexual matters take priority, as they always do, and should do?

Mr COATES - Yes, for example, tomorrow we have five trials starting. We have a trial in the Civil Court in Hobart. That is an extra trial. In the last six months we have had criminal trials in the Civil Court in Hobart. We have sat a second court in Launceston, so we have two courts there where we would normally only have one. The normal business, for the last 30 years, is that you have two criminal courts in Hobart, one in Launceston and one in Burnie but we have been having at times three in Hobart and two in Launceston.

Mr DEAN - Running very well, to capacity with your staff, I would have thought?

Mr COATES - With the pending list, when compared to other jurisdictions, we changed it about five years ago, so that rather than have committal proceedings in the Magistrates Court, they would be committed to the Supreme Court and they would then apply to a judge for a preliminary proceedings hearing. It then goes back to the Magistrates Court for the defence to be able to cross-examine crown witnesses. This is included in our pending list whereas prior to five years ago it would never be included. The mean average is 212 days from committal to disposal.

Mr DEAN - You would wonder if that is a good process. Can there be changes within the Justices Act to remove matters that are now in a criminal court and have to go the Supreme Court, to be tried in the Magistrates Courts?

Dr GOODWIN - I mentioned that as part of the Magistrates Court package that is being considered.

Mr DEAN - I suspect, Mr Coates, the DPP would be part of the process you are currently going through.

Dr GOODWIN - I am sure he has seen many versions of it because this has been around for about 10 years. He is an important stakeholder who will be engaged as part of the development of the legislation.

Mr COATES - We have had some discussions with the Chief Justice in respect to minor examples of drug trafficking, people with 25 plants or something like that, being dealt with in the Magistrates Court. Maybe people would say fraud at a smaller amount could be dealt with in the Magistrates Court.

Mr DEAN - It seems to me there are some opportunities to move that workload. Thank you.

CHAIR - Minister, do we have a problem with serious and organised crime in the state? Is it increasing?

Dr GOODWIN - We have established a division within Tasmania Police dedicated to tackling the issue of serious and organised crime. Daryl may be able to answer this. Probably the police are also in a good position to answer whether we have a problem with organised crime. You have probably seen a bit of the media coverage about the motor cycle gangs and concerns about their activity in Tasmania. Concerns about ice trafficking.

CHAIR - Is it on the increase?

Dr GOODWIN - I do not know whether you can answer it, Daryl. It is probably a question for the police, but I will pass to Daryl to see if he wants to make an observation on that.

Mr COATES - There has definitely been an increase in police seizures in relation to amphetamines over the last few years. A significant increase in that, so there is someone organising for that to come into the state. Unlike some other drugs like cannabis where you have to grow it in large amounts, amphetamines can come in through the mail.

CHAIR - A lot of them are being locally made.

Dr GOODWIN - Not ice. Most of that is imported.

Mr COATES - From China and places like that.

CHAIR - My second question is about the unexplained wealth initiative. I understand that we would like to not only make it self-sustaining but make money, or at least get some of that unexplained wealth into the state coffers. Is that its aim or they may contribute to the disruption of serious and organised crime.

Dr GOODWIN - The disruption and serious and organised crime is a really important aim of it. What the criminals tend to do is reinvest some of the proceeds back into their criminal enterprise, so if you disrupt that by reducing their profit or their capacity to reinvest, you are disrupting crime and their criminal enterprise. That is a really important aspect of this legislation.

The other point is that criminals will exploit loopholes across the Australian jurisdiction. If Tasmania did not have unexplained wealth legislation, for example, then we may well be vulnerable in that sense.

Now we have our legislation, we are in a good position to target unexplained wealth and this unit will be able to do this now with a much greater capacity. The pilot project worked well. You need the dedicated resources to be able to really tackle it.

CHAIR - If we make money out of it, it is a happy by-product. It is a bonus.

Dr GOODWIN - It is a bonus. Absolutely. The main thing is to disrupt criminal enterprises and stop people from profiting from crime in big dollars. Some of them make big dollars out of crime.

Mr DEAN - They do.

CHAIR - Are there other questions.

Mrs ARMITAGE - I may have missed the answer, but staffing numbers? Have FTEs changed? For the last couple of years it has been the same. Has it gone down or up?

Ms WORSLEY - It has remained fairly static. We currently have six positions which are being held open under vacancy control and we have one position to which we are currently recruiting. In real terms, it has remained static over that period.

Mrs ARMITAGE - It was 53.81. Is it still?

Ms WORSLEY - As at this moment, including the vacancies, it is 51.43 and we have 1.53 positions that are open as a result of flexible work hours which can change at any given time. It is static.

Mrs ARMITAGE - Thank you.

CHAIR - How long are you going to keep the vacancy control jobs unfilled?

Ms WORSLEY - We have very little option with in that we have funding to meet an establishment that is six less than current.

CHAIR - Those figures are including the vacancy control figures, aren't they?

Ms WORSLEY - No, our proper establishment is 60.5.

Mr COATES - Approximately two or three years ago, when the cuts to our budget arm were announced in the forward Estimates, as positions became vacant, deemed so we could meet that, we did not fill jobs for people that we were going to have to put off with the money change.

CHAIR - Thank you very much. Thank you, minister.

DIVISION 18

(Office of the Ombudsman)

1.1 Decisions on complaints referred to the Ombudsman and Health Complaints Commission and right to information -

Ms RATTRAY - Last year it was indicated there was a heavy workload in the office. I know the Ombudsman indicated his concern at the time about that workload. You might enlighten the committee as to how the office is coping with that heavy workload, or whether it has dissipated somewhat.

Dr GOODWIN - I think the Ombudsman's Office copes very well with its workload. There are a number of streams of activity within the office - general Ombudsman complaints but also health inquiries, energy inquiries and complaints, and right to information matters. So Ombudsman's Office is involved in a whole range of activity. The office does a terrific job, but there is no doubt that it performs a demanding role, with a constant stream of inquiries and complaints to deal with.

Ms RATTRAY - The type of complaints?

Mr CONNOCK - We are primarily focused on general administrative complaints. As I indicated to the committee last year, we are not really in a position to conduct any investigations or any large serious investigations, but we are dealing with the complaint load as it comes in. I also indicated to the committee last year, we have gone from 18 to 15-point-something FTEs, so we have been dealing with three less people effectively over the last 12 months.

Ms RATTRAY - The FTEs are 18-point -

Mr CONNOCK - No, it is 15.4 now.

Ms RATTRAY - I had it at 16.8 last year. Down to 15.4

Mr CONNOCK - Yes, it is 15.4. The committee last year was into the financial year; it was not until August, so we were already down to that number by then. That goes back to savings that came in the Global Financial Crisis, and we have another year or two to go, losing the equivalent of that effectively as well.

Complaint activity, and the figures are subject to final checking, of course. We are just gearing up for annual reports now. We have the figures to the end of May, and it looks like it is

going to be either static or a small decrease, but we are doing that with three less people. So in Ombudsman, we have had 627 formal complaints and in health, 284 complaints. So that is 911 formal complaints. I do not include the energy jurisdiction in this because it is funded by the energy entity, so it has a separate funding arrangement. But you can take two of the FTEs out for energy.

We discussed how we classified inquiries and complaints last year so I will not go into all that again. There are about 1 006 in-jurisdiction inquiries, so nearly 2 000 in-jurisdiction contacts during the year, and another 991 out of jurisdiction. So a fair amount of work is going on there. We have been managing to deal with complaints because we have been trying to streamline our processes.

Last year we were also exploring the option of co-location with the other integrity entities. Over time it became clear that probably was not going to be feasible, and different arrangements are now being made, I think, by the other two agencies. We are still working on our position. We had thought we would have to move because our lease is up in September. We have always thought that the key to this is probably not so much co-location as more competitive rental. We have been locked into a lease in those premises for a very long time, and the commercial realities have changed. It is a different environment out there and we are certainly finding that. We are having active discussions with our current building owner and with other, and we have throughout the course of the year, mainly by juggling offices and so forth -

CHAIR - You need to talk to the Integrity Commission.

Mr CONNOCK - We had started to talk about this last year, when Estimates committees were on, and we were finding that there were probably more differences than there were similarities in what we could share, information databases, storage facilities, even tearooms I think we talked about. Over time it became clear that this is probably not going to be feasible. As it happened, the other two agencies have sorted out reasonably good arrangements with their present landlord. We are in the process of doing the same or moving to somewhere else. We will be moved to cheaper premises, so whatever happens we will be meeting the target.

Through moving people around and not filling positions and various things throughout the year, we have managed to make a saving that we are able to carry forward as a RAF to cover the costs of the move and all the rest of it. We are prepared for that now, which is good, because I was not sure we were going to be doing that. That, in turn, has led to a bit of a backlog in the complaint work, because we have not had the numbers to do it.

We have various people leaving. My biggest problem at the moment probably is the RTI jurisdiction. Although the numbers are small, it is a small state. We have 29 current reviews on, but I have only had one 0.6 FTE of an officer to handle those. It is not only the formal reviews, we have a role in educating and providing guidance and assistance to parties and agencies. We prepare guidelines and so forth. We are just not able to do all of that. RTI is where we are feeling the pinch. Unfortunately that 0.6 FTE is due to retire in July, so we effectively have no-one.

It is a very specialised field we are finding when we try to recruit. We are now in a position where we can recruit. We have had a senior review officer on the establishment, but unfunded since 2013. We are now in a position to recruit for that through some of these savings that we have made in other areas. The first round of that did not attract any applicants who had anything like the necessary skills or experience to conduct these, because it is a quasi-judicial function. It

requires someone with a lot of legal experience and the courage of their convictions, as they are decisions that need to be made.

We also see the need for educating agencies in relation to the operation of the RTI. If we could do that, I think we would have fewer reviews. There are a lot of very willing officers out there, but not necessarily as well-trained as they could be. It should be part of our role to provide some training in relation to that, as well as internally. We are not in the position to do that at the moment, but it is something that we are keeping our eye on.

CHAIR - It does not sound as though you have a happy situation at the moment. It sounds as though it is very stressful. You sound as though you have been under stress.

Mr CONNOCK - It is not unhappy but it is about to become a little bit stressful, at least in the mid-term. We have discussed various things. It is in the information area that we are primarily concerned. The unfunded positions have been my old position. I was the Director of the Office of the Ombudsman before becoming Ombudsman. That remained vacant for the six months that I was acting in the position. The principal officer role was vacant for some time; that has now been filled. The director has been taken off the establishment. We have had a couple of RIPs that we postponed to next year, so that they did not come out of this year's budget, but we are not replacing one of those and reducing another to a band 5.

In the general jurisdiction, we are keeping the head above water. I was really disappointed we could not find anyone who had the requisite skills to do RTI at the moment. I am not sure why that is, I think it is something that you either like or you do not. We have rejigged the statement of duties to make it sound more RTI-centric, as it were. We will try advertising in different places. It is not a legal officer position, but it is someone with legal experience that is needed. That is where the pressure is at the moment. It is not at the moment, it will be because we have these 29 reviews. I will be in the position where I will have to say to people, 'I am sorry, you are just going to have to wait for a little bit longer,' or we are going to have to try to actively case-conference. It is good if you get it early, but it is not always good if the matter has progressed for some time. We will just have to deal with it as we can, as and when it crops up.

Ms RATTRAY - I am sorry to hear there is so much stress in the area of the Ombudsman, because I know my office staff continually says 'you need to call the Ombudsman' and take this issue to that place.

[3.00 p.m.]

Mr CONNOCK - I am satisfied that we are providing a service for the people we have there. We did not have many, they were overworked and stretched and they were doing things less formally than the office is in the habit of doing. I do not think we have missed anything or we have failed to provide anyone with an adequate service.

It is a little different perhaps to the way it has traditionally been provided but I am satisfied it has been met. I am conscious of the backlog in RTI and I am not happy about that. That is something that is perhaps going to get worse before it gets better. That needs not 0.6; it probably needs two full time officers if we are going to offer the education and training. We would be talking to RTI officers about how you make a decision.

We get so many who come back in and they have made no findings of fact. There is no evidence to base their decisions on and that puts an extra pressure on us. We have to go back and

revisit it from the beginning. Whereas if we had properly trained RTI officers that would reduce the amount of work that came to us. We do a lot of this informally over the phone dealing with agencies and applicants alike. They are not necessarily recorded because they do not come back. They want advice on process. We can do it and we are happy to do it. We just need more people to do that, in that jurisdiction. It is not huge but it is consistent. They are complex and they often involve third parties. There is a lot of a consultation and backwards and forwards on it.

Dr GOODWIN - On the RTI issue, I might mention an announcement the Premier made this morning about the Government being more transparent and accountable and pushing more information out. The Government will soon put in place a new policy to ensure that more Government information is shared with the public. The Premier said -

[TBC] I have directed all agencies to publish RTI requests online within 48 hours of them being sent to the applicant unless that information contains personal information directly relevant to the applicant. The overwhelming number of RTI requests are from members of Parliament or journalists or more lately unions. In the 2014-15 financial year DPAC received 68 RTI requests, 43 of those were from the Labor and Green opposition parties and they range from simple to extremely complicated matters and are time consuming for the departments. Under the changes proposed every Tasmanian will be able to access that information online if they choose to. It is one of the biggest reforms since RTI laws were introduced and brings Tasmania into line with Queensland and the Federal government. [TBC]

There are reforms afoot in that area.

Mr CONNOCK - I was quoted in that article as supporting that and I do. Something I need to address, though. It went on to say we had 736 RTI complaints. Were that the case I would have a couple of very stressed staff. That was in fact the total number of [?3.03.00]. Whoever read last year's annual report misread the annual report when they were preparing the article. That was the Ombudsman jurisdiction complaints, exclusive of RTI. There were in fact 34 RTI review applications. As soon as I saw that I rang the Premier's office and advised him of that.

Ms RATTRAY - There will be an amended media release sometime soon.

Mr CONNOCK - Whoever prepared that report misread the annual report, I think.

Ms RATTRAY - Moving onto the implementation planning for the Tasmanian Custodial Inspector. There was some additional funding of \$150 000.

Dr GOODWIN - That was something I wanted to see included in this year's Budget for the Ombudsman. This has been discussed for a long time - the idea of a custodial inspector. It was one of the two key recommendations in the Palmer Report on the Risdon Prison Complex, which raised a range of concerns about what the prison was like at that time. This is really to do some planning work on what the custodial inspectorate might look like. To look at the standards that would be required, and the legislative changes, and to consider whether the Wilfred Lopes Centre should be included. It is intended that Ashley Youth Detention Centre would fall under the jurisdiction of the custodial inspector. It is still to be discussed whether Wilfred Lopes should be included because there are forensic patients in the Wilfred Lopes Centre, and from time to time

prisoners go into Wilfred Lopes and come back out into the prison system. That funding is for the planning work needed for that new role. Richard has already been doing quite a bit of work on it.

Ms RATTRAY - When is the planning likely to be finished? When is this person going to be hitting the ground?

Dr GOODWIN - Part of the planning work is to work out what the model is going to look like and what level of resourcing it requires, and what legislative changes and what sort of standards. That work is being done over the next financial year.

Ms RATTRAY - It is at least 12 months away?

Dr GOODWIN - Yes.

Mrs ARMITAGE - Just wondering, what percentage of cases that come before you would be dismissed?

Mr CONNOCK - It is reasonably high. It is usually only about 10 per cent that are substantiated partly or in whole. It may be a little higher, but with the vast bulk we find there is no administration. We do not formally investigate a lot of things. We have the power to conduct preliminary inquiries, in order to determine whether a matter should be formally investigated. In practice, most are resolved at that level - either the conduct of the agency has been reasonable. There is no maladministration. A formal investigation is not justifiable. A lot of the time it is getting an explanation for a complaint as to why something has happened the way it has. Most are resolved without any finding and no administration.

Mrs ARMITAGE - I notice that last year quite a large number of your cases came from the three water corporations.

Mr CONNOCK - They did.

Mrs ARMITAGE - Since it has combined as TasWater, has that gone down? Has that gone up, or has it stayed static?

Mr CONNOCK - No, I am very pleased to say that two areas where complaint has dropped off are prison complaint and water complaint.

Mr DEAN - What was the other one?

Mr CONNOCK - Prison. Mr Edwards is to be congratulated on the work that he has done out there. The number of prison complaints has continued towards -

CHAIR - You might not need a custodial inspector.

Mr CONNOCK - That is a different thing.

Mrs ARMITAGE - So with the water complaints -

Mr CONNOCK - There were 182 in 2012-13. That was when the three corporations were operating. That went down to 134 in 2013-14, which was a drop of 26 per cent. The 30 June was

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when the three corporations became one. The complaints, up to May this year, are already down 55 per cent to 60.

Mrs ARMITAGE - Have they been found to be justified or have they been dismissed?

Mr CONNOCK - They have been responded to.

Mrs ARMITAGE - I thought it was worth asking.

Mr CONNOCK - Often when we become involved and we raise a complaint with an agency, we obtain a different sort of response to the complaint we received. That is not always the agency's fault. Complainants do not necessarily make the approach in the most constructive way. We are able to resolve a lot, but no, TasWater has been very constructive in its response to complaints.

It has a robust internal complaints handling system. We meet regularly with their officers who handle complaints in our office, and their complaint handling team and management. We are given advice of issues in advance so if something has gone wrong, we know about it and we can talk to complainants when they contact us rather than have to go backwards and forwards with the corporation.

Mrs ARMITAGE - Would local government also feature quite strongly?

Mr CONNOCK - It does. I am just looking at these figures. The Launceston Council seems to have had a bit of a bounce this year.

Mrs ARMITAGE - I am not there any more. That is since I left.

Mr CONNOCK - Local government tapered off when the water complaints went across. We still receive quite a lot of planning issues and noisy roosters and dogs and all of that sort of stuff but they are all resolved usually at a fairly low level. It is just again a question, an explanation, and so forth.

Mrs ARMITAGE - It has not increased? Local government have not increased?

Mr CONNOCK - On the figures I have so far, it does not look like it. I hesitate to give any sort of definitive answer on that because -

Mrs ARMITAGE - Do they have a similar outcome to TasWater? When a complaint comes in that they then -

Mr CONNOCK - Sometimes, yes. In general, pretty good. With local government, very often if there has been a mistake it will be admitted and rectified, which is encouraging. We always have things about rating and so forth when the new rates are struck each year. There is always a bit of a spark around that sort of thing. We receive a lot of Dog Control Act complaints. That is a difficult area because it crosses over into privacy, people wanting to know what has happened to the owner of the offending dog and that sort of stuff. Council is being a bit wary about disclosing too much information.

Mrs ARMITAGE - And a few planning ones, I am sure.

Mr CONNOCK - Yes. There is never a shortage of planning ones. Not a lot we can do with those. Most people have a right to go to RMPAC if they want to, if they have a sufficient interest. Under our act, if you have an avenue of redress, you are expected to use that before coming to us. We generally refer people on.

Mrs ARMITAGE - Thank you very much.

Mr VALENTINE - You mentioned out-of-jurisdiction complaints. What percentage was that again?

Mr CONNOCK - We have 900 up to May, so about the same number of in-jurisdiction complaints as out-of-jurisdiction complaints.

Mr VALENTINE - Obviously, there is an education role to play somewhere along the line?

Mr CONNOCK - It is interesting, I have contact with interstate counterparts, and this is a common thing for everybody. We still get a large part of our function is a referral service. Our people are trained and are very good at knowing, when someone starts to talk to them about a situation, where they should be. It is referring them on, whether it is to the Financial Ombudsman Service or the Telecommunication Ombudsman, or any of these other bodies - they refer them onto them.

Mr VALENTINE - So has any moves been made to get some education going on this?

Mr CONNOCK - If we had the resources, we could.

Mr VALENTINE - Not just the Ombudsman's Office, but, obviously, those to which you are referring them would come into this?

Mr CONNOCK - They would. A lot of them are in a similar position. It is a bit of a chestnut, it has been going on for some time. We found that we got a lot more out-of-jurisdiction complaints when we put the online complaint form up. People could just go on and fill in the form, and send it. We kept putting up barriers - 'Do you really want to complain to the Ombudsman?', 'Is this about your phone?', 'Is it about this or about that?', and trying to refer them on. That brought the complaints down to a degree, but the out-of-jurisdiction phone inquiries continue pretty well unabated. The usual confusion is consumer affairs and things like that.

Mr VALENTINE - The other jurisdictions you are referring them to probably do not have the same problem. If they are a telephone service, you are not going to get -

Mr CONNOCK - It is a blessing and a curse that the profile of the office is so well known, and, I like to think, trusted. But it is the first port of call for a lot of people, which is appropriate in a large number of things but not in all.

Mr VALENTINE - It is taking up a significant resource.

Mr CONNOCK - We have learned how to deal with these things quickly and efficiently, but, yes, it is. It probably will be forever part of the service - that you will be having to refer

people on. We have the role of educating the public about where their rights lie in a particular instance. We will never get rid of it.

Mr VALENTINE - I was not sure whether there was any way of being able to address it.

Mr CONNOCK - No, we have tried.

Mr DEAN - You have talked about the educational side of it. I would have thought education is a big part of the Integrity Commission's office. We are talking about wrong practices or what-have-you that create and cause a need for that education. I would have thought the Integrity Commission would have been the one, they ought to be palmed off to. You were on that board as well.

Mr CONNOCK - No. Jurisdictions differ in that the Ombudsman does not deal with individual officer conduct. The idea is to improve the administration of government. While that involves liaising with individual officers, it is in order to bring the practices of the agency organisation up to a standard where it is being administered lawfully, fairly and appropriately in the interests of the citizenry. The Integrity Commission is the body charged with looking at individual conduct, so if you have an officer misbehaving, that is what they look at.

We also have a positive obligation under the Right to Information Act to provide guidelines and to educate agencies and so forth in the operation of that act. It is a bit of a concern that we are not able to do that at the moment. I think there is room for our office to provide that sort of service because it is different to the Integrity Commission. It is less targeted; it is playing the ball and not the man, if you like. We are looking at this to improve the system. We have published guidelines on what is a good complaint handling system because if people have that, the complaints do not get to us and the public is better served.

Mr DEAN - Of the 2 000 matters that came in across two areas that you talked about, what percentage of those would result in a case being made?

Mr CONNOCK - That is what we were talking about before. I am not sure about these figures but I think it is partially or wholly substantiated in about 10 to 15 cases.

Mr DEAN - How far do you need to go to be able to - I guess with some it takes almost an investigation to determine that - how do you triage it? What stage do you go to?

Mr CONNOCK - Our people are well-trained, they know how government administration works, the ones we have are very good at what they do. They can look at a matter in most instances and discern what the problem is, whether that be an administrative one or a miscommunication or whether this sounds reasonable, unreasonable or otherwise, and tend to be able in the bulk of cases, whatever the outcome, to resolve them without the need for a detailed investigation or exchange of information. The vast bulk are resolved in that way.

They go through various levels and this is one of the benefits of a small office, that I see all the incoming mail as well as the principal officers. I do not necessarily act on it, but I have an idea what is in there. It goes around; it is initially triaged by the principal officer in the particular jurisdiction, they have an idea of what should be done, they then allocate it to one of the investigation officers, or refer it back to the agency. We have some template letters of the referral kind. We try to avoid the use of too many templates. We have them to refer things back when

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they are obviously out of jurisdiction. Fortunately we have very good frontline staff who do this as well.

Mr DEAN - How many personnel in your office are trained investigators?

Mr CONNOCK - Not many at the moment. Six or seven, and two in energy.

Mr DEAN - Their training has been in investigative works?

Mr CONNOCK - Most of them had a legal background. It is an odd sort of job because unless you have worked in an ombudsman's office, you do not really know what it is like. It is a little different to most things. We have people who have worked in the Northern Territory ombudsman's office, for example. We have people who are legally qualified but have worked in the administrative law area or public law area. Much of the work we do is legally based, looking at dog control acts and all that. They would be the skilled ones, about six or seven.

Mr DEAN - How much of your time is taken up by the serial complainants?

Mr CONNOCK - That depends on how expert the serial complainant is.

Mr DEAN - I know quite a few. It is an issue.

Mr CONNOCK - Yes, we have a few and they vary, they come and go. We manage those as best we can.

Mr DEAN - Thank you.

CHAIR - I think we are all done, minister.

Dr GOODWIN - Thank you very much.

CHAIR - I hope your move to cheaper premises is very successful.

Mr CONNOCK - Thank you very much.

CHAIR - How many square metres do you need?

Mr CONNOCK - I do not know, this is the other thing with the inspectorate. We are currently in about 500 square metres, which is probably a little more than we need but it is badly organised. That is one of the things, if we can find somewhere that is a bit more fit for purpose. We do not need as much as we have now.

DIVISION 5

(Department of Justice)

Output group 2

Legal services

2.1 Crown Law -

Mr DEAN - Last year we were told there were 23.61 FTEs and that amounted to 25 heads. What do we have now in within that department?

Ms WORSLEY - We have an establishment of 23 heads and currently occupied in Crown Law are 20.86 FTEs. The reason for that variation is that we have a number of staff who have returned from maternity leave and are working less than full time hours. We have an establishment of 23 and we are funded for that establishment.

Mr DEAN - I asked that because last year we were told the workload was increasing and no staff cuts could be made. What is the workload now? Is there an increase in the workload again this year, or has it dropped off? Where are we, minister?

Dr GOODWIN - We have increased the allocation to Crown Law by \$250 000 in recurrent funding, reflecting the increased demand that has been experienced and the anticipated increase in demand because of various government initiatives. These include the opening up of national parks for development, the Royal Hobart Hospital redevelopment, the Parliament Square development, the northern cities major development and the ACIPE project, to name but a few. There is quite a bit of activity going on that will impact on Crown Law.

Mr DEAN - Housing was a big area last year - it was creating concerns. So, that is where the increase is. Are the increases still occurring? Are they significant?

Ms WORSLEY - The increase we were talking about was a 79 per cent increase in the work of the Office of the Crown Solicitor. Thankfully that has plateaued out now, but it is at that increased level for this financial year.

Mr DEAN - It has remained at that level.

Ms WORSLEY - It has remained at that level. There had been a 21 per cent increase in the work of the Office of the Solicitor-General. That has had a slight increase this year of about six per cent.

Mr DEAN - What caused that?

Ms WORSLEY - It varies over time, quite significantly. We have years when there have been up 1 400 advices sought. We have had other years where there have been as low as 400 advices sought from the Solicitor-General. It is a cyclical thing. On a change of government people seem to -

CHAIR - I was going to ask if change of government would make a difference.

Ms WORSLEY - That has undoubtedly made a difference. That is on the rise, and that is a good thing, because it basically means legal risk is being better managed.

CHAIR - Are there other questions?

Mr DEAN - What charges for services can apply in Crown Law?

Ms WORSLEY - We do not directly charge but other agencies may well charge an amount of money. For example, Crown Land Services will charge a fee on the sale of Crown land or on a

boundary adjustment of Crown land or on a marine lease, such as a jetty structure. Part of the fee they charge is paid to Crown Law as a legal fee. Where a third party is to pay the government for a process, they will pay part of that fee as a legal fee to Crown Law. That is based on the cost of the service that is delivered. We make about \$160 000 a year from that source of income. It is not a vast amount.

Mr DEAN - Rebuilding the forestry industry - did that create any additional issues or problems for this department?

Ms WORSLEY - No, not at all - not for the Crown Law element of our department. Whether it created problems elsewhere, I do not know.

Mr DEAN - Thank you.

Mr VALENTINE - With respect to departments accessing your services for the development of contracts and the like - GITC contracts for instance - has there been a major increase in that over recent years?

Ms WORSLEY - No, not really. Again, it is a cyclical thing. As government agencies purchase a new IT system or purchase new software, or purchase new hardware - those things come and go as initiatives develop. Within our own department, for example, the new Mental Health Act necessitated the building of a new IT system to help the Mental Health Tribunal manage its work. That resulted in a GITC contract. It really depends on activity as to how many of those contracts we see.

Mr VALENTINE - Departments are doing that themselves in a lot of cases?

Ms WORSLEY - No, they come to us.

Mr VALENTINE - They come to you if they need a GITC contract?

Ms WORSLEY - Yes, definitely

Mr VALENTINE - Okay, thank you.

CHAIR - The next one is 2.2 which is the legislation development and review.

2.2 Legislation development and review -

Dr GOODWIN - I invite Catherine Vickers, the Director of the office of Legislation Development and Review to join us.

Ms RATTRAY - Minister, with this particular department, from last year's information, 50 per cent of the government's legislation comes from the area of Justice. Is that the same, or have you given this area a bit of a reprieve and let someone have a go.

Dr GOODWIN - No, 50 per cent of the legislation that is already on the books so to speak. We work through what that means in terms of amendments and changes from time to time.

Ms RATTRAY - You also have an increase in the budget.

Dr GOODWIN - There is a bit of an output restructuring, and the overheads reallocation.

CHAIR - They have gone to you rather than away from you.

Ms RATTRAY - Was that anything to do with the fact that this area has been brought all into one? That was what we were told last year.

Dr GOODWIN - Yes

Ms RATTRAY - There was a restructure and we have centralised all of our policy legislation to Ms Vickers' area. How is that working?

Dr GOODWIN - Very well. Outstanding area. We have quite a number of law reform projects and legislative projects on the go which are very capably managed by Ms Vickers' area. It is a demanding area from government and from my perspective. There is a lot of work that goes on and it continues

We have also a number of projects with the Sentencing Advisory Council and also the Tasmanian Law Reform Institute. I have mentioned a couple of those this morning. The bullying reference with the TLRI. They are doing one on self-defence, proposing to refer the issue of the Guardianship and Administration Act review. There is one on problem trees and hedges which I am waiting to receive the final report on, and various others with the Sentencing Advisory Council, family violence sentencing, sex offender sentencing, suspended sentences. There is quite a bit of work going on externally, as well as internally.

Ms RATTRAY - What about that dreaded national consistent legislation obligations? What is happening in that area? Is there anything outstanding at the moment?

Ms VICKERS - No, you dealt with classifications. Probably you would see the counter terrorism and referral of powers and those things are in the news so there might be some law reform that we might need to deal with as a state in that area. Those things continue on.

Dr GOODWIN - We are also the lead jurisdiction for the national model provisions for the national and domestic violence order schemes - underpinning legislative provisions for that but that also needs a technological solution to be developed before that scheme can be implemented across Australia.

Ms RATTRAY - That is not progressing as quickly as you might have first thought?

Dr GOODWIN - We should have the model provisions by the end of the year but the technological solution will take longer.

Ms RATTRAY - That includes funds into that department. Not because I am expecting to get a heap of national consistent legislation into the House which gives me shudders down my spine.

Dr GOODWIN - No. We have enough with our own state legislative projects to be working on.

Ms RATTRAY - Thank you, Chair, I do not have any other pressing questions in relation to that area. It appears to be running very smoothly.

CHAIR - Where does OPC sit?

Dr GOODWIN - It is not here. DPAC.

CHAIR - You must have a lot of close relationships -

Ms VICKERS - Very close relationships - our colleagues in OPC.

Ms RATTRAY - They put me straight last year, Madam Chair: 'Not here'.

Laughter.

CHAIR - Are there any other questions in this area?

Mr VALENTINE - We will grill her next time she is in the Chamber.

Ms RATTRAY - We see such a lot of Ms Vickers that we probably know what is going on.

Mr VALENTINE - We see more of Ms Vickers than anyone, I think.

Output group 3

Corrections, enforcement and consumer protection

3.3 Enforcement of monetary penalties -

Dr GOODWIN - I invite Neale Buchanan to the table, the Director of MPES.

Mr VALENTINE - The current amount outstanding last year was \$67.3 million. What is it close to the end of May?

Mr BUCHANAN - I can give it to you as at midnight last night, as someone forewarned me last time. I now have discovered that report - \$67 236 264 overall, to all sources.

Mr VALENTINE - It is not much different, it is about the same. That is not to say you have not been doing any work; that is what is outstanding. Can you give me an indication of the total owed to the Consolidated Fund? I think last year that was \$48.1 million. What would you expect this year's to be, roughly?

Mr BUCHANAN - Again, as at midnight last night, \$46 596 118.

Mr VALENTINE - With a month to go, fair enough. What is the number of monetary penalties owed? I think last year that was 81 800, would that be right?

Mr BUCHANAN - Number of referrals?

Mr VALENTINE - Number of penalties owed.

Mr BUCHANAN - It is 74 815.

Mr VALENTINE - It is still roughly the same.

Dr GOODWIN - That is not as at midnight last night, that is as of 30 April.

Mr VALENTINE - Okay, so there are three months to go. How many people are on long-term payment plans now? As at midnight last night?

Mr BUCHANAN - I do not have it as at midnight last night.

Mr VALENTINE - We asked this question not long ago; I am trying to think where it was.

Dr GOODWIN - As at 30 April, \$11.6 million of the debt was subject to a payment plan. I do not know if we have the number of people. We might have to take that on notice for you.

Mr VALENTINE - If you can provide that. It would be interesting to know, but it is probably not easy to tell exactly which demographic stands out amongst those people with a long-term payment plan and the number of years those plans run for.

Mr BUCHANAN - They very greatly depending on the circumstances of individuals. We could do a profile but it depends how long they go for. If they are over two years, we will have some information about their income. For anyone with a payment plan under two years, we will not have that information.

Mr VALENTINE - I can appreciate it would not be an easy thing to ascertain. I wondered if you had a gut feeling. With respect to the penalty units going up, I would expect we would have more of those coming onboard in future. I wonder if the number of FTEs you have allocated for this particular unit is sufficient. Can you give me a FTE profile of the unit?

Mr BUCHANAN - Overall, it is 22.85 at the moment.

Mr VALENTINE - How has that been over the last two or three years?

Mr BUCHANAN - I think we took a reduction of two FTEs last financial year.

Mr VALENTINE - Are there any others expected?

Dr GOODWIN - No.

Mr VALENTINE - You have dropped about two FTEs. It is not a huge number in the context of what you do. Thank you.

CHAIR - Did we get an answer as to how much you get in from monetary penalties? How much we collect. We spend \$4 million, how much do we collect? A ballpark figure.

Mr BUCHANAN - The last financial year we took in just over \$18 million.

CHAIR - You are worth having there.

Mr BUCHANAN - We pull our weight in that respect.

Mr VALENTINE - If I can ask a further question about the break-up. Last year, it was \$15.5 million from infringements; court imposed fines of \$44.4 million, and enforcement fees were \$7.4 million. Do you have the same break-up this year?

Mr BUCHANAN - As at midnight last night?

Mr VALENTINE - Yes. I appreciate we are not at 30 June.

Mr BUCHANAN - I have the numbers but they are not totalled. They are broken up under who is making payments under each category; it is not under enforcement orders.

Dr GOODWIN - I can give you the 30 April figure: infringement notices, \$16 million; court imposed fines, \$45.2 million; and enforcement fees, \$7 million.

Mr VALENTINE - That is interesting.

CHAIR - Most of those penalties are redistributed to the departments that impose the fines?

Mr EVERS - Most of them go into consolidated revenue.

Mr VALENTINE - The council ones that come in for, say, parking fees that have not been paid? They go back to the councils, do they not?

Mr EVERS - They go back to the councils, yes.

Mr VALENTINE - What sort of percentage do you take off the top?

Mr BUCHANAN - It is 0.3 of a penalty unit so it is currently \$42.

CHAIR - Of one penalty unit? It does not matter how many penalty units.

Mr BUCHANAN - No. It does not matter what the amount is, the fee is only \$42.

Mr DEAN - For each infringement notice, you collect the money on from council. How much do you take out of that?

CHAIR - It is \$42.

Mr DEAN - Most fines have accrued that after a while, have they not? Before they send them through? At what stage do they come to you?

Mr BUCHANAN - We do not see them all. They collect a substantial number before they come to us, so \$42 is a fee. They pay that fee when they refer them to us so it is on top of the parking fine or whatever other fees have been charged.

Ms RATTRAY - Do not worry, they will get their money back. They will not miss out.

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Mr VALENTINE - Do these progress to court often, and who pays the court?

Mr BUCHANAN - The whole point is to keep it out of court.

Mr VALENTINE - Do many of them go further?

Mr BUCHANAN - We do not get involved in that end of it. If the person concerned opts for a court hearing it will go to court. We only hear about it if the court orders the fines.

CHAIR - How are we ever going to reduce the amount of outstanding fines?

Dr GOODWIN - It is a challenge because the older the debt is the harder it is to track people down, because they move around. It is much easier to target recent debt because you are more likely to know where they live. They are more likely to pay up when you contact them. I know MPES has been doing some work on the aged debt and Neale might like to talk about that. It is certainly a challenge. The pre-MPES debt is very hard to track down and in some cases people could be interstate or overseas.

Mr VALENTINE - How many are? Do you have a percentage - those that are interstate?

Mr BUCHANAN - I probably have those numbers in dollars. About \$10 million relates to people whose last known address was interstate or overseas. I have a small group within MPES who are now working on interstate, overseas and higher value debt. Anything over \$20 000.

CHAIR - You would not bother for a smaller debt, would you?

Mr BUCHANAN - You are quite right. But now they are being fairly encouraged by this. I am getting an endless stream of minor debts - it could be 20 or 30 a week. People have turned up who owe \$150, for example. The debt could be 10 to 15 years old. Typically it looks like someone who incurred a speeding fine when they were holidaying in the state.

Mr VALENTINE - It would cost you \$500 to collect it.

Mr BUCHANAN - It does. Although we give it a try. We have access to databases. There is an interstate motor registry database that has all the state jurisdictions on it. We have a look at that, and at local databases we can access. I insist we look but if we cannot find them - certainly for under \$1 000 - the debt is deemed uncollectible.

Mr DEAN - So you write the debt off and that is it?

Mr BUCHANAN - That is correct.

Mr DEAN - With councils, you would refer them back to the council as an uncollected debt?

Mr BUCHANAN - They are certainly advised the decision has been made that we are not able to collect it.

Mr DEAN - This previous year, how much uncollected debt would you have written off

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Mr BUCHANAN - The numbers would be quite low. It is something we have only started since I commenced in September. It has probably started to grow in the last few months. I am going to have to find you the numbers, I do not have them with me. There will be more of it because it seems pointless to leave old debts on the books in the hope that one day they might incur another penalty in Tasmania and we can pick them up again.

Dr GOODWIN - Monetary penalties with a value greater than \$10 000 can only be remitted by a decision of the Governor in Council.

CHAIR - We are not talking about big debt.

Dr GOODWIN - There would be some old big debt as well - penalty orders and things of that nature.

Mr BUCHANAN - Certainly some, although the interesting thing about our debt over \$20 000 - 75 per cent of those are people on payment plans. There are certainly some we cannot find, but the majority we have been able to locate and maintain contact with. But there are some high value ones we have to look harder for.

Mr DEAN - How many licence and registration cancellations have there been this year?

Dr GOODWIN - For the period 1 July 2014 to 30 April 2015 in excess of 11 000 debtors were subject to enforcement sanctions. In 94 per cent of these cases the sanction resulted in payments being made to the debtor. In excess of \$3.9 million has been collected as a result of these sanctions. The most commonly used sanction is the suspension of a debtor's driver's licence as it usually invokes an immediate response from the debtor. From 1 July 2014 to 30 April 2015, 12 433 driver's licence suspensions were imposed, representing 93 per cent of the total sanctions applied in this period.

The breakdown is: 10 433 driver's licence suspensions; 265 vehicle registration suspensions; 114 name publications; four orders for the redirection of money owed; and 365 enforcement warrants, seizure and sale.

Mr DEAN - That is interesting. What about property taken possession of by a bailiff, recovered?

Dr GOODWIN - Neale might like to elaborate on that.

Mr BUCHANAN - There were 365 warrants for seizure and sale issued. Typically, that is used to get people on a payment plan. It is not to say that we will not seize and sell if we identify substantial assets, but the reality is that many of the people we are dealing with do not have substantial assets. We are precluded from some areas for obvious reasons if they are domestic things - domestic necessities, tools of the trade and the like. The whole point of seizure is we are getting to the last straw. It is to try to get them to pay rather than take away their asset and sell it.

Mr DEAN - I take it there was none in the last 12 months.

Mr BUCHANAN - There has been none sold in the last 12 months.

Mr DEAN - That is good.

CHAIR - Thank you very much. Was it worth the effort in the night?

Mr BUCHANAN - It turned out I did not have to go in at midnight to run the report. After we last were here I went back to -

CHAIR - Thank you.

3.4 Consumer Services -

Dr GOODWIN - I invite Dale Webster, Director of Building Standards and Occupational Licensing, and Consumer Affairs, to the table.

CHAIR - Welcome. I see the reduction in funding for the next financial year, but that is obviously due to the staffing level reduction that there was over the last year as a requirement of last year's Budget. However, last year you explained that a reduction of \$372 000 had been factored into this current year's Budget due to streamlining of the Australian Consumer Law services. You also said that you had approached the Commonwealth Government to take over administration of the Australian Consumer Law services, which would save another \$744 000 a year, starting this year. Can you update us on what actually happened?

Dr GOODWIN - Yes. There has been a shared service model that we have moved towards for CAFT - Consumer Affairs and Fair Trading - and BSOL, which is Building Standards and Occupational Licensing. Now we have one unit as from 1 July which is called CBOSS - Consumer, Building and Occupational Services - which will bring together Consumer Affairs and Fair Trading, and Building Standards and Occupational Licensing under a shared service model and management structure.

That has enabled the FTE reduction that was flagged, and the savings that were flagged, to be achieved. As to the Feds taking over our administration and enforcement of Australian Consumer Law, perhaps not unexpectedly, they declined to do so, which is why we had this backup plan of consolidating or having the shared service model to achieve those efficiencies.

CHAIR - Plan B, I think you said last year.

Dr GOODWIN - This is it. Although the minister, Mr Billson, declined to take over the ACL, he did ask his department and the Australian Competition and Consumer Commission to work with the Department of Justice to discuss avenues to support the transition to this shared service model, and to ensure that an appropriate level of protection is provided to Tasmanian consumers. The work that has been done by Dale and Mark Coffey, and others within the department, to end up with this shared service model has been really good. I am confident we will be able to deliver a good standard of service in relation to consumer protection.

CHAIR - Thank you. Basically, you have dropped two FTEs in all that restructure?

Dr GOODWIN - Nine FTEs. There will be a bit of a change in relation to the role Service Tasmania plays in dealing with some of the preliminary calls that people make. Dale might be able to expand on that. Some of the calls that might ordinarily have come straight to consumer services are capable of being dealt with by Service Tasmania, so you only end up with the ones that require more in-depth advice going to consumer services.

Mr WEBSTER - Consumer Affairs and Fair Trading and Building Standards and Occupational Licensing take around 25 000 calls a year. From the middle of July we are moving the licensing part of that to the Service Tasmania call centre, because we believe a lot of those calls are very much scripted calls - where do I find the form for this?; where is my application up to? - things like that. We can answer them with non-specialist staff. Moving those to Service Tasmania will take a workload off both Consumer Affairs and Building Standards areas.

CHAIR - Who will pay for that, you or Service Tasmania?

Mr WEBSTER - It will come out of our budget. Service Tasmania will pay us a fee for that. In addition to that, as the Ombudsman was talking about, we receive a large number of calls that are unrelated to our area. Something like 2 500 calls a year are not related to our specific areas. They will be weeded out before they come to our specialist staff, so that will take a load off as well. We will transition all of our first-line phone calls to that service over the next 12 to 18 months, so instead of having a stand-alone 1300 number for consumer affairs and a 1300 number for building standards, all calls will be directed to the Service Tasmania call centre.

They will deal with what they call tier 1 and tier 2. Tier 1 are the basic calls like 'Where do I find this on the website? Where do I get this form?', those sets of things. Tier 2 are slightly more complex, but again the answers can be scripted. It may be, 'What are the rules for a security guard licence', and things like that. They are the tier 2s. Tier 3s will still escalate back to the specialist staff to answer and that will be a seamless process between Service Tasmania and us.

CHAIR - You will have a lot less staff.

Mr WEBSTER - No, that will reduce the number of calls coming through and we are able to then take that staff off the phones and increase our activities around the Australian consumer law. This is a process of making us more efficient. Given the reduction in staffing, this is a better use of those specialist staff. Rather than someone at band 4 answering a phone to say sorry, we do not deal with that, have them answer the phone about something specific and use their time to do other things.

CHAIR - Can I ask you about the front end? When they first ring Service Tasmania, because that is now going to be a service where people there have to know even more answers, not in-depth answers, but nevertheless, how are you going to monitor that people are satisfied with that service? Consumer law is a matter of interest to you as to whether consumers are satisfied.

Mr WEBSTER - Service Tasmania do a number of surveying about customer satisfaction and those sorts of things. It will also be about the level of escalation. We already use this service, on a trial basis, for registration to work with vulnerable people. All those calls go through the Service Tasmania call centre. We can then monitor through the escalation and we can monitor through the regular surveys that Service Tasmania do. Service Tasmania also employ people as quality managers who listen in on phone calls and things like that.

I have personally been to Service Tasmania to register to work with vulnerable people to check out whether it asked the right questions, and it all went quite well. As part of the process, CrimTrac did an audit - CrimTrac is the national police checking agency - to make sure that the right questions were being asked. We passed that audit as well. Those sorts of quality checks and how we monitor that -

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CHAIR - So you are satisfied? It is really important. I am glad to hear that. That is all my questions in this area. Does anybody else have any questions?

Mr DEAN - Did you ask about the Rental Deposit Authority? What moneys are currently being held in that area? Could some detail be given on the amount of interest held by the department and where it is going?

Dr GOODWIN - Since its establishment in 2009, over 97 000 bonds have been lodged with the Rental Deposit Authority.

Mr DEAN - Ninety-seven thousand deposits?

Dr GOODWIN - No, 97 000 bonds, with a current value of around \$35 million. In the period from 1 May 2014 to 30 April 2015, the RDA processed an average of 1 624 bond lodgements and 1 778 bond claims per month, to reach a total of 19 484 lodgements and 21 334 claims for the year.

CHAIR - The next question was how much interest?

Dr GOODWIN - I do not know about interest.

Mr WEBSTER - The interest so far this year is \$535 000 to the end of April. We would expect another bit to come in this financial year, but it is around \$535 000. It is a deemed interest rate that we receive through Treasury of, I think, it is currently -

HAIR - It is not a very high interest rate.

Mr WEBSTER - It is based on the cash rate, which has been going down, of course. Currently 2.74 per cent is the deemed interest that we get through Treasury.

Mr DEAN - That money goes to towards paying staff? Is it a self-funding area? What happens to it?

Mr WEBSTER - The Rental Deposit Authority and the Residential Tenancy Commissioner's Office are both self-funded from the interest paid from the bond account. The second source is a call upon the surplus held in the Property Agents Guarantee Fund.

Mr DEAN - That residue has been building up? It is not all spent on expenses?

Mr WEBSTER - No, it is all expended on expenses.

Mr DEAN - There are no additional funds?

Mr WEBSTER - There is a small additional fund. I think it is now around \$300 000, but \$180 000 of that was given to us specifically from the Attorney-General and the Property Agents Board to review the Property Agents and Land Transactions Act. There would be very few funds not expended on the administration. The Rental Deposit Authority administration is basically the process of money in and out, and the Residential Tenancy Commissioner's Office is about the number of disputed claims and making determinations on those claims.

Mr DEAN - Are there many disputed claims?

Dr GOODWIN - A total of 3 048 disputes were referred to the Residential Tenancy Commissioner for determination during the financial year to date.

Mr DEAN - Does the number of rental properties seem to be increasing with the bonds being paid or is there a decrease?

Mr WEBSTER - It is hard to tell. The number of bonds being paid has increased, but that is because of the change in how social housing is now dealt with. Housing Tasmania did not charge bonds that came to the Rental Deposit Authority. As it has moved to the not-for-profit sector, any bonds paid or security deposits paid to the not-for-profit sector must be paid to the Rental Deposit Authority, so that has seen a jump.

Mr DEAN - That is an indication. Then there are properties rented where no bonds are taken as well.

Mr WEBSTER - In the social housing sector there will be number where bonds are not charged. Because it is an 'up to' figure that is part of the agreement and some of the bonds are quite low. However, one of the ongoing problems we have is landlords collecting bonds and not being aware of, or not wanting to pay them to, the deposit authority. We receive a number of complaints about security deposits not being paid to the rental deposit authority and we investigate those.

Mr DEAN - How is the education about that going? There would probably be some landlords who are still not aware of the authority.

You say you conduct investigations. What happens as a result of those investigations?

Mr WEBSTER - The investigation can either end in an infringement notice or in prosecution. In my time to date, we have only issued infringements. We see it more as an educative thing. We try to educate first, but with repeat offenders we issue an infringement. If it goes further, we prosecute.

Mr DEAN - Do you get many consumer complaints from tenants in relation to issues with tenanted properties? You have one, because I gave you one a couple of weeks ago.

Mr WEBSTER - In addition to the one the honourable member referred to us. We do. The legislation changed in October 2014, and the Rental Tenancy Commissioner can now make orders for repairs. We have received about 30 of those complaints since then. The vast majority - 29 of the 30 - have been resolved simply by a phone call to the property agent or landlord to say, 'Are you aware of this? Why have you not done something about it?'. I am holding back on the one that was referred, because I am not sure if the clothesline has been fixed yet.

Mr DEAN - It is a sad situation.

As a result of the changes to the Residential Tenancy Act - have there been any increases in complaints because of the changes we made - about curtains, and stoves?

Dr GOODWIN - The minimum standards have not commenced yet. They commence on 1 August.

Mr DEAN - Okay.

Dr GOODWIN - An information pack will be sent to all landlords who currently have bonds lodged, as well as to tenant advocacy groups such as the Tenants Union and other CLCs - Community Legal Centres. I should point out that Tasmania is leading the nation in implementing minimum standards for residential rental properties. I should commend the previous government on taking the step to implement the minimum standards, and the team within the department who worked on that.

Mr DEAN - They are doing a good job, there is no doubt about that. A number of tenants have come to me with issues and I always get a good result.

CHAIR - Thank you.

Output group 4 Regulatory and other services

4.3 Supervision of poppy and hemp crops -

Dr GOODWIN - We may have to take some questions on notice because we have a clash with another committee in terms of support on this particular issue.

Ms RATTRAY - I will move straight to the issue at hand. Obviously the industry is an important industry. The ministerial statement said it was a mature industry and growers need to share the cost with government. Well, \$700 000 from the industry is more than sharing the cost - out of \$740 000. What consultation has there been with the industry about the expectation that this policy will be implemented in the next financial year?

Dr GOODWIN - The industry is well aware of the fact that we intend to move to a cost recovery basis for the poppy industry regulation and I have had conversations with the industry representatives last year about this to let them know it was coming. We have another year before it takes effect.

The department in the mean time has been working hard to reduce the costs of the supervision or the regulation of Poppy Advisory and Control Board. By the same token we have some recommendations from the Ramsay review that we need to re-implement and we are working on some legislation in relation to that. There is quite a bit of work in progress on this.

Ms RATTRAY - Do we know how much the levy will be per hectare of the poppy crops in the future?

Dr GOODWIN - The levy will be paid by the processors rather than the growers.

Ms RATTRAY - But the growers will pay it ultimately, with respect, minister. The companies will not cover it.

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Dr GOODWIN - Whether they pass that cost on to the growers, is a matter for the processors.

Ms RATTRAY - Have we a percentage yet?

Dr GOODWIN - We have still to work through a number of issues with industry on this but there will be further consultation with the industry about the possible implementation of the levy in 2016-17. There is still work to be done on that and we do not have the specifics on what the levy might look like yet. That has to be subject to further consultation with industry.

Ms RATTRAY - I believe there is a live letter within the department somewhere, since late 2014 to which there has been no response and it is now five and a half months in to this year.

Dr GOODWIN - I will have to take that on notice.

Ms RATTRAY - Can I suggest that conversation is started sooner rather than later? People who are potentially farmers, growers, need to know how much extra it is going to cost to put that crop in the ground and they then make their decision whether they can afford to do it. We need to have those conversations soon.

Dr GOODWIN - We have given the industry two years notice that we are heading down this path.

Ms RATTRAY - They do not know per hectare what it is going to cost.

Dr GOODWIN - I understand that. Also I have said we need to implement the Ramsay review recommendations and also the department has been working hard to reduce the costs. All those things we need to take into consideration. As far as that letter is concerned, we will take that on notice and follow it up.

Ms RATTRAY - My real question about all this is, do we know how much it is going to cost to have the supervision board in place next financial year. That is what we need to know. We will be able to work it out, how much per hectare it will cost for the levy in the future. Do you have a figure? Is it \$500 000, is it \$600 000?

Dr GOODWIN - All we have at the moment is the figure that is provided in the forward Estimates

CHAIR - Which is \$739 000 for next year.

Dr GOODWIN - The current cost of running the board is approximately \$691 000 per annum based on current estimates. Approximately \$500 000 will be raised by the proposed levy.

Ms RATTRAY - If there are 20 000 hectares, which was what it was last season, and as long as Victoria do not come in and start growing all the poppy crops

Dr GOODWIN - There are developments happening within the industry which will also need to be taken into consideration. We are working with the other ministers who have responsibility for poppies in one way or another and that includes the minister for Primary Industries and also the minister for Health.

Ms RATTRAY - Has there been a reduction in inspectors on the ground?

Dr GOODWIN - We will have to take that on notice. Not that I am aware of.

Ms RATTRAY - My information says there is.

Dr GOODWIN - We will take that on notice and get back to you.

CHAIR - Any other questions?

Mr VALENTINE - We have no understanding as to how the activity in Victoria is going to affect us, do we?

Dr GOODWIN - Not really because this is a matter that is the subject of negotiation with the Commonwealth, about what happens with the possibility of other states being involved in the poppy industry. The Northern Territory is another one where there has been some activity. It is a work in progress. We would like to protect Tasmania as the only state able to grow poppies. We have had a strong track record of doing that very well and making sure we have the right protections in place on growing poppies. There are also moves afoot from other jurisdictions to be able to grow poppies. We have to continue to work with the Commonwealth Government on this.

CHAIR - Are farmers contracted with a processor? Does that not then dictate how many acres they would sow?

Ms RATTRAY - You also need to know how much that will cost you for a return. Otherwise you will not put anything in the ground. Minister, have you looked at Victoria, where they have a licensing system per grower?

Dr GOODWIN - The advice I have on that is that would potentially involve more cost for the growers. The new Victorian regulatory regime introduces a user pay levy on poppy processors and growers. Victoria does not have a board to oversee the industry with the administrative enforcement framework resting with the Victorian Department of Environment and Primary Industries and its minister. Given the large number of growers in Tasmania and the resource intensive nature of calculating the hours spent on compliance and administrative activities, adopting the Victorian model of cost recovery would be administratively cumbersome.

Ms RATTRAY - Victoria does not have very stringent security regulations for their crops?

Dr GOODWIN - That has been the strength of the Tasmanian poppy growers industry, that we have had those strict provisions. That was a requirement of our international obligations.

Ms RATTRAY - I will await those extra questions for answers at a later date.

CHAIR - The only thing we have left is the Capital Investment Program. There is only \$500 000 in next year's Budget.

Capital Investment Program -

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Mr VALENTINE - Minister, what stage is this at in its upgrade? It is in place now, about to be worked on? What is the circumstance?

Ms WEBSTER - Upon notice of receiving the additional funds, we have been negotiating with the organisation to purchase the equipment. We are doing that as soon as we possibly can.

Mr VALENTINE - This is a system that is already functioning and we are simply going to be another site.

Ms WEBSTER - Correct

Mr VALENTINE - It is an upgrade, the updated version. Okay. Are the operational costs going to change?

Ms WEBSTER - I will have to take that on notice. My understanding is that the amount in the Capital Investment Program is sufficient for what we require.

Mr VALENTINE - Am I to assume, in regard to maintenance, it is not being done in-house, it is being outsourced to a company in Tasmania or is that company on the mainland?

Ms WEBSTER - My understanding is it is an overseas company. I would have to take the maintenance issue on notice. I can provide some of that information.

Mr VALENTINE - How long do you need to keep the records for in regard to any of this, or do you have to keep the records at all in terms of video aware in the court system?

Ms WEBSTER - Again, that is something I would have to ask the courts to be certain I am providing the correct response.

Mr VALENTINE - There must be a statutory period.

Ms WEBSTER - Yes, there is. I would have to confirm what that was.

Mr VALENTINE - I would not mind knowing that, if that is possible.

Dr GOODWIN - Sure, we can take that one on notice.

Mr VALENTINE - Would this be something that they would use for victims of domestic violence, for instance, where a person has been assaulted does not want to come to court because they do not want to be confronted with the person who might have -

Dr GOODWIN - This is for recording court proceedings. This is when a matter is actually in the court.

Mr VALENTINE - Sorry, I have it wrong, haven't I? This is not remote video link.

Dr GOODWIN - No.

Mr VALENTINE - Okay. Sorry, I should have read that more carefully.

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Dr GOODWIN - It is just a digital audio recording. Parties may request a transcript, particularly if the matter ends up going further.

Mr VALENTINE - To a higher court or whatever. They can request that transcript. Okay, sorry, I missed that.

CHAIR - Doesn't that happen now?

Dr GOODWIN - This is an upgrade to the existing system.

Mr VALENTINE - It is an international company. Is the maintenance contracted if something goes wrong with the system?

Ms WEBSTER - We also have people within the courts who are well-versed with this system.

Mr VALENTINE - With operating this particular version of the product, or at least the old version, and an update would not necessarily be that different perhaps.

Ms WEBSTER - Yes.

Dr GOODWIN - It is the same system that is used in the Supreme Court and RMPAT. They have both undertaken major upgrades to their systems in recent years, so this is a similar thing that has been required for the Magistrates Court system.

Mr VALENTINE - There are no huge risks involved in going into a new product.

Dr GOODWIN - Hopefully not.

Mr VALENTINE - They have been in place before and there are a number of areas. How many sites would be using this?

Ms WEBSTER - It is the four permanent registries - Devonport, Burnie, Hobart and Launceston.

Dr GOODWIN - In 17 court rooms.

Mr VALENTINE - Thanks.

Mr DEAN - The whole proceedings are recorded, right from when they appear in the court?

Ms WEBSTER - Yes.

Mr DEAN - And that covers all of the other courts as well, Devonport, the country ones as well?

Ms WEBSTER - No, the system is not in place in those courts. My understanding is they take a portable recording system. This is for permanent court recording.

CHAIR - Thank you very much. The next line item is the capital investment program for prisons infrastructure. I thought perhaps we would leave that until we deal with Corrections. I will take your advice on the next two, which are the asbestos compensation and WorkCover Tasmania.

Dr GOODWIN - Not mine.

CHAIR - Not yours. Excellent. They were allocated to us.

The committee suspended from 4.18 p.m. to 4.32 p.m.

Output group 3

Corrections, enforcement and consumer protection

3.1 Prison services -

CHAIR - I have signed the letter saying that we are likely to go overtime, and asked for an extension. I am presuming that you would expect that. We may finish at 5 o'clock, but we may not. It depends how quick your answers are, or our questions for that matter.

Dr GOODWIN - I will introduce the additional people: Brian Edwards, Director of Prisons, and Pam Honan, Director of Community Corrections. I am sure you are familiar with both of them. Ginna and Nick are back for another round.

I will make some opening remarks. As members would be aware, Corrections provides community and custodial corrections through the Tasmania Prison Service and Community Corrections.

The Corrections portfolio also provides administrative and secretarial support to the independent work of the Parole Board. I state my sincere appreciation for all the staff and managers within Corrections for their dedication, persistence and excellent work in the face of challenge, and also for their professionalism and commitment within their respective roles.

I am very pleased to say that despite the fact that challenges remain, we are able to report many significant achievements and continuing positive change. The Prison Service made significant strides in the ongoing change program. The staff and management of the Prison Service have shown a great determination to change their service for the better and have achieved 97 per cent of the prison reform delivery plan. In this last year, the Prison Service has achieved across a range of areas, including significant reductions in the overtime costs of the prison. The service continued the successful implementation of a smoke-free prison policy, and finalised the bulk of the building works of the Prison Infrastructure Redevelopment Program - PIRPD.

This infrastructure redevelopment has delivered a new trade training centre, a recreation hall, additional programs rooms for prisoner learning and activity. It has also delivered a range of initiatives that have improved working conditions and safety for staff and prisoners. I am pleased to say an additional \$4.7 million has been added to the prison service budget with reductions in the forward Estimates. This is from last year onwards, to reflect anticipated efficiencies delivered by the change program. The \$4.7 million is provided in the light of the Zero Based Funding Review and recognises the true operating costs of the prison service. Another \$1.995 million of

recurrent funding is also being delivered for the second phase of the PIRP project to ensure appropriate staffing and activity for the new facilities.

Community corrections is also showing continuous improvement in the important work of supervising and supporting offenders within the community. This is reflected in the increase in confidence that has been shown in community corrections in the numbers of offenders under supervision in the community and their outstanding results in achieving the highest number of overall completions of orders in Australia in the 2013-14 financial year. Providing appropriate treatment interventions to offenders, whether in prison or the community, assists offenders, addresses their offending behaviour and contributes to a safer Tasmania.

I am very pleased to report the Government has recently brought in legislation that ensures victims of crime have a strong and permanent voice in the deliberations of the Parole Board through a victims of crime representative on the Parole Board. We recently advertised for that representative in the weekend paper. Legislative reform is also being progressed to introduce the first steps of the Government's election commitment to make it compulsory for sex offenders to engage in an appropriate treatment intervention while in prison.

That is all I would like to say, other than to point out that the prison has been focused on PIRP - stage D, the smoke-free prison policy implementation and the reform program. A lot of this policy arose out of the Palmer Report and other reports around the same time, including those from the Ombudsman on the Tamar Unit and the workplace health and safety report. It has been a period of significant change and I think the prison is to be congratulated, particularly Brian, on achieving that change.

Attention probably needs now to shift to education, employment, training, rehabilitation and reintegration. Part of the PIRP recurrent funding will help to address that, but I think more work needs to be done. As part of the Breaking the Cycle Review, we will need to consider where we go from here in addressing those particular areas.

Ms RATTRAY - And perhaps acknowledge Robert Williams?

Dr GOODWIN - Yes, we should definitely acknowledge Robert. In his absence, we should certainly acknowledge the work Robert has done. Of course, Nick has now taken the reins in that role. Robert played a key role in driving those reforms within the prison service.

Mr DEAN - It was not as though it was not required. There is an increase in the Budget of \$3.377 million. Part of that is for additional operational needs emanating from the completion of the prison infrastructure development program facilities. Can you explain that amount of money, where it is all going to go to, where it is needed for this other development that is being created within the prison? What will it return? What will it do?

Dr GOODWIN - The operational funding? I will hand over to Brian to talk about the specifics of that. I know some positions have been filled already - for example, sport and recreation officers but other positions are to be filled.

Mr EDWARDS - We are now trying to develop the parts the minister talked about, other than correction and custodial work. We are looking at the needs of the community and that is about drugs, drug rehabilitation, drug trafficking. We are looking at the compulsory sex offender treatment course coming in. We are spending that on staff who are trained and able to deliver

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that. We have two drug counsellors who have been signed off to start, so they will work with our drug strategy group which is a new group. Sorry, I am jumping around. There will be drug program delivery people, drug and alcohol counsellors, support staff for those, and there are sport and recreation staff, as well as educational, TasTAFE and –

CHAIR - Basically, he receives \$55 million, so \$57 million is employment costs. When you say, operational, how much of it is wages?

Mr DEAN - That is what I want to know.

Mr EDWARDS - Three quarters of that will be part salaries and about a quarter of that is for the extra costs in building, and the electricity, the utilities, the provision of supplies for sport and recreation.

CHAIR - That is the extra \$3 million you are talking about?

Mr EDWARDS - Yes. Staff and resources and the extras that go with it.

Mr DEAN - That is set in concrete? That is what is going to happen? When will these people be employed?

Mr EDWARDS - Some of them are employed now and some are coming online ready for this new financial year. We have been advertising and recruiting since the start of the year in order to get us ready for 1 July and onwards.

Mr DEAN - As a result of this happening and those staff you already had in place in this programme, have you seen any changes within the prison? What is happening there? What have been the gains?

Mr EDWARDS - We are trying to instil a factual approach to all our work. The drug strategy group has also taken on the most staff, who are trained people, who can also assist with the non-smoking programme et cetera. That is how we have achieved that.

Mr DEAN - Right. Involved in part of this is a sex offenders' program? Is that correct?

Mr EDWARDS - There will be extra staff taken on for our current sex offender treatment program anyway, but those will be trained in the New Year and the new [?] program we are going to take forward.

Mr DEAN - In Risdon, how many are currently undertaking the sex offenders' program, who are registered to be in the program?

Mr EDWARDS - I think it is around 59. I will check that.

Dr GOODWIN - There are 51 sex offenders in custody. Of these offenders, 16 have completed the treatment program and another one completed the program on an individual basis. Six are currently engaged in treatment and one has dropped out of treatment. Of those remaining, four have accepted a place in a program and are waiting commencement; seven offenders have not yet been approached. Five offenders are medically unfit or do not have sufficient time under

sentence to participate in the program, and nine have refused participation in the treatment program.

Mr DEAN - Those who have refused to undergo any treatment, what is the prognosis for those people? What happens to them? Nothing at all?

Mr EDWARDS - No, we do not leave it up to just refusing. We then work with them, one to one, and a lot of people who are now attending the course might very well have refused in the beginning. But until the session comes in, we are working through, one to one with them, to progress them on to the course. That has been quite successful. Sometimes they will not be in a group session, they will be in a one to one program.

Mr DEAN - Has that been a part of the court order where they have been imprisoned on the condition that they undertake the program, or is it just straight out -

Dr GOODWIN - No, there is not that capacity for a court order for them to start treatment in prison.

Mr DEAN - So that is simply a voluntary thing on their part, and the service you are providing?

Dr GOODWIN - Their participation in treatment, or non participation, is something the Parole Board will often take into consideration. It is something we intend to firm up through legislation.

Mr DEAN - How do we know the program has done any good? It is good that they go through the program, but what evidence is there to show that it has been of any value?

Dr GOODWIN - That is a question about program evaluation and how we evaluate the effectiveness of programs within the prison. I am not sure whether I have something that specifically addresses that. The ultimate test is whether they re-offend.

Mr DEAN - That was going to be another question. I will ask that now. Has there been any evidence of anyone who has been through one of these programs - and some of them have been in place for a long time - re-offending and coming back into the system?

Dr GOODWIN - I do not have any specifics on that - on the recidivism of sex offenders specifically. Certainly the issue of program evaluation is something that is under consideration.

Mr DEAN - Can you tell me what the program is? As I understand it, there is nothing medical about the program at all. It is simply educational. Or am I wrong?

Dr GOODWIN - I will provide the specifics of this program. All male sex offenders with sentences greater than nine months are assessed in relation to a number of responsivity factors. Currently, staff work with all eligible prisoners, which now include partial and total deniers. Those offenders who refuse to participate are consistently contacted and encouraged to engage in treatment.

The CBIT program - the Custody Based Intensive Treatment program - is cognitive behavioural therapy based, with an emphasis on the Good Lives model program, promoting

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individual strengths to encourage desistence from offending. The content and structure of the program adheres to the risk/needs/responsivity principles and addresses empirically derived risk factors for sexual and violent offending. There is also the New Directions program, based on one that operates in New South Wales.

Mr DEAN - I was right - there is nothing medical about it. It is all discussion and talk.

Mr EVANS - It is a psychosocial program, so it has psychological underpinnings.

CHAIR - I have some questions to ask on employee costs, not about the drug program, so you can move on to another question.

Mr DEAN - I was going to follow that up. I asked a question in parliament not that long ago about drugs getting into the prison service, and whether any inroads have been made into stopping them getting into the prison. What is happening in that regard? Have you identified any persons doing that in the past few months?

Dr GOODWIN - Brian, if you would like to talk a bit about this.

Mr DEAN - And is it an issue?

Mr EDWARDS - There will always be an issue with drugs coming into prisons because prisons lock up high risk offenders - the bigger drug dealers, and the people who make a lot of money from drugs. Also people who have committed extremely serious crimes to feed a drug habit. We are bound to get that risk within a prison. We cannot get away from that and that is our job. But we have set up a very good intelligence unit. Very similar to the type the police use. We pick up intelligence - where things are. We have very good intelligence liaison officers from either side, and we have a drug strategy that is producing a lot of good communication to staff. We will be looking at those three areas.

One of those areas is supply. We have bought new types of metal detectors for the prison that detect metal moving past them. It does not detect drugs, but it increases the searching capability for people walking into the prison. We are increasing our drug dog strength. We have constant active drug dogs on to search, and passive drug dogs to move around visitors.

We are also trying to reduce the harm and reduce the demand for drugs. Reducing the demand means we put on courses for prisoners and offenders. We are reducing the need and the demand for drugs. Harm reduction is about blood-borne viruses and increasing the health of the prison population. All of that combined will allow us to move forward on a dual drug strategy with community corrections.

CHAIR - How far along are you?

Mr EDWARDS - We have set up our drug strategy group. We are working very closely with community corrections on setting up an overall policy on reduction of drugs and treatment of drug issues.

CHAIR - You have not started it yet.

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Mr EDWARDS - Yes, we have. We are well on the way with that. Before the end of the month we will be able to give the minister a look at the first draft.

Dr GOODWIN - A couple of other specifics - the TPS recently purchased an itemiser trace detector and passive alcohol sensor torches to assist with the detection of narcotic and alcoholic substances, as well as cameras for monitoring the administration of Schedule 8 medications. The TPS employs a range of strategies to reduce the supply of drugs in prisons, which include information gathering and intelligence assessment - which Brian has talked about - searching and surveillance, screening at prison entry points and both random and targeted drug testing of prisoners.

Mr DEAN - How many offenders would you have detected this calendar year so far - inmates involved in drugs and alcohol? How many persons - visitors - have been identified or apprehended trying to bring drugs or alcohol or tobacco into the prison?

Dr GOODWIN - We could take that on notice.

Mr DEAN - If you could. I would be pleased if you could.

Dr GOODWIN - There are a number of cases going through the courts, apparently.

Mr DEAN - Whatever is the easiest. Whether it might be better from the beginning of the last financial year or calendar year - just current information.

Mr FINCH - I want to ask about cigarettes. It is a great initiative to try to eliminate smoking from the prison system. However, there was some talk about alternatives being used - inmates smoking substances other than tobacco. How are the efforts to stop smoking in the prison going?

Mr EDWARDS - Most states and most other countries have found that you will go through a period - we are a prison and people will try to get away with whatever they can get away with. For that first month or two after smoking cessation comes in, all sorts of things will be tried. The staff has done extremely well and worked through that, I think, very successfully. We are down, today, to 69 on NRT and most of them are remand prisoners. This means most of our other population are off nicotine replacement therapy and moving forward.

We have had no intelligence now for the past three or four weeks to say that people are trying to smoke tea or other things. That seems to be dying off.

Mr FINCH - You have a sense that it has stopped now?

Mr EDWARDS - I would never say 'stopped' in a prison setting about anything.

Mr FINCH - You might want to clarify that.

Mr EDWARDS - I would suggest that the staff are on top of it and we do not have the initial angst that was there.

CHAIR - You are going to have that continuing, aren't you, as new prisoners come in who are smokers?

Mr EDWARDS - Yes.

Mr FINCH - That nicotine withdrawal is a shocker. Best of luck with it.

Mr VALENTINE - We always think of prison trying to prevent people getting into drugs and all that sort of thing. How many prisoners present asking for help with kicking their drug habit? I suppose that is like admitting they are doing drugs. It must happen. Is there a record of anything like that?

Mr EDWARDS - I should check for you whether I have those figures.

Mr VALENTINE - I am not talking about smoking. I am talking about other drugs.

Mr EDWARDS - I do not have those figures.

Mr VALENTINE - I would like to know that.

Mr EDWARDS - We have a thing called tier 1 and tier 2, which are two assessment forms made out for when prisoners come in. A lot of people are presenting, saying that they have drug dependency problems.

Mr VALENTINE - It does happen?

Mr EDWARDS - Yes.

CHAIR - Can I go to your operational spending? I imagine the bulk of your operational spending, whether it is \$52.5 million this year or \$56 million next year, the bulk of it has to be on employee costs. Can you give us any kind of percentage of how much of that is your normal wages, and how much of it is overtime. We know there has to be an overtime component. What I am trying to establish, Mr Edwards, is that when you had the big overtime problem, one of the reasons was because people were calling in sick and you were having to pay overtime costs.

One of the solutions was to employ more people on a regular basis so that there would not be a need for the overtime. We thought that was a good strategy. I want to know whether we are paying just as much in employee costs, whether it is employee costs plus huge overtime, or whether it is bigger employee costs and less overtime. Is the amount the same or is it less? Have you saved any money by doing what we have said?

Mr EDWARDS - The thing I found when I first moved to Tasmania is the 24-hour shift calculations had not been put together correctly. It was not a question of us employing extra staff to reduce the overtime. It was a question of us saying to ourselves, what staff do we need to cover a 24-hour operation on the shifts? There is a specific calculation that deals with that. After that then -

CHAIR - That had not been done properly before?

Mr EDWARDS - That is why we went back to that zero base budgeting document, which then allowed us to say we can now work out what staff we need to cover a 24-hour. The most important thing is, what do we need to deliver as a prison service? Those are your operating hours. So you have your operating hours and then you have things like sickness, training and

other, what I call non-effector times, as a divisor into your operating hours, which then gives you the number of staff you require.

The reason for the extra staff is to make sure we have our shift covered, not at an extra cost, but to be able to deliver what we are charged to deliver from the community. When you are doing that, you either mark up or you mark down on the percentage points. If you mark down, it will cost you a small bit of overtime, but it will not be as much as the time before. What you are paying out now is single time for all of your staff instead of double time for the penalty rates. It should work out that we will be a lot more efficient in the way we run our operating costs because it is not just overtime.

CHAIR - I realise that.

Mr EDWARDS - It is not just staffing costs. We are looking at all of our operating costs on that zero base budget and that is where we will obtain the efficiency reduction.

CHAIR - That is my question, is there an efficiency? I know the new \$3 million is for extra programs, which I think is entirely needed. But without that, are the operating costs more efficient? Does it cost less?

[5.00 p.m.]

Mr EDWARDS - I do not know whether you can do a direct correlation, but my belief is it will be more efficient.

CHAIR - We are not actually spending this. We are constantly spending more.

Mr EDWARDS - But we never had the operating costs correct in the first place.

Dr GOODWIN - That was the benefit of the zero-based funding review - to work out the starting level we needed to operate the prison that we have. Of course, we now have extra prison facilities with PIRP - stage two, hence the additional allocation for the operating costs for PIRP - stage D.

The proportion of Budget expenditure that is salaries, including overtime, is about 72 per cent. That is salary component and then the remainders obviously.

CHAIR - Has that changed over the years as well?

Dr GOODWIN - I do not know that I can answer without taking it on notice.

CHAIR - Do you see what I am saying, though? We were spending a certain amount, not enough on ordinary wages, so it had to be topped up every year by \$5 million or \$6 million in overtime.

Dr GOODWIN - Ultimately, it is much better not be spending it on overtime.

CHAIR - Absolutely, I agree.

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Dr GOODWIN - To have the appropriate level of staffing for the prison is still a work in progress, because we still have one recruitment course in progress. There will need to be another recruitment process later in the year.

Mr EDWARDS - Yes.

CHAIR - You do not get as many man-hours, or person-hours, or overtime as you do. If it was more efficient, one would think it would cost less.

Mr EVERS - It is important to us that the prison remain within its budget. It has not been able to do that in the past. We are getting to the situation where the prison does not have to take money from the rest of this agency to ensure it is able to meet its obligations.

CHAIR - Which is hard, because we keep giving them more money. That is probably what was appropriate in the first place. We were not giving the prisons enough money -

Mr EDWARDS - That is the difficulty in the correlation, you have hit it on the nail. There was not enough in the first place.

Dr GOODWIN - Hence, the benefit of a zero-based funding review to say 'Well, this is what we actually need to run the prison. This is what is realistic to expect us to be able to run the prison with.'

CHAIR - So it was just a higher figure than we had before. Can you tell me how many prisoners there are currently?

Dr GOODWIN - There are 525 prisoners. It has been fluctuating a bit, with a recent increase, probably as the result of an increase in prisoners on remand.

CHAIR - That is really interesting.

Dr GOODWIN - Often it increases after the Christmas period, when the Supreme Court is not operating as well. There are 128 people, who are unconvicted awaiting court hearing on trial.

CHAIR - So are they counted in your 525?

Dr GOODWIN - Yes.

CHAIR - They are in remand, so you have them. It is just interesting correlation. We actually have \$52 538 000 in this year's Budget. That is a nice correlation of the 525; I can do the maths. Is that cost per prisoner?

Dr GOODWIN - That is coincidental.

CHAIR - It is a \$100 000 per prisoner in that case on today's figures. Is that not right? Is that the right maths? Or is it a \$1 million per prisoner?

Mr EVERS - It depends over what time period you take, because it is not \$100 000 per day.

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CHAIR - I am not suggesting that. If you have 525 prisoners, and you have \$52 500 000, it just divides neatly - the 525s just line up. However, that is this year's Budget, not next year's.

Mr DEAN - What is the female/male break up?

Dr GOODWIN - The female/male split is 495 male and 30 female. That figure fluctuates daily too.

Mr VALENTINE - \$100 072, to be precise.

Mr FINCH - We are hearing from these figures that prisons are costly, costly places, but there are numerous and growing alternatives to prisons.

Dr GOODWIN - There will be more alternatives, which is what the suspended sentence reference is about.

Mr FINCH - Fines, house arrest.

Dr GOODWIN - We do not have house arrest, we do not have home detention.

Mr FINCH - But there are alternatives to sending people to prison and they are growing.

Dr GOODWIN - You are heading into Pam's area here.

Mr FINCH - Yes, I noticed Pam has not had much of a chance to say anything.

Dr GOODWIN - There is a growing use of community corrections, community service orders, probation.

Mr FINCH - In the future, hopefully we only need to have prisons for people who are dangerous to society. The rehabilitation process can take place for others. That is what I am looking to see from our Estimates today, that there is a focus on that rehabilitation. The future may hold some hope for not having the numbers in prison but those alternatives to going to prison.

Dr GOODWIN - Certainly from a sentencing perspective, prison is regarded as the last resort option reserved for the most serious level of offending. The punishment also has to be commensurate with the gravity of the crime committed. There are important considerations to take into account. As far as alternative sentencing options go, that is why the Sentencing Advisory Council is doing a significant body of work on that issue. They are looking at a range of alternatives, including things such as home detention, which the honourable member for Windermere raises quite frequently. There are other therapeutic approaches potentially. The court-mandated diversion has been a very important sentencing option which does keep offenders out of prison provided they are compliant with their order. They do have to continue to front up before the Magistrate and make sure they are complying with their order, they are subject to urinalysis testing and all those things. It would be good if we had more sentencing options and that is what we are looking at through the work of the Sentencing Advisory Council.

CHAIR - If I could get back to my figures, while this is \$100 000 per prisoner per year, give or take, there is a big difference between that and Ashley which costs \$1 million per person per year on that last lot of figures we looked at some time ago.

Dr GOODWIN - Ashley is about \$10 million a year to run.

CHAIR - That is \$1 million a year, so prison is much cheaper. Sorry, that is not funny, really.

Mr DEAN - What is the cost of a prisoner per day?

Dr GOODWIN - The cost per day target for 2014-15 is \$300. We do not have the performance data yet but we do for 2013-14 and that was \$332.36.

Mr DEAN - How does that compare nationally?

Dr GOODWIN - Ours is higher because we are a small jurisdiction and we have a smaller number of prisoners. The ACT's, for example, is probably similar although they have fewer prisoners than us. Their cost per day was \$259.33 for 2013-14. Ours is the second highest after the Northern Territory's.

Mr DEAN - Why is that? You are saying we have to provide similar services, but I am trying to work out why.

Dr GOODWIN - The overhead costs are generally are the same regardless of how many prisoners you have. If you are a jurisdiction that has a higher number of prisoners, when you take the fixed costs into consideration it ends up being cheaper than it is for a small jurisdiction.

Mr VALENTINE - That is the cost of running the state. You have to provide the same services.

CHAIR - I am told that around 70 per cent of this operational cost is wages. That is related to how many people you need for the number of prisoners. If you have more or less, it should not shift dramatically. It is only about 20 per cent that is the floating part of the operation, I suppose. I hear what you say.

Mr EVERS - It is really a factor of the number of prisoners, so the smaller the number the smaller the divisor is that makes the fixed costs per day higher.

CHAIR - Your fixed costs, which is your 20 odd per cent.

Mr EVERS - Yes.

Mr VALENTINE - The number of prisoners - we have 525 on that site?

Mr EVERS - No, it is across a range of sites.

Dr GOODWIN - We have a number of sites. We have the Launceston Reception Prison, the Hobart Reception Prison and the main prison site at Risdon.

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Mr VALENTINE - You have a 128, mostly in Hobart and Launceston, on remand?

Dr GOODWIN - No. Prisoners on remand now are throughout the various facilities, they are not just in the reception prisons.

Mr VALENTINE - Do you know how many prisoners say, the ACT, would have? Do they have a much larger facility?

Dr GOODWIN - For 2013-14 they had 331, but that was up from 189 in 2009-10. They have not had a prison for all that long. They used to send their prisoners to NSW prisons.

Mr VALENTINE - We have multiple sites - we have probably more sites than they have?

Dr GOODWIN - Yes, I think so.

Mr DEAN - The sale of the Hayes Prison Farm resulted, as I understand it, in a fall in sales of good and services of about \$842 000. Hayes was closed in 2012 and it was anticipated at the time that the prisoners there would work in Risdon in a vegetable processing facility. Has this facility not happened, or is it working? Is it generating sales of goods and services?

Dr GOODWIN - It is a smaller facility than the one at Hayes, so that is why it is generating less income.

Mr DEAN - What is it generating now - the income from this facility?

Dr GOODWIN - I am not sure we have that information. We will have to take that on notice.

Mr DEAN - What other income generating projects do you operate from the prison, or are prisoners involved in?

Dr GOODWIN - The laundry, the prison laundry.

Mr DEAN - That is the only one? There is a laundry plus the -

Dr GOODWIN - And some furniture making. The furniture making, would that be high value?

Mr EDWARDS - High value of product.

Dr GOODWIN - Not overall high value.

Mr DEAN - We have the vegetables, the furniture and the laundry still operating.

CHAIR - So we still have a vegetable garden?

Mr EDWARDS - Yes.

CHAIR - Growing produce for the prison, I presume - or excess?

Dr GOODWIN - And for Second Bite.

Mr DEAN - So, we will get those other figures we wanted?

Dr GOODWIN - Yes.

Mr DEAN - How many prisoners are currently out on work programs?

Dr GOODWIN - A total of 18 944 leave absences were granted to Tasmanian prisoners in 2013-14. In the current financial year - as at 30 April 2015 - there have been 13 798 leave absences granted, with 12 682 of those for work related purposes.

Mr DEAN - Which means they are provided with a pass to walk out of the gaol to perform their work. Is that what it means?

Dr GOODWIN - They may be doing work under supervision as part of a group. For example, they go off and do work on the community garden for Second Bite. Prisoners have been involved in the Bushfire Assistance program so they are off helping with fencing. They do work for the Scout Association at the Lea, Hobart City Mission, the Dog's Home, and the Risdon Vale Neighbourhood Centre. They have been involved in the Risdon Vale Creek renewal program and stone bridge construction. The Mary Hutchinson Women's Prison provides items to the Royal Hobart Hospital neonatal ward. There is a whole range of activities that prisoners do, both within the prison and outside the prison, which support community activities.

Mr DEAN - There is work always being done in that regard to have them out on community work or what have you.

Dr GOODWIN - That is right, and identifying opportunities. They are assessed for their suitability. They have to be minimum security to go out and work in the community.

Mr DEAN - They have to be a sentenced prisoner to a certain period of time. Is that it?

Mr EDWARDS - Sentenced only.

Mr DEAN - The other one I wanted is the number of repeat offenders coming back in. Those statistics are available, I know that. Are we seeing a drop in that area or not, in repeat offenders coming back into the system?

Dr GOODWIN - We are lower than the national average, but there is still work to be done. I mentioned there needs to be an increased emphasis on rehabilitation, reintegration, employment and training, education. Tasmanian prisoner 'return to prison' rate remained several per cent below the national average, as it has been for several years. The proportion of prisoners released after a sentence of imprisonment who return to prison within two years is 39.3 per cent, compared to the national average of 42.1 per cent.

Although we are below the national average, we still have work to do to reduce that proportion. It is an ongoing challenge. Often, by the time they end up in Risdon, they are fairly well entrenched in their offending behaviour and breaking that cycle can be quite difficult.

Mr VALENTINE - It is a good reason to keep them out.

CHAIR - You talked about rehabilitation programs and education but the things you mentioned, Mr Edwards, were things like drug rehabilitation and so forth. What are you doing that are positive things for when they leave prison? One of the issues we have been raising recently is things like housing and whether they can manage to not go back into the social group that they went into in the first place. It is not just housing, it is life skills and those kind of things, budgeting, being work ready maybe. Are you doing things on that front? Being work ready would be a real help, if they could come out and find a job.

Mr EDWARDS - We have to look at what I have called the drivers of crime, the drivers of reoffending. We do not just say to ourselves we are delivering a drug-related program. That drug-related program has to be managed with a lot of other programs. What we are setting up is a new activity delivery group. The activity delivery group looks at the sentence plan, looks at the needs of the prisoner, then we assess where they have to go. There are some people who need to attend to their addiction before we go on to that other work. Others can start that work, but have to go on to an addiction program after that. We are doing a lot of work in different areas on rehabilitation.

Our belief is reintegration starts from the day they come through in reception. We lead this, now what we want to do is take this forward with as many programs as we can which that individual needs. That might mean literacy, numeracy, it might mean later on in the reintegration program how to fill out a form, how to control your anger. We will do a recipe of programs for that individual.

CHAIR - Are you case managing every person?

Mr EDWARDS - We are trying to case manage every person, but we have to realise that some people come in for a very short sentence. We might have to miss a program or go straight to reintegration and look at, well, you are going to be out in a month so what do you need in that time?

CHAIR - That is still case managing. If you look at each person individually and say this is what you need. Is that what you are doing?

Mr EDWARDS - This is what we are planning, but in the first instance we have to look at the longer term prisoner, and look at the shorter term, not at the side of the desk, but we are trying to get the high risk stuff done prior to getting to the short term. We are not quite there on the short term yet.

CHAIR - It was just like your first offenders. Research tells us that if you get first offenders and do the rehabilitation on a first offence, then they are less likely to come back than someone who has already offended six times or been in jail six times. Their chances of rehabilitation, you have to work a whole lot harder at. Obviously, it is your first offenders you would be looking at.

Mr EDWARDS - We totally agree with that. It is nice that we have sat around the table this year talking about the reintegration and the programs that we are introducing rather than where we were three or four years ago.

CHAIR - I agree.

Mr EDWARDS - Change does take time and that is part of our change program -

Dr GOODWIN - I said at the start that the focus has been really on the finishing the PIRP stage D, working through the change management program and the smoking cessation. Now we are at the point where we can really focus on the employment, training and education, and the reintegration and rehabilitation. We have got the PIRP stage D operational funding to help with that.

There is the new trade training centre and the activity centre. There is a lot to work with there and we have a good base to go forward.

CHAIR - I presume you will put evaluation measurements into all of those programs as well?

Mr EDWARDS - Yes.

CHAIR - Having spent this extra money, which is absolutely necessary, we then want to see results that show the rehabilitation is working and is where your dollars are best spent - whether it is in the short term or long term or particular programs or whatever.

My question was really in relation to reintegration programs. I know you have to deal with addictions and all those sorts of things, but it is also that that is not enough. If they are not ready then to come back and be looking for work, living independently or whatever, your chances of reoffending are greater.

Mr EDWARDS - The product, the vision that we have, is making people work-ready, making them more employable and giving them the same chance as everyone else.

CHAIR - Yes.

Mr EDWARDS - Not to get a better chance, not to get anything else but the same opportunity to go for a job or for work, so we are striving for that. Our reintegration plans are coming together very quickly. Our reintegration is concentrating on all the topics you have talked about and also we would like to work very hard with the minister on the Breaking the Cycle stuff.

That is how you now reintroduce and include people through the gate to move on.

Dr GOODWIN - And working with other organisations as well, particularly the NGO sector and Community Corrections and having that sort of through-care approach. Some of them come out and they are still on orders of various sorts. They might be on parole or they might have another probation order, community service orders, who knows.

CHAIR - In some ways I think they are better off in that they still have someone to care about them and keep an eye on them. The ones who come out and are put out the door because 'you have served your sentence and you are right now' are sometimes the most lost because who is going to keep an eye on them and who is going to give them guidance?

That is good, thank you. When we visited the prison - it must be 18 months ago or two years ago, that we had a visit to the prison?

Mr DEAN - Two and a half years.

CHAIR - Before the building program started two and a half years ago perhaps. One of the things that I noticed, and I am sure the rest of us did, was that when we went to the prison in the recreation areas, some of the prisoners were there all day. They came out of their cells at 9.00 a.m. and then they did not go back in until 5.00 p.m.

We talked then about all these kinds of programs and that everybody should be, whether you are in prison or not, usefully occupied - all day, that you have a job to go to or school to go to or whatever. That was your plan. How far along is that? How many of your prisoners now are not just sitting in their recreation area all day?

Mr EDWARDS - I could not give you a number. This is one of the biggest challenges we have in our change. It is not only -

CHAIR - So PIRP is going to do that?

Mr EDWARDS - To some extent. The reality is, we have a population that has done exactly what you have said: sat in the association room. We now have to change their thoughts as well. So we have got together an activities group that is working with the other staff going around. We are looking at employment; we are looking at accredited employment places; accredited courses. We are advertising that these courses are available. We have already run two Tas TAFE skills courses. So we have a full laundry; we have people working in the veg shop. So we do have full employment. In fact, in Ron Barwick, we do not have enough people there to fill employment places. We are well on the way. Am I satisfied yet? No, because we always want better; we want a 100 per cent employment if we can.

CHAIR - Are you making that voluntary, like offering them things and people picking it up? Or is it a requirement?

Mr EDWARDS - Under the current system we are saying to people, 'You really need to be looking at your addiction' or 'you really need to be looking at your employment; you really need to be looking at what work you do, what education you cover'. We are dealing more on a one-to-one basis now, and would like to move forward on that. If people do things wrong, they might very well not get their full remission back. What we are saying is, you need to prove to us that you are trying to alter and be productive and trying to make yourself employable, otherwise what will be the outcome at the end. My personal belief is they should not get full remission if they are not doing what Sentence Advisory Council has said, and that is that when you go to jail, you must be productive, et cetera.

CHAIR - Will this \$3 million extra in the Budget this year help to provide staff to provide more opportunities for them to be occupied?

Mr EDWARDS - Which is what it has done. We now have to make that happen.

Dr GOODWIN - To some extent the new sport and recreation positions will enable more of the prisoners to be involved in sport and recreation activities, for example?

Mr EDWARDS - Yes.

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CHAIR - Mr Edwards is saying that he has people ready to start on 1 July.

Mr EDWARDS - They have already started. Some are already working, or well on the way.

CHAIR - In a year's time when you come back and we talk about this again, you are going to be saying what in terms of the level of prisoner activity? How many prisoners are not taking part?

Mr EDWARDS - We have a full regime; I cannot gaze into a crystal ball to say we have a 100 per cent.

CHAIR - We do not have a 100 per cent in society, but we do have a fair proportion of our people who either go to school or go to work.

Mr EDWARDS - We do have a system where we have people who have turned retirement age and we have retirement activities going. All Ron Barwick is a 100 per cent activities going forward, except for the remands. We have some short-term remands going into Ron Barwick who do not have to work. We are well on the way, but I do not have any figures I can give you today.

CHAIR - Can I ask you at this point, minister, but we have talked about U-Turn a number of times and I did not know where else it fitted into the program here

Mr VALENTINE - It is in Community Corrective Services.

CHAIR - So we are going to talk about that in a minute?

Mr VALENTINE - It is next.

CHAIR - We will not talk about U-Turn yet then. Are there any other questions?

Mr DEAN - When we talked about overtime going back three or four years, transfer of prisoners to Launceston and Burnie and whatever, was also a reasonable cost to the organisation. Has that changed? Is it done any differently now? The transferring and movement of prisoners from place to place. There was a transfer program in place when you had to transfer to Launceston. Is that incurring difficulties for the prison minister?

Mr EDWARDS - We only use Launceston to cover the courts in the north and they have to be transferred down for their sentence. We do not keep sentenced prisoners there. That transport is still underway.

Mr DEAN - Being done without people called back on overtime to do it? That was one of the costs.

Mr EDWARDS - We have a suite of drivers; we have a suite of people to do that.

Mr DEAN - The other was violence in the prison - prisoner on prisoner, and violence on prison officer. Where are we with those statistics, and sick leave with your prisoner officers? Where is sick leave at? On a program this morning, they were saying the average public servant has eight or nine extra days' sick leave every year. Where does the jail fit in with that?

[5.30 p.m.]

Dr GOODWIN - The 2014-15 figures as at 30 April 2015 - the number of assaults of prisoner on staff is eight; the number of assaults of prisoner on prisoner is 40. The target for the number of assaults prisoner on staff was less than eight, so we have slightly exceeded that. As far as the prisoner on prisoner assault, the target is less than 48 and we were at 40. There were no serious assaults on staff.

Mr DEAN - The prisoner on prisoner, no serious assaults in that group?

Mr EDWARDS - None recorded.

Mr DEAN - Are offenders identified in that group when there is an assault prisoner on prisoner?

Mr EDWARDS - As I said we have an intelligence group who do the investigations. We are very strict on moving the offender, not the offended. We are dealing with the offenders.

Mr DEAN - Sick leave for staff, what does it average at?

Dr GOODWIN - We do not have any numbers. The TPS has implemented and continues to refine its absence management strategy to address the ongoing level of unplanned absences within the TPS which contributes to a portion of the overtime costs. Further work is being undertaken by the human resources team to [inaudible] and peer support programs within the TPS to maintain a supported workplace and ensure it reduces the length of absence. I can take that on notice.

Mr DEAN - Can we get those figures, if you don't mind?

Mr FINCH - Minister, I may have missed some of the detail on stage D of the development of the prison. The notation on page 122 of the budget papers is about that redevelopment program being carried forward into 2015-16 and the major outstanding work to be completed are the upgrades to the electronic security systems. I am curious as to when that might be concluded. What does stage D look like at the moment? Has that been progressed? Is it working? Is there something in stage D and what is it all about?

Dr GOODWIN - The first question is when it will be completed - the electronic security system. While we are finding information I will focus on what was within the PIRP scope of works. Most of this has been completed. It includes the new activities and education centre for both maximum and medium security prisoners; a new trade training centre which is modelled on the highly successful trade training centres operated by the Department of Education; modifications to the existing medium education building to provide a new secure drug testing facility; and an additional multipurpose interview room.

Mr FINCH - Are they completed?

Dr GOODWIN - Yes. Modifications to the Derwent A and B maximum units as well as the Huon and Mersey maximum security accommodation units that increase existing exercise facilities for inmates and office space for correctional supervisors; a new 10-bed maximum security accommodation unit added to the end of the transition unit - this is the Apsley unit; an upgrade of the gatehouse that allows improved functionality within the existing master control room; the establishment of a new incident management facility - and that facilitates a range of recommendations identified in the Palmer Report; a new vehicle lock that serves as the second or

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backup access eRest point in the event of an emergency - in the short term that has provided access to and from the Risdon Prison Complex for construction contractors; a new purpose built Tactical Response Group unit which is being constructed to free up space in the gatehouse for the incident management facility; and major upgrades to electronic security systems, which include replacement of the core Honeywell servers, installation of an access control system, installation of a new radio and duress system for RPC and Mary Hutchinson women's prison, and a major upgrade of RPC's CCTV cameras.

All of the construction work is completed and handed over use, apart from the new incident management facility located in the gatehouse, which is currently undergoing internal joinery design.

The Apsley accommodation unit was handed over on 2 April and will commence operation in early July. The CCTV camera upgrade program commenced on 13 April and is expected to be finalised by 30 August this year. Delays were experienced due to long procurement lead times for some camera hardware. The cut over to the new RPC master control occurred on 19 January as planned, and has been completed. 30 August for the electronic security and end of September for everything.

Mr FINCH - End of September - everything will be completed?

Dr GOODWIN - All the construction has been done, but only a few minor matters to still resolve.

Mr FINCH - Thanks. I remember when we were there a lot of that was underway and being built and being done.

CHAIR - You did say last year that it would all be completed by the end of the 2014 financial year, if I recall what *Hansard* said. Now it will be completed by the end of 2015.

Dr GOODWIN - Basically it is nearly completed. The construction is just about finished. It is just the electronic security; there have been some issues with that.

CHAIR - I certainly would - and I am not sure whether other members with me - would probably like to have another visit.

Dr GOODWIN - Sure. We were thinking of inviting you to the opening of the Apsley unit.

Mr VALENTINE - We could have a cricket match while we are there. There are enough of us.

Mr FINCH - When will that be?

Dr GOODWIN - July.

CHAIR - It might be a bit soon for all those programs to be in place, but it would be nice to see the difference, the change we have seen in a couple of years.

Mr DEAN - Maximum security - how many prisoners do we currently have in maximum security at Risdon prison?

Dr GOODWIN - Maximum, 64.

Mr DEAN - That is good. This time last year we had 80. Estimates were a bit later last year, weren't they? Yes, so it was about 80 last year in maximum security.

Dr GOODWIN - The bulk are in minimum, 272.

Mr DEAN - Thank you.

3.2 Community corrective services -

Mr VALENTINE - I am interested in a number of things, certainly the programs that you are running under this. I want to get a handle, though, on your FTE levels. Have they changed much over the last couple of years, the number of FTEs that you have in your section?

Ms HONAN - There are 85.66.

Mr VALENTINE - There are 85.66 at the moment?

Ms HONAN - Yes.

Mr VALENTINE - Is that down on last year?

Ms HONAN - No, it is marginally up, based on the additional funding that we received a few years ago. It has taken us a while to consolidate a permanent model and appoint to those positions.

Mr VALENTINE - To the programs that you run – the Sober Driver program. Last year there was something like 512 offenders. How is that running this year to date?

Ms HONAN - As of midnight last night?

Mr VALENTINE - As at midnight last night.

Dr GOODWIN - As at 30 April 2015, 667 offenders had graduated from the Sober Driver Program.

CHAIR - In that year to date, or all up?

Dr GOODWIN - No, I think when it started - 667 for this year. I am not sure we have a figure for this year.

Ms HONAN - From July 2014-15 the program completion rate was 79 per cent, but I do not have a figure for exactly how many went through.

Dr GOODWIN - I might have one from July 2014 to April 2015. One hundred and eighty-six started the program; 155 finished. So that is a completion rate of 83 per cent.

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Mr VALENTINE - The Family Violence offender intervention program, how many offenders have completed that. Since January 2012 there were 73 offenders completed, that was at estimates last year.

Dr GOODWIN - Between January 2012 and 30 April 2015, 99 offenders had successfully completed the program. Currently across the state there are five offenders participating in individual programs and 18 participating in group programs.

Mr VALENTINE - The Getting Smart Program for substance abusers, as at 30 June 2014 there were 21 completions statewide. Do we have an understanding as to -

Dr GOODWIN - As of 30 April 2015 there have been 24 completions statewide since the introduction of the program. The most recent program commenced on the 11 March 2015 and there are five participants in that group.

Mr VALENTINE - The section 42 release program - how is that going?

Dr GOODWIN - That was in the prison; we talked a little about that before. I gave you the numbers before.

Mr VALENTINE - Yes you did, but that is not under community -

Dr GOODWIN - No, that is under the prison.

Mr VALENTINE - Corrective Services. Okay, that was dealt with last year under this but it must have been again out of order. That is fine. The CSO offender, the numbers there, as at 1 January 2014 were 1 327. Do we have any idea how many there have so far this year?

Dr GOODWIN - CSO numbers - For 2013-14, which is the average daily offender population in community corrections, for CSOs it was 1 304; for supervision, 1 114.

Ms HONAN - The most up-to-date figures for CSO offenders as of January 2015 was 1 095.

Mr VALENTINE - That has gone down a bit compared to last year.

Dr GOODWIN - That is at 1 January.

Mr VALENTINE - Yes, 1 January. It was 1 327 at 1 January last year. This year it is 1 095. Do we know the reasons for that? It is a significant drop.

Ms HONAN - It does have a correlation with the increased numbers of probation as well. So I guess more of the magistrates are leaning toward program intervention, which generally is meant to periods of probation not community service where there is no case management attached to it.

Mr VALENTINE - That sounds right. The U-Turn program, the question there is, are you still looking at de-funding U-turn past 2017-18?

CHAIR - It has finished; it sold its stuff at Gowans Auction Friday week ago.

Dr GOODWIN - The U-Turn Program is not continuing as you know it. Technically it has finished. What we now have under development is what we are calling the Young Adult Offenders program, which is for young adults aged 18 to 25. We had a workshop with the stakeholders on the development of that new model. The Tasmanian Institute of Law Enforcement studies has been doing some research on what that program should look like. At this stage community corrections is finalising the tender for that program. It will be aimed at medium- to high-risk young adult offenders aged 18 to 25 and will be aimed at addressing criminogenic needs. It will be going out for tender shortly, as soon as the program requirements are finalised.

Mr VALENTINE - Note 12 for this says the decrease in 2018-19 reflects the completion of funding for the project U-Turn program. It is as if it is still being funded up to 2017-18.

Dr GOODWIN - Our election commitment was to provide funding for U-Turn over four years. That funding of \$500 000 which was originally earmarked with U-Turn remains. However, because the program came across to community corrections and we then received the evaluation report into U-Turn from police which suggested it was not working as was intended, the shape of that program has changed. It has morphed into the Young Adult Offenders Program but the funding remains, the \$500 000 for those four years. Then we will evaluate this new program model and see how that goes and revisit the funding when we have had a chance to see how effective it is.

CHAIR - U-Turn was for offenders who were younger than young adults. Are you finding something to replace that for that age group as well?

Dr GOODWIN - We do not have responsibility for young offenders. We only have responsibility for adults within corrections. Human Services has responsibility for young people. However we do have a number of youth justice programs the Government is funding including the Save the Children, supporting young people on bail; we provide funding for the TOOL Program; and we provide funding to White Lion.

CHAIR - I thought TOOL was going to have less funds?

Dr GOODWIN - Yes, TOOL receives \$270 000 per year from the state Government. We provide \$250 000 per year to the PCYC network; and also \$50 000 for JLD restorative practices. We did commit funding to a number of youth programs.

CHAIR - From the Corrective Services budget?

Dr GOODWIN - No, from the appropriate area of Government. Youth Justice in the case of a number of them, State Growth for TOOL, police for PCYC. White Lion is also under State Growth.

Mr VALENTINE - The only other question with regard to numbers is did the community corrective services meet the wage pause figure of \$44 000 for 2014-15?

Dr GOODWIN - They did not have to.

CHAIR - Because?

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Dr GOODWIN - I think that was because there was an adjustment made. In the end the major burden of the FTE savings was within Health, Education and State Growth, and so Justice had some redigging as a result of that.

Mr VALENTINE - So they do not have to meet the \$75 000 in each of the other two years either?

Dr GOODWIN - Community Corrections does not have an FTE savings requirement.

Mr VALENTINE - Not FTE; it is the wage pause.

Dr GOODWIN - No.

Mr DEAN - The completion rate for community supervision was - Rob asked it but I will read it from *Hansard* -

Projected to 2014-15 was 90 per cent.

Are we anywhere near that figure? For those who do not complete, are they going back to the courts in every case?

Dr GOODWIN - In 2013-14 completion rates were 84.3 per cent compared with the national average of 77.5 per cent. So our Community Corrections area performed very well in comparison with the national average.

Mr DEAN - We do not have this year's figures obviously.

Ms HONAN - The figure of 84.3 is the 2013-14 figure which is the national data comparison. Until they are released nationally we do not know what the next ones are, but they are the highest in Australia.

Mr DEAN - Those not completing those orders, are they going back before the courts in all instances are they?

Ms HONAN - It depends on the reason. If it is inability because of health issues or changes in circumstances or breaches, yes, they would be.

Mr DEAN - If it is a change in circumstances surely they would still have to come back and complete those orders, or if they have gone to the mainland do they enter into some program on the mainland?

Ms HONAN - There is some capacity to transfer community service orders to receiving jurisdictions under the new legislation. We have not been doing a lot of that. Sometimes they are suspended temporarily until people have an opportunity to recover, or sometimes it might be through mental health issues, or people have children and they need to address some of those personal circumstances before we can redirect them into the completion of their orders. They are nearly all completed with the exception of people who abscond. Then there are warrants executed and when they come to our attention again, go back to court.

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Mr DEAN - Probation Officers - are there enough of them? There were concerns in this area over a period that we did not have enough probation officers to complete the reports for courts and they were held up in that regard.

Dr GOODWIN - That is why Community Corrections received increased funding of \$1.4 million recurrent in 2013-14 to address the increase in the demand across the board.

Mr DEAN - Is that now being [inaudible] that increase in demand?

Ms HONAN - It is. It is constantly demanding but there is certainly an improvement of what was.

Mr DEAN - This is an appropriate place to ask - you continually said that you are looking at other ways of sentencing prisoners, other options for home incarceration. Where are we with all of that now?

Dr GOODWIN - The Sentencing Advisory Council is doing their work on the alternative sentencing options and the phase out of suspended sentences. They are due to provide their first report in August. There will then be a period of feedback consultation and they will then produce their final report.

Mr DEAN - What are some of the options they are looking at?

Dr GOODWIN - I do not know because I have not seen the report. I did ask them to consider options such as home detention, other therapeutic options, and other states have intensive correction orders, those sorts of things. They were things that were named in the terms of reference but they were not restricted in what sort of options they could look at. They were just suggestions that they have interstate that they might like to consider.

Mr VALENTINE - Suspended sentences wasn't one?

Dr GOODWIN - No.

Mr DEAN - So, August is the time for that report to come to you. Would you visualise releasing that report publicly?

Dr GOODWIN - They will release it. The terms of reference provided to the Council include a request to investigate the range, adequacy and cost for alternative sentencing options such as and not limited to home detention, intensive correctional supervision, deferred sentencing, restorative and therapeutic options.

Mr DEAN - Thank you.

Mm CHAIRMAN - Any further questions? Thank you, minister. Thank you to all your staff who have handed you things as you have need them. They have done a terrific job.

The committee adjourned at 5.54 p.m.