



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Thursday 11 May 2023

REVISED EDITION

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Thursday 11 May 2023

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

QUESTIONS

Launceston General Hospital - Operating Theatre Lighting

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.01 a.m.]

Today it has been revealed that after 10 years of Liberal Government, the health system has become so bad that the lighting in three of the operating theatres at the Launceston General Hospital has to be held together with sticky tape. This issue was raised through the hospital's safety protocols in 2018 and then again in 2022. Nothing has been done. There are serious concerns about infection control and patients will be at risk for as long as it remains unresolved. The Launceston General Hospital is literally being held together with sticky tape. How can you find the money to put lights in a new stadium in Hobart but not in the operating theatres at the Launceston General Hospital?

ANSWER

Mr Speaker, I thank the member for her question. I am aware of the circulating image of tape on surgical operating theatre lights at the Launceston General Hospital. The pictured lighting equipment is fully operational and surgical services continue to be delivered unaffected. Equipment is tested regularly across our hospitals and health services to ensure the highest standards of quality and safety.

We know equipment can face wear and tear which is why, under our theatre refurbishment project, we are updating two operating theatres at the LGH. This plan has also extended to upgrade all operating theatre lights at the Launceston General Hospital as well. This theatre refurbishment plan is part of our \$196 million elective surgery plan which has already seen the elective surgery wait list reduce by 12.6 per cent in the 12 months to March 2023. We are investing more than \$11.2 billion over the next four years when it comes to Health, a record \$7.25 million a day on average into our health system and, when it comes to health infrastructure, some \$1.5 billion over the course of the next 10 years, including the Launceston General Hospital. That is a significant investment.

We are also investing in our most important health asset - our people. Since 2014, we have employed over 2300 additional FTEs: 1390 nurses, 390 doctors, 310 allied health professionals and 220 paramedics and dispatch officers. We are also making progress on our election promise of 298 extra hospital beds by 2024.

We are also transforming with our considerable investment of some \$475 million into digital technology over the course of the next 10 years. Digital health is important and that is a significant investment of almost \$500 million to transform the way we deliver services and communicate across our health system. They are significant investments when it comes to people and infrastructure.

I will not be like the Opposition Leader, continually talking down our health system and our staff as well, day in day out, because -

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - when we compare our record of significant investment to those opposite, people do not forget the Labor-Greens government between 2010 and 2014 when -

Ms O'Connor - Pathetic. The best you can do is reach back into ancient history.

Mr ROCKLIFF - Well, let us talk about the Launceston General Hospital between 2010 and 2014 and the horror budget of 2011 when you cut elective surgery across the state and the Launceston General Hospital -

Opposition members interjecting.

Mr SPEAKER - Order; the House will come to order. A question has been asked and the Premier is answering it. I will ask the Premier to wind up his answer. Please listen to the rest of the answer in silence.

Mr ROCKLIFF - I understand the sensitivity across the Chamber when it comes to the Launceston General Hospital because not only did the Labor-Greens government close down wards but they took those beds in those wards and put them in storage. They cut elective surgery and they cut staff. Those in and around the Launceston General Hospital well remember the dark days of the Labor-Greens government when it comes to health care across Tasmania. They remember the rallies of nurses and doctors in Hobart, Burnie and Launceston. I remember them too, Mr Speaker, because I attended them. They were disgusted at the lack of investment and ripping the heart out of the health system over those years. People have not forgotten.

What we are doing and have done over the course of the last 10 years is reinvest in our health system which was decimated over the four years when those opposite were last in government. We are investing in people - in nurses, in doctors, in paramedics - in more beds, in infrastructure, including the Launceston General Hospital, of some \$580 million-worth of investment. We are looking forward to the new mental health precincts not only in Launceston but also the north-west coast.

Launceston General Hospital - Operating Theatre Lighting

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.08 a.m.]

In this morning's *Examiner* your spokesperson tried to claim the tape was being used to conceal surface wear and tear. First, that is an awful lot of tape to conceal surface wear and tear, if that is all it is, and second, the secretary of the ANMF, Emily Shepherd, has disputed your claim saying instead that the enamel of the machines is disintegrating. Think about the seriousness of that for a minute. These are operating theatres where patients lie on operating

beds under these lights held together by tape because enamel might flake off and potentially fall into an open wound, presenting major infection control risks.

Do you agree that this is completely unacceptable? Can you confirm the tape is being used because the equipment is disintegrating, not because of general 'wear and tear' as you insultingly refer to it? When are you going to fix it?

ANSWER

Mr Speaker, I thank the member for her question. We are investing in new equipment, theatre equipment, people, resources - \$196 million into our four-year elective surgery plan -

Ms White - Six years ago it was brought to your attention.

Mr SPEAKER - Order, Leader of the Opposition.

Mr ROCKLIFF - \$38 million into our four-year endoscopy plan in terms of reducing endoscopy waiting lists as well.

I am wondering how much wear and tear there was on the beds you took out of those wards and put in storage - which we had to get out of storage and put back into wards where they should have been.

Ms WHITE - Point of order, Mr Speaker, under Standing Order 45, relevance. This is very serious and the Premier is joking about serious infection control risk because of disintegrating lights at the LGH.

Mr SPEAKER - I will always accept Standing Order 45 on relevance but it does not give you a chance to stand up and maintain an argument on the question. It is about reminding the ministers that they have to stay relevant to the question. I will hand back to the Premier to be heard in silence.

Mr ROCKLIFF - The theatre refurbishment project is part of our \$196 million investment in upgrading equipment into supporting our four-year elective surgery plan, which is working. Also, across the state, there is some considerable investment in our outpatient transformation program.

When it comes to infrastructure, those opposite cannot deny that we have a clear investment of \$1.5 billion over the course of the next 10 years, which will see new wards. We are opening wards now - a 38-bed ward in the Launceston General Hospital is a clear example, the new Women and Children's area in Launceston. Wherever you go across the state, you see investment in our health system, whether that be people or infrastructure. You see new beds opening. It is a far cry from the days of the Labor-Greens government. I will remind you that Tasmanians have not forgotten the way you decimated our hospital system.

I am proud of our team -

Ms DOW - Mr Speaker, point of order, Standing Order 45, relevance. The Premier has not gone anywhere near answering the question. The question was when is he going to fix the lights in the LGH?

Mr SPEAKER - Again, I will remind the Premier of Standing Order 45 and hand back to the Premier.

Mr ROCKLIFF - Thank you, Mr Speaker. I am proud of our health professionals across Tasmania who are working hard in supporting the care of Tasmanians, ensuring as best as possible, under difficult circumstances, that Tasmanians are getting the right care in the right place at the right time.

Also important is our investment in primary healthcare services, a federal government responsibility that we are reaching into but in collaboration. This is ensuring that we boost those primary healthcare services, more GPs in rural and regional Tasmania, so we can take the pressure off our acute care system.

I am proud of the investment we are making in elective surgery, which is clearly having a positive effect, from a high of 12 200 people in January 2020 on the elective surgery waiting list. I have been very frank about that: it is far too high and too many people are over the clinically recommended time frame. That has come down to some 8400 so our investment is working.

Racing Industry - Integrity

Ms O'CONNOR question to MINISTER for RACING, Ms OGILVIE

[10.13 a.m.]

Right-to-information (RTI) documents received by the Greens last night, despite your department's attempt to delay their release until after this sitting, revealed 19 complaints have been made to the Office of Racing Integrity (ORI) about harness racer, Ben Yole. The first of them, about race fixing no less, was received seven years ago in 2016. Seventeen of the complaints were lodged with ORI before the ABC did the Government's job of investigating Ben Yole and exposed his cruelty-dependent racing operation. Minister, 15 of the 19 complaints to ORI were received in your time as Minister for Racing.

Given this long list of complaints about Ben Yole, will you now confess and acknowledge your role in ignoring or papering over animal abuse, team driving and potential corruption in the state's racing industry?

ANSWER

Mr Speaker, our Government is the strongest supporter of the racing industry. We are concerned to ensure that we have the best regulatory settings and structures in place so that we can have confidence in our sector. I am not surprised that the Greens continue to wage their war against the racing industry. What does surprise me is that Labor is in cahoots with them -

Ms O'CONNOR - Point of order, Mr Speaker, could you please ask the minister to withdraw that? It is a patently false statement. We are not waging a war on the racing industry.

Mr SPEAKER - It is not a point of order. I will allow the minister to continue. Everyone is allowed their view in this House.

Ms OGILVIE - I am happy to withdraw those words and use alternative words. As I was saying, in cahoots with Labor. The Tasmanian Liberal government continues to be a strong supporter and an advocate for our racing industry, which is important to many Tasmanians, particularly in rural and regional areas. It is an industry that employs hundreds of people, good people, hard-working people, people who love their sport and love their animals. These people are up before dawn. They put their hearts and souls into their industry -

Ms O'CONNOR - Mr Speaker, point of order, Standing Order 45, relevance. This is rubbish. It is not answering the question. Could you please bring the minister's attention to the question?

Mr SPEAKER - Order. You can raise a point of order but you cannot stand and make an argument to the question. The minister has been asked a question. She is allowed the appropriate time to answer it. I will allow her to continue, again, in silence.

Ms OGILVIE - As I was saying, these people are up before dawn. They put their hearts and souls into their passion, their jobs and their livelihoods. I understand that those opposite are mounting a relentless attack on the industry for their own political purposes. We will always stand up for the racing industry. As for the Greens, we know they want to shut down all racing, so there is your landscape.

Under this Government, we are obviously continuing to strengthen the safeguards needed to root out and deal with a tiny minority who do the wrong thing. We continue to build this industry and support the men and women who have built family businesses around the sport that they love. I believe some of them have spoken to you, Mr Winter. Under this Government, we will ensure animal welfare is protected and enhanced.

As to the detail of the question, at an overarching level it is important to remember that complaints and allegations are allegations and just that. It is important that the regulatory authorities have the opportunity to process those complaints and allegations through appropriate investigations. I am advised that Natural Resources and Environment Tasmania (NRE) provided a response to an RTI application on 10 May. The released information was published on the NRE Tasmania disclosure log.

In relation to the complaints specifically, it is a matter of public record that Mr Murrehy investigated that 2016 complaint and made findings. I am advised that, in many cases, the allegations listed have been dealt with. I am also advised that the disclosure does not include information in relation to how those complaints were addressed. That goes to your RTI question.

In relation to specifics, I am advised that Mr Yole's stables, like any other trainer, are inspected regularly by ORI. Mr Yole's property is inspected by stewards on average once per fortnight. I am advised that all inspections and audits of the trainer have found that the trainer is compliant with the rules of racing. RSPCA Tasmania has also undertaken inspections and determined that the conditions do not breach the Animal Welfare Act. ORI will continue to conduct regular inspections of Mr Yole's property and horses and, where necessary and relevant, share findings.

In my time as minister, which has been nigh on a year, there has been significant progress towards addressing the challenges that have been raised in the racing industry. I announced

the independent racing review to be conducted by Mr Murrell. I have also progressed the review of the entire Racing Regulation Act, which covers all three codes, and publicly released the Monteith report and the Government's detailed response to the recommendations. It is well known that we are drafting legislation which we aim to table this year. We are getting on with the job.

Recognition of Visitors

Mr SPEAKER - Honourable members, I acknowledge in the gallery this morning we have year 10 students from the Sorell school. Good morning.

Members - Hear, hear.

GST Revenue

Dr BROAD question to PREMIER, Mr ROCKLIFF

[10.20 am]

Yesterday, your Treasurer tried to claim Tasmania's share of the GST had been reduced in the federal budget, saying it showed a reduction in support for our state. The fact is, Tasmania will receive \$949 million more GST than your own budget projected in May last year. It appears that it was your Treasurer, Michael Ferguson, who got it wrong. This is a minister who has already made a complete mess of the Health portfolio, and now his projections for the GST uplift in the February budget update were out by \$1 billion. Your Treasurer was in *The Examiner* today wearing a pair of boxing gloves but has he not punched himself in the face by locking in spending he was never going to receive? Are you really going to try to blame the federal government for your Treasurer's mistakes, and your budget mismanagement?

ANSWER

Mr Speaker, I thank Dr Broad for that question. Clearly, we have some challenging times ahead when it comes to our GST coming to Tasmania. That is why it is important to have prudent and strong financial budget management to secure Tasmania's future.

I have always believed that Tasmanians will be safer, more secure, and more supported by a Liberal government than a Labor and Greens government. We saw what happened when they were last in government regarding a lack of investment in housing, lack of investment in education and schools, and lack of investment in hospitals. It was not just a lack of investment. You were ripping resources out of those key areas, particularly our hospitals as I have already said today. We will always be prudent budget managers and ensure that we are investing in the key areas to grow our economy and provide for a caring community. We have demonstrated that time and time again.

The last three years has been a challenging time because we have invested to keep Tasmanians alive and well and in work. That has been a significant investment from the Tasmanian Government. I will always argue that we made the right decisions in supporting the community organisations that support Tasmanians, supporting all the services such as Lifeline, the Salvation Army and many other organisations that worked in partnership with the Tasmanian Government to ensure that people were well supported, kept alive, well and in work.

Part of that is continuing to reform our health system. COVID@home and COVID@homeplus was a significant innovation, but nonetheless a significant investment - not a cost, but an investment into supporting Tasmanians. We will make those decisions in the best interests of all Tasmanians. Yes, we have spent considerable funds in supporting Tasmanians through the pandemic.

On this side of the House we will always be the stronger financial and budget managers. We saw the accumulated deficits over a number of years by the Labor Party opposite when they were last in government. We have had to repair the budget and make very difficult decisions, particularly when we first came to government. Because we made those difficult decisions we are able to strategically invest in key areas -

Dr BROAD - Point of order, Mr Speaker. The Premier has gone nowhere near why his Treasurer is trying to blame the federal government instead of owning up to his own mistake.

Mr SPEAKER - The point of order?

Dr BROAD - Standing Order 45, relevance, thank you.

Mr ROCKLIFF - When you have prudent financial and budget management, Dr Broad, then you can stabilise the budget and make key investments in the area that people care about - more teachers in our schools, more nurses in our hospitals, housing development, and police on the beat. I point to minister Ellis as the minister who had to clean up the mess of the reduction of 108 police officers when we came to government -

Ms White - He can't have done that. He's only been here five minutes.

Mr ROCKLIFF - He has been there in spirit the whole time. We go back a long way.

Mr SPEAKER - Order, if you could wind-up please, Premier.

Mr ROCKLIFF - Mr Speaker, we continue to invest in the key areas that Tasmanians care about. Not only do we invest in services and in people, but also infrastructure that enables us to grow the economy and employ people. Their wages circulate it around the community, they buy services, they buy goods, and they support businesses. That revenue then comes back to government so we can fund those essential services.

International Tourism to Tasmania

Mr WOOD question to MINISTER for TOURISM, Mr ROCKLIFF

[10.26 a.m.]

As Australians look to travel overseas again for leisure following COVID-19, what plans does Tasmania have to attract international visitors back to our shores, contributing to our visitor economy?

ANSWER

Mr Speaker, I thank Mr Wood for his question and his interest in this matter. You often talk about the importance of our tourism industry supporting Bass, people visiting us, coming in, and growing the local economy. I appreciate that very much. With your small business background, you are well qualified to realise that visitors coming to our state, spending money on our attractions, our wonderful natural environment and the goods we produce allows us to grow our economy and fund those essential services. I thank Mr Wood very much for his question.

There is no denying, as I was saying in my previous answer, that COVID-19 and the pandemic was incredibly tough on our industry. In fact, it was devastating when it comes to the tourism and hospitality industry particularly. However, in true testament to the resilience, determination, and the grit, if you like, of our tourism and hospitality operators, as well as our government agencies and industry bodies, we are witnessing strong post-COVID recovery. The latest indicative data from the Tasmanian Visitor Survey shows that total visitor expenditure in the year ending March 2023, was \$3.95 billion. This is the highest annual spend on record from 3 per cent fewer visitors when compared to pre-COVID December 2019 figures - an extraordinary effort.

It also means that the T21 target of restoring visitor spend to \$2.5 billion by the end of 2022 has not only reached but continues to be significantly exceeded. This result has been driven largely by domestic holiday visitors off the back of Tourism Tasmania's off-season campaign - Come Down for Air - drawing visitors to our wonderful island. However, there is no doubt that after a period of exploring their own backyard, Australians are once again feeling more comfortable and confident with overseas travel.

What this means is that Tasmania is again operating in a very competitive marketplace, not only against Australian destinations, but also international. On the flip side, as the global travel market begins to stabilise and travel to Australia recovers, international visitors will again become a key contributor to Tasmania's visitor economy.

We are well prepared. Tourism Tasmania's international strategy is highly targeted and is designed to build awareness of Tasmania in our key markets. Last week, a record 31 Tasmanian operators joined Tourism Tasmania at Australia's largest business-to-business event, the Australian Tourism Exchange, on the Gold Coast. The event brings together Australian sellers with buyers from over 30 countries. As always, the Tasmania contingent was the talk of the event. Tourism Tasmania's Chinese and US market representatives were able to attend as well. Pleasingly, the feedback continues to be that Tasmania aligns with what travellers in our key target international markets are looking for, especially those from Singapore, the United States and China. I am advised that the Chinese market is also starting to return, with operators seeing bookings come in from this market over the winter months.

As part of our international strategy, Tourism Tasmania has recently adopted a new global PR model to ensure our Tasmanian stories are targeted to top-tier global media outlets. Importantly, this approach is a low-cost way of attracting significant global reach, leveraging Tourism Tasmania's marketing activities and content to entice international travellers to our state. We will continue to work in the key markets of New Zealand, the United Kingdom, Singapore, the US, China and Hong Kong, ensuring Tasmania is at the top of the traveller's mind when choosing their next holiday.

Our international visitors, while small in number relative to our mainland counterparts, will play an important part. I look forward to updating the House throughout the year as Tourism Tasmania's international strategy continues to roll out. I commend all at Tourism Tasmania for the fantastic work they do, particularly the determination, the grit and the resilience of our many tourism operators, many of them small businesses across Tasmania, who have worked so hard throughout the pandemic but recovered so very well for all Tasmanians.

Legislation to Ban Conversion Practices

Ms JOHNSTON question to PREMIER, Mr ROCKLIFF

[10.31 a.m.]

It was a personal election commitment by you to bring a bill before this parliament to ban conversion practices. On 17 May this year, it will be a year since the Tasmanian Law Reform Institute released its final report on sexual orientation and gender identity conversion practices. Since that time the New South Wales, South Australian and Western Australian governments all said they would be taking action, joining Victoria, Queensland and the ACT, who have done so already.

The LGBTQIA+ community had expected action from you. These harmful practices must stop and action on your part is urgent. In response to their frustration at your lack of action, on 26 October 2022 I asked you when we could expect to see a bill. You gave a vague response that community consultation on the draft legislative amendments will be commencing in 2023. Since then, members of your Government have supported the Australian Christian Lobby's hateful, untruthful, misleading, insulting, disrespectful and hurtful campaign against a ban on conversion practices.

I am concerned, like many others in the community, that you have gone cold on protecting the human rights of the LGBTQIA+ community because of some heat within your own Cabinet. This year is rapidly passing us by and we still have no action from you. Will you commit to dealing with this important bill before the end of the parliamentary year?

ANSWER

Mr Speaker, I thank the member for Clark for her question, aligning with my very strong view that Tasmania should be a place where everyone feels supported, encouraged and included, to be the best they can be. Change in this area aligns very much with my thoughts, my thinking and vision. Across a range of areas throughout my 21 years in parliament, I have always advocated for a more inclusive Tasmania and have always been very much on the record with respect to those matters.

This is something that is occupying me and the Attorney-General in terms of the policy formulation and then into legislation as well. We both remain committed to reform and change in this area. My expectation, Ms Johnston, is that we will have draft legislation out for public comment in the not-too-distant future. I look forward, in this term of parliament at the very least, to making it my significant change. I know other states have signalled intent in this area as well.

I have always stood for a more inclusive Tasmania. I will not do anything more than promote a tolerant, inclusive Tasmanian community, irrespective of the background or circumstance of individuals.

Budget 2023-24 - Taxes

Dr BROAD question to PREMIER, Mr ROCKLIFF

[10.35 a.m.]

After 10 years of Liberal Government, the budget is in worse shape than it has ever been. Tasmania is in record debt, you are running a record budget deficit and now there is a billion-dollar writedown because your Treasurer got his GST estimates completely wrong. On top of that, you are planning to add another billion dollars of extra debt at least to pay for your new stadium.

Yesterday, at the same time that we learned that the health system is literally being held together by sticky tape, you refused to rule out cuts in your upcoming Budget. When households are struggling with cost-of-living pressures not seen for a generation, you are now telling them to brace for a budget that 'will not be easy'. Will you rule out imposing new taxes in the middle of a cost-of-living crisis?

ANSWER

Mr Speaker, our Government is using our strong balance sheet to invest and support jobs and grow the economy. The Revised Estimates Report shows that since 2022-23 our budget and net debt position has significantly improved and GFS net debt is forecast to be \$978 million lower than forecast in the 2023 budget and \$1.37 billion lower by 30 June 2026.

Dr Broad cannot have it both ways. Yes, this budget will not be easy. You tell me a premier and a treasurer around the country, apart from Western Australia, that will not be having an easy time of it when it comes to ensuring a strong budget where we are able to support the growth in the economy and reinvest in those essential services. Of course it is going to be challenging but, as a Liberal Government, we will always ensure that we have the very best of budget management for the times, as we have demonstrated before when it comes to supporting reinvestment in key services.

When I say reinvestment, I am talking about 2014 onwards because we did need to significantly reinvest in key areas of our service delivery, notwithstanding that the 2014 budget was very challenging but we had to get the budget back on track -

Dr Broad - Are you saying it's back on track now?

Mr SPEAKER - Order.

Mr ROCKLIFF - and it was particularly difficult for me, when you ensure that -

Dr Broad interjecting.

Mr SPEAKER - Order. The Premier has the call and nobody else should be speaking.

Mr ROCKLIFF - Mr Speaker, we have been strong financial and budget managers. Not only was our budget management challenging at the beginning but it enabled us to reinvest in more police who were sacked by you lot, more teachers, more housing and more nurses -

Ms Dow - How about you get your Treasurer not to inflate his GST projections?

Mr SPEAKER - Order, member for Braddon, that is your last warning.

Mr ROCKLIFF - It also enabled us to support Tasmania during the very difficult times of the pandemic, keeping people alive, well, in work and supported.

Dr Broad, I am not sure what sort of magic pudding you are going to present in what I hope is the first ever alternative budget delivered by the Labor Party over the course of the last number of years.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - We waited for an alternative budget in 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021 and 2022.

Ms WHITE - Point of order, Mr Speaker, under Standing Order 45. It is nice that the Premier can count. Can he also rule out no new taxes? That was the question.

Mr SPEAKER - That is not a point of order.

Mr ROCKLIFF - Maybe 2023 is the year, Dr Broad, when you actually have the courage and the leadership to demonstrate to the Tasmanian people that you have an alternative. I know we will be waiting in anticipation. I am not sure if it is going to come to fruition on past performance, but the Tasmanian people deserve to know where you stand on a number of issues -

Ms White - What about an answer to this question?

Mr SPEAKER - Order.

Mr ROCKLIFF - because you are wishy-washy when it comes to drawing a line in the sand and demonstrating to Tasmanians what you actually believe in and stand for.

Members interjecting.

Mr SPEAKER - Order, I am not going to put up with the incessant arguing across the Chamber while the minister is on his feet. If you do not want to leave the Chamber, I ask for those comments not to happen.

Agriculture - Research and Performance Update

**Mr TUCKER question to MINISTER for PRIMARY INDUSTRIES and WATER,
Ms PALMER**

[10.41 a.m.]

Can you update the House on how the Liberal Government is supporting innovation in our primary production sector through research and development that will deliver the productivity gains needed to sustainably grow the value of Tasmania's agriculture to \$10 billion by 2050?

ANSWER

Mr Speaker, I thank the member for Lyons for the question. The Rockliff Liberal Government is investing in industry-driven agricultural research. I am pleased today to announce that five new research projects, to be carried out by the Tasmanian Institute of Agriculture, are receiving funding totalling \$1.92 million through the second round of the Agricultural Development Fund and Agricultural Innovation Fund. These projects will deliver practical productivity benefits to key agricultural industries in Tasmania, including the dairy, wine, pyrethrum and poppy industries. Each of these projects has a strong and active partnership with industry, which is backing this research with a co-investment of \$3.45 million.

The successful projects include the development of a pathogen test to monitor when disease control is required in pyrethrum crops and providing poppy growers with tools to reduce the impact of weed poppies on crop yields. Researchers will work with industry groups, including Wine Tasmania, to help with disease management in vineyards and develop climate-responsive wine grape production. Other projects will evaluate the effectiveness of virtual fencing technology in commercial dairy systems and the use of an electronic node to monitor microbial communities to assist with soil management and health.

This announcement brings our Government's commitment to projects through the highly successful ADF and AIF programs to \$6 million over the two rounds. The programs are designed to address emerging opportunities and issues, and promote sustainable growth and innovation in our primary production sector. In line with the Government's *Growing Tasmanian Agriculture: Research, Development and Extension for 2050* white paper, investments in these types of industry-backed projects is central to our target to grow the value of Tasmanian agriculture to \$10 billion by 2050.

Indeed, the third annual *Agribusiness Insights Report*, which I was thrilled to release at Agfest last weekend, shows that the sector continues to grow, buoyed by positive conditions and strong demand. The report shows good summer conditions helped with yields while increased tourism visitation has resulted in activity and growth across the agribusiness, wine and agri-tourism sectors. While a wet spring did delay the planting of vegetable crops, favourable summer conditions helped with yields of berries and fruits. Positive seasonal conditions, irrigation access and, of course, strong market demands are benefiting red meat producers across the state. Tasmanian livestock numbers are increasing and there are positive signs for red meat exports. It was wonderful to see that our investment in the industry through initiatives like high-surety irrigation water is supporting farmers right across Tasmania.

Notably, the dairy industry is performing well with an increase in the value of exports and strong milk production. It was great to be able to meet and talk first hand to our dairy farmers and our producers at Agfest. I also enjoyed the chance to catch up with many Tasmanians from across the agricultural sector, people who love fishing, those who are passionate about hunting, and the young people and students who are the future of our industry and our rural and regional communities.

Agfest is the event of the year on the agricultural calendar and it was fantastic to be back in the paddock in May. We were able to enjoy a full range of Tasmania's weather and to celebrate our rural communities and our young people. A huge shout-out to the Rural Youth volunteers who make this event possible. They should give us all great confidence that the future of agriculture in Tasmania is in safe hands.

Tourism - Value of Big Trees

Ms O'CONNOR question to MINISTER for TOURISM, Mr ROCKLIFF

[10.46 a.m.]

As you know, people come from all over Australia and the world to see and experience our incredible forests and wilderness places like nowhere else on Earth. The Monday before last, US Ambassador Caroline Kennedy did something that you have never done, despite all your years here: she went into the threatened Grove of Giants to be hoisted 60 metres up an enormous old eucalypt in a forest your Government plans to log. It brought international attention to our amazing forests and the threats they face.

As Premier and Tourism minister, do you recognise that our forests and big trees are not only critical habitats and carbon stores, they also have extraordinary potential to grow the tourism industry and are unarguably worth more standing?

Tasmania is the Big Tree State. Premier, you might only have two years left in your current job. Are you content with the business as usual that would see the Grove of Giants clearfelled and burnt, or do you have the courage to chart a more socially, environmentally and economically smarter way?

ANSWER

Mr Speaker, we are here by the will of the people and we all stand for election. I did not hear that mumble, Dr Broad, but thank you. I was aware of your experience with Caroline Kennedy -

Ms O'Connor - Isn't she lovely?

Mr ROCKLIFF - An absolutely outstanding individual. I had the great pleasure of meeting Her Excellency, Caroline Kennedy. We had a good half-hour discussion about a range of matters, including her experience, which you enabled her to have, which we thank you for.

She also spoke very highly of the wonderful opportunities in Tasmania and our advanced manufacturing sector, maritime, the gateway to the Antarctic, and renewable energy. She had a huge range of knowledge about Tasmania and what a wonderful state it is, and spent some

five days here - a significant time for an ambassador to really take the time to visit our wonderful state.

Tasmania has many attributes, Ms O'Connor, as you would appreciate, and people come to Tasmania to experience our wonderful natural heritage, our built heritage, and our beautiful natural environment. We are unique in that sense. That is why we need to ensure that we do protect our environment, manage our resources, our forests as well, across the community, and continue to provide for increasing visitation and, as I have demonstrated today in my question, the yield.

We have fewer people coming to Tasmania but they are spending more per individual - \$3.95 billion.

Ms O'Connor - Do you think they come to see clearfelled coupes?

Mr SPEAKER - Order, Ms O'Connor.

Mr ROCKLIFF - They will come to see a range of beautiful scenery, natural environment, wilderness and built heritage. What they are also interested in, as Ms Kennedy was, is the fact that we are a state with 100 per cent renewable energy capacity which, in itself, I believe is an attraction. My understanding is that people are coming to Tasmania to ensure that they have a positive impact, if you like, on our environment as well.

You speak of the Tasmanian giant trees. They are among the largest hardwoods in the world and are of national and international significance, Ms O'Connor. Giant trees can exist in our extensive reserves and protected areas and also in our public production forests.

Ms O'Connor interjecting.

Mr SPEAKER - Order, Ms O'Connor, order.

Mr ROCKLIFF - Sustainable Timber Tasmania (STT) recognises the cultural value of these trees and has well developed policies and procedures in place for the ongoing protection of giant trees and through its ongoing protection of giant trees. Under the giant tree policy, STT requires that all trees at least 85 metres in height or 280 cubic metres in volume are protected and so it should be the case.

STT implements this policy by actively searching for giant trees using the LiDAR technology, conducting field confirmation surveys and by establishing an informal reserve that provides a minimum 100 metre buffer around any identified giant trees. Employees conduct detailed operational planning to identify giant trees and a range of other special values, such as threatened species habitat, soil, water and cultural heritage within potential harvest areas ensuring that we do have these wonderful natural assets and of which all Tasmanians can be very proud.

Yes, people do come to Tasmania from other states and overseas to experience such wonderful assets that we have that you speak of, but we also need to ensure that we manage the resource sustainably. I am very confident that STT do exactly that, as I have demonstrated. Thank you for the question.

Macquarie Point Stadium Proposal - Costings

Dr BROAD question to PREMIER, Mr ROCKLIFF

[10.53 a.m.]

You have signed Tasmania up to a funding deal that will see us effectively paying the entire cost for your new stadium. As part of this bad deal, Tasmanian taxpayers will also need to fund all the cost blowouts for the stadium, likely hundreds of millions of dollars. Tasmanians will also have to fund transport to the northern corridor housing and port upgrades, which your Treasurer previously said would be federally funded.

What is the estimated total cost of the stadium, the transport, the housing and the port upgrades? Why are you telling Tasmanians that the upcoming budget, and I quote, 'Won't be easy' while you appear to be throwing money around like a drunken sailor on a spending spree down at the Hobart waterfront?

ANSWER

Mr Speaker, I thank the Dr Broad for his questions. Do I take it from that question that you are against transport solutions across the northern transit corridor? That is what I take from your question. I take from your question that you are against housing and the potential densification of housing along the corridor. I know you are sensitive about it. It is obvious that your shadow treasurer did not run that question by you because it seems the Labor Party has demonstrated that not only they are against enabling infrastructure such as the stadium - or are they?

Members interjecting.

Mr SPEAKER - Order. Member for Franklin.

Mr ROCKLIFF - What Tasmanians want to know is do you support the AFL team? Are you going to stop the stadium?

Dr Broad interjecting.

Mr SPEAKER - If you continue, Dr Broad, it will be from outside.

Mr WINTER - Point of order, Mr Speaker. The Premier is not speaking through you, as he should under the Standing Orders. He is directly speaking, inciting interjection from the shadow treasurer. I ask you to pull him back into line and address his answer through you.

Mr SPEAKER - I am sure when the Premier is speaking across the Chamber that whoever he might be looking at is quite capable of biting their lip and not interjecting. As the Standing Orders say, when the member is on their feet it is only that member who should be talking. I will hand back to the Premier. I will ask him to address the Chamber through the Chair. I also ask members on my left to stop interjecting.

Mr ROCKLIFF - Thank you, Mr Speaker. No point of order, Mr Winter, will hide the fact that your leader is wishy-washy when it comes to the stadium and will not answer a direct

question. She was asked three times on radio today whether they are going to stop the stadium and stop the team and kill the dream.

Members interjecting.

Mr ROCKLIFF - No attendance on Saturday at the rally: too weak to attend the rally. At least people know what I stand for: that is leadership, as difficult as that can be.

The enabling infrastructure, such as the stadium and indeed the infrastructure across the northern transit corridor, which now the Labor Party are very lukewarm on and clearly do not support -clearly that extends to the ferry network that you do not support either. You do not support housing on Regatta Point or the potential densification for housing along the northern corridor. The trouble with the Labor Party is that Tasmanians do now know where you stand.

Members interjecting.

Mr ROCKLIFF - I know there are people against the stadium. They do not know what you stand for with respect to being against the stadium.

I know many thousands of Tasmanians and particularly our young people in Tasmania love the dream of the AFL team, which this Government has secured. I will tell you something. If the Labor Party was in government we would have no AFL or AFLW team. I can guarantee that, because over there we have weak leadership. She is not prepared to stand up and make the courageous decisions on behalf of -

Members interjecting.

Mr SPEAKER - Order. Members on the left, order.

Mr ROCKLIFF - It is not just us in this Chamber, but young people and the future generations of Tasmanians who are looking for leadership. The Opposition Leader gave a wishy-washy performance today on radio. She was asked, 'Will you stop the stadium?' once, twice, three times and she refused to rule it out. I can say this. If you stop the stadium, you stop the team and you kill the dream.

Macquarie Point Stadium Proposal - Alleged Opposition of Mrs Alexander, Member for Bass

Ms BUTLER question to PREMIER, Mr ROCKLIFF

[10.58 a.m.]

You would be aware that there is a deep division across the community about your proposal to build a billion-dollar stadium in Hobart. Are you aware your Parliamentary Secretary and the member for Bass, Mrs Alexander, has been openly expressing her opposition to your stadium to anyone in Launceston who will listen, joining with the majority of Tasmanians in highlighting that is the wrong priority.

ANSWER

Mr Speaker, I thank the member for her question. I often speak to Mrs Alexander. She has a very key role in supporting our Minister for Housing and as Parliamentary Secretary for housing and is doing a terrific job with that. It is a key priority of our Government. Mrs Alexander has a great understanding of our health system. I speak regularly with Mrs Alexander about our health system and indeed support her comments made yesterday around community health. We were talking about the PACER initiative and more health care in the community, which is exactly the direction we are going in, being innovative, reformist and ensuring that we are investing in those key areas. I could not be more proud of all our team, including Mrs Alexander, who is doing a fantastic job representing the people of Bass.

Ms BUTLER - Point of order, Mr Speaker, Standing Order 45, relevance. My question was: was the Premier aware that Mrs Alexander has openly opposed -

Mr SPEAKER - Taking points of order is not an opportunity to restate the question. I accept the point of order on relevance and remind the Premier of that but I was of the view that he was relevant in talking about Mrs Alexander.

Mr ROCKLIFF - Thank you, Mr Speaker. I was speaking of Mrs Alexander's work and work ethic, the same as Mr Wood, Mr Ferguson and the electorate of Bass, and all our members across Tasmania, out there and about listening, communicating and being positive about Tasmania and the opportunities that we have and visiting small businesses. Mr Wood, not too long ago, was visiting an innovative small business - proud innovators in the advanced manufacturing area. We are producing the best whiskeys, the best wines, the best food, all on display at Agfest. I could not be prouder of our team, but most importantly, Tasmania.

Junior Travel Assistance Fund

Mr YOUNG question to MINISTER for SPORT and RECREATION, Mr STREET

[11.02 a.m.]

Can you update the House on how the Tasmanian Liberal Government is helping young Tasmanian athletes fulfil their sporting ambitions?

ANSWER

Mr Speaker, I thank my colleague from Franklin for his question and note his commitment over the years to community sport. Like many others, he knows the challenges I am about to speak of and the simple way we can make a real difference. I believe that every young person with an ambition to represent this state in their chosen sport should have the opportunity to do so. We want young Tasmanian athletes to dream big and we are putting the supports in place to help them realise those dreams.

As I mentioned before in this place, I receive weekly requests for financial assistance for young Tasmanian athletes who have been selected in a representative side and are facing hefty costs to travel interstate and compete at a national championship or event. I know that far from being alone in this place, we all receive those requests. I am sure we all try to do our best to provide personal donations where we can to assist families with the cost.

In March I was very pleased to announce the creation of the Junior Travel Assistance Fund. I am passionate about this program because I know it will help to ease the financial burden for Tasmanian families to see their children performing at the highest levels. Since that announcement in March we have been working to finalise the guidelines. I am proud to announce that the Junior Travel Assistance Fund is now open for applications. Athletes aged 12 to 18 years are eligible to apply for a one-off grant of \$250 to attend national championships within Australia if they have been selected to represent Tasmania in a sport recognised by the Australian Sports Commission.

The program will run in two rounds to provide an equal share of funding to sports that occur at each end of the year. As I said, round one opens today and closes on 1 November or until the first tranche of funding is exhausted, and round two will open on 2 November and close on 30 May 2024 or when the funding has expired.

Sport and Recreation, which will become Active Tasmania from 1 July, will assess all applications and advise all applicants of the outcome. Based on the feedback I have received since announcing the program, I am confident this program will be very well received and make a genuine difference to Tasmanian families by alleviating some of the costs involved in sending in young athletes to a national championship.

We all in this place know that sport is an important part of many young Tasmanians' lives and we all know the benefits, not only physical health and fitness but also the valuable social opportunities that come with being part of a team. We believe that every Tasmanian deserves to lead an active and healthy lifestyle and we will do everything we can to encourage and support them to achieve this.

If the program succeeds in delivering the outcomes I have envisaged for it, we will certainly look to expand it further. More information on the program including guidelines and application forms is now available on the Sport and Recreation website. I will certainly continue to personally support athletes from my electorate where possible, as I know we all will, but for the benefit of all members, my office will organise for the guidelines to be sent to every member of both Houses so that when you receive these requests in the future, when you respond to them with a personal donation or a personal response, you will be able to direct them to the program as well. I encourage any young person travelling to represent the state to apply.

Public Funds - Allocation to Businesses

Ms FINLAY question to PREMIER, Mr ROCKLIFF

[11.05 a.m.]

Your Government is under continued scrutiny, including from the Integrity Commission, for the routing of public funds without due process, including for millions of dollars of sports grants given to organisations where your MPs had clear conflicts of interest.

Tarrant Derksen is a director of the New Norfolk Distillery. His brother, Justin Derksen, was a Liberal candidate for Lyons at the last state elections and works in Guy Barnett's office. In February you promised \$1.2 million to the New Norfolk Distillery, requiring the business to only contribute \$500 000. What process was followed to allocate so much money to this

particular business? At the same time that you are telling Tasmanians to brace for a tough budget, do you think it is okay to just hand out public money to friends of the Liberal Party?

ANSWER

Mr Speaker, that is a grubby attack on an individual. The project was well supported in the community. There are a number of caveats to that investment and no funding has been expended and a number of criteria has to be gone through before that will happen.

Ms Finlay - Can other businesses apply for that money?

Mr SPEAKER - Order.

Mr ROCKLIFF - This project aims to restore the buildings at Willow Court into an innovative visitor experience for tourists and locals alike, with a focus on a cellar door, tasting room, distillery, restaurant and -

Ms Finlay - It will be a great business but what was the process?

Mr SPEAKER - Order.

Mr ROCKLIFF - function space, as well as a courtyard and external works. Its proponents aim to transform the derelict buildings of Willow Court into an interactive visitor experience, taking visitors through the history of this unique destination and aims to increase visitation -

Ms Finlay - The project is not under question here, Premier.

Mr SPEAKER - Order, member for Bass.

Mr ROCKLIFF - to the Derwent Valley, building on its reputation as a must-see tourism destination.

I recognise the merits of the project. The grant will be conditional on a number of factors, including ensuring it stacks up commercially, the transfer of land from the Derwent Valley Council to the New Norfolk Distillery, the distillery demonstrating an ability to finance and complete the project, including significant additional funding, satisfying the independent Tasmanian Development Board and other terms and conditions commensurate with a proposal such as this. As such, no allocations have yet been made by the Tasmanian Government -

Ms WHITE - Point of order, Mr Speaker, Standing Order 45, relevance. I draw the Premier's attention to the question, which was about what process this business went through to access the funds.

Mr SPEAKER - Again, it is not an opportunity to ask the question. The Premier is answering the question.

Mr ROCKLIFF - The Department of State Growth continues to work with these conditions with the proponent. I assure the House that these provisions are appropriate to ensure adequate safeguards are in place and to ensure the project stacks up commercially while

fostering this important project for the Derwent Valley. I make no apologies for supporting rural and regional Tasmanian tourism operators across Tasmania and investing in key areas to grow the economy. I will not involve myself in grubby politics like those opposite.

Small Business - Government Support

Mrs ALEXANDER question to MINISTER for SMALL BUSINESS, Ms OGILVIE

[11.09 a.m.]

Can you update the House on how the Rockliff Liberal Government is delivering for small business?

ANSWER

Mr Speaker, I thank Mrs Alexander for the question and open by underscoring my support for Mrs Alexander, who is an intelligent, strong and articulate woman. We could do with more of those in this Chamber, particularly on the other side.

Our Government recognises the contribution that small businesses make to the Tasmanian economy, supporting local communities and regional jobs. In February this year, I released the Small Business Growth Strategy 2026, which sets out our priorities and objectives for Government and the private sector to support small business growth in Tasmania. This strategy presents an overview of the current state and future aspirations of Tasmania's business environment, informed by over 280 Tasmanian businesses, industry representative organisations and communities from across Tasmania.

Today I am pleased to announce that the Rockliff Liberal Government is putting our plan for business growth into action with the release of the first implementation plan arising from the strategy, which sets out the actions the Government and private sector will take towards the strategy's objectives. The more than 100 actions in the implementation plan capture work to be undertaken by the Tasmanian Government and industry between 1 January 2023 and 30 June 2024.

To give you an idea, the new actions in the plan include developing an Aboriginal business community engagement program; delivering the business resource efficiency program, which will provide businesses with tailored and practical information about ways to improve their resource efficiency and reduce operational costs; and working with providers of cybersecurity training to help small businesses better protect their online activities. A range of initiatives have already commenced, including the implementation of a new and modern business advice service model, the Tasmanian Business Advice Service, from 1 July 2023.

Tasmania has strong appeal as a place for business and our actions focus on maintaining this advantage.

Mr Ferguson - Hear, hear.

Ms OGILVIE - That is right, Treasurer, hear hear. It is not just me saying this about Tasmania. Under our Government, our state continues to top poll after poll for business confidence, and our economy is leading the nation, according to CommSec's latest *State of the*

States report, as we have done for 11 out of the 13 previous quarters. We have also improved on all eight performance indicators in the report since the 2014 election. These results do not happen by accident. We are committed to strengthening Tasmanian small businesses and the economy.

We also understand the impacts the continuing cost-of-living pressures are having on Tasmanian families and small businesses. Only yesterday, the Treasurer and the Minister for Energy and Renewables announced our \$45 million commitment to energy bill relief - a joint initiative with the federal government. Well done, Mr Barnett and Mr Ferguson. Around 35 000 small businesses in Tasmania will be eligible for energy price relief rebates from 1 July as part of a jointly funded scheme to reduce cost-of-living pressures, as announced by the Australian and Tasmanian governments. That is right: we are matching the Australian Government dollar for dollar and so, when those opposite all have their heads down and are not listening to this good news, when those opposite thank the federal government for their initiative, they should be thanking us too.

This builds upon what this Government is already delivering for small business. A key project to deliver on the Small Business Growth Strategy objectives is the Small Business Growth Strategy grant program, which provides \$1 million to fund initiatives that support the strategy's key themes. Applicants are required to contribute at least one-third of the total project cost, either in kind or as a cash contribution. The program closed on 4 April 2023 and the 211 applications are currently being assessed, with over \$8 million in grants sought, so it is very popular. The fact that the grant program was so well subscribed demonstrates the confidence that Tasmanian businesses have to invest in themselves, our future and our state.

The Premier and I also recently announced a special-release grant program for west coast businesses as the first part of this Government's \$1 million package to support businesses impacted by the West Coast Wilderness Railway temporary shutdown, to give operators in the region the opportunity to invest in themselves during the traditionally quieter winter period.

I also look forward to hosting the small business ministers' meeting next Friday 19 May and welcoming small business ministers from around the nation to Hobart. This will be an opportunity to hear about key small business updates in other states and territories and to discuss shared small business initiatives such as mental health and ensuring -

Members interjecting

Mr SPEAKER - Order, I cannot hear the minister.

Ms OGILVIE - Can I have a bit more time because I am going to have to repeat that?

This will be an opportunity to hear about key small business updates in other states and territories and to discuss shared small business issues such as mental health and ensuring access to government services. Our Business Tasmania service punches well above its weight in terms of outreach and business support. I am proud of the work that our department and bureaucrats do. They are hard-working people and I congratulate and thank them for the work in this area.

Time expired.

SITTING DATES

[11.16 a.m.]

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

That the House at its rising adjourn until 23 May 2023 next at 10 a.m.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE

Government Priorities

[11.17 a.m.]

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

That the House take note of the following matter: Government priorities.

I want to speak today on Government priorities. It is in this week where the conversation has been around the stadium. The response yesterday by the Premier in our private members' time about the closure of St Helens Private Hospital was a stark contrast and shows so clearly what the Government's priorities have been over the last nine years in government. The St Helens closure, which is imminent in just one month's time, will affect thousands of the most vulnerable Tasmanians, thousands of people who are needing lifesaving and suicide prevention care and getting it successfully from St Helens.

We had Madison and her mother-in-law Linda in here yesterday. Madison is just one of the many people who have reached out and contacted us about how the thought of the closure of St Helens Private Hospital has affected them. There are 111 patients on the books at the moment who receive lifesaving TMS (transcranial magnetic stimulation) treatment. There are thousands of people who are involved in therapy groups, which are essential to long-term healing and recovery. Without therapy groups, without TMS, these people are so vulnerable. These are lifesaving treatments. They are provided by expert staff.

St Helens, currently owned by Healthscope, has been abandoned by that Canadian-owned venture, which is fundamentally about business so it is not surprising that they have dropped the ball. Their arguments for why they have done so do not stack up -

Mr SPEAKER - Member for Franklin, you are going okay but in a general sense we had this debate yesterday. After the arguments that were had yesterday, you cannot reflect on the debate from yesterday. All I am saying to everybody when -

Dr WOODRUFF - What are we talking about?

Mr SPEAKER - We had the debate yesterday.

Dr WOODRUFF - About what?

Mr SPEAKER - About the hospital. I am just saying that there was a decision made, there was a vote yesterday.

Dr WOODRUFF - It is still there and it is still a live issue in the community. Are you saying we cannot talk about the stadium because we have talked about it before?

Ms O'Connor - Did you refer to that vote?

Dr WOODRUFF - I did not refer to the vote.

Mr SPEAKER - The rule is there so that the continuation of an argument does not take place.

Ms O'CONNOR - Mr Speaker, I have never heard anything like this before. I would like to understand under what standing order you are attempting to stop Dr Woodruff from speaking?

Mr SPEAKER - I am not attempting to stop her. I am making a point to the House that under a standing order you cannot reflect on the debate -

Dr WOODRUFF - Which standing order is that?

Mr SPEAKER - I will find it while you are continuing -

Dr WOODRUFF - Thank you, Mr Speaker. I expect you to know the standing order you are using to try to stop me from speaking on our matter of public importance.

Mr SPEAKER - You cannot reflect on a debate we have had.

Dr WOODRUFF - I am not reflecting on the vote, Mr Speaker.

Mr SPEAKER - I am just reminding the House.

Dr WOODRUFF - Can I please continue, since I have now lost about a minute of my time from this interjection? Thank you.

The question here is about the Government's warped priorities when we have had a stadium being the entire focus of the Premier for the last year. The Premier is also the Minister for Health and Minister for Mental Health and Wellbeing. We will have thousands of patients with nowhere to go in one month's time. The best the Premier can do is say, 'In the last week we looked at that building, we looked at purchasing it, and we have decided categorically out of hand it is not fit for purpose, so it is not going to be purchased by the Government as a public health asset.'

Well, we call foul on the Government's priorities, because he has put all of his energies into the stadium. He has been a part-time minister for mental health, and a part-time minister for health. When we have this enormous looming mental health crisis, we do not accept that this building is not fit for purpose without some investment that could be made by taxpayer money. We know that polling shows 70 per cent of Tasmanians reject this stadium. They do not want it. We do not need it. Consistent polling in Tasmania has shown what people want

and the top priorities are health, housing and climate change. That is what people want. They do not want a government wasting our money, their money, on a stadium when it could be used to purchase St Helens Private Hospital.

At least the Premier could investigate negotiating a lease with Healthscope, or if it has been sold, with the business that bought it. We must have continuity of care. Everything that the Premier provided yesterday had no continuity of care for TMS delivery and for long-term recovery therapy groups. There is nothing else available. The options he put on the table will not be here for two years at the best. There is nowhere in the public sector people can get TMS. It is not available. The only place is at St Helens. Thousands of people and their families and psychiatrists and psychologists have contacted us in tears. The words they use are 'frightened', and 'scared'. They are sobbing. They cannot believe it. These are people who are on every day watch for self-harm and for suicide protection. They will end up in the ED.

We have the worst waiting times in the country - 28 hours on average in the ED for a person in mental health distress. This will happen on the Premier's watch and he has to intervene. He can. We do not accept, and neither do staff and patients, that that building is not fit for purpose.

Time expired.

Mr SPEAKER - I remind the Chamber that Standing Order 142 describes the proscribed content of speeches:

A Member shall not -

- (a) reflect upon any Vote of the House, except for the purpose of moving that such Vote be rescinded;

I only mention it for the simple fact that it is a general debate and to go too far into the actual St Helens argument from yesterday would have been a contravention of that.

Dr WOODRUFF - Point of clarification, Mr Speaker. Why did you need to point that out?

Mr SPEAKER - There is no point of clarification. I have read the standing order. You can read the standing order. It is 142.

[11.24 a.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I welcome the opportunity to speak on the matter of public importance. Dr Woodruff mentions the St Helens Private Hospital closure once again. We canvassed these matters quite considerably yesterday and provided some comprehensive answers as well. I will point that out to those who are reading or listening to this debate.

I thank everyone who is working very hard in the transition, people within the department and other organisations, to support what is proactively planning to ensure Tasmanians can continue to have access to the right mental health services for their needs following the recent and very disappointing decision by Healthscope to close the St Helens Private Hospital in Hobart next month.

Mr Speaker, to the Government's priorities. Tasmania's economy is strong and well-positioned to face challenges arising due to global economic conditions. I certainly understand the cost-of-living pressures around the country and on Tasmanians as well. That is why we are working collaboratively with the federal government on a range of measures. I have mentioned a number of health measures but there is also the energy relief that was announced the other day in the federal budget, some \$90 million contribution to support 140 000 Tasmanians and 3000 small businesses as well as an example of our commitment and our partnership of some \$45 million into that program.

I further advocated for more cost-of-living relief that would go straight to jobseekers and renters and Tasmanians most in need. We are proud of our jobs record and that under a majority government Tasmania's unemployment rate has reached a record low. Under this Government, more Tasmanians than ever before are finding work, giving them more opportunities in life to do the things they want. We know that having a job is one of the most important ways we can combat cost-of-living pressures. Our plan for the future will continue to grow our economy to support 20 000 more jobs over the next five years, ensuring Tasmania remains the best place on Earth to live, work and raise a family. There have been over 56 000 jobs created since the 2014 election, with the unemployment rate at a record low. We are reinvesting those dividends into the essentials Tasmanians care about, such as health, our schools, our housing, community infrastructure and, as I have mentioned, police on the beat.

As a result of the hard work and commitment from our Government over nine years - and when I say commitment from our Government, I say very much a commitment in collaboration and partnership with the Tasmanian community, small businesses, individuals, and community organisations - our state is the number-one ranked economy by CommSec. Unemployment is at a record low. There was a record number of women employed and wages growth is at 3.6 per cent, leading the nation. The tourism spend is at record highs, exports are at record highs, and we are leading the nation on skills and training. Because our economy is so strong, we are able to weather those global economic headwinds.

When it comes to health, I have mentioned a number of times our investment of some \$11.2 billion, over \$7 million on average every single day we are investing in health. There is \$196.4 million for 30 000 elective surgeries and endoscopies over four years. In fact, we have added another \$38 million to that for endoscopies, given that that is a significant concern. As to reducing the elective surgery waitlist, we had some 12.6 per cent reduction in 12 months to March this year; 21 per cent in the number of patients waiting longer than the clinically recommended time frames since June. That is significant and I have often spoken about patients waiting over the clinically recommended time frames.

Since 2014 we have employed over 2300 additional full-time equivalent health staff: 1390 nurses, 390 doctors, 310 allied health professionals, 220 paramedics and dispatch officers. There is a clear priority for us in health. For transforming health delivery, there is \$475 million in digital health over the 10 years. I mentioned this morning the \$1.5 billion into infrastructure.

When I look around the state I see us as a government in collaboration with our wonderful building sector and our staff across our Education Department and I see new schools starting to be built. Legana is an example of that, as is Penguin District High School and Parklands - \$11 million worth of investment; Riverside High School, around \$11 million; Kings Meadows, significant funds and Tasman District School as well, significant funds into those areas. We see contemporary modern classrooms being constructed, of which I am very proud.

I am seeing increasing numbers of police resources as well. Between 2010 and 2014, 108 police officers were effectively sacked by the previous government. We are restoring those numbers. I am very proud of that.

There has been a range of areas recognising the contention around the enabling infrastructure of the Macquarie Point urban renewal project. That is one part of our areas of focus, to grow the economy and provide a caring community but quite clearly, we are also investing in the essential services that Tasmanians absolutely and thoroughly care about.

[11.32 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, when the Prime Minister Anthony Albanese arrived here a couple of Saturdays ago, there was a welcoming party for him at Macquarie Point, which I was very pleased to see. On the placards of those members of the nipaluna/Hobart community were signs that pointed to the contradiction in government priorities and how twisted, some people at least, feel this Government's priorities are.

The five placards in a row in an image taken by AAP said:

I love footy and being able to afford life.

The next one:

Yes to a team, no to a stadium.

Next:

We can't eat stadiums or submarines.

Next:

We need homes, not a stadium.

Finally:

No stadium until no housing crisis.

Across the community, the reason that there is such anger about this proposed new \$1 billion stadium is because Tasmanians in this small community that we share, see and feel the disadvantage and the suffering in our community. Everybody knows somebody who is struggling to find an affordable rental. Everybody knows somebody who has come into contact with the health system, and been let down. This place is too small for people not to see and feel that government priorities have been misplaced.

If the average Tasmanian watched Question Time, and saw how frequently and readily the Premier and other government ministers reach back into the ancient past of a Labor-Greens government of nine years ago, they would see that for the cynical farce that it is.

This Government has had nine years. This tired Government has had nine years to fix the health system and fix the housing crisis. The Premier was talking this morning about the police service and caught himself kind of reaching back into ancient history to say that Felix

Ellis is fixing the police service. Minister Ellis has been in the job for not much more than a year.

This Government's priorities are all wrong. They want to spend \$1 billion when Anglicare's annual Rental Affordability Snapshot, which was released late last month, shows that Tasmania is the least affordable place in the country to rent. We have the most savage rental market in the country. Rent in Tasmania has been rising up to 10 times faster than income support payments. There are zero affordable rentals in the state for the lowest income Tasmanians, like those who are on JobSeeker or Youth Allowance. The miserly extra allocation to JobSeeker by the Albanese Government of \$40 a fortnight will do nothing to help these Tasmanians find an affordable home.

The Anglicare Rental Affordability Snapshot called for a ban on no cause evictions, called for the restriction of unjustified or punitive rent increases. The Anglicare report also recommended these protections should be actively policed and lease conditions should be actively monitored rather than putting the onus on tenants to take action against their landlords.

If you look at the data from the 2021 census, the ABS shows a huge increase in homelessness between 2016 and 2021 on this Government's watch. You can criticise the Labor-Greens government all you like over there on the Government benches but we had the housing waitlist at its lowest level in a decade. Over four years, we built 2200 new, affordable, energy efficient homes for low income Tasmanians. For all the troubles that it faced, including the global financial crisis, it was a government that genuinely took seriously its responsibility to help people and lift them out of disadvantage and provide some sort of security in their lives.

In the 2016 census, there were 1622 homeless people in Tasmania, but by 2021, the number was 2350. That is 728 more people who do not have a place to call home. That 45 per cent increase was the largest of any state in the country. Compare and contrast that to the spin we hear about the CommSec report on the state of Tasmania's economy.

In 2021, on census night, 569 children were homeless, 325 of whom were under 12 years old. The number of people living in severely overcrowded conditions over that period also increased by 165 per cent. That tells us a lot about this Government's misplaced priorities. Median rental costs have increased by 60 per cent.

This Government, with \$3 billion in net debt, a forecast shortfall in GST revenue of close to \$1 billion, wants to spend more than \$1 billion, which is what it will end up being, on a stadium on Macquarie Point while we have the most savage rental market in the country, an incredible shortage of affordable homes, more people who are homeless, a health system that is on its knees, and people who are dying waiting for an ambulance. Teachers in classrooms are crying out for extra support and resourcing. Across every area of community services, public services that are meant to deliver to people, this island has gone backwards in the last nine years because we are being governed by people who mistakenly believe that we live in an economy and not in a society that is underpinned by a healthy environment.

We do not believe that the stadium has community support. We do not believe that it will be built such is the strength of opposition to this stadium.

Time expired.

[11.39 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I rise to speak on the MPI about government priorities. It is a good opportunity to look at what the Government is currently prioritising, or de-prioritising, compared to what the Tasmanian community needs.

Today, it was revealed on the front page of *The Examiner* that equipment in the Launceston General Hospital is literally being held together by sticky tape. Surgical theatres, where people are operated on, require a very clean environment otherwise you risk infection, yet the theatre lights hanging over those patients are literally held together by sticky tape. The Premier today tried to defend that, claiming it was just some wear and tear. Nobody believes that, especially after these concerns were first raised in 2018 and very urgently raised last year. Yet, still today, the Premier was not able to say when those lights would be fixed but he is happy to fund lights in a new stadium in Hobart. That tells you all you need to know about the wrong priorities of this Government.

There are people who are waiting years on waiting lists. We heard a story yesterday of a seven-year-old child who has been waiting two years for a tonsillectomy and has been told they may need to wait another four. The child is so sick and feeling such pain that they often cannot go to school. They are missing out on learning and missing out on all the things that our young children should be able to enjoy and they still do not have a date for surgery.

This Government is run by a premier who is also the Health minister. We would expect him to be prioritising the care of our young children who need help, services or supporting our hospitals to have the equipment they need so they do not have to piece together equipment with sticky tape. Instead, he is the champion for a stadium to be built at Hobart's waterfront, a stadium with no design, with no budget that is really going to deal with the cost blowouts, at a time when he is also saying we have a state budget that is facing challenges and he is failing to rule out tax cuts in the middle of a cost-of-living crisis.

The Government's priorities are wrong. All those examples are not the extent of illustrating where this Government has gone so badly wrong. We also had the Treasurer in here yesterday trying to claim that there has been a massive cut in GST because of the bad Labor government in Canberra. Nothing could be further from the truth. In fact, the Treasurer has been exposed for overestimating the amount of GST Tasmania would be expecting to receive in his February budget update and then claiming today that it has suddenly all been whittled away because of Canberra.

The Tasmanian budget in May last year estimated across the forward Estimates how much GST Tasmania would be receiving. The budget that was handed down by the federal government actually shows there has been an uplift for the Tasmanian budget based on what Tasmania estimated last year of about \$900 million. We are actually getting more GST in the federal budget than what the Tasmanian budget showed in the budget papers in May last year, but no-one would know that based on what the Treasurer has deceitfully gone out to the media and said. That is because he completely failed in his update in February to properly forecast the GST that Tasmania could expect to receive over the next four years.

He has a fight on his hands and it is not with Jim Chalmers. It is with the February version of the Treasurer, Michael Ferguson. That is who his problem is with. It is with his earlier version of himself. He made a fool of himself yesterday. It was quite clear when the

Premier got up today that he was not going to go anywhere near defending his Treasurer because he knows that he has got it completely wrong.

Not only do we have a worsening budget situation because the Treasurer has mismanaged the budget and has not been able to properly estimate GST meaning they have significant spending challenges because they are funding a stadium in the middle of a cost-of-living crisis, in the middle of a health crisis and at a time people cannot find housing, but the state is on the hook to find nearly \$1 billion and probably more. Let us face it: it is going to cost more than that to build a roofed stadium. The Treasurer is wringing his hands and wondering how he is going to do it and the Premier is not ruling out tax cuts. This is the situation the Tasmanian Government is in.

To make it worse, we also revealed today that despite all these pressures they are still happy to make deals with their mates in the Liberal Party allocating \$1.2 million to a project in the Derwent Valley which has not gone through any due process that the Premier was able to explain and is not a program open to other small businesses to make application to. However, that small business with very strong links to the Liberal Party has been offered, in a letter signed by the Premier, \$1.2 million. What do they have to do to access that money? One thing is that they have to put some of their own money in. How much, do you think, to get \$1.2 million of taxpayer money? Only \$500 000. That is a pretty good investment, isn't it, from the Tasmanian taxpayer? Absolutely not. I say that tongue in cheek, of course.

At a time we have a premier not ruling out tax cuts, saying there is going to be tough conditions for the budget, he is happy to hand out \$1.2 million to his Liberal mates for a project that does not appear to have gone through any transparent process and is not open to any other small business to make application. Sounds very dodgy to me. Completely wrong priorities.

If you wanted to sum up the Liberal Government's priorities it would include something like this: rorts of public funds; bad deals for stadiums; and neglect of health and hospitals which are literally held together with sticky-tape. That sums up the Government's priorities.

I am summarising some of the things we have talked about today and not looking back at their record of the last 10 years where they have completely failed to support Tasmanians to have access to the fundamental basic services they deserve such as housing, good education and health care in a timely fashion, let alone tackling the cost-of-living pressures that are confronting every single household and small business in this state.

This is a government that has its priorities completely wrong. It is obsessed with building a stadium in Hobart that nobody wants at a time when the budget cannot afford it because there are so many other competing pressures that deserve precious taxpayer money.

Time expired.

[11.46 a.m.]

Mr TUCKER (Lyons) - Mr Speaker, our economy is nation-leading. Our businesses are some of the most confident in the country. We have the lowest unemployment rate, unlike when Labor and the Greens were in power. We have a record number of women in the workforce and yet, when we listened to the last two speakers, I was thinking to myself that the world must be going to end. It is depressing listening to what is coming out. Then I hear Ms O'Connor talking about the housing rates. We have huge population growth here in the

state and we are building houses because we are creating jobs. That is why people are coming here. That is why we have that problem here.

I am pleased to be able to share with Tasmanians what we are doing on their behalf and how we are building a stronger economy and a safe and caring community. There is much to be proud of. Under the Tasmanian Liberal Government more than 56 700 jobs have been created and we have a plan for 20 000 over the next five years. Thankfully, the dark days of the former Labor-Greens government are gone, when our economy was in recession, our unemployment rate was double and business confidence was destroyed.

We now have a strong economy which supports more jobs, which means we can afford to invest in the things that matter to Tasmanians. It is how we can afford to invest more than \$11 billion into our health over the next four years to continue to improve access, and to deliver the most ambitious social and affordable housing plan in the nation. We have provided the most generous energy concessions of any state, with more cost-of-living relief to come this year.

By investing in job creating infrastructure, growing our world-class industries and grasping new opportunities such as in renewable energy, we can set Tasmania up for generations to come. Our state is the number-one ranked economy by CommSec. Unemployment is at a record low. There is a record number of women employed. Wages growth at 3.6 per cent is nation-leading. Tourism spend is at record highs. Exports are at record highs and we are leading the nation on skills and training. This is not an economy that is dwindling and dying. This is an economy that is growing and it is because our economy is so strong that we will be able to weather any global headwinds coming our way.

We have embarked on a \$5.6 billion state building infrastructure program, providing industry with the certainty to invest and hire. We are providing \$7.9 million to operate our new jobs hubs at Burnie, Brighton, Huonville and St Helens, and expanded northern employment and business hub operations. We have extended funding to the Glenorchy jobs hub, and I wish to put a shout-out to Cindy Kurtukoff and Mr Steve Walley at St Helens. They are doing a great job. I actually employed two people through those jobs hubs myself. I encourage any other employers who are seeking employees to go to these jobs hubs. I also need to mention Kerry Vincent and what he has done in pushing the Sorell Jobs Hub, which is where that model was taken from, as well as Andrew at that jobs hub.

Mr Speaker, the Government is supporting 500 jobs at Incat, creating an additional 125 to 150 over the next 12 to 18 months and supporting 250 indirect jobs. The budget provides \$6.75 million to continue the high-vis army initiative and \$1 million for skills attraction. We are also investing even more into TasTAFE to deliver the skills that Tasmanians need to get a job, with an additional \$5 million for water and energy trade centres of excellence. We have extended the payroll tax rebate scheme to 30 June 2024 to help businesses take on more young Tasmanians into apprenticeships.

All we hear from Dr Gloom or Dr No is the same doom and gloom, talking down Tasmania as if the world was going to end, talking down the jobs, talking down businesses, their future, and their potential, saying no to the new opportunities this Government is seeking to achieve.

Ms Finlay interjecting.

Mr TUCKER - Negativity and gloom are not what Tasmanians want to hear, Ms Finlay.

Our Government believes in Tasmania and believes in Tasmanians. We believe in our future. We are continuing to work to deliver our own economy that supports all Tasmanians. When it comes to Labor, Tasmanians ought to be aware that Labor has no economic plan for this state. Labor has no plan for jobs, for business or for Tasmania's future. Who can forget their trail of broken promises or the deplorable state they left our roads and our schools? They gutted health and sacked a nurse a day, they tried to shut schools, they cut our cops and they destroyed the forestry industry in a single term.

Four of the architects of those cuts are still sitting on the opposition benches today and still defending them. They would do it again in a heartbeat, by saying no to economic growth and no to anything that even smells like a prosperous future for Tasmania by having no vision beyond the next headline. Tasmania will always be at risk with another Labor-Greens government. In contrast, our Government will always put the livelihoods of Tasmanians first.

Time expired.

Matter noted.

JUSTICE MISCELLANEOUS (REMOVAL OF OUTDATED SEX TERMINOLOGY) BILL 2023 (No. 4)

Second Reading

[11.54 a.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Speaker, I move -

That the bill be now read the second time.

Our Government is a government with heart and we are committed to ensuring a confident and inclusive community where all people are treated fairly and with respect. The Justice Miscellaneous (Removal of Outdated Sex Terminology) Bill 2023 makes relative minor but nonetheless important amendments to four pieces of justice-related legislation to reflect contemporary and inclusive language in relation to sex and gender.

While this does not change the legal policy reflected in that legislation, it is an important part of our commitment to contemporary language in legislation. Members will recall the usage of the term 'intersex' was discussed last year during the debate on the Youth Justice Amendment (Searches in Custody) Bill 2022 and the Justice and Related Legislation Miscellaneous Amendments Bill 2022. In both instances, I confirmed that my Department of Justice was reviewing terminology in this space and that I would wait for the outcome of this review before making legislative amendments to ensure consistency on the preferred terminology.

I am pleased to now share that work has been completed with my Department of Justice recently releasing the framework for data categories and collection, sex, gender, variations of sex characteristics and sexual orientation or 'the framework'.

This framework which was developed in consultation with the department's LGBTIQ+ Reference Group has now been endorsed by the Tasmanian State Service Secretary's Board. The framework is based on the standards created by the Australian Bureau of Statistics. Its purpose is to standardise the collection and dissemination of data relating to sex, gender, variations of sex characteristics and sex orientation across the department and potentially more broadly across government. In doing so, the framework addresses the conceptual issues and definitions relevant to each of those four variables; that is, sex, gender, variations of sex characteristics and sexual orientation.

Relevantly, for present purposes, the framework provides that the preferred terminology for people who have innate genetic, hormonal or physical sex characteristics but do not conform to medical norms for female or male bodies is those 'with innate variations of sex characteristics' rather than the outdated term, 'intersex'.

This change in terminology reflects that intersex is an umbrella term used to describe people with innate variations of sex characteristics. However, not all people with such characteristics identify as intersex. Therefore, it is not an inclusive term. People with innate variations of sex characteristics do not necessarily share the same biological characteristics, birth assignment, gender, or gender identity. Rather there is a diversity of genders and gender identities among people with innate variations of sex characteristics. This change in terminology reflects that.

My commitment last year during debate on the Justice (Miscellaneous Amendments) Bill 2022 was that once a framework was finalised, I would bring forward a bill to consolidate this terminology across all relevant acts to ensure consistency around legislation. The Justice (Miscellaneous Amendments) Bill 2022 when passed in this House did contain the term, 'intersex' in a clause amending the long title of the Births, Deaths and Marriages Registration Act 1999. However, I am advised an amendment was successfully moved to that bill in the other place to replace the word 'intersex' with 'has innate variations of sex characteristics', so no action is required in respect of that act.

I will now address the substantive clauses of the bill. There are three pieces of legislation that contain the term 'intersex': the Anti-Discrimination Act 1998, the Court Security Act 2017 and the Youth Justice Act 1997. Further, the Public Trustee Act 1930 refers to the even more outdated term 'neuter gender'.

First, the bill contains several terminology amendments to the Anti-Discrimination Act. The first amendment is to the definition of 'trans-sexual' in section 3 of this act. The bill removes the term 'intersex' and the associated wording from the definition of transsexual as it is redundant. There is no necessary relationship between being transsexual and having innate variations of sex characteristics. While at the time of drafting that wording may have been included to avoid doubt, contemporary understanding of these terms means that it is no longer appropriate.

The bill also amends section 16 of the Anti-Discrimination Act which prohibits discrimination on the basis of listed attributes, one of which is 'intersex, variations of sex characteristics'. This amendment is a simple one. The word 'intersex' is replaced with 'innate', so that the provision reads 'innate variations of sex characteristics'. The final amendment to the Anti-Discrimination Act is to section 19, which prohibits the incitement of hatred towards, serious contempt for, or severe ridicule of a person, or a group of persons on certain grounds. One of the listed grounds is intersex variations of sex characteristics. Again, the amendment

is simply to replace 'intersex' with 'innate', so that the relevant part of the provision reads 'innate variation of sex characteristics'.

With respect to the Court Security Act, clause 9 makes three amendments to section 13 of this act, which concerns searches of people entering or on court premises. Section 13 includes requirements for the gender of the searching officer and any officers present. The first amendment is to remove the definition of intersex, given that it refers to the definition of intersex in the Anti-Discrimination Act which no longer exists. The new terminology is now understood and does not require special definition. The other two amendments to this section remove the term 'intersex' and replace it with 'has innate variations of sex characteristics'.

The amendment to the Youth Justice Act similarly addresses the conduct of searches. When referring to searches, the Youth Justice Act requires them to be conducted by a person of the required gender. The term 'intersex' features within that definition so the bill amends that reference by replacing it with 'has innate variations of sex characteristics'.

These are the amendments that arise directly from the framework. However, a further amendment is also necessary. Section 3(2) of the Public Trustee Act states: 'words importing the masculine gender include references to the female gender and neuter gender'. The term 'neuter gender' is clearly not an acceptable term in the legislation. In fact, section 3(2) is redundant given that gender references in all acts are now read as inclusive of all genders under section 24 of the Acts Interpretation Act 1931. For that reason, the bill removes section 3(2) entirely.

None of these amendments reflect any change in the legal policy established in these acts other than the important policy that legislation should be contemporary and inclusive. I am pleased that the amendments made by this bill reflect the framework developed in close consultation with the department's LGBTQI+ reference group. It also reflects key stakeholder submissions on the Justice Miscellaneous Bill 2022, which can now be implemented across all relevant acts.

This bill recognises that the terminology we use and our understanding of the experience of others is always changing. Indeed, these terms may evolve further in the future. We embrace that change and will continue to update legislation where necessary to ensure it is consistent with contemporary values. Our Government is pleased that this is one of the many steps we have taken to support our overall commitment to all Tasmanians, that they feel valued, included, encouraged and supported.

I commend the bill to the House.

[12.03 p.m.]

Ms HADDAD (Clark) - Mr Speaker, I am pleased to contribute to the debate and to indicate support of the Opposition for the Justice Miscellaneous (Removal of Outdated Sex Terminology) Bill 2023. The bill makes changes to a number of pieces of legislation, namely the Anti-Discrimination Act, the Court Security Act and the Youth Justice Act, as well as the Public Trustee Act, by removing the term 'intersex' from those first three acts, and removing the term 'neuter gender' from the Public Trustee Act.

As the Attorney-General said in her second reading contribution, it is important that legislation we have on the books in Tasmania remains contemporary in terms of the language

it uses. The Attorney-General has spoken in here on previous occasions, including yesterday, or it might have been Tuesday, about the fact that there is work going on in her department to contemporise the legislation when it comes to removing gender from legislation altogether, which is a very necessary step. It is not something that should be seen as woke to do. It is actually the case that where gender does not need to be written into legislation, it should not be. It is an unnecessary hurdle when gender is written into legislation when it does not need to be. It is a worthy piece of work going on in the minister's department to make sure that legislation is as gender-neutral as it can be.

These changes are slightly different, of course. They are contemporising legislation by removing the term 'intersex', which is an outdated term for people who are born with, or have through other means, indeterminate sex characteristics. In other words, either at birth or later have different physiological makeup that means that they are not necessarily one or the other sex. The changes also remove the term 'neuter gender', which is an even more outdated term than 'intersex'.

'Intersex' was the preferred term for people of indeterminate sex characteristics for a long time and legislation has been updated over the years to include that term. As is the case with so many areas, our understanding grows, and our appreciation of the complexity of sexuality and gender grows. With that, sometimes changes in language are necessary to recognise new and contemporary understandings. 'Intersex' is no longer the preferred terminology for people who advocate for the rights who have indeterminate sex characteristics, or variations, I should say, because 'indeterminate' is not a preferred term either, so apologies, Hansard, I should have said 'variations to sex characteristics'.

More broadly, what this is about is part of the story of protecting the rights of people with variations to sex characteristics, and making sure that people who need to access protections under Tasmanian law are not prevented from doing so by virtue of their genetic makeup. It is important to make sure, in particular, that the Government adheres to its own LGBT framework and action plan, which has been recently updated and language in that document has also been contemporised.

Tasmania has gone, in many ways, from one of the worst jurisdictions in the world when it comes to protecting the rights of the LGBTIQ+ community to now being nation- and world-leading in many areas when it comes to protecting the right of LGBTIQ+ community members. Nevertheless, we know from a range of sources that people living in our state still suffer higher rates of discrimination, abuse, depression and mental ill health compared to people who do not identify as LGBTIQ+.

In the Government's own survey of a couple of years ago, statistics showed that: one-third of Tasmanians who identified as LGBTIQ+ experienced abuse at home; 80 per cent did not report abuse at home, work or in public; 75 per cent of people surveyed said that they always, or sometimes, hide their identity in fear of abuse in public; 17 per cent indicated that they feel somewhat or very unsafe in Tasmania; and 34 per cent had experienced verbal abuse, threats or violence at school.

Sadly, 97 per cent of people in Tasmania who identify as LGBTIQ+ have been told that their sexuality or gender identity is the result of trauma or pathology and should be changed, fixed or healed. Five per cent of those had experienced conversion practices. That is a very important statistic and an encouragement for the Government to continue with their

commitment to introduce legislation to ban conversion practices. We know that they occur in Tasmania. We know the devastating lifelong harm they cause to people subjected to them. Just today, the Premier gave another indication that the legislation is not on the backburner but for LGBTIQ+ Tasmanians it does feel like it is on the backburner because it has been over a year since that commitment was made and we still have not seen draft legislation released for public comment. I know the Attorney-General is also committed to that legislation. I put on the record today my encouragement to the Government to continue with that work; it is vitally important and it will be lifesaving legislation. The longer we wait as a state to act on conversion practices, the more dangerous it will become for Tasmanians. While other states are legislating to ban them, there is a risk that if Tasmania does not have legislation we will potentially become a bit of a haven for conversion practices, which is a really scary thought I hope no one in here would welcome.

I also want to reflect briefly on the Law Reform Institute's 2020 final report which is named the *Legal Recognition of Sex and Gender*. That report made a number of recommendations around the treatment of people with variations of sex characteristics. I encourage the Government to continue with some of the work that was recommended, specifically recommendation 7 which recommended that the Criminal Code should be reformed to criminalise non-consensual medical interventions in the following terms, and it goes through suggested amendments to the Criminal Code to make sure that people who have variations of sex characteristics are not subjected to unnecessary medical treatment before they are old enough to consent to that treatment.

This legislation might look administrative on its face because it is updating words in legislation which is often the purpose of Justice miscellaneous bills, but this one has a deeper importance to many Tasmanians in that it is actually about protecting the rights of people who have variations of sex characteristics.

As the minister outlined in her second reading speech, the bill will remove the word 'intersex' from the Anti-Discrimination Act, the Court Security Act and the Youth Justice Act and replace it with the terminology 'innate variations of sex characteristics'. Similarly, it will remove the term 'neuter-gender' from the Public Trustee Act and replace it with the term 'innate variations of sex characteristics'.

One specific concern was raised with me around the choice of the use of words in this legislation which I will do my best to explain and put on the public record today. I hasten to add that the advocates who represent people who have variations of sex characteristics very much welcome this bill, very much welcome this change and are very grateful for it. I also put on the record my appreciation of those many organisations, including Working it Out, Equality Tasmania and Intersex Human Rights Australia, who have been advocating nationwide for these changes to take place and for this terminology to be changed.

They are grateful that these changes will provide specific protections in those pieces of legislation for people who have innate variations of sex characteristics. While that might be a small proportion of people statistically in Tasmania, it is nonetheless a scope of people who deserve to have and should have their rights protected and be able to access the protections provided in the Anti-Discrimination Act, the Court Security Act and the Youth Justice Act.

It has been explained to me that there is more than one way that people can have a variation to their sex characteristics. One way is to be born with a variation to your sex

characteristics which usually, at some point in your life, will then lead to having a formal diagnosis of a having a variation to your sex characteristics. That category of people has what is called an innate variation to their sex characteristics because they were born with that variation.

However, it is not the only way that people can have a variation to their sex characteristics.

You can also acquire a sex characteristic variation through illness or surgery for things like testicular cancer, pituitary cancer, and cervical and ovarian cancer. All of these cancers and other medical conditions that can lead to people needing to have lifesaving surgery can mean that that person then has a variation to their sex characteristics. For a very kind of blunt example, if someone with testicular cancer had surgery to remove one testicle technically that person now has a variation of sex characteristics, but it is not an innate variation of sex characteristics.

I am not a clinician but I am doing my best to explain what this actually means in terms of using the term 'innate' variations in legislation. The best way that I can go about doing that is to give an example of what might happen if somebody brought an action under the Anti-Discrimination Act who had a variation of sex characteristics, innate or otherwise. If you will indulge me, Mr Speaker, I will do my best to give that example.

The legislation will be changed in the Anti-Discrimination Act to provide a new protected attribute for someone not to be discriminated against based on having an innate variation of sex characteristics. If somebody then brought a complaint to the commissioner, arguing that they have been discriminated against based on that protected attribute, the commissioner is going to have to do a number of things to determine whether or not she is going to accept that complaint for further investigation. One of those is to determine that that person does actually belong to that protected class of people with an innate variation of sex characteristics. To do that, with the word 'innate' being in there, legally the commissioner would need to satisfy herself that the person has a medical diagnosis and a letter from a specialist to indicate that that person has an innate variation and therefore they belong to that class of people who are protected by the new terminology in the act.

The new terminology will protect anybody who has that diagnosis and can demonstrate it, but it will not protect people who have not been diagnosed with an innate variation, people who are on the pathway to diagnosis. I am told that there are times where people cannot receive a formal diagnosis but they do have an innate variation, but also it will not protect people who have a non-innate variation; in other words, a variation of sex characteristics that has been acquired through illness, or surgery, like the testicular cancer example I gave.

Without the word 'innate' in this legislation the commissioner would be able to satisfy herself in that example I gave simply with a letter from a GP explaining that that person does have a variation of sex characteristics. In practice perhaps it will not be as complicated. Perhaps the commissioner will be able to satisfy herself with a letter from a GP, but the way it has been brought to my attention from Intersex Human Rights Australia is that legally the commissioner will need to satisfy herself that the person has an 'innate' variation.

I again put on the record the fact that Intersex Human Rights Australia and Equality Tasmania who have lobbied for this change are very grateful for the protection these changes

provide, but note very strongly that they will provide that protection only to a narrower individual group. That narrower individual group absolutely deserves those protections but they would like to see in time for that legislation to be changed again to remove the word 'innate', so that the widest group of people as possible can be protected under the law. The example I gave relates to the Anti-Discrimination Act but I am sure members could imagine other scenarios where the Court Security Act or the Youth Justice Act might also have similar examples of how in practice this legislation might be applied.

Mr Speaker, I hope I have done justice to explaining that complexity to the difference between using the term 'variations of sex characteristics' to the term 'innate variations to sex characteristics'. These changes will provide very important protections to people who have innate variations to sex characteristics, but there is at least the potential that a possibly larger group of people who have sex characteristics acquired through illness or disease who will not be protected.

Similarly, those who do not have a formal diagnosis yet, or are on the pathway to a diagnosis, potentially will not enjoy those same protections under those pieces of legislation. I suppose it is a long-winded way of recognising, first of all, why we are here in the first place: it is about contemporising legislation and making sure that the terminology included in legislation is the most accepted and most needed in all pieces of Tasmania law.

I was encouraged that the Attorney-General concluded her second reading speech by saying that language might need to change again in future and that legislation is often updated to modernise the language we use: just to put on the record my recognition of that, perhaps, slightly technical description of the class of people who will not be protected by these changes. And perhaps the need to keep a watching brief on how often these provisions are used and whether or not there might be examples of people unable to access the protections that this bill will lead to in those other pieces of legislation. That would then require another legislative change simply to remove the term 'innate' from that definition.

I will conclude by again welcoming the fact that the Government is doing this work. It is important that Tasmanian legislation remains contemporary. However, I again put on the record the vital need of Tasmanians in the LGBTIQ+ community for the Government to continue with their promised work to provide draft legislation for the Tasmanian community to look at that would ban conversion practices in Tasmania. Having the opportunity to speak on that issue again at this time, I did not want to lose the opportunity to put on the record Labor's commitment to that legislation and the need for conversion practices to be banned in Tasmania.

[12.23 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, the Greens will be supporting the Justice Miscellaneous (Removal of Outdated Sex Terminology) Bill 2023. We thank the Attorney-General for bringing this legislation forward. It has actually been part of an ongoing conversation that we have been having with the Attorney-General where we encouraged the development and bringing on of a bill to contemporise the language used in law when referring to people who live with variations of sex characteristics.

We recognise that this bill is intended to contemporise terminology in four pieces of legislation: the Anti-Discrimination Act 1998, the Court Security Act 2017, the Public Trustee

Act 1930 and the Youth Justices Act 1997. This bill is one step towards improving the language that protects people with a variation of sex characteristics.

We know there will be members in this place who have spoken to people born with a variation of sex characteristics, some of whom, without their consent, were subject to surgery when they were babies. There is a feeling of trauma and a perception of stigma attached to these of our fellow Australians. We have a responsibility in here to make sure that the law properly protects people with innate variations of sex characteristics or who live with a variation of sex characteristics. I will be interested in the Attorney-General's response to Ms Haddad's questions in relation to people who are not born with a variation of sex characteristics, therefore it is not innate, and how the law might respond to those people.

Going to the broader issue of how we protect children with innate variations of sex characteristics, there is an important body of work done by the Tasmanian Law Reform Institute (TLRI) and handed down in June 2020. The report, *Legal Recognition of Sex and Gender: Final Report No 31*, explores the issue of consent, or lack thereof, to medical treatment for children with innate variations of sex characteristics. The terminology used in this report is 'intersex' because that has been a commonly used term. I will quote from the report:

In circumstances where children are born with intersex variations of sex characteristics (that is, ambiguous genitalia) medical practitioners will sometimes perform a 'genital normalisation' procedure. This is a surgical intervention intended to make the external genital appearance and internal gonads more closely match the typical characteristics of an assigned gender.

As outlined [earlier in this report] the [Birth, Deaths and Marriages Act] now allows a longer time for parents of children for whom 'variations of sex characteristics do not allow for an easy assignment of sex 'to register the birth (and the sex) of the child. This will relieve some initial pressure on parents to make medical decisions. However, for many intersex people, their sex characteristics become more or less pronounced throughout their childhood. Even after 120 days, assigning a sex for the purposes of registering the birth of an intersex child can be difficult. In general, medical practitioners and parents considered 'normalisation' interventions to be in the best interests of the child, believing the variations to be abnormal and seeking to 'correct' a perceived disorder.

However, a number of submissions to the TLRI emphasised that there are generations of adults who have lived and must live with the consequences of government policies and medical practices that authorised interventions to 'normalise' a child's physiology. Submissions to the TLRI from community organisations and members of the community highlight the pain and the suffering caused by past practices (some of which continue to be used today).

These submissions are consistent with the experiences of the many intersex adults who underwent these procedures as infants and children and have subsequently shared that they consider these interventions to have been extremely harmful.

A 2013 Senate inquiry examining involuntary or coerced sterilisation of intersex people, received evidence regarding the social and psychological

ramifications of such surgeries. It told of the social stigma, 'legacy of shame', erosion of trust within the child's family unit, personal and psychological distress, adult sexual anxieties, and uncertainty about personal and gender identity experienced by those on whom surgery was performed.

Anyone who has not read the masterpiece book, *Middlesex*, by Jeffrey Eugenides, I highly recommend it. It tells the story, albeit fictional, of a child, Callie, who was born with a variation of sex characteristics, underwent surgery and was assigned a sex or gender not long after birth. The story explores this child's suffering. It won the Pulitzer Prize and is one of the truly great pieces of literature.

Although I understand that the Attorney-General is not the Minister for Health, we have some questions about practices that we understand are taking place in the Tasmanian health system today.

In correspondence to Sam Klintworth, the international director of Amnesty International Australia dated 1 December 2021, the then deputy premier and health minister, Jeremy Rockliff stated:

I am advised that no surgeries to modify the sex characteristics of children are performed in Tasmania.

However, Commonwealth health data from Medicare codes and sourced from the Human Services and Health website on procedures conducted in Tasmania indicates that at least 19 surgeries were conducted in Tasmania from July 2018 to July last year on children aged 14 years and younger, which would be characterised as surgeries to modify innate sex characteristics of children. I have no doubt that the then deputy premier and health minister was advised that by his department and that enabled him to make that declaration in correspondence to Amnesty International. The data available through the Commonwealth points to a different story.

We would like to understand whether the Government can confirm whether surgeries to modify innate sex characteristics are in fact performed in Tasmania on some children who have variations of innate sex characteristics. We would like an explanation for why data relating to surgeries conducted on children to modify innate sex characteristics is not collected by the state. We would like confirmation of whether the Government supports the banning of non-consensual surgeries on children with variations of innate sex characteristics in line with the UN Joint Statement on the Human Rights of Intersex Persons, the AMA LGBTIQ+ Health Position Statement of 2021, and the Australian Human Rights Commission report Ensuring Health And Bodily Integrity: towards a human rights approach for people born with variations in sex characteristics.

We ask the Attorney General if she could seek some advice on whether the Government intends to develop Tasmanian legislation to ban non-consensual surgeries on children with variations of innate sex characteristics and, if so, when development of legislation will commence. It would be good for the House to see any current policies, procedures, guidelines or frameworks in use within the state's public hospital system which relate to surgeries conducted on children to modify innate sex characteristics.

We would also like the House to be provided with any details on any training or education undertaken by health professionals in public hospitals in Tasmania from July of 2018 to July

last year, including the type of training or education provided, the number and location of any training or education sessions, and the number of attendees.

Back to the TLRI report. It made a series of very strong recommendations about how we better protect babies born with a variation of sex characteristics from entirely non-consensual surgical interventions, which, we understand from a medical professional's point of view, might be viewed as something that will improve the child's quality of life, but, overwhelmingly the evidence is that it does not.

The TLRI report was published three years ago so it is important that in the legislation we are debating today, it is necessary that we modernise terminology in key acts that relate to people with a variation of sex characteristics, but, stronger legislative protection is required for babies born with a variation of sex characteristics. The TLRI report states:

Recommendation 7

The *Criminal Code* should be reformed to criminalise non-consensual medical interventions in the following terms:

178F Unnecessary medical intervention to change the sex characteristics of children.

- (1) Any person who performs a surgical, hormonal or other medical intervention to alter or modify the sex characteristics of a child is guilty of a crime, unless:
 - (a) it is performed to address a clear danger to the life or health of the child and it cannot be deferred until the child is able to give informed consent; or
 - (b) it takes place with the informed consent of the child.
- (2) Nothing in this Section is intended to apply to interventions involving a consenting transgender child seeking treatment to delay puberty or secondary sexual differentiation.

Charge: Performing unnecessary medical intervention to change the sex characteristics of a non-consenting child.

Recommendation 8 is that intersex children should be able to pursue claims for compensation for personal trespass and breach of professional duty against doctors where medical interventions to alter intersex variations of sex characteristics have resulted in physical and mental harm, irrespective of any parental consent to the intervention at the time it was performed. Provision to this effect should be made in the *Civil Liberties Act 2002*.

The informed consent of the child, the TLRI says in its recommendations on whom the intervention is performed, should provide a defence in such cases; however, consent itself should not be a defence if the intervention is performed negligently and a child did not voluntarily assume the risk of such negligence.

Recommendation 9

The TLRI recommends that the Tasmanian Government enact a *Consent to Medical Treatment Act* that covers the field with respect to children's consent to medical care. The TLRI recommends that this Act should enable a child of 16 years or older to obtain medical treatment and undergo surgical procedures when they consent to treatment and surgical procedures.

For children under 16, the TLRI recommends that *Gillick* competence be enshrined in this Act. The South Australian *Consent to Medical Treatment and Palliative Care Act 1995* may provide useful guidance in this regard.

The TLRI does not recommend that counselling be a mandatory precondition to children receiving medical treatment or undergoing surgical procedure.

Recommendation 10:

The TLRI recommends that the Government give consideration to including in the *Consent to Medical Treatment Act* proposed in Recommendation 9 all the reforms recommended in Part 3 of this Report. The legislation Act would be comprehensive in providing the entire legal framework for surgical intervention to alter the sex characteristics of children.

That is the body of unfinished work of this Government and this parliament.

The Greens have asked questions and strongly advocated for a ban on dangerous conversion practices and are pleased to hear the Premier confirm his intentions in that regard in question time this morning.

I agree with Ms Haddad that when legislative reform like this is delayed, it comes at a human cost. There is also this other necessary legislative reform work to protect children with innate variations of sex characteristics.

I remind the Attorney-General that the TLRI report is now three years old. It is based on submissions and testimony from community members, organisations like Intersex Human Rights Australia and Equality Tasmania and Working It Out, outstanding organisations that have contributed to this body of work, and it has led to a report which makes a compelling case for legislative reform, across those acts, as recommended in the TLRI report.

I realise that I have put some questions to the Attorney-General that she may not be able to answer in her second reading response, but we will be seeking answers to those questions. We would like to hear anything that the Attorney-General can provide to us about the current framework for babies with innate variations of sex characteristics.

It is possible that there is a disconnect between the executive - the Premier and Health minister - and what is happening clinically and operationally in our public hospital system, where it is possible there are times when surgeons are saying to frightened parents, 'The best, most life-saving thing we can do now is to surgically intervene so that your baby can live under a single gender', and by putting the argument that this is life-saving surgery they are putting parents in incredibly difficult positions.

To test a clinical belief that it is necessary to undertake surgery on these babies I think is something that the Health minister needs to take a direct, personal interest in, particularly given that in 2021 he wrote to Amnesty International Australia and made a very strong assertion that these surgeries are not taking place in Tasmania now, but it would seem to the Greens, at least, that they are. That is based on Medicare codes and data that is readily available through Commonwealth Health and Human Services databases.

Again, I know this falls somewhat outside the Attorney-General's frame of responsibility, but it is a very serious matter. I have been in government and I understand that sometimes what the minister understands to be the case, or has been advised is the case, is much more complex or nuanced at another operational level within the agency, so I think it is definitely worth the Health minister having a look at that very closely and testing that data with his clinical advisers.

We are particularly interested to understand what is next on this reform journey for people with a variation of sex characteristics. I again acknowledge that the Attorney-General is progressing reform in some really important areas and across her portfolios, actually. This legislation we debate today, which will be supported and is important, is one step down that path, but there is a whole other reform imperative which is outlined in the TLRI report advocated for by those outstanding organisations Intersex Human Rights Australia, the wonderful Simone Lisa Anderson, Working It Out and Equality Tasmania. It is a body of work that I believe we are morally compelled to work together to deliver.

I strongly encourage the Attorney-General. I know you have the busiest legislative agenda of the Cabinet but this is work that must be undertaken, because until it is we cannot be certain that babies are not having non-consensual, totally life-altering, invariably unnecessary surgeries in order to make them conform or fit within a clinically assumed norm.

With those few words, we are glad to be supporting this legislation. We have advocated for it and we will keep advocating for a stronger legislative framework, criminal and civil, in order to protect those babies, estimated to be about 1.7 per cent of all births, according to international research. We need to protect those babies from having their rights taken away from them and having life-altering and sometimes very harmful surgery done on them without their consent. We will be supporting the bill and look forward to the Attorney-General's responses.

[12.45 p.m.]

Mr YOUNG (Franklin) - Mr Deputy Speaker, I rise to speak on the Justice Miscellaneous (Removal of Outdated Sex Terminology) Bill 2023. I commend the Attorney-General and everyone who has worked on the bill so far to bring it forward. We are committed to ensuring that every Tasmanian feels safe, included and valued. These amendments are important for setting the standards on inclusivity for sex and gender in our community.

As the Attorney-General has outlined, this bill makes minor changes to four justice-related acts to reflect contemporary and inclusive language in relation to sex and gender. The amendments proposed by the bill are a result of the work undertaken by the Department of Justice in reviewing terminology in legislation and developing the framework for data categories and collection relating to sex, gender, variations of sex characteristics and sexual orientation. The amendments reflect contemporary best practice in relation to terminology and

are also based on the Australian Bureau of Statistics standards. The framework addresses the conceptual issues and definitions relevant to four variables - sex, gender, variations of sex characteristics and sexual orientation. The changes to terminology reflected in these amendments are consistent with community consultation feedback across a number of bills.

The work of the Department of Justice's LGBTIQ+ reference group, which includes membership from Equality Tasmania, has also been key to ensuring that the updates to terminology reflect our community expectations. The amendments to the four acts recognise that the term 'intersex' does not represent how individuals with innate variations of sex characteristics may identify and these amendments remove that assumption and provide for inclusivity.

Once again, we are committed to ensuring that every Tasmanian feels safe, included and valued and these amendments are important to setting those standards. I thank the Attorney-General for bringing forward this important legislation.

[12.48 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Deputy Speaker, I had somewhat hoped that we would get to the lunch break so that I could look further into some of those issues for Ms O'Connor because there were not that many questions put and also needing to probably consult with the Premier who has the Health portfolio. We have not had an opportunity to consider those things. With the range of questions that you had, Ms O'Connor, I am very willing to look at those and get back to you in a form that might assist.

Dealing with the issue of the removal of the word 'innate' in the example that Ms Haddad used, I am advised that we considered that feedback on the bill from knowledgeable stakeholders, which you acknowledged yourself as well, and it is important to note that the preferred terminology of most of the stakeholders - and in particular I have been guided by Intersex Human Rights Australia - I can confirm that the Anti-Discrimination Commissioner has also been consulted and was guided by key stakeholders. Shifting away from the term 'innate' would be inconsistent with the extensive consultation undertaken by my department in developing the framework and, as I have said, that framework has been endorsed by the State Service secretary's board.

The Births, Deaths and Marriages Registration Act was also amended last year with language consistent with this bill and a range of submissions proposed the use of 'innate variations' in that amendment. The policy objective of this bill is to reflect current terminology within the existing policy settings of the anti-discrimination and other acts and these amendments do not change the legal policy reflected in that legislation.

I do not always like to deal with hypotheticals but it is important to note that the Anti-Discrimination Commissioner has other grounds for accepting a complaint that may apply. Under section 16(ea), there is gender identity and, obviously, someone is unable to discriminate on the basis of irrelevant medical record. For the moment, the bill reflects the current consultation and objectives of the relevant acts. As terminology and thinking around this area evolves, further work and consultation can be done as necessary, which I have said on numerous occasions in this place when dealing with this topic in those previous debates we have had.

Going back to the question in relation to the inappropriate medical intervention and other TLRI recommendations, that is an area currently being considered by the Department of Health for advice to Government. I can at least say that. The Department of Health is leading that work, not my department, as you have acknowledged, Ms O'Connor. My department has been assisting the Department of Health to progress this important work. As I said at the outset, I would need to come back to Ms O'Connor on questions about the Tasmanian health system policies about surgeries on babies and some of the issues you have identified that are perhaps inconsistent with the belief of government based on statistics to which you have referred.

That has probably covered some of the issues that were asked. I note that other jurisdictions such as the ACT have legislated to protect people with innate variations of sex characteristics from inappropriate medical intervention. That is something that has progressed in the ACT that we can certainly consider along with the work currently being progressed by our Department of Health.

With that, I commend the bill - oh, I could further say my usual thanking of everyone involved for their contributions. I always do that. Sometimes I forget to do that and I should not.

Ms O'Connor - Not by name. Be careful not to use their names after what the Premier said.

Ms ARCHER - It is not meant in any nasty way, though. I thank everybody involved in the process. These are very difficult and complex areas, as members have noted. Unfortunately, these things do take longer than we would like on occasions as well. It did seem that I was coming back into the House on quite a few occasions in relation to amendments on previous bills where this issue came up so, I am really pleased that we have reached this far. Obviously, we will monitor the situation in relation to further updating any terminology that might be necessary into the future. It is a really interesting area in terms of medical progress and I will certainly speak to the Premier and Minister for Health about that because I acknowledge that it is an area of concern, Ms O'Connor.

Ms O'Connor - Thank you.

Ms ARCHER - With that, I commend the bill to the House.

Bill read the second time.

Bill read the third time.

LOCAL GOVERNMENT AMENDMENT (CODE OF CONDUCT) BILL 2022
(No. 52)

Second Reading

[12.56 p.m.]

Mr STREET (Franklin - Minister for Local Government) - Mr Deputy Speaker, I move -

That the bill now be read a second time.

This bill forms a critical part of a broader process to reform the code of conduct framework, which was first introduced by the Tasmanian Government in 2016. The framework was introduced at that time in response to strong calls from the local government sector and the Tasmanian community for an effective and enforceable framework to address councillor misconduct. It is important to acknowledge that the vast majority of Tasmanian councillors uphold the highest levels of behaviour and probity, as is to be expected by a person holding public office. Nonetheless, it is vital that we have a robust system in place to address the instances in which a councillor's conduct falls short of the standard they have agreed to uphold in performing their role on behalf of their local community.

A key feature of the 2016 reform was that it replaced a patchwork of previous code of conduct arrangements in place at the individual council level. Subsequently, under the current framework, councils are required to adopt a single statewide model code of conduct developed in consultation with the local government sector and approved by the Minister for Local Government. Councils may adopt the model code of conduct with, or without a variation. However, any variation must be consistent with the model code of conduct.

The model code of conduct was amended in late 2018 and early 2019 following a review of its operation by the Government and the local government sector. Since that time there has continued to be significant public interest and commentary surrounding the code of conduct process decisions and determinations.

As minister, it is my view that the intent of the code of conduct framework is sound. However, in keeping with the feedback provided by the sector and the Tasmanian community, is evident that certain elements of the framework can be improved and that this work can be undertaken in a progressive manner to ensure that we have a framework that meets expectations now and into the future.

The code of conduct is enforced by an independent code of conduct panel, established to investigate and determine complaints involving alleged breaches of the code and empowered to issue sanctions against councils found in breach. The panel replaced the previous system of 29 separate council code of conduct panels and the Local Government Association of Tasmania standards panel. To a considerable extent, the framework has been an effective tool in holding councillors to account. However, there has been significant public criticism in the media of the code of conduct panel process. There are concerns about the types of complaints being investigated and whether some complaints could have been resolved informally. Concerns have also been raised regarding the absence of legal representation, conflict of interest, the adequacy of available sanctions and associated costs to the parties and councils.

The Government has acknowledged that the framework can be improved. That is why in late 2020 the Department of Premier and Cabinet's local government division, now known as the Office of Local Government, engaged in consultation with the Local Government Association of Tasmania and the local government sector. As a result of these discussions, initial assessment guidelines for the code of conduct panel were developed and are now in use to assist the chairperson carrying out an initial assessment of a complaint.

In 2021 the Government undertook public consultation on potential legislative reforms to the framework to address issues raised by the sector and ensure that acceptable standards of councillor behaviour are upheld.

Debate adjourned.

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

MOTION

Genocide of the Armenians, Assyrians and Greeks

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I move -

That the House:

- (1) Joins the members of the Tasmanian Armenian, Assyrian and Greek communities in honouring the memory of the approximately 1.5 million Armenian men, women and children and over 1 million Assyrians and Greeks who fell victims to the first genocide of the 20th century;
- (2) Condemns the genocide of the Armenians, Assyrians and Greeks and all other acts of genocide committed during the 20th century, as the ultimate act of racial, religious and cultural intolerance;
- (3) Recognises and honours the extraordinary humanitarian efforts of the then newly formed Commonwealth of Australia, including Tasmania, for the orphans and other survivors of the genocide, which set a proud tradition of international humanitarian efforts by our state;
- (4) We further recognise the importance of remembering and learning from such dark chapters in human history, to ensure that such crimes against humanity are not allowed to ever be repeated;
- (5) We further condemn and oppose all attempts to use the passage of time to deny or distort the historical truth of the genocide of the Armenians, Assyrians and Greeks and other acts of genocide committed in the 20th century; and

- (6) Acknowledge the 34 UN member states (including US, Canada, France, Italy, Austria, and Switzerland) that have recognised the genocide.

I acknowledge and thank the member for Bass, Mrs Lara Alexander, for bringing this matter to not only my attention as Premier but also to the attention of the House.

We welcome all members of the communities that I have just mentioned on this historic day in the Parliament of Tasmania because today Tasmania joins the states of South Australia and New South Wales in recognising the tragic events and the suffering endured by the Armenian, Assyrian and Greek populations living within the borders of the Ottoman Empire during the First World War and its aftermath.

From 1915 to 1917, approximately 1.5 million Armenian and 1 million Assyrian and Greek men, women and children fell victim to a systematic and brutal regime that subjected them to mass murders, deportation and the destruction of their culture. Tragically, some of the most inhumane treatment was often reserved for women and children who were both abused and brutalised. This atrocity ended a 2000-year-old Armenian civilisation and caused over 100 years of suffering for the Armenian people as a result of these acts.

Governments of the day rightly decried this torturous and cruel treatment as a crime against humanity. I understand that there are 34 nation states around the world that have subsequently officially recognised this tragedy.

I would like to honour the victims of this blatant and extreme abuse of human rights. I would also like to acknowledge the strength of survivors as well as the profound loss of family, culture, homeland that you have all experienced. This was the first act of ethnoreligious motivated mass killing of the twentieth century. Tragically, as we all know, it would not be the last.

Australia has a long history of humanitarian responses to human rights crises. Australian citizens and the Australian Government responded to the plight of the Armenian people with courage, compassion, and resourcefulness. The Armenian Relief Movement in Australia gained momentum in 1916. The Friends of Armenia organisation was established in Victoria and began fundraising for suffering Armenians, through concerns and church collections. By 1918 similar relief funds were operating in Sydney and Adelaide. These efforts resulted in the establishment of an Australian-run orphanage in Lebanon that could house 1700 Armenian orphans.

Prime Minister Billy Hughes established free transport for Armenian refugees aboard the new Commonwealth Government line of steamers. By 1960, approximately 500 Armenians had migrated to Australia, and more would follow throughout the decade following political disruption in the Middle East. The Australian Government facilitated the entry of Armenians, Italians, and Greeks from Egypt. Today, almost 60 000 people of Armenian descent call Australia home. This is a shining example of the role that both individual Australians and the Commonwealth can play in responding to humanitarian disasters.

This story has been repeated in the way Australia has responded to humanitarian disasters throughout the twentieth century and indeed today. This includes being an original signatory to the Universal Declaration of Human Rights in 1948, accepting over 170 000 displaced

people following World War II, joining the UN refugee protection system in 1950, ratifying the protocol to the Refugee Convention in 1973, and accepting an additional 12 000 refugees escaping conflict in Syria and Iraq, and the recent support provided by Australia to those who have fled Afghanistan, or have faced war in Ukraine.

The United Nations Universal Declaration of Human Rights declares:

Everyone has a right to life, liberty, and security of person. No-one should be subjected to torture or to cruel, inhumane, or degrading treatment or punishment, and no-one shall be subject to arbitrary arrest, detention, or exile. It is the core duty of government to protect its citizens. No individual should fear harm from their government on the basis of their culture, religion, gender, or political views.

When crimes against humanity occur, such as those in Armenia, it represents a failure of the international community to protect human rights. It is crucial to remember and acknowledge such atrocities if we are to learn from them and prevent them in the future. This must happen from the international community and the regimes responsible for the acts.

By acknowledging and truthfully remembering events like this, critical international change can occur, such as the establishment of the United Nations and the Declaration of Human Rights following the Holocaust in World War II.

Events of this nature remind us of how lucky we are to live in Australia, one of the most prosperous nations on Earth, rich in its multicultural diversity, and harmony. Our beautiful state, Tasmania, is a diverse, multicultural community, which has welcomed people from around the world, who have come to our wonderful state of Tasmania, to enjoy the freedom, the prosperity, and rich natural environment that is not always available to those in other lands around the globe. As always, we stand ready to welcome refugees who are escaping human rights abuses.

Today the House comes together as one in recognising such tragedy and such appalling and inhumane treatment of fellow human beings. We must always continue to fight against injustice but, most importantly, also recognise that when injustice occurs we call it out and acknowledge it.

This is an historic day for the Tasmanian parliament and I want to thank all of those from all communities of the Armenian, Assyrian and Greek populations, represented here today in person. We stand with you all as one.

[2.41 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I rise in support of the motion before the parliament. Tasmanian Labor joins with members of the Tasmanian Armenian, Assyrian and Greek communities in honouring the approximately 1.5 million Armenian men, women and children and more than 1 million Assyrians and Greeks who fell victim to the first genocide of the twentieth century.

I also would like to recognise the efforts of the member for Bass, Mrs Lara Alexander, who has been instrumental in working to make sure the parliament can have this debate. Thank you for your persistence. It is important that we take moments like these to reflect on our world

history and our shared humanity. I also join with the Premier in welcoming our guests here to the parliament today for this really important and significant occasion.

A century ago and halfway across the world, there was a terrible atrocity committed against the Hellenic, Armenian and Assyrian people and other minority Christian groups by the Ottoman government. The genocide that occurred then may seem like a distant memory for many across our Tasmanian community. Sadly, the world has seen an untold number of tragedies and atrocities since that time, including two world wars, numerous other global conflicts and an increasing number of natural disasters around the world.

Both the passage of time and the passing of people who lived through such dark times inevitably diminishes the immediate memory of these events, but they must never diminish the horror or historical significance of these events. We must strive to keep them in our minds and to learn from them as we go forward to help stamp out such crimes against humanity and to stop them from happening again.

The systematic deportation and massacre of Greeks, Armenians and Assyrians by the Ottoman government began in 1915 after the Ottoman Empire joined the First World War and continued until 1923. Around 1.5 million Armenian men, women and children and more than 1 million Assyrians and Greeks lost their lives in this, the first genocide of the twentieth century. The displacement, starvation, persecution and outright murder of these and other minority Christian groups caused enormous suffering and devastation, wiped out families, fractured others and left Armenians, Assyrians and Greeks scattered all over the world as they fled the conflict and fought to survive. To this day it remains unrecognised, in fact, it is actively denied by the Turkish government despite having been well documented and affirmed by legal scholars, historians and those who have lived and their ancestors.

As we know, for us to learn from our past we need to first recognise that past. As the ultimate act of racial, religious and cultural intolerance, the condemnation of genocide has never been more important. This is borne out by the frightening rise of intolerance today throughout the world, despite the lessons history has taught us. We must keep calling it out and fighting against it because we know from history that genocide does not come out of nowhere. It starts as intolerance and if intolerance is allowed to flourish and strengthen into hate, it is a short step to becoming something much worse.

We have tens of thousands of Armenians, Assyrians and Greeks in Australia. Many of them would be descended from people affected by these atrocities halfway across the world a century ago. I recognise and honour the extraordinary humanitarian efforts of the then newly formed Commonwealth of Australia, including Tasmania, for welcoming the orphans and other survivors of the genocide, who set a proud tradition of international humanitarian efforts by our state. In the century since, we have seen this welcoming spirit on many occasions, be it for post-World War II refugees or people fleeing unrest across the world, from Kosovo to Africa.

I would like to speak to the descendants of those who migrated here seeking a more peaceful and inclusive place to call home after they were driven from theirs. You are valued members of our community. We are proud of the contributions that you make to our multicultural society, to our community and in our lives. We recognise the pain from your past and condemn the genocide of your ancestors. We recognise the importance of remembering and learning from this and other dark chapters in our global history and to ensure that such humanitarian atrocities are not repeated.

We also acknowledge the 34 United Nations member states that have recognised the genocide of Armenian, Assyrian and Greek communities, and we condemn and oppose all attempts to deny or distort the historical truth of this and other acts of genocide committed in the twentieth century.

We mourn with Armenian-Australian, Assyrian-Australian and Greek-Australian people for the genocide suffered by their ancestors. We recognise the suffering and the destruction of their people a century ago and the unquestionable impact on generations of survivors and their descendants of the atrocities committed against them. Importantly, we remember them. We remember their place in history and we recognise the lessons we need to go on learning from the atrocities committed against them.

I commend this motion to the House.

[2.47 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I rise on behalf of the Tasmanian Greens to support this motion to recognise the Armenian, Assyrian and Greek genocides of 1915 to 1923, and to acknowledge that they were perpetrated on innocent people by the Ottoman Empire.

The United Nations Convention on the Prevention of Punishment of the Crime of Genocide defines genocide in Article 2 in 1948 as a crime committed with the intent to destroy a national, ethnic, racial or religious group in whole or in part. That is what the Armenian, Assyrian and Greek people of the former Ottoman Empire endured and suffered. I acknowledge that the suffering has been with your communities for generations and I grieve with you.

When we remember history, it is important that we hear the firsthand stories of survivors. The Genocide Education Project has numerous devastating stories, firsthand accounts of people who survived the attempted genocide. This is Bedros Bahadourian:

When the massacres began, I was 12 years old. I remember they first took all the men of our village and killed them. The rest of us were deported. I don't know how many hundreds we were. Everyone according to his ability rented a donkey or a horse and we left.

We went from Albistan to Zeitun to Marash to Aintab. We camped on a farm behind Aintab College, near some newly dug foundations for houses. They were simply large holes in the ground. You understand? An epidemic had broken out in our caravan and people were dying all around us. They started filling those foundations with dead bodies. Two, three, four, five bodies on top of each other.

From Aintab orders came that everyone over the age of 12 was to be sent to Deir-El-Zor. A friend of mine and I escaped, but we were caught later and this time they sent us to Bizib and towards Biredjig. Biredjig is on the shores of the Euphrates River. You understand? It is on the other side of the river. We stayed in an inn on this side. Caravans would come through there and be sent off towards the desert, hundreds and hundreds of Armenians. We used to see dead, bloated bodies floating in the river.

From Arpiar Massikian, Kessab:

In 1909, during the Adana massacres, Turkish soldiers attacked Kessab. I was merely a boy then. They were 20 000 strong with Mausers and other artillery. The men of our town fought back, my father among them, with ancient hunting rifles. We lost 50 to 60 men before we fled. We returned five to six days later to find all our houses burnt to the ground. It took us months to rebuild.

They took us to Meskeneh on the Euphrates River. Meskeneh was a huge outdoor camp where tens of thousands of Armenians had been deported. Bit by bit they were sent to Der-Zor, to their death. We were there for a while. We lived under tents along with a lot of others from Kessab. Most of the time we had nothing to eat. Sometimes my father would buy bread from the soldiers but they had mixed sand with the flour, so we ate this hard bread and sand crunched under our teeth.

Meskeneh was a horrible, horrible place; 60 000 Armenians had been buried under the sand there. When a sandstorm hit, it would blow away a lot of the sand and uncover those remains. Bones, bones, bones were everywhere then. Wherever you looked, wherever you walked.

And a story of a young girl from Edward Bedikian, Sepasdia:

There was a girl, a girl who I had befriended on the road earlier. Her name was Satenig. I remember her very well. She was not too strong. I saw her again in the basement, in the basement of the school where they had thrown us. She was there. She had a little bit of money and she gave it to me. 'Don't let them take me,' she said. 'Don't let them take me.' They would come around every day and take whoever was dead or very weak. She was not in good shape, she was very weak. I stood her up and leaned on her. I held her up so. They came. I was holding her up, leaning her up against the wall but they saw her and took her. They took her.

Devastating account after devastating account from survivors of the Armenian, Assyrian and Greek genocides of 1915 to 1923.

The Greens have a proud history of supporting the historical truth of the Armenian genocide, and have long advocated for parliaments across Australia, including our federal parliament, and the Turkish Government to recognise one of the first genocides of the twentieth century being the Armenian, Assyrian and Greek genocides. Our legacy in support of the recognition of the Armenian, Assyrian and Greek genocides is long. On the 102nd anniversary of the Armenian genocide, former Greens spokesperson for foreign affairs Scott Ludlam said:

When the term 'genocide' was first coined to describe atrocities on such scale, the deaths of Armenians at the hands of the Ottoman Empire were cited as a defining example. Yet to this day the Armenian genocide is not recognised by parliaments around the world. This is an injustice and a wrong that we must correct.

I note that New South Wales and South Australia are two states in Australia that have already recognised the Armenian, Assyrian and Greek genocides. I am hopeful, I am sure, that today this motion will pass and Tasmania will become the next state to do so.

In the United States of America, almost 50 states have recognised the Armenian, Assyrian and Greek genocides which led to the proclamation of US president Joe Biden to characterise the massacres as genocide. I am hopeful that the work of this parliament will also set a strong precedent for our federal parliament to follow suit.

I also want to strongly support this motion because it highlights the great and generous deeds of Australians at the time, particularly the proud people of our home state of Tasmania, who contributed significantly to the relief efforts for Armenians, Assyrians and Greeks. The Tasmanian people, once they heard what was happening, rallied behind the persecuted Christians, donating money, food and relief to help fund relief efforts for the Armenians, Assyrians and Greeks. This is a history we should be proud of, particularly because we have a strong, inclusive and vibrant Greek Tasmanian community, some of whom are direct descendants of this genocide. Fellow Tasmanians, we are so pleased you call this island home.

Recognition of genocides is also essential to ensure that the crimes of the past are never repeated. As we know, they have been repeated. Recently, the Rwandan community of Tasmania, at an event the Attorney-General and I were at, commemorated the Rwandan genocide - their word to remember is *kwibuka* - and that was the murder of between 800 000 and 1 million people in Rwanda while the world turned its cheek.

Today, we are witnessing unspeakable atrocities across the globe against so many innocent people. We continue to witness attempted genocide of the Tibetans, the Uighurs, the Palestinians and the Rohingya people of Burma. We should also count the women and girls of Iran, transgender people who are increasingly being targeted by the forces of the hard right, just to name a few, which all stem from our failure as human beings and as a society to stamp out hate crimes against humanity.

Even today, 108 years after the Armenian genocide, the Armenian people continue to face an existential crisis. The same ideological forces that tried to eradicate them have resurfaced. The International Association of Genocide Scholars has alerted that the Armenian people are at risk once again. I refer to the Armenians of Nagorno-Karabakh, also known as Artsakh, and an attempt by Azerbaijan to remove them from their indigenous and ancestral homelands. Azerbaijan, backed by Turkey, has subjected these people to immense hardship. In 2020, Azerbaijan launched an unprecedented and unprovoked military attack against the indigenous Armenians of Artsakh, resulting in the death of 5000 innocent Armenians and the occupation of more than three-quarters of their self-determined homeland. Today as I speak, that aggression continues. Right now, Azerbaijan has placed the entire 120 000 people under siege.

This genocide motion before our parliament today is not simply recognising the crimes of the past but it is a way to support all people worldwide currently suffering from terrible injustice and persecution, including the people of Artsakh.

I join Australian Greens spokesperson for foreign affairs, Senator Jordon Steele-John, and Senator Janet Rice, who rose in the federal parliament and demanded that Azerbaijan open

the Lachin corridor. We must always stand up against the persecution of innocent people. We stand up against the persecution of Armenian people 108 years ago and to this day.

I thank my colleague, the member for Bass, Lara Alexander, for working with the Armenian, Greek and Assyrian communities to bring us together here today. These debates we have are the most profound. There is no argument here in this place at this moment. We are all here together as human beings who are determined to see justice, kindness and fairness in the world. I welcome and thank the people who have come here from other parts of the island and from interstate to share with us and be with us at this historic moment.

In closing, I reaffirm the Greens' strong support for this motion. If we do not learn from history, we are, of course, doomed to repeat it and great suffering ensues. I look forward to the day when the Armenian, Greek and Assyrian members of our community can be welcomed to Parliament House in Canberra for the federal parliament's formal acknowledgement of the profound tragedy of the Armenian genocide and for it to resolve collectively to do all that is humanly possible to ensure that the crimes of the past are not repeated.

[3.00 p.m.]

Mrs ALEXANDER (Bass) - Mr Speaker and members of parliament, it is with a great sense of honour that I rise today to commemorate and reflect on the Armenian, Assyrian and Greek genocide. I also express a warm welcome to our distinguished guests acknowledging the importance of this day for the members of the Australian Armenian Association and Tasmanian Greek community.

This was a tragedy that occurred over a century ago but one that still weighs heavy on the hearts of many Armenians, Assyrians and Greeks around the world. Between 1915 and 1923 approximately 1.5 million Armenians, 750 000 Syrians and 1 million Greeks were killed by Ottoman Turks and Kurds in a genocide that aimed at and nearly succeeded in destroying the Christian communities in the Ottoman Empire. I will quote:

We have made a clean sweep of the Armenians and Assyrians of the Azerbaijan.

Those were the words of the governor of Van Province in the Ottoman Empire, who, on 24 April 1915, led 20 000 Turkish soldiers and 10 000 Kurdish fighters in the opening act of the genocide of Assyrians, Armenians and Greeks. This was the first genocide of the twentieth century when almost an entire nation, the Armenian nation, was destroyed.

However, amid the darkness of this tragedy there is also a glimmer of light. A ray of hope shines through the stories of the many Armenians, Assyrians and Greeks who have found a new home and a new beginning in Australia and Tasmania. From the depths of their suffering Armenians, Assyrians and Greeks have shown remarkable resilience, strength and courage by rebuilding their lives, creating a future, and sharing their rich culture and traditions with the people of Tasmania.

First, I would like to remind the House of the horror of the Armenians, Assyrians and Greeks genocide and how a small group of Tasmanians worked to bring love, security and hope to the children who were the innocent victims of the conflict.

The Armenian, Assyrian and Greek genocide began on 24 April 1915 when the Ottoman government arrested and executed over 200 Armenian intellectuals and community leaders in Istanbul. This was followed by the deportation and massacre of Armenians, Assyrians and Greeks throughout the Ottoman Empire. The Armenian, Assyrian and Greek genocide was carried out by the Ottoman government and its military forces, as well as local militias and vigilante groups. Many Armenians, Assyrians and Greeks were forced to leave their homes and travel on foot for miles to reach concentration camps, or to be killed along the way. The journey was long and arduous, with many dying from hunger, thirst and disease. Women and children were often subjected to sexual violence and forced into slavery. The lucky ones were simply deported, never to see their homeland again, marched into the Syrian Desert.

The Ottoman government justified the genocide by claiming that the Armenians, Assyrians and Greeks were supporting the Russian Army which was fighting against the Ottoman Empire during World War I. However, historians and international organisations have recognised the genocide as a deliberate and planned effort to eradicate the Armenians, Assyrians and Greeks populations in those territories.

Despite the scale and brutality of the genocide it was largely ignored by the international community at that time. However, there were some individuals and organisations who spoke out against it and provided aid to the Armenians, Assyrians and Greeks, such as the Near East Relief Organisation and the Tasmanian community. In recent years many countries and international organisations have recognised the Armenian, Assyrian and Greek genocide as a genocide, including the European Parliament, the United States, Italy, France, Germany, Canada and many other countries around the world.

The legacy of the Armenian, Assyrian and Greek genocide, is still felt today, as many Armenians, Assyrians and Greeks around the world continue to seek recognition and justice for the atrocities committed against their ancestors. It has also influenced international law in the way that genocide and crimes against humanity are defined and prosecuted.

I would like to talk about our island state and the significant role it played at that time. There is a great sense of pride in Tasmania and its people. In 1920 a group of Tasmanians formed a relief fund committee to raise money for the Armenians, Assyrians and Greeks affected by the genocide. The committee included prominent members of the community such as the Archbishop of Hobart and the Chief Justice of Tasmania. They organised fundraising events such as concerts and fairs, and solicited donations from individuals and organisations throughout Tasmania. They raised £600 which is approximately \$13 500 in today's value. The funds raised were sent to the Near East Relief Organisation which provided humanitarian aid to the Armenians, Assyrians and Greeks.

Tasmania's efforts to raise funds and establish an orphanage for surviving children are a testament to the power of community solidarity and compassion. It serves as a reminder that even small acts of kindness and generosity can make a significant difference in the lives of those affected by conflict and displacement.

The Tasmanian community efforts did not stop there. In 1922 the relief fund committee established an orphanage in Nish near Yerevan to provide shelter, food and education for Armenian children who had lost their parents in the genocide. The orphanage was named the Tasmania Orphanage in honour of the Tasmanian community support. The orphanage

continued to operate until the Soviet takeover of Armenia in 1923. It is estimated that over 500 children were provided with assistance during this operation.

The Tasmanian community's efforts to support the Armenians, Assyrians and Greeks were not unique as many communities throughout the world responded to the humanitarian crisis resulting from the Armenian, Assyrian and Greek genocide. However, Tasmania's contribution is significant because it demonstrates how a small community in a remote corner of the world was moved by the suffering of a people halfway around the globe and took action to provide support.

On 24 November 1922, the Congregational Union of Tasmania, made up of official church leaders, wrote to the Prime Minister demanding action in support of the Armenians, Assyrians and Greeks facing significant persecution. Leila Priest, a nurse from Tasmania, was sent to Alexandropol, Armenia, in 1919 where she provided relief to over 20 000 orphans who were being cared for by the Near East Relief Association. Nurse Leila Priest received part of her training at the Launceston General Hospital.

In recent years, there has been renewed interest in the Tasmanian community support for the Armenians, Assyrians and Greeks. In 2015, the Armenian National Committee of Australia unveiled a plaque in Hobart to commemorate the Tasmanian community's effort in raising funds in establishing the orphanage. The plaque reads:

This plaque is dedicated to the people of Tasmania who in 1922 established an orphanage in Armenia for the victims of the Armenian, Assyrian and Greek genocide.

Armenian, Assyrian and Greek Tasmanians have made a significant cultural contribution to our state. In addition to their cultural contributions they have also been active in community and humanitarian organisations.

As Tasmanians, we have opened our hearts and our homes to the Armenian, Assyrian and Greek communities, welcoming them with open arms and giving them the opportunity to share their culture, traditions and stoic strength with us. In doing so, we have not only enriched our own lives but have also contributed to the rich tapestry of our state's multicultural identity, but as we reflect on the past and honour the memory of those who suffered and died during the genocide, we must also recognise the ongoing impact of this tragedy on their people and their descendants.

The wounds of this dark chapter in history are still very raw and painful. It is our responsibility as a global community to acknowledge and address the longstanding repercussions of this genocide. We must work together to promote peace, justice and human rights for all, and to ensure that such atrocities are never repeated. We must stand in solidarity with the Armenian, Assyrian and Greek people and all those who have suffered from past wrongs and work towards healing and reconciliation.

In conclusion, the Armenian, Assyrian and Greek genocide was an horrific event in the world history that resulted in the death of approximately 1.5 million Armenians, 750 000 Assyrians and almost 1 million Greeks and the displacement of many more.

Today, the legacy of this genocide continues to be felt. As they seek recognition of the atrocities committed against their ancestors, many of us have the opportunity to visit and pay our respects at the graves of family members, to lay flowers and reflect at that site. We have a grave to go to. However, for many descendants of the orphans there is no such place for reflection. This is very important because many of us take for granted that we can put a flower somewhere and reflect at the tomb of a dear loved one. For many descendants of those orphans there is no such place. They cannot do that.

I take this opportunity to honour the memory of those who suffered and died during the Armenian, Assyrian and Greek genocide, and to pray for a brighter future where all people can live in peace, freedom and dignity, regardless of their race, religion, sexual preferences of any way, shape, or form. Everyone has to be free to live a peaceful life.

May we never forget and may we always be grateful for the light of goodness that never fails to shine, no matter how dark the circumstances surrounding it.

I take this opportunity to thank the Premier for enabling this motion to be brought before the House, and warmly thank the Leader of the Opposition, the Honourable Rebecca White, and the Leader of the Greens, the Honourable Cassy O'Connor, for supporting this motion and for being here today, and the entire House for supporting the passing of this motion. Thank you.

Members - Hear, hear.

[3.12 p.m.]

Dr BROAD (Braddon) - Mr Speaker, I rise to speak on this motion and thank the member for Bass, Lara Alexander, for bringing it forward. It is very important, not just for the members who are assembled here today, but also for the Greek, Assyrian and Armenian communities that now reside in Tasmania. It is important that we remember history because, as has been said before, if we do not remember history, we will repeat it.

When we look at a map of Europe we see it as it is now, but it has not been like that for very long in reality. There has been a horrible history of dispossession and genocide, like we have seen during the collapse of what was the Ottoman Empire. Armenians had been in an area called Anatolia since the sixth century BCE at least. They have been there a very long time. The Greeks had probably been there longer in trading communities, especially along the coastline of the Mediterranean, as had the Assyrians who also had a presence. This whole area was multi-ethnic and had been for a long time. In fact, it had a long history of invasion, of empires rising and empires collapsing.

It was the collapse of this last empire, the Ottoman Empire, which saw one of history's great outrages. It was during the collapse of the Ottoman Empire that a bunch of people who could be best described as ideologues came upon the idea of creating a Turkic-speaking nation. The Turkic-speaking people had arrived in the area of Anatolia, or now Türkiye, about the eleventh century, migrating from the steppes of Eurasia. There were huge upheavals in Europe at the time. They came from the steppes of Eurasia, stretching as far as Mongolia, and colonised and invaded and took over parts of what we now call Türkiye. They were relatively recent compared to the long history of the Armenians and Greeks especially, and Assyrians.

It was these young ideologues who came upon the idea and during this collapse they saw an opportunity to create something new: an ethnically pure, ethnically consistent territory. The only way they thought about creating that territory was to purge all the minorities who could threaten the formation of an ethnically-based Turkish nation, and that is what we saw. This was the Young Turk revolution.

The outcome of that was horrific. It is a genocide that we should all remember. There was outrage after outrage. There were forced marches where people were marched to their deaths along the march, but also marched out into the desert to starve and die of thirst. There were trenches dug and people murdered on the spot. There were rapes, dispossessions, forced conversions to Islam, and there were also children sold into virtual slavery. This is the history we must remember. It was people who did this, no doubt ordinary people, not just ideologues, but we have to remember how a country or a group of people can get to a point where they would do something like this.

The Armenians, Greeks and Assyrians at times fought back. They formed groups and tried to protect their communities but, in effect, this only led to further outrages. It created the pretext for further outrages, all based on a world that was rapidly changing, but there is no excuse for what happened.

Not everyone responsible for this was brought to justice, either. Basically, after the end of World War I and the Ottoman Empire finally fading into history, there were groups who were prosecuted for war crimes and some of them were actually given asylum in countries like Germany. Some were brought to justice but many were not. Some were assassinated by Armenians who found them, and we see history repeating itself only 50 or so years later.

It is alleged that it was Hitler who said, 'Who remembers the Armenians?' when he was formulating the genocide. That was his excuse. It was a genocide that the world did not recognise.

Today the Parliament of Tasmania remembers the Armenians, as we remember the Greeks and the Assyrians who were subjected to such a horrific genocide. If we do not remember things like this we are doomed to repeat them.

I thank the member for Bass, Lara Alexander, for bringing forward this motion. I thank the members of the communities who are here today and add my few words to this motion.

[3.18 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I also recognise and support this motion. It is something that my whole life I have wondered why Australia has not done this before. It is long past time to recognise the millions of people who were murdered in a program of ethnic and religious erasure. It was a program that was systematically carried out in an organised fashion across eight years. It started and continued with the deliberate intent to eliminate all Armenian people and it was described to be a final solution.

It is important to understand that this was a systematic and organised process. I will not describe the details that other people have talked about, but it is worth reading into the record what was done and what was done in advance by members of the Ottoman Turks, the Ittihad Central Committee that was in charge at the time in 1915.

On 2 February, a member of the committee advised the German ambassador that the war is the only propitious moment to conclude the Armenian question. That was at the time where there was a slow and continuous build-up of murders, rapes, public hangings, and the incarceration of intellectuals, particularly of Armenian leaders. Massacres, stealing and looting of property were commonplace throughout this early period.

It was in April 1915 that the famous monastery of Zeitun was burnt by the Turks. It was one of many attacks and attempts to obliterate Orthodox Christian culture and community, and to purposely try to affect the spirit of the Armenian people. It did not work but it was extensively carried out.

It was by May 1915 that the *New York Times* reported that the Young Turks had adopted a policy to annihilate the Armenians. In June that year, another member of the Ittihad Central Committee, Enver, issued an announcement that they would give the Armenians a new and final residence. It was in June that they dispatched directions concerning forced deportations, where Armenians were deported to the Syrian desert and, in mass numbers, left there to starve without water. This was such a regular number of deportations that they had to advise the precautions of separating the convoys of Armenian deportees by a distance of five hours. We can only imagine how many people. These were massacres of Armenian Christians, Maronites, Nestorians, Europeans, Catholics and other non-Muslim people that occurred throughout that time.

It was Ambassador Henry Morgenthau who reported in August that the committee had told him that they had carefully considered in all its details the matter of crushing the Armenians, and that the policy being pursued was that which had been officially adopted. Morgenthau was also told that deportations were not the result of hasty decisions but of careful and prolonged deliberations, and that three-quarters of the Armenians had already been disposed of. This was a systematic plan to annihilate the Armenian population and it nearly worked. But it did not.

It is incredibly important, as others have said, to recognise the lessons of history and to understand that our silence is effectively a denial of the reality of what happened. It diminishes responsibility. It also does not recognise the harm and suffering that has occurred for the children, the grandchildren, and the survivors of people who were murdered throughout that period, who have had to live with the silence where this genocide has not been internationally recognised.

It is important for all of us to commit to correct the historical record if it is ever incorrect, to learn the lessons of history, and to always stand and call out fascism, authoritarianism and hate crimes in all their forms. The silence of the Armenian genocide was used, as Dr Broad said.

I will read out the detail that is in the Armenian National Institute. If anyone wants to understand the reality of what happened, they just need to look at the Armenian National Institute, which is in the United States. It has developed a chronology of what is known with the day-by-day evidence and reports of atrocities and horrific acts that occurred. As of August 2022, the last part of the chronology collected was from 1939. It was from Adolf Hitler, who was addressing his military commanders a week before the invasion of Poland and the start of World War II. Hitler spoke then of his orders to kill without mercy or pity all men, women

and children of Polish race or language. He concluded his remarks by saying: 'Who still talks nowadays of the extermination of the Armenians?'

I want to respect and thank very much the people who have travelled here. It is important to be able to speak publicly and have it on the record of the Tasmanian parliament, recognition of the pain and suffering that has occurred for people in the absence of this public recognition. It does not remove that pain and suffering but it is an essential part of the process of healing, along with our commitment to always collectively stand against all forms of hate.

Members - Hear, hear.

Motion agreed to *nemine contradicente*.

RECOGNITION OF VISITOR

Mr SPEAKER - Honourable members, I see Eric Abetz here in the Chamber. I welcome and acknowledge Eric Abetz, and everyone who has joined us.

Members - Hear, hear.

LOCAL GOVERNMENT AMENDMENT (CODE OF CONDUCT) BILL 2022 (No. 52)

Second Reading

Resumed from page 46.

[3.27 p.m.]

Mr STREET (Franklin - Minister for Local Government) - Mr Speaker, there were 28 submissions received through that process and I thank each of the respondents for their feedback. Following the public consultation, the Government released its response, which committed to reform across six key areas:

- (1) improving consistency and clarity across councils.
- (2) using dispute resolution processes for less serious matters.
- (3) focusing initial assessment on more serious allegations.
- (4) increasing confidence in the assessment and investigation process.
- (5) stronger monitoring of compliance with sanctions.
- (6) positioning the framework for the future.

As I indicated earlier, this bill progresses reforms across several of those key areas committed to by the Government. A draft bill was released for public consultation in August 2022 and 10 submissions were received. The Government has considered this

feedback and incorporated suggested changes into the bill where appropriate. I take this opportunity to thank everyone who contributed to the consultation process.

The bill has several key amendments. First, the bill removes the requirement for councils to individually adopt and regularly review the code of conduct. This means that the code of conduct issued by the minister automatically applies to all Tasmanian councils without any variation at the local council level. The Government is introducing this measure to ensure a consistent, effective and efficient process for addressing councillor misconduct. The current model code of conduct will be reviewed following the amendment of the act.

When the framework was introduced in 2016, it was designed as a measure of last resort and there was an expectation at the time that councils would develop dispute resolution policies to support the informal resolution of disputes between councillors. The bill will make it compulsory for all councils to adopt within 12 months of the enactment of the amendments a dispute resolution policy that establishes a dispute resolution process within each council. A council's dispute resolution policy must comply with the prescribed minimum requirements which will be set out in the Local Government Act general regulations following the amendment of the act.

Satisfactory participation in a council's dispute resolution process is a prerequisite for lodging a code of conduct complaint under this bill. The complainant is required to provide relevant information about any attempts they have made to resolve their complaint through a council's established dispute resolution process. The Government acknowledges that an informal dispute resolution process may not be suitable for resolving all code of conduct complaints, thus this bill allows a complainant to lodge a code of conduct complaint without having to participate in a council's informal dispute resolution process provided the complainant can justify the unsuitability of that process in the circumstances.

The bill also changes the current initial assessment process for a code of conduct complaint. Currently the chairperson of the investigating panel conducts the initial assessment, which increases the risk of a conflict of interest. The bill sets out that the initial assessment of a complaint will be undertaken by a legal member of the code of conduct panel. This legal member will not be eligible to form part of any subsequent investigation panel that investigates that complaint.

This bill provides for two additional grounds for dismissing a complaint at the initial assessment. The first, which I mentioned earlier, is the use of a council's dispute resolution process. The initial assessor is empowered to dismiss a complaint if, in their view, that matter could have reasonably been dealt with through the council dispute resolution process and there has been no attempt or an insufficient attempt to resolve the matter through that process.

The second ground for dismissing a complaint at the initial assessment is a public interest test. The new public interest test enables the initial assessor to dismiss a complaint if they consider that it is not in the public interest to investigate. This bill contains several factors to be considered in applying the public interest test. The bill also stipulates strict time frames for processing code of conduct complaints. A general manager must process any code of conduct complaint within 14 days of receipt.

Another key component of this bill is improving confidentiality of the code of conduct process. This bill makes it an offence for any person to disclose any information, documents

or records provided by the executive officer or the investigating panel in relation to a complaint, unless it has already been publicly disclosed in the determination report. A council's general manager and mayor are, however, able to discuss a determination report with each other before it is released for the purpose of arranging for the report to be tabled at a council meeting.

This bill sets out the procedure for members of the code of conduct panel to disclose and manage any actual, potential, or perceived conflict of interest in a matter that is relevant to the investigation and determination of a code of conduct complaint. As a result, this bill removes the restriction on persons who have been councillors or employees of any council within the immediately preceding two years of a complaint from being on the code of conduct panel. Only current councillors and current employees of a council are restricted from being members of the code of conduct panel.

In terms of sanctions, this bill allows the investigating panel to recommend in the determination report that the Director of Local Government considers making a recommendation to the minister under the Local Government Act for the issuance of a performance improvement direction in respect of matters raised during the investigation of a complaint. To assist with the monitoring of compliance with sanctions, councils are required under this bill to notify the code of conduct executive officer, rather than the council's general manager, when they have complied with the sanctions.

In addition to the legislative changes proposed with the introduction of this bill, the Government is also committed to undertake further work to ensure the code of conduct framework in its entirety remains effective and is supported, respected and trusted by the community and local government sector alike. In the coming months the Government will review the local government general regulations and the model code of conduct to ensure that the intent of the bill's legislative changes is appropriately reflected and embedded in those supporting instruments. The review of the model code of conduct will also allow the Government to take into consideration the findings from a sector-led workplace cultural review of local government undertaken by the Local Government Association of Tasmania.

The Government provided funding support for this important work as part of its broader commitment to supporting a positive culture for all elected members and for local government workplaces. This work also encompasses the development of a statewide learning and development framework for councillors to ensure that appropriate support and information is available for elected representatives to understand their individual and collective responsibilities. This framework will include training on the code of conduct system which will be mandated once the learning and development framework has been fully implemented.

In keeping with the Government's commitment to increase sectoral and community confidence in code of conduct processes and positioning for the future, we are also conducting a feasibility study into transferring administrative responsibility for the framework, or certain elements of the framework, to the Tasmanian Civil and Administrative Tribunal. The study will consider legal representation appeal rights, the need for further sanctions and other relevant matters. A discussion paper has been released for public consultation. A discussion paper on options to better address instances of very serious councillor misconduct that may not fall within the parameters of the current code of conduct framework was released for public consultation earlier this year and the Government is currently considering the feedback received.

In what is a relatively new term of office for local government, the Government is confident that this suite of reforms will assist councillors in discharging their duties and will provide a supportive framework for their engagement with local communities going forward.

Mr Speaker, I commend the bill to the House.

[3.35 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I am pleased to finally speak on this bill. It has been a long time coming, minister. This dates back to 2016. I can remember those days because I was an elected member in local government at the time. I also recall that in 2017 and 2018 there were calls to strengthen the framework that was put in place because it simply was not working.

I think this legislation should have come to the parliament much sooner than it has. There really is a sense of urgency around this legislation. I say, from the outset, that we will be supporting it.

In saying that, it really does not go far enough. I do not think it addresses the concerns of the sector. I know that LGAT has said they are okay with what is being proposed before the parliament today, but I also know through the work that I do with those in local government across our communities that there are still some outstanding issues that need to be addressed when it comes to conduct across local government.

There are still significant concerns across the community about the barrier that presents to people wanting to put their hand up and be part of local government. Local government is such an important tier of government, particularly in Tasmania, where we have such a highly decentralised population, local representation is very important. The ability of local government within those areas to work with state governments around delivering services has not been fully explored by this Government and that is a missed opportunity.

I will talk a little about some of the more, I guess, high profile code of conduct issues that I believe have led to a lot of public commentary. I know that late last year the Waratah-Wynyard Council and community went through a terrible time. At the time, they asked for assistance from the Government around that, which really highlighted the lack of teeth in the code of conduct and the fact that a minister can dismiss an entire council but he cannot dismiss an elected representative.

I note in the second reading speech that the minister talks about some other work that is being done alongside this legislation. I ask that he updates the House on that work being done which goes to some of those additional concerns that have not been addressed in this legislation.

When it comes to local government, this Government, after nearly a decade in office, has not really achieved a lot. They have had many ministers over a long period of time who have tried to implement change but have not really succeeded. Probably the only change they have introduced is around compulsory voting. That is what you did, minister Street, when you first came to office, which we supported and in fact was a Labor Party policy. We think the more people we can get involved having their say in local government the better.

We have had minister after minister. We have had reform process after reform process. We have the unfinished review of the act that has been sitting idle now for years. That was

what Peter Gutwein attempted after his go at reform did not work. I can remember back to being involved in those days when Peter Gutwein was the original minister. One of the key things he said at the time was that he wanted any changes around the reform process to represent value for money for ratepayers. If you look at the current debate around local government reform, it is pretty clear that this minister has ruled out any rates decreases, or that playing any role in any decisions that this Government makes around local government reform. That is a really important point given the current cost-of-living crisis across Tasmania and the fact that Tasmanians are doing it pretty tough.

Consideration should be given to that. In fact it was a core principle of the reform that former premier Peter Gutwein was working alongside north-west councils at the time, way back between 2014 and 2015, a long time ago, almost a decade.

I have other points to raise about the legislation. First, there has been a lot of concern in the community and many questions asked about the introduction of working with vulnerable people checks across local government around eligibility to run as a candidate for local government. This was something that the sector came up with as a solution, as a way of, if you like, vetting candidates before they put their hand up to prevent further issues around conduct during their tenure as an elected representative. You provided some explanations around that but I would like you to put more comments on the record and the further work that you are doing around that issue.

The other thing that is introduced in this legislation is around the local dispute resolution policy. My concerns are that it is going to be difficult for that to happen at a local level. Some of the councils that made representations mentioned that. The whole point of something going through a code of conduct process is the point where they cannot resolve things locally. Sometimes when you have a lot of dissent across the culture of a council and elected representatives are not working cohesively together, it would be difficult to achieve a local dispute resolution process with a favourable outcome at council. We will be watching that with interest to see how successful that is.

That goes to the wider point around the culture across local government. We have called, for some time, for a review of the culture of local government. It was good to see that the Government finally agreed under minister Jaensch to provide some funding to LGAT to undertake a cultural review. It really is important. The community wants to see action around the code of conduct and the conduct of local councillors being much better. In many ways people are fed up with it and want people to just do their job for their local community. I believe those in local government want to see a resolution. They want to know that this Government has their back and has processes and policies in place to make local government a good place to work and a good place to be an elected representative.

To date, there has not been a big resolve from this Government to do that. The delay in this legislation coming to the parliament highlights that. I thought it would have been a far greater priority of the Government to bring this forward. This legislation was completed late last year and we thought it would come before the parliament and then it did not.

You outlined a number of works you have in progress but it would be good to get a time frame, acknowledging that this speech was written quite a while ago and some time has transpired since then around those key things.

Questions I have about the regulations - whether they will be tabled in parliament -

Mr Street - Through the subordinate legislation process.

Ms DOW - With the pro forma code of conduct that will be developed to be adopted by each of the councils by the minister, what sort of process is there around that? Will that be publicly available for comment?

Mr Street - I will get you an answer.

Ms DOW - Yes. The other thing LGAT raised was around the transfer of the code of conduct panel and process to TASCAT; if you could provide an update on that as they would like to see that sooner rather than later. I take it from your comments that the review of the culture of local government has been completed. If you could confirm that, or provide an update on that, that would be good.

When we talk about the working with vulnerable people certificate, I note the motion that was passed by the Legislative Council around that. Obviously they have brought that forward as an important issue across all levels of government.

The other thing that comes up time and time again about the code of conduct process is that it is being used for vexatious claims. I would like you to explain today how you think this deals with this. Our feedback does not indicate that it goes far enough. If you could outline that, it would be most appreciated.

The last thing I want to say is around the local government reform process and the importance of consultation with workers, with the local community, and for you to be really upfront and honest about what your plans are -

Mr Street - It is an independent process.

Ms DOW - With local government reform we have seen a number of iterations. There was a point in time where you wanted to bring together a parliamentary committee and that then dissolved.

Local government reform has been spoken about for a very long time. We do not support compulsory amalgamations. As a government, you need to make your position clearer. There has been no action around improving local government from your Government over many years now. With it being such an important level of government that provides such important services to our communities, it deserves to be worked closer with by your Government. I know that you have talked about partnerships, for example, on the west coast. It is not clear what and how you intend to roll those out but there are tremendous opportunities for state governments to work more closely with local government.

In concluding, we will wait to see how these small changes unfold and whether they do address the cultural issues across local government. We look forward to the update later today in your contribution, minister, about how those other actions that you are taking around the poor culture across local government advancing and what outcomes you have to update the House with.

[3.47 p.m.]

Dr WOODRUFF - Mr Speaker, I rise to give the Greens' comments about this Local Government Amendment (Code of Conduct) Bill. I agree with Ms Dow's comments about it taking a long time to come here. There are always a lot of things happening in the background but it really has taken a very long time for this legislation to get here. In that time we have had a new local government election, and new councillors on councils. It is unfortunate that this was not in train before. We have had nine months of people working under a manifestly inadequate system.

Mr Street - I will explain.

Dr WOODRUFF - Okay, thank you.

We all would agree that the capacity of people as an elected representative to undertake their democratic role is fundamentally hinged on their ability to be able to speak openly and with confidence in an environment where they will be listened to respectfully. In my experience as a past councillor, codes of conduct have often been taken specifically on the issues of bullying and intimidation.

I have known a number of women councillors who have been completely incapable of fulfilling their elected responsibilities by not being able to speak, and not being able to raise issues without being mocked and ridiculed. They have not been able to talk about things which are uncomfortable to other members because they pushed buttons. They pushed buttons about the role of women; they pushed buttons about being a Green in a pro-timber council. I can speak to someone on the Huonville Council in that role as a woman, as a Greens.

Mr Street - I saw it with both genders at Kingborough Council on other issues as well.

Dr WOODRUFF - Yes, absolutely. It is not just women. It is about a culture of respect and what you do when that breaks down, and the role of a panel to carefully balance the need to be able to protect an elected representative's right to be able to make contributions on behalf of their constituents as well as safeguarding natural justice and making sure there is an opportunity for both parties to speak without the misuse of the processes for vexatious litigation as a form of abuse and weaponising against vulnerable people or people who are being attacked. It is a very difficult balance.

There are a lot of opportunities for suspension before somebody is actually removed for what is obviously very severe behaviour. I would like to hear why we have landed at three suspensions. That is a lot and that is in one term, if I remember, so within a four-year period a councillor can be suspended three times. That means three times going through a dispute resolution process within the council, having some sort of mediation, then going on to a panel that would have been established, then the process of the panel's determination, then going back into council, doing the same thing or something similar, and going through the process again - so three times.

I do not know if it is possible to fulfil according to the time frames in the act but it is listed here as possible, and then what? Then there is the possibility that the panel can make recommendation to the minister and the minister can issue a performance improvement directive. At the same time, the Greens do not support local government members being sacked by ministers. We do not support reaching in -

Mr Street - Neither does the Local Government minister.

Dr WOODRUFF - That is great. We do not support having a different standard for members of state parliament as we do for elected representatives in local government. It is a very difficult road to walk and it is really about democracy and making sure that, at the end of the day, we do not have an opportunity for a state government, for whatever reason, to possibly end up in some way politically interfering with a council.

It is not just the prospect of a councillor who could be sacked, it is that the whole council can be sacked. Councils can be and have been dismissed. That is one issue. Today, in Tasmania, on many councils, there are people whose behaviour is abhorrent and their beliefs and what they are prosecuting is abhorrent to other people. The job we have here today is to make sure the process can include some sort of respectful rules of engagement to be enforced. If not, there has to be consequences and they have to be strong enough to have an effect to curtail that behaviour.

I have some specific questions. We may not need to go into Committee if you are able to answer them.

Mr Street - I actually need to.

Dr WOODRUFF - That is right, you have an amendment to move.

I will raise some of them now. Clause 6, section 28K amended, is about the code of conduct panel. It requires that for a person to be on the panel, they can have been a councillor within the preceding two years. At the moment the act reads that a person must not have been a councillor or employee within the immediately preceding two years. We are changing that to say 'current councillors or employees of any council'. That does not make any sense to me. There are so many obvious conflicts of interest with someone who has just stepped down from being a councillor. I do not understand why we would not keep that two-year rule. Surely we cannot have a problem with constituting a code of conduct panel in terms of the number of people available in Tasmania with good expertise? Maybe the minister could talk to that, but it seems as though we are opening up obvious and highly probable conflicts of interest.

Perhaps I have misread the amendment bill. I know we talk later about a conflict of interest and maybe a person can make a sort of request that the code of conduct panel not contain a particular person if they came from the council that the councillor is from. If there is an opportunity to strike out a member of the panel because they have been a recent employee or councillor, that would seem obvious.

Mr Street - At a specific council, you mean?

Dr WOODRUFF - At a specific council that they are from themselves. Clause 9, section 28OA inserted, is about disclosures of interest and subsection (1) reads:

If a member of the Code of Conduct Panel has an actual, potential or perceived conflict of interest in a matter, the member must notify the Executive Officer, as soon as practicable ...

Minister, can you talk to how you think a perceived conflict of interest will be defined? Will guidelines be developed about what a perceived conflict of interest could be? Who checks it? I suppose the person themselves has to declare it, but what happens if somebody does not make a declaration of interest? I do not see there are any penalties there for not declaring a conflict of interest, and whether the person who is making the complaint has an opportunity to point out and strike out a member of the panel if they have not declared a conflict of interest.

Clause 14, section 28V amended, is around the making of a code of conduct complaint against a councillor, and it amends section 28V to insert new paragraph (fc), which says:

if the complainant completed the council's dispute resolution process in respect of the complaint -

There has to be details of the attempts made to undertake the dispute resolution process within the council before it can go to a code of conduct panel and also why the complainant believes the dispute resolution process is not appropriate in regard to the complaint. It is obviously difficult, with many code of conduct complaints that I have been aware of for a dispute resolution process to take place.

Mr Street - You can apply to bypass the dispute resolution process.

Dr WOODRUFF - You can, can you?

Mr Street - Yes.

Dr WOODRUFF - Okay. All right.

Mr Street - If there is a complaint and you are of the opinion that the dispute resolution process will not do any good, you can apply directly to the code of conduct panel and give your reasons as to why you do not think the dispute resolution policy is appropriate for your particular complaint.

Dr WOODRUFF - Okay, yes, because it can be a further form of abuse to have to go through that process. As Ms Dow has pointed out, there are some concerns about small councils and the quality of the dispute resolution panel processes.

This is the draft prescribed information dispute resolution policy. Are they proposed guidelines for a dispute resolution policy?

Mr Street - I do not know.

Dr WOODRUFF - I do not know where I got them from. I might have had a conversation during the briefing.

Mr Street - At the briefing.

Dr WOODRUFF - From the briefing. Thank you.

This looks like a great start, but it also does not necessarily attend to the quality of the people who would be on a dispute resolution policy panel. Can you say whether there is any

guidance or directions in the amendment bill about the standing up of the panel and the type of people who are or are not allowed to be involved in that process? If the function of the dispute resolution panel is to curtail having to go another step to try to stem it, then it does rest on a certain level of quality and ability and training, and so on.

Section 28Y amended (Initial assessment of a complaint by general manager) would amend the act to require that a complaint be accepted within 14 days after being received by the general manager. I wholeheartedly support that. In my personal experience, general managers of a certain ilk have used the open-endedness to not make a response in a timely fashion, or to make it after a certain event has happened which would be more difficult for councillors. It is very important to have a time limit there.

Section 28ZE inserts a new subsection after subsection 3A which says:

All of the reasonable costs and expenses incurred, in respect of the investigation of a code of conduct complaint, by the investigating Panel for the complaint are payable by the relevant council in respect of the complaint.

Minister, can you please give us an idea of the scale of the sort of expenses? What costs might there plausibly be? There is 90 days of a code of conduct assessment time frame. There is also the initial assessment, which is done by an Australian lawyer. There are a number of people on the code of conduct panel. Is there a daily figure? Is there a one-off?

Mr Street - It is \$200 for the initial assessment, which is what we need to go into committee about. I will explain.

Dr WOODRUFF - That is right. As for the panel expenses, what are we talking about? Is it going to be prohibitive to go down this pathway?

Mr Street - I will get an indicative cost.

Dr WOODRUFF - Okay.

Mr SPEAKER - Can I ask whether we need to go into Committee? We are not in Committee. A series of questions can be asked of the minister and he can reply on the second reading while he is winding up.

Mr Street - I did not mean for Dr Woodruff to stop while I was getting that information, but that is fine.

Dr WOODRUFF - They are my main questions. I reiterate our support for the fact that this bill does not have an option for counsellors to be sacked. We made a submission at the start of this process in 2019 in the *Reforms Directions Paper: Phase two* and we were very clear that the current provisions in the act that allow for the dismissal of a council or councillor after a board of inquiry process are sufficient. We are concerned for the potential for politically motivated dismissals if they were to be of individual councillors. We welcome and support the Government's lack of interest in going down that pathway.

Mr Street - I will explain that as well.

Dr WOODRUFF - Thank you. If we are going into Committee, I will make comments on my other concerns then. I appreciate this finally coming to conclusion.

[4.06 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I could not help but make a contribution given a personal history with the code of conduct panel. The minister is aware of some of it, I am sure.

I will keep it brief. I do not want to go into it for too long. This has been a personal interest of mine since I was mayor of Kingborough. I note that we have a lot of outstanding former local government people both here in the Chamber, including minister Street, Dr Woodruff, and the former mayor of Burnie, Ms Dow, as well as the Speaker who was in the chair. I will not even continue. Mr Wood, of course, is in the Chair.

In my dealings with the code of conduct panel, I did not enjoy the experience one bit. It became a real point of contention for local government in 2020. In fact, the code of conduct was the subject of a no confidence motion at LGAT in December 2020 that I instigated and it was supported, in my recollection, unanimously or almost unanimously. There was such frustration at the sort of decisions that were happening at that time. We felt like we were powerless. We frequently felt like we were under often vexatious attacks on elected members.

Being a mayor is a full-time job. In small councils you do not get remunerated well but in the larger councils it is enough to make a living. For councillors who are receiving very small amounts of money, as it is not a full-time job, they have to deal with the stress of these often vexatious complaints.

We saw, not directly related in some cases, but, indirectly related, some resignations during the last period of local government that, I think, are to the regret of local government. People like Rachel Powell from the Derwent Valley had an awful time with social media and felt like she could not go on. I know Rachel a little. When she ended up going on ABC radio with Leon Compton, my recollection is that she broke down on air. It was a terrible example of where I felt like an elected member had been let down and was not supported enough.

Allie House at Waratah-Wynyard was an outstanding councillor and left well before her time, well before the next election. She felt that local government was not for her. We know it is hard to find good local government members. It is not well remunerated. You cop a lot of flak from your community. It is often stressful. You have to do it on top of your family and your life and your work. It is difficult. We have to make sure that we are supporting elected members as well as possible and that includes with the code of conduct.

In preparation for this I refreshed myself with a couple of them from 2020 that I wanted to make sure were mentioned in this debate. The first one did make the media but was not as well-discussed. That was Councillor Deborah De Williams. I have spoken to Councillor De Williams about this and she was appreciative at the time. I spoke to her at one of the forums at LGAT about the situation she had at Sorell Council where a member of the public - and I will not name the member of the public but it is publicly available - made a complaint that on 18 February 2020, Councillor De Williams had breached the Sorell Council code of conduct. She alleged, among other things, that Councillor De Williams had entered and after several seconds made a comment, 'I want to get out of here as quickly as possible -' away from a certain person. There was also an allegation that Councillor De Williams had turned her chair at an inopportune time, or at an incorrect time. I will read some of the determination:

The complainant further alleged that when she stood to address the council during public question time at the council meeting, Councillor De Williams immediately turned her back. The complainant found that an act of rudeness which caused her offence and embarrassment.

Councillor De Williams, in her responding statutory declaration, stated that the two occurrences - the turning her back and the 'want to get out of this place' comment, were misinterpreted by the person who was aggrieved. She said that she was mentally engaged and focused on council business and other personal matters at the time.

This complaint then was about a comment that the councillor wanted to get out of the room and that she had not had her chair appropriately turned to the complainant. Unfortunately, there was a sanction involved. The panel imposed a caution on Councillor De Williams and required that she write a personal apology to the complainant for any distress she may have felt as a result of the incident in the tearoom: 'An apology will be actioned within 30 days of the receipt of the report.' The determination was made on 24 June 2020 and the allegation was on 18 February, so it went on for three months. It involved statutory declarations, a hearing, the setting up of the panel and, of course, the bill all goes to the ratepayers of Sorell.

I do not know what the bill would have been. In my personal experience, in the one that I went through at Kingborough, it was about \$6000 for a completely vexatious complaint. It all goes back onto the poor old ratepayers who not only have their councillors - in this case a very good councillor in Councillor De Williams - put under such pressure, part-time, have a job, other things going on in their life and this became a big issue.

There was a more famous case, which was more solidly dealt with at the time, particularly in the media, which was the famous case of the Huon Valley mints. Mr Street could probably recall the mints. This was the case against Councillor Mike Wilson. I will read the allegation because there has always been some confusion about whether it was about the alleged lie about the mints, or about the mints:

The complaint alleged that Councillor Wilson, whilst appearing as a witness at the code of conduct hearing -

So, another code of conduct hearing -

on 15 August 2019 stated under oath that mints of some kind were always handed out at Huon Council ordinary meetings.

The entire code of conduct issue, which went from the date the complaint was made on 7 February 2020 until 8 June 2020, was about whether or not the councillor told the truth about whether mints were routinely handed out at a council meeting at another code of conduct hearing. That is absolutely ridiculous and it led, along with Councillor De Williams and, I am sure, other examples, to LGAT moving a no-confidence motion in the code of conduct process at a LGAT meeting. That was at the end of 2020.

As the Deputy Leader of the Opposition said today, this has taken a long, long time to get to this point. I know there have been some changes, particularly reading through and listening to the second reading speech. There have been some adjustments during that time but this should have come much earlier. I ask the minister why has it taken so long? I know you

have not been minister for all of that time, about a year. You were not the minister in 2020. The director of Local Government held some good forums, which I participated in at the time as a mayor, at the hockey centre, where we discussed a lot of the issues we had at that time. That was 2020 or 2021. It was a good discussion. We made our views clear about the sort of concerns we had. Some of them have been addressed here.

One of the concerns we had was that the same people assessing whether this should go to a panel were also adjudicating. There was a perception, not necessarily real, but a perceived conflict of interest.

Mr Street - I am interested in how you express this because I was not sure how I was going to express this when I got up there.

Mr WINTER - The concern from elected local government members at the time was if you are determining whether or not you will investigate, then surely you have a conflict of interest because if you investigate, you get paid for setting up a panel. That was the concern raised at those meetings. That has actually been addressed here, which I am pleased about.

Local government is really important. It is important to communities. It is important and difficult to find good people to be in local government. It is made difficult sometimes by appalling behaviour. It might have been Dr Woodruff or Ms Dow talking about some of the behaviours we have seen. My council, Kingborough Council, when I was there, there were some appalling behaviours, particularly by a certain councillor who I will not name because he has been named and shamed enough, in relation to both now Mayor Wriedt then councillor Wriedt. Also Deputy Mayor Westwood, who was subjected to some horrendous behaviour. So we do need a code of conduct to deal with behaviours from councillors when they do the wrong thing.

We also need to have a code of conduct that protects councillors from vexatious concerns about mints or whether you have faced your chair in the right direction at a Sorell Council meeting. There is a balance that has been very wrong here.

I also asked - perhaps I missed it and apologies if I have - in terms of the apology we have seen, particularly in the Kingborough example from the councillor refusing point blank to make the apology that was required and just not turn up to meetings because they did not want to apologise. Has that been dealt with? Are there any teeth now to force them and potentially stand them down?

I was interested in a question from Ms Dow with regard to moving the panel to TASCAT. I am interested in that question because TASCAT potentially may have some better resources and better ability to make decisions. The code of conduct panel members are part-time potentially in the roles, not full-time. The decision-making in some of these decisions, particularly the one in Sorell and in the case of the mints example, was not the right one and it did not stand up to public scrutiny.

I will mention my own case. I had just become mayor and I received a complaint from a gentleman. His major concern was that dogs were now allowed off lead at Taroona Beach. He was so aggrieved that he thought that the person who had pushed for it to happen on the council, which was me, that he would fire in a code of conduct complaint alleging that because I had met with the dogwalking association that I had a conflict of interest, which meant I could

not possibly decide on whether the dogs could be allowed on the beach. I read it and laughed a bit and showed my general manager. We shared a discussion about it and I assumed it would be dismissed but, no, they investigated this one. The allegation was made on 11 December, the panel met on 19 February and the determination was made on 1 May. It cost the ratepayers of Kingborough nearly \$7000 to determine that I had not breached the code of conduct, which I obviously had not. I could not believe that it went on.

I sincerely hope that in practice this can do what I know what local government members want to do, and that is find the right balance between ensuring that councillors who physically threaten other councillors are held to account and have to do what the panel determines, but also ensuring that we are not subjecting good local members to vexatious attacks from people within the community who are simply aggrieved for another reason.

I thank the minister for bringing this forward. It has taken an extraordinary amount of time to get to this point - three years from the mints incident - and I sincerely hope this works. Hopefully we will not see it in action very much but when we do see it in action I hope it works as intended.

[4.21 p.m.]

Mr STREET (Franklin - Minister for Local Government) - Mr Deputy Speaker, I thank members for their contributions. I will start by saying I think we are all in basic agreement of what we want to achieve here. We want people to be encouraged to stand for local government. We want multiple options on every ballot at every municipal election. We want people who are elected to feel supported but we also want them to be held to a certain standard and without fail, all three of us - and I will make the same point as well - are trying to thread a needle here that, yes, people have to be held responsible for their actions, but we also do not want to limit freedom of speech and the ability of elected members to prosecute their arguments as well.

One of the things I wrote down, Dr Woodruff, was that you said some people on local government have abhorrent views and they do, but the needle we are trying to thread is that everybody's level of what is abhorrent is different as well.

Dr Woodruff - Exactly.

Mr STREET - I want to go to your point about dismissal from office first because I think we need to have the ability to dismiss a councillor from office but I do not think it should rest with the Minister for Local Government.

Ms Dow - Just to clarify, I was not putting that point on the record. I was just saying that more out of desperation people wanted something to happen and there were no options available in that certain situation.

Mr STREET - Dr Woodruff made the point in her contribution that the Greens made a submission where they made it clear that they do not support dismissal from office. I believe we need to have the ability to dismiss councillors from office for the absolute worst examples of behaviour. What I do not believe is that it should rest with the Minister for Local Government. I do not think it should have anything to do with me, for the exact reason that you pointed out - we do not want cases of politicisation of these. When I have gone around councils and talked to individual councillors they have all expressed that they believe there

needs to be the ability to dismiss a councillor but some of them think that it should rest with me, and I have pushed back on that.

The example I have used - and I hope he does not mind - is that at West Tamar Council, Geoff Lyons is a member of that council. Geoff was a former federal member of parliament for the Labor Party. If he did something that was so wrong that it required dismissal from office and I did it, the headline in *The Examiner* and on the news was, 'State Liberal minister dismisses former federal Labor member'. We need to take the politics out of this. That is why we have talked about moving the code of conduct process to TASCAT to give it a more legal basis and to remove me from the most serious charges and to maintain legal independence.

The reason it is a staged approach is that we want to reduce the number of cases that get to the code of conduct process altogether through the dispute resolution process and we hope that that will be successful. It is still under investigation but my preference - and I am quite happy to say it - is to move the code of conduct process to TASCAT to get more of a legal basis around it because another one of the concerns that has been raised by councillors is the lack of legal representation they can have in this process as well, which they think puts them at a disadvantage. I agree with them because the act says there has to be a legal member on the code of conduct panel but the defendant cannot have legal representation in the room. They feel like it puts them at a disadvantage and they are right. So we get the process to TASCAT as well to get more legal process around it and then we strengthen the provisions at the back end of the code of conduct as well to give it the teeth that all of us have talked about when we have been on our feet today.

That is how I have tried to explain it to councils as I have moved around the state. I hope that you can understand that is why this is the first step to try to reduce the number of complaints.

The next step is to move it to TASCAT to give it the legal basis we want it to have and the judicial independence that we want the process to have. Then the last step is to strengthen the provisions at the back end of the code of conduct process to allow TASCAT to potentially dismiss somebody from office for most egregious behaviour.

Ms Dow mentioned the Waratah-Wynyard example, which is a perfect example of behaviour that warranted dismissal from office. Everybody knew that it warranted dismissal from office. I went to a meeting of Waratah-Wynyard Council to talk about the local government reform process in its initial stages. That particular councillor turned up and goaded me across the table, saying, 'You can sack the whole council if you want to get rid of me'. That was going to be his eventual revenge on the entire council. He was trying to get me to get into a position to sack the entire council because he felt that they had all turned against him as well and that was going to be his ultimate revenge. We definitely need the ability to dismiss from office, but certainly not from a political perspective sitting with me.

Dr Woodruff - Minister, do you have an idea of the time frame for when that stuff will be prepared?

Mr STREET - I do not. The process for community consultation has gone out and come back. In terms of formulating that, I think we would be looking to hopefully do that before the end of this parliamentary year, or early next parliamentary year. The cost benefit of moving it to TASCAT is taking some time. That is a conversation we will have as a government and will

bring back to the parliament. I am very firmly of the view that we need some judicial independence in this, particularly if we want to strengthen the sanctions at the back end, that we need to fix the middle as well. Ms Dow said that we need to do more. We do and that is the process I have just outlined.

The issue of rate decreases in local government reform, I have to say, I find a little bit confusing. If I stood up at a press conference and said that as part of the local government reform process we were going to automatically decrease rates, I would be accused of making a promise that I cannot possibly keep. That is why I said that it was not part of the thrust for local government reform. It is not that it will not happen. It is that I cannot promise that it will happen as part of the process.

You mentioned working with vulnerable people cards. The Department of Justice made it clear that they were not comfortable as the administrators of that process with it being used as a de facto bar for potential elected officials to jump over. I am still trying to work through in my head what the appropriate process would be. I am reticent to limit the scope of who can and cannot run, but I also understand that there is a base-level expectation as well. That is something I am still trying to work through in my own head.

In terms of the development of the legislation, I cannot speak to that; that was the development of the legislation. In terms of timing, we had this tabled last year. I was away ill and was not able to be here to debate the bill late last year. We then had it tabled for the second sitting week of the first session this year and I contracted COVID-19 and was away as well. I know it is only two weeks of illness, but because of the timing we are talking about from November 2022 until May 2023 to have the opportunity. That is not to excuse the development of the legislation, which we need to make sure that we do as efficiently as possible, but the sitting schedule is what it is, and that is why there has been the delay.

The three suspensions is something that needs to be looked at and will be looked at in terms of the sanctions at the back end. If we are looking at dismissal from office or any other particular sanctions, that will be looked at because I agree as well that if we bring in a sanction that allows us to dismiss from office for one incident of abhorrent behaviour, that will take of the three suspension rule, because obviously you are right, it is too high a bar to jump over and allows people to undertake the same bad behaviour over and over again before it is brought to a head.

I agree completely with the quality of the resolution policy and the process. We will work with councils to make sure that we get that right. Obviously it is in councils' best interest to have the best process available, because the more they can deal with as part of the resolution policy before it gets to the code of conduct process will be a cost saving for them as well. Certainly, in terms of what we want to see as part of that process, we will work with the council. When I say 'we', I mean the director of Local Government and the Office of Local Government will work with councils on what we think is best practice and the sort of people they need to have involved to make sure that that is effective.

In terms of costs, the average cost for a code of conduct complaint, across 143 complaints the director of Local Government had in front of him, was \$2600. Obviously, we are looking to try to reduce the number of complaints that get to that stage as well. It is not inexpensive but it is also not quite to the level Mr Winter was talking about in his time as Kingborough mayor of \$6500 to \$7000 for a single code of conduct complaint. That is not the average cost.

It is at the high end for a particularly vexatious claim, and vexatious claims can now be dealt with at the initial assessment stage and will cost \$200 for the council to assess. That assessment will be undertaken by a legal member of the code of conduct panel and by a member who, as Mr Winter also correctly said, cannot benefit from progressing it beyond the initial assessment stage by stringing it out for six to nine months in sitting fees and what have you.

Dr Woodruff - They cannot be on the code of conduct panel?

Mr STREET - They cannot be on the three-person panel. The person who does the initial assessment, if they decide that it needs to go to a code of conduct panel, is automatically refused from being on it.

In terms of the reduction from two years to only current council, that is to try to increase the pool of people who are available to put their hand up to be part of the code of conduct panel. We will also be educating anybody who is successful in reaching that panel stage about conflicts of interest to make sure that they dismiss themselves from being involved in the assessment or hearing of any complaint that involves the council they may have been a staff member or elected member of in that recent period.

Dr Woodruff - Like a two-year period?

Mr STREET - Exactly right. If you were a Clarence councillor within the last two years, you would obviously have a conflict of interest that would disallow you from being part of the code of conduct panel for a complaint that involves Clarence council. There is a reasonable turnover of elected officials in local government but not everybody who loses their seat then wants to put their hand up to use that experience on the code of conduct panel. It is simply trying to widen the pool of people available to put their hand up to be a member of the panel.

I think I have answered every question. In terms of going into Committee, that is to -

Ms Dow - One other question was around the culture review of local government and whether that had been completed or not.

Mr STREET - LGAT has completed that work. They have accepted all the recommendations from the review. They have started to step out an implementation plan as an organisation. I am meeting with LGAT at the Premier's local government meeting next week to talk about where they are at in terms of implementation and what Government involvement needs to be in that as well.

Ms Dow - The other question I had was around the template for the code of conduct. Will there be consultation on that or will it be drafted and local government have input, or will it be developed by your office then adopted?

Mr STREET - When we go to frame up the new model code of conduct that we expect all councils to adopt, there will be targeted consultation and there will also be wide public consultation which will be advertised for feedback to be received: but targeted consultation with the sector, particularly, about what we put in and what we have not.

Ms Dow - When would you envisage that being in place?

Mr STREET - Before the end of the year and closer to the middle of the year, although we are in May now so probably August or September at optimum and certainly before the end of the year at the outside.

With that, on going into Committee, there is a clause in there that we inserted that if we passed it, it would mean that the \$200 initial assessment fee would be payable by the Office of Local Government rather than the council affected. That was never the intention.

Ms Dow - They might prefer that.

Dr Woodruff - Maybe we should just leave that there.

Mr STREET - I am confident that we will win a division on that if we go into Committee, but we will go into Committee.

Dr Woodruff - Do you not think it is worth trying?

Mr STREET - You can make whatever comments you like when we go into Committee but, as I said at the start, we all want to get to the same point. We want to do it as quickly as possible. We want an efficient code of conduct system which holds people to account that does not restrict anybody's ability to serve local government. What we also want, even wider than that, is a local government sector that serves the community and that community members are encouraged to put their hand up for if they want to be a part of the sector. This is an important part of that work.

Bill read a second time.

LOCAL GOVERNMENT AMENDMENT (CODE OF CONDUCT) BILL 2022 (No. 52)

In Committee

Clauses 1 to 7 agreed to.

Clause 8 -

Section 28O amended (Payment of remuneration and allowances to members of Code of Conduct Panel and Executive Officer)

Mr STREET - As I said, Chair, the Government will be voting against clause 8 to delete it all together. Currently, section 28O of the principal act provides that the remuneration and allowances of the code of conduct panel are payable by the relevant council. Clause 8 of this bill amends section 28O of the principal act by providing that remuneration and allowances of only the investigating panel is payable by the relevant council. The unintended consequence of the amendment is that the \$200 cost of each initial assessment would now be payable by the Office of Local Government, rather than the relevant council.

With the House's agreement, if we just vote no on that clause, it will delete it altogether and will rectify that particular issue.

A member - Why was it included?

Mr STREET - There was a heap of changes within the act from code of conduct panel to investigating panel and there was confusion around that particular clause that ended up with that unintended consequence when the changes were made.

Clause 8 negatived.

Clause 9 to 13 agreed to.

Clause 14 -

Section 28V amended (Making code of conduct complaint against councillor)

Dr WOODRUFF - This is in relation to the dispute resolution process and it does, as you said, provide an opportunity for a code of conduct to proceed directly to a code of conduct panel if the dispute resolution process has been sincerely attempted and failed, or if the complainant believes that the process is not appropriate and they make a case regarding that.

Then we have these regulations that will be developed around the dispute resolution process guidelines. You did not quite attend to whether the draft regulations, or draft guideline dispute resolution policy that councils will need to adopt, has to consider whether it is suitable for resolving disputes, accessible to complainants, equitable for complainants and respondents, and transparent with regard to process and decision making. They are all excellent and I do not have anything to add to that list; except the construction of the dispute resolution process by council, and whether it is an external body? From my experience on Huon Valley Council, I know that the dispute resolution process was councillors who were not sympathetic to the complaints that were being made, it was kind of 'the buck stops there'. So, if it was going to be councillors making a decision about councillors, it is not going to go anywhere.

Mr STREET - As I tried to say in my summing up, it is in the councils' best interest for the dispute resolution process to work because it reduces the number of complaints that get to the code of conduct process and it will be a cost saving.

Having said that, one of the problems with the current code of conduct process is the variety of complaints that comes to it as well, and that we have a one-size-fits-all at the moment. I imagine that the ideal dispute resolution process within the council will be to sometimes call in an external facilitator to try to deal with it. When it is obvious that the situation you are talking about, if it is handled internally by council staff or councillors themselves. it is not going to lead to the resolution we are looking for and they need to bring in somebody externally.

We will work with the councils. LGAT is already working with councils now, knowing that this is in train, on what a dispute resolution process would look like, what the effective model would be. They are working through that with them as well - the fact that they are going to have to accept there will be times when they need to bring in the external facilitator for a resolution that is satisfactory to all parties, and not be seen as a prejudiced decision by the council.

Clause 14 agreed to.

Clauses 15 to 38 agreed to.

Title agreed to.

Bill to be reported with amendment.

**LOCAL GOVERNMENT AMENDMENT (CODE OF CONDUCT) BILL 2022
(No. 52)**

Third Reading

Mr STREET (Franklin - Minister for Local Government) - Mr Speaker, I move -

That so much of Standing Orders be suspended as would prevent the bill being read the third time forthwith.

Motion agreed to.

Bill read the third time.

CORRECTIONS AMENDMENT BILL 2022 (No. 51)

Second Reading

[4.45 p.m.]

Ms ARCHER (Clark - Minister for Corrections and Rehabilitation) - Mr Deputy Speaker, I move -

That the bill now be read the second time.

The Corrections Amendment Bill 2022 amends section 71 of the Corrections Act 1997. On 9 December 2020, the Supreme Court of Tasmania handed down the decision of Director of Corrective Services v Nguyen [2020] TASFC 11. In a majority decision, the court clarified the operation of section 71 of the act which concerns among other things, the calculation of sentences when an offender is subject to more than one non-parole period.

The Full Court's decision can be seen to confer an unintended benefit to a cohort of offenders. In the event that an offender is sentenced to a second sentence when still subject to a much earlier original sentence, the minimum non-parole period is calculated as commencing at the end of the non-parole period for the earliest sentence. In these circumstances, the second non-parole period may commence prior to when the second offence is committed.

Our Government does not consider it desirable for the law to operate in such a way that a non-parole period for a later sentence, such as for an offence committed while an offender is on parole, is effectively backdated, with it potentially commencing before the offence was even committed and continuing to be served during any time the person was in the community on parole in respect of the earlier sentence.

The Government is concerned that section 71 of the act, as drafted, does not reflect community expectations. In our view, it leads to a perverse outcome where an offender may

complete a non-parole period for an offence before that offence has been committed. The Full Court noted this potential problem and noted that it was a matter for parliament if a different interpretation was intended.

Therefore, I consider that, in certain circumstances, the current operation of section 71 is contrary to sentencing principles, and this Corrections Amendment Bill 2022 will now address this issue.

The concept of a designated sentence is relevant to determining prison periods where an offender is subject to more than one non-parole period. The bill provides that the definition of a designated sentence is subject to a new subsection (6). The new subsection (6) provides that where a person becomes eligible for release on parole, each designated sentence to which the person is subject ceases to be a designated sentence for the purposes of calculating a minimum term in respect of a new designated sentence. The effect of this is that a later sentence's non-parole period is taken to commence at the beginning of that later sentence, not at the end of the last non-parole period.

The bill also inserts new subsection (7), which clarifies that the operation of subsection (6) can apply more than once. For example, a person may be released on parole, sentenced to another non-parole period, then released on parole again. In all cases the prior non-parole periods would be disregarded when calculating the commencement of the new periods.

Further, the new subsection (7) clarifies that this will also apply to sentences imposed before the commencement of the amendment, but only when a person is eligible for parole on commencement of the amending act, or becomes eligible for parole at a later date.

The effect of this is that the bill does not change existing parole calculations. This avoids any adverse effects on prisoners of undue retrospectivity, while ensuring that any prisoner currently eligible for parole will be subject to the new scheme for any future sentences.

When a prisoner does become eligible for parole, and is then subject to a later sentence, new subsection (8) clarifies the default position in that the non-parole period starts on the date of the later sentence unless otherwise ordered.

This bill resolves the issue raised by the Court's interpretation of section 71 as currently drafted, with an appropriate balance of community expectations and sentencing totality.

The bill will help provide community confidence in sentencing by ensuring the calculation of sentences are transparent and properly reflective of the criminality of the conduct.

The bill also provides clarity for sentencing judges in determining when minimum terms commence, while providing discretion for a court imposing the new designated sentence. The bill also provides greater certainty for sentence administration practices at the Tasmania Prison Service. Consultation was undertaken on a draft version of this bill with targeted stakeholders and also made available for public consultation via the Department of Justice's website in the usual manner.

The bill is to commence on a day to be proclaimed. This will ensure that necessary processes and systems are updated to reflect the new manner in which the non-parole periods are calculated prior to the commencement of the provisions, and that education on the changes can be provided.

Mr Deputy Speaker, I emphasise again that the amendments to the act made by the bill will not change existing parole calculations, or affect current parole eligibility dates a prisoner may have. The provisions will apply to the commencement of any new non-parole periods for subsequent sentences on an offender who is currently eligible for parole, or on parole.

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

[4.52 p.m.]

Ms HADDAD (Clark) - Mr Deputy Speaker, I am pleased to make a contribution on behalf of the Labor Opposition on the Corrections Amendment Bill 2022. As we have heard from the Attorney-General in her second reading contribution, this is a relatively straightforward change to the Corrections Act to make clear the parliament's intent around the operation of section 71, which was the subject of a decision by the Full Court of the Supreme Court in *Director of Corrective Services v Nguyen*.

As the minister explained, section 71 relates to non-parole periods, and when a prisoner is subjected to more than one non-parole period, or other minimum terms of sentencing and provides for the commencement of non-parole periods where there are multiple sentences. That needed to be considered in that decision of the Full Court of the Supreme Court and that judgment had the effect, or the interpretation had the effect that section 71 of the existing act was interpreted so that non-parole periods could commence at a time before the sentence for the crime to which it relates had even been committed.

On its face, that does not make a lot of sense and I believe it would not really be the expectation of the public that somebody could have not yet committed a crime and yet later on they commit a crime, be charged, convicted, sentenced and the non-parole period could date back to prior to the time that that crime was committed.

I think I am quoting the right part, but the judgment in that case explained the sequence of events, which was that:

In 2018, Slicer AJ sentenced the respondent to four years, nine months imprisonment with affect from the 23 August 2016 and ordered that he not be eligible for parole until he had served half of that sentence. As a result, he became eligible for parole on the 8 January 2019 and was released on parole on that day. The respondent re-offended. His parole was revoked on the 5 April 2019, restored on the 18 April 2019. He revoked again on the 11 July 2019. On 11 May 2020 [on this day, three years ago] - Brett J sentenced the respondent to three years, six months imprisonment, cumulative to the sentence imposed by Slicer AJ and ordered a parole ineligibility period of two years and three months.

His words were:

I order that you not be eligible for parole until you have served a period of two years and three months of the sentence imposed by me.

However, His Honour went on to make it clear that he believed that period would commence upon the expiry of the non-parole period ordered by Slicer AJ, and that it would continue during the periods when the respondent was release on parole.

It was clear that the intended meaning of his order was that the respondent was not to eligible for parole until the expiry of a period of two years and three months *in respect of* the sentence that he was imposing.

I will not read the entire thing into *Hansard* but it became clear that the judgment of the Full Court noted that the interpretation of section 71 had possibly unintended consequence that a prisoner becoming eligible for parole immediately upon sentencing the judge would have no power to fix a future date before the prisoner would not be eligible unless a concurrent sentence was imposed.

As such, the Government has drafted this bill to make the parliament's intention clear around the operations of section 71. The bill makes an amendment to insert a new subsection (6) that will apply to the existing definition of 'designated sentence' that sits in section 71 of the act. That new subsection will provide that where a person becomes eligible for release on parole, any sentences the person is subject to cease to be designated sentences and the minimum terms of both sentences are not to be taken into account in respect of any later sentence.

The bill then inserts a new section (7) that clarifies that the operation of subsection (6) can apply more than once and that subsection clarifies that it would apply to the treatment of designated sentences imposed before the commencement of the bill but only where that person was already eligible for parole on commencement of the bill or when they became eligible for parole at a later date. As the minister made clear in her speech, this is not intended to operate retrospectively, so it will not affect existing prison sentences or operate retrospectively.

The bill then inserts a new subsection (8) which provides that when a person does become eligible for parole and is then subject to a later sentence, the default position is that the non-parole period starts on the date of the later sentence unless otherwise ordered.

This is a common sense change and I dare say probably reflects the original intent of the parliament at the time of section 71 being debated in the corrections bill but I was not here at that time. I do not think the Attorney-General was here at that time either but it has been made clear through this decision of the Supreme Court that the interpretation of that section does lead to something that would not be an acceptable scenario in the public eye. People would be surprised to know that people could have non-parole periods that commenced before an offence has been committed so the Opposition will be supporting this bill.

Through the Attorney-General, I thank her office and department for the briefing I received. It was a little while ago now but it was very thorough and included very useful diagrams which explained the complexity of this change. While it looks like a fairly simple bill in its drafting, how the timelines all line up took some time to grapple with and get our heads around. I was grateful for that briefing and for that explanation around how timelines will now operate around non-parole periods.

With those short remarks, I conclude my contribution.

[4.59 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, thank you for the opportunity to contribute to this bill which is a very important tidy up because it seeks to fix an unintended consequence that is clearly not in the best interests of the state and would not have been the intention of the court on sentencing at all.

It is interesting that this has persisted for such a long time. It was confusing. I thank the staff who gave me the briefing. This is a very confusing time frame and I thank the staff for providing a little ready reckoner of how it works.

It is really about dealing with sentences that applied consecutively and non-parole periods that are applied consecutively and where a person is released from incarceration at the end of two, for example, but it could be more, consecutive non-parole periods, which have finished their time. Then the person goes on to reoffend in a period of time where, by the time it goes to trial and sentence is given, and a next sentence and non-parole period is determined, that goes on to what was already there in the first place. There is the possibly, and in fact it has happened, where a person is given a further sentence and a further non-parole period attached to that sentence, which, when it is put on what was there in the first place, means that they would have served their sentence and non-parole period before they committed the crime for which they were convicted in that subsequent court case.

It is very complicated and it has been described very thoroughly by the minister. I will not go into that any longer except to say it is my understanding that all the stakeholders who were consulted were all comfortable with this change. They were a very extensive list: the Law Society, the CLCs, the Chief Justice and Chief Magistrate and DPP, Legal Aid, the Parole Board, Victim Support Services, the Prison Legal Services, the Courts Administrator, the Chief Registrar, the Bar Association and maybe even more I cannot remember. That is more than good enough for me.

I take the opportunity to make some other points about where we are with people who are serving a sentence and who are in their non-parole period. At the moment, that is a very painful and punitive process. Some of the submissions that have been provided to the Legislative Council Inquiry into Adult Imprisonment and Youth Detention at the moment are really gobsmacking and heart-rending. They point to the reality of the punitive nature and the failure to put the security of Tasmanians first, by the current approach that has been taken by this Government on crime and punishment and the management of the corrections system - many people would say, the mismanagement of the correction system.

What we have is a prison system in Tasmania which is more than bursting at its seams. It has completely turned around from when the Labor-Greens government from 2010 to 2014 had a Greens corrections minister. A huge amount of work was done by Nick McKim as the corrections minister to turn around a culture at the Risdon Prison Complex, in particular. He worked hard with bringing in a cultural change manager, and forcing a new culture to be established at the RPC. There were a lot of newspaper headlines about that because not everyone liked it, and not all the unions liked it and there was a lot of push back. However, ultimately it led to the statistics that showed it was effective in reducing recidivism; in reducing the amount of assaults in the prison - of inmates to officers, of inmates to inmates; it reduced

the amount of leave that staff were taking and it reduced the amount of people who took time off for workplace injuries.

It was manifestly a successful approach to managing prisons. It was accompanied by support for people when they left the prison - inmates had a house to go to, they had an excellent education and training program as well as drug and behavioural support and change programs within the prison. All of that has gone.

By the repeated evidence of people; of lawyers who go in and make statements about the reality of what the people they are representing are experiencing, by the inmate's families, by the evidence of the Custodial Inspector - it is very clear that we no longer have any functioning processes in place in the Risdon Prison system that will lead to positive behaviour change. What is the point of putting people into prison to brutalise them, to treat them as subhuman, only to release them without support into the community after they have served their time, without any support, encouragement or guidance to change pre-existing behaviours, so that they have no opportunity to change their life?

This is so far from breaking the cycle. Breaking the cycle has finished under this minister for Corrections. It does not exist. We have gone past the Breaking the Cycle time frame when there should have been a new version. It has not eventuated -

Ms Archer - Watch this space.

Dr WOODRUFF - Well, we have been watching for two years now. It is two years overdue.

Ms Archer - Yes. We have had COVID-19.

Dr WOODRUFF - No-one votes for prisoners. I understand why it would be easier to throw them in the rubbish bin, which is what you have been doing -

Ms Archer - They are your words.

Dr WOODRUFF - for the past nine years.

Ms Archer - That is not right.

Dr WOODRUFF - Okay, I will not say my words. I will read the words of Amanda White who made a submission to the upper House inquiry. She was speaking on behalf of her partner, who she called 'Mr X', who has been sentenced to Risdon. He was sentenced to three months imprisonment from January to May 2022 after he had previously served a period of 11 years in Risdon. He was a person who had a deeply traumatised childhood and he was incarcerated as a young person at Ashley Youth Detention Centre. She said his experiences from that period were disturbing, heartbreaking and all of them were horrendous.

Mr X has given his witness statement to the commission of inquiry and is now part of the concurrent class action against the Ashley Youth Detention Centre. Clearly, he is a person who has been institutionalised from a very young age and somebody who claims to have suffered great abuses as a child when he should have been in the care of the state. Now, she reports on his experiences and says:

He is in maximum security in constant lockdown - up to five days a week or more are common occurrences, much more so than any consistent schedule of having out-of-cell time. Since 1 January this year, maximum security has had 12 days of full lockdown and 11 half days - that makes 23 days out of 31 days. February had nine days in full lockdown and 15 half days - that makes 16 out of 28 days. March had 11 days of full lockdown, no out-of-cell time, and 15 half days - 26 out of 31 days. There is no phone access when they are in lockdowns so families, like this woman, have no opportunity to find out what is happening and to report back what is happening -

Ms Archer - They all have a phone in their cells.

Dr WOODRUFF - In the maximum-security cells?

Ms Archer - No. Southern Remand.

Dr Woodruff - This is the maximum security of Risdon prison -

Ms Archer - RPC?

Dr Woodruff - RPC, that is right. Lockdowns can occur from anywhere from one to five days, and she says two to three days in a row is the average. They do not know when lockdowns are occurring, so there is just silence from their partner. When lockdowns are over and men are allowed to have access to the two telephones in the yard which all 30 inmates have to share, they are lucky if they can get a call in. From processing, she says, right through to when men are released from maximum security, they are warehoused. They are treated as sub-par humans, denied basic human rights, and offered zero opportunity for rehabilitation and treatment. There are no classes, no courses, no education, no vocation, no access to online learning, no access to behavioural drug treatment, and employment within the unit is difficult to obtain.

To be brutally honest, she said the men are left to rot in RPC. They are defeated, beaten down and stripped of anything that could possibly represent progress and positivity. Health requests - mental and physical - go unanswered. Sometimes they get lost between the inmate giving it to an officer and the officer giving it to Health. The example she gave was that her partner had dental work done on 6 April - two teeth pulled out. The doctor had given him Tramadol for two days, but he only received a dose for one day. This happened over the winter period. He was in agony. The stitches fell out of his mouth on Good Friday. Although he reported it, nobody saw him until Tuesday, when he was administered antibiotics for the infection that had developed in his mouth. The Health Clinic at RPC was closed over Easter, and there was not even a skeleton crew there.

Nobody hears about these people, they cannot pick up the phone, they are in lockdown, they are hidden. These are the sorts of conditions that we used to have at Port Arthur. This is the sort of failing approach to our prison system which has been demonstrated by the statistics. No-one hears the voices of these people. There is no-one to speak for them and vote for them because it is not something that people hear about. They do not understand how it degrades all of us to treat people in our care in this way - to leave people to rot. Fundamentally, it does not help any of us.

They get out of prison, they have nothing, they have nowhere, they have no opportunities: no capacity to change behaviour. Surely, when we are spending a fortune putting people into a prison because of a sentence, that is a golden opportunity to give that person the opportunity to change, especially to teach them how to read so that they can leave and undertake some training. Even better, to have access to training while they are there, to develop a vocation. How amazing, if somebody could learn a trade while they are in prison. It would be great for all of us, and especially for their families and children, if they had an opportunity to take up a job when they left.

According to Amanda, two-thirds of the current RPC population have been in there before. Half of the prisoners released will return within two years, and a third of the drug using population within RPC never had a drug problem before their incarceration.

I do not know what this Government is thinking but all I can say is a punitive approach is a populist approach that has been shown to fail consistently across states. If you think this is an election-winning issue you are wrong. Being tough on crime does not work. People can see it does not work. It does not make us safer. It costs us a fortune, and it does not help families and communities.

Ms Archer - When do I use that word?

Dr WOODRUFF - I beg your pardon?

Ms Archer - When do I use those words in a corrections sense? I talk about rehabilitation all the time.

Dr WOODRUFF - It is the approach of the thing.

I know you spoke against this, but when Liberal Party candidates can stand for election and be allowed to use, in a populist way, the testimony from the commission of inquiry's findings as a campaigning tool, you were the only person in your Government who stood up and denounced it for what it was. The fact is, it was left to run and supported by the police minister, minister Ellis. It was despicable to use the commission of inquiry on child sex abuse, as a campaigning tool. It is base politics.

There is more funding for the custodial inspector but most importantly for it to reinvigorate and to put resources into vocational and educational programs and behavioural and drug programs, but particularly into educational programs. Without that, people have nowhere to go. They have no opportunity to change.

Ms Archer - I am not arguing that.

Dr WOODRUFF - It is just not happening. It is on your watch.

Ms Archer - It is.

Dr WOODRUFF - It is not.

Ms Archer - There is more funding in Corrections than there has ever been.

Dr WOODRUFF - It is not about funding in Corrections. It is about funding inter-educational programs. Specifically, inter-educational programs.

Ms Archer - It does not happen without funding.

Dr WOODRUFF - I do not know where you get your information from, but we have not heard from anybody that these programs are running, certainly not like they used to be 10 years ago. Maybe you need to chat to some of the well-paid staff.

Ms Archer - They were cut. The previous government cut them. Ten years ago.

Dr WOODRUFF - No, no, no. You should have a chat to Nick McKim about what he did as the previous Corrections minister.

Ms Archer - He cut them.

Dr WOODRUFF - He was very successful and all the statistics stand for themselves.

Ms Archer - They cut TasTAFE.

Dr WOODRUFF - In prisons? Just have a chat. You do not have to let anyone else in your party know you are trying to do something.

Ms Archer - We have actually brought TasTAFE back to the prison.

Mr SPEAKER - Order.

Dr WOODRUFF - It would make all the difference to Tasmania. There is a national group now - the Justice Reform Initiative. They are making the obvious and strong statements. People from all political persuasions, from all parties, ex-magistrates, ex-justices, people who are from the Liberal, Labor and Greens parties are coming together and saying that jailing is failing. It is failing as a deterrent. It is failing the victims of crime because they are not helped by a tough-on-crime rhetoric.

It is obviously failing the people who are the most disadvantaged because of the incredibly high recidivism rate that has continued to rise under this Government over the last 10 years, far more than it was in 2014.

It is also failing people with mental illnesses and cognitive disabilities, people who have no behavioural change program opportunities, who have no mental health support that is effective in prison. They have no education to help them deal with their cognitive disability.

It is failing women who are the fastest growing cohort of prison populations who are separated from children and who are made further victims of this systemic failure. It is a purposeful failure. At the end of the day, it is failing taxpayers because it is such an appalling misuse of government funding. We know that we could be reducing the crime rate which is fundamentally the reason for sentencing people and putting them in jail in the first place because of crimes that are undertaken. We can do that so much more effectively if we had a positive rehabilitative approach to managing prisons instead of a punitive one.

[5.20 p.m.]

Mrs ALEXANDER (Bass) - Mr Deputy Speaker, as the Attorney-General has said, this bill will provide clarity around the calculation of sentences where an offender is subject to more than one non-parole period. The Corrections Amendment Bill 2022 will ensure the calculation of sentences appropriately reflect the criminality of the conduct and will help provide our community with confidence that sentencing of offenders is appropriate.

As the Attorney-General explained, the judgment of the Full Court noted that the current interpretation of section 71 of the Corrections Act 1997 can have surprising consequences. Specifically, they noted that an offender could become eligible for parole immediately upon sentencing and the judge would have no power to fix a future date before the offender would not be eligible unless a concurrent sentence was also imposed. In short, this means that an offender may complete a non-parole period for a crime before that crime has even been committed.

I am glad to see that this has been identified by our courts and that the Attorney-General has taken swift action to address the issue. Our Government does not consider it desirable for the law to operate in such a way that a non-parole period for a later sentence such as for an offence committed while an offender is actually on parole, which is effectively backdated with it potentially commencing before the offence was even committed. All members know how complicated sentencing can be. I am glad that the Full Court has identified this problem and that we, as a parliament, are able to resolve this issue.

The bill provides that the definition of a designated sentence is subject to a new subsection (6). The new subsection (6) provides that when a person becomes eligible for release on parole, each designated sentence to which the person is subject ceases to be a designated sentence for the purposes of calculating a minimum term in respect of a new designated sentence. The effect of this is that a later sentence, non-parole period, is taken to commence at the beginning of that later sentence and not at the end of the last non-parole period.

The bill also inserts a new subsection (7) which clarifies that the operation of subsection (6) can apply more than once. For example, a person may be released on parole, sentenced to another non-parole period, then released on parole again. This subsection provides clarity for the sentencing authority that prior non-parole periods should be disregarded when calculating the commencement of a new period.

The bill also creates a new subsection (7) which clarifies that this principle will also apply to sentences imposed before the commencement of the amendment but only when a person is eligible for parole on commencement of these new amendments or becomes eligible for parole after that date. The effect of this is that the bill does not change existing parole calculations but avoids any adverse effects on current inmates while ensuring that any inmates currently eligible for parole will be subject to the new scheme for any future sentences. Importantly, this means that the bill will not change existing parole calculations or change any current parole eligibility dates.

When an inmate does not become eligible for parole and it is then subject to a later sentence, the new subsection (8) clarifies the default position in that the non-parole period starts on the date of the latest sentence unless otherwise ordered.

The bill provides clarity for sentencing judges in determining when minimum terms commence while providing discretion for a court imposing the new designated sentence. The bill also provides greater certainty for sentence administration at the Tasmania Prison Service and for those in our community who sentence and that non-parole periods are reasonable.

I understand that the Attorney-General consulted on this bill with targeted stakeholders as well as through the usual public consultation on the Department of Justice website. I understand that the bill will also commence on a day to be proclaimed to allow for time for the necessary processes and systems to be updated.

In conclusion, I thank the Attorney-General for introducing this important bill. It provides me personally with peace of mind. I am sure these amendments will meet with community expectations.

[5.26 p.m.]

Ms ARCHER (Clark - Minister for Corrections and Rehabilitation) - Mr Deputy Speaker, I will start by acknowledging all members' contributions to this bill. It seems lately that we deal with some quite technical things on a Thursday. This, nonetheless, deals with an important issue.

From time to time we have issues arise out of case law which, if they are matters of policy or relate to matters of policy, then the court will not make any comment on that other than interpret the existing law, make an observation as they have done in this case and leave it as a matter for the government of the day to consider, which I have done. Hence the reason for this amendment bill.

I will go into more detail which could be useful for the purpose of interpretation in the future, should there ever be any doubt and someone has cause to come back and look at the second reading speech contribution. It occurred to me to give some examples of how someone would end up with two separate non-parole periods, meaning that the situation that has occurred in the case, which is the subject of this bill in particular, might arise.

A straightforward example is where, and this is more often in the Magistrates Court, a person is sentenced for several distinct episodes of criminal offending at one time. The magistrate may consider it appropriate that separate sentences be imposed for each course of conduct and thereby the person may be sentenced to several sentences of imprisonment, each of which has or does not have its own non-parole period.

Sometimes offenders have several court matters progressing at one time and they come up for sentence on those at different times. For example, a person might be sentenced to a term of imprisonment in the Magistrates Court for driving offences - another common example - but the next month they might be sentenced in the Supreme Court for drug offences and obviously have two separate appearances.

Another category is that which arose in the case that is the subject of this amendment bill. That is where someone has been sentenced to a term of imprisonment with a non-parole period, they have completed that non-parole period and then they come up for sentence on another matter.

They are just a couple of the more common examples that arise that this bill deals with.

It also occurred to me to explain in more detail what a designated sentence is. That phrase appears only in section 71(1) of the Corrections Act and relates to situations where a prisoner is subject to more than one non-parole period or other minimum term. A designated sentence is defined in section 71 as including sentences where the offender is eligible for parole, sentences in which no order as to parole was made, or sentences in which the court has ordered a person is not eligible for parole. The amendment bill provides that this definition is subject to a new subsection, altering the operation of the definition in certain situations. Accordingly, the definition of designated sentence is relevant to the application section 71 where a person is subject to two or more designated sentences.

The bill provides that the definition of designated sentence is subject to a new subsection (6) and a designated sentence is a sentence imposed on a person subject to subsection (6) if the sentence is a sentence of imprisonment to which a non-parole period is applicable, or to which an order under section 17(2)(a) of the Sentencing Act 1997 is applicable, or in respect of which the person is ineligible for parole by operation of section 17(3A) of the Sentencing Act 1997. This means that a designated sentence is a sentence of imprisonment which has a minimum term subject to the new subsection (6).

The new subsection (6) of the bill provides that where a person becomes eligible for release on parole under the Corrections Act while the person is subject to a designated sentence, any sentences that the person is subject to cease to be designated sentences and the minimum terms of those sentences are not to be taken into account in respect of any later sentence. The relevant sentences of imprisonment listed in the definition of designated sentence are the same as those contained in the definition of the designated sentence prior to the commencement of the bill so for many prisoners, section 71 will continue to operate as it currently does.

In completing what I was going to say about some technical matters, I will address how the amendments work in relation to a global sentence, first explaining what a global sentence is. When an offender is convicted of multiple offences, a judge or magistrate has the power to impose one sentence for all offences, which is a global sentence, or to impose separate sentences for each offence, known as single-count sentences, or a combination of global and single-count sentences. In practice, particularly in the Supreme Court, when an offender is convicted of multiple offences, a global sentence is usually imposed. A global sentence will have a minimum term of imprisonment and be treated in the same manner as other designated sentences under section 71. Even though the global sentence relates to multiple offences, it will be considered as one sentence for the purposes of section 71.

They are some of the technical aspects of the bill I wanted to explain in a bit more detail.

I will also briefly address some of Dr Woodruff's comments. I do not want to incite anything. I respect that they are Dr Woodruff's observations of what is reported to her. Obviously, I have a close working knowledge of the prison. It is, by no means, a perfect system. I accept that there have been lockdowns. That is why, at the moment, we are undertaking an intensive recruitment campaign. Everyone is competing nationwide for staff. We are competing against Tas Police as well. There are more jobs than people, as the Deputy Premier likes to say, which in a way is a good thing except when you are trying to fill much-needed jobs.

We will keep running as many recruitment courses as we can but we have to have people in those courses and they have to be the appropriate people. I am sure members will appreciate

that there are certain screening processes that need to occur for these types of position. It is a very important responsibility that someone takes on in corrective services. It takes a very special type of person because it is very difficult work but it is also very rewarding work.

We do want a culture of change and progression, and being involved in the rehabilitation of inmates. One thing I have found really heartening is that throughout the life of a recruitment course, I visit them at least once and I always go to the graduation unless I am interstate at a meeting. What has struck me over the time I have been Minister for Corrections, now Minister for Corrections and Rehabilitation, is that largely due to COVID-19, one of the positive things, people have been making career decisions and changes because they themselves want change. What is happening is that we are getting a broader range of experience in our correctional officers from more walks of life. I am happy to report we have had a couple of courses where we have had more women than men. That is the first time that has happened. I was really excited by that last year. We were really behind at one point and then all of a sudden there was a lot of interest, and some really phenomenal women, I must say. There was one I met who has four or five children, a single mum, and she is juggling that type of position. We think we are busy, so she amazed me.

There are people getting involved and our recruitment is very different now. We had a stand at Agfest on the weekend, a very eye-catching recruitment strategy explaining that people have come from all walks of life, with cardboard cutouts of people explaining on the back where someone has come from: maybe a different state, maybe their previous employment, what their hobbies are, that sort of thing. It is indicative of the types of people and the breadth of experience we are now seeing across correctional officer recruitment courses. That is really pleasing.

Obviously, we would like to see more numbers because, as members would appreciate, lockdowns happen for a number of reasons. Much of the time it is due to short-staffing and people being on sick leave or workers compensation. The other part of this is having workplace strategies or workers compensation strategies to combat that and how we get people back to work: return-to-work strategies. Some people may never be able to go to active duties again so it is having the ability to put them into a different career pathway, whether it is elsewhere in the service or in the system itself.

The Southern Remand Centre: the reason I said by way of interjection that there is a phone in every cell is because when you design new facilities, that is what you can achieve. Even if there is a lockdown situation they are in their cells, which are a pretty good size, they have phone access. The pre-approved access is usually to family and to their lawyer. Being on remand at Southern Remand, they get that access. That has largely solved some of those issues of access to legal advice when it is needed in those situations.

Deliberately so, the environment there is colourful; there are activities for engagement; there are outdoor activities - incentive to use the tennis court, the basketball, that sort of thing; incentives for good behaviour. There are barbeques outside - again, incentives. It is a great facility. It is a very good example of what you can achieve with new builds.

We have also reinstated a TasTAFE campus on site, and inmates can utilise that and physically go to that area for study. It is like going off to TasTAFE. That is developing, and the number of courses available are developing all the time.

The focus of the Northern Correctional Facility will basically be rehabilitation. For those progressing through their sentences, there will always be an element that needs maximum classification and we are proposing that Risdon will largely be for that type of purpose and the Northern Correctional Facility can be more of that rehabilitation focus. It lends itself to an agricultural sector.

These are all at the basic ideas phase, but that is the sort of thing that we are looking at. That helps with how I am thinking and how our Government is thinking about the opportunities in this space, when you are able to build modern, purpose-built facilities with that in mind. The focus will be on education. We know that adult literacy and numeracy is an issue in Tasmania. Sometimes you cannot start educating at the TasTAFE level until you deal with the basics. That is why we have courses for that as well.

Dr Woodruff - But not in RPC?

Ms ARCHER - No, and that is regrettable. We need to look at that and find a solution so that there are those opportunities in all classifications. I am committed to achieving that outcome because we will not reduce our recidivism rate unless people successfully rehabilitate.

We have quite a multi-pronged issue. I am surprised by people's reactions and it has been throughout the Northern Correctional Facility process with people opposing it. I am not talking about members here, but I am very surprised that people in the community laugh at the suggestion that family connection is important, that it helps in someone's rehabilitation.

Dr Woodruff - You are kidding?

Ms ARCHER - No, it is quite astonishing that there is not that recognition that family connection is important to someone's rehabilitation and it is.

Dr Woodruff - Not to mention their children, the scars on children.

Ms ARCHER - Absolutely. When I meet with inmates - and some of them are totally hardened with regard to the types of offences - I am often quite astonished when they tell me what their offences are - and you would never pick it sometimes. Then they describe that they have just managed to reconnect with a member of their family and they explain all of that, and it is quite a teary discussion that we have. It is quite incredible, and it is life-changing. Quite often it will be that person who houses them on their release, and we know housing can be an issue as well.

As we know, housing, education, family connection - all of those things are very important to someone's successful rehabilitation and to prevent them from ever returning again.. I have said quite a lot and we could probably make a start on the next bill, but I wanted to point out some of those things while we had the time and it is -

Dr Woodruff - This is an entrée to Estimates. Yes, we will have a deeper chat when we can in Estimates.

Ms ARCHER - an opportunity for me, and no doubt we will pick up in Budget Estimates.

In any event, I hope that gives you a little bit of flavour of how I am thinking and the realisation that nothing changes unless we change the system.

On that, Mr Deputy Speaker, I thank members for their contribution and thank department officials, OPC, and my office.

I commend the bill to the House.

Bill read the second time.

Bill read the third time.

ADJOURNMENT

[5.47 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Deputy Speaker, I move that the House do now adjourn.

Parliamentary Privilege

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I rise again today to discuss parliamentary privilege and respond to the Equal Opportunity Commissioner's recent letter to the Premier. As this correspondence has been put on the parliamentary record, a response to it should also be put on the record.

The commissioner's letter, dated 5 May, about the naming of public servants in parliament is substantially similar to another letter now in the public domain, which the commissioner asked to be shared with the Joint Standing Committee on Workplace Culture Oversight, or at least conversed with the committee. Standing Order 303(1) states:

The evidence taken by any Select Committee, and documents presented to such Committee which have not been reported to the House, shall not, unless authorised by the Committee, be referred to in the House by any Member or published or disclosed by any Member or by any other person.

While the commissioner's 5 May letter is a separate letter, the evidence contained therein is almost exactly the same as that provided to the committee. This letter from the commissioner may be in breach of Standing Order 303 as is, arguably, the disclosure of this evidence by the Premier on Tuesday.

Mr Deputy Speaker, why was this second letter prepared and sent to the Premier? Neither the Premier, nor the commissioner, has denied a request was made for a second letter to be sent. Instead, we had been told by the Premier it was the commissioner's decision to send it. This is obfuscation. Nobody is alleging that she was coerced. The refusal to answer this question is an admission by the Premier, or his office, that they requested, or suggested, a second letter be addressed to him in his capacity as Premier. The Premier is only one MP. He is not, in any way, master of this place. It is not appropriate for the Premier to exclusively determine the action to be taken as the commissioner requested, and as he has done.

We also question whether it is appropriate, or within the commissioner's remit, to advocate for persons and criticise the conduct of parliament in this manner. The Anti-Discrimination Act empowers the commissioner to advise and make recommendations on discrimination and prohibited conduct. This conduct, however, has not been alleged. While the terms of reference of the Independent Review into Workplace Culture here provided the commissioner with a broad remit to prepare this review, it does not operate in perpetuity. Nor does it make the commissioner, or the Premier, arbiter on parliamentary privilege, the Standing Orders, or the conduct of this place.

The commissioner's letter demonstrates she, perhaps, does not understand parliamentary practice in respect of privilege. Parliament has exclusive cognisance over matters of privilege, as noted by Blackstone:

Whatever matter arise concerning either House of Parliament ought to be examined, discussed and adjudged in that House to which it relates and not elsewhere.

Mr Deputy Speaker, this unilateral assessment of the complaint's credibility has now been put firmly in the public domain through no appropriate process we can identify. This is most regrettable. I note Ms Bolt's letter says to the Premier:

I write to you as a matter of courtesy to raise concerns regarding recent behaviour demonstrated in parliament which has been brought to my attention.

No doubt, by a senior public servant, Mr Deputy Speaker.

If these matters were examined by parliament as the exclusive cognisance principle dictates, it would have gone through a formal and appropriate process. Contrary to the commissioner's claims, people aggrieved with statements in parliament do have a right of reply under Standing Order 352 which provides for a citizen's right of reply. This is the appropriate avenue. It also provides for an assessment of the alleged adverse impact.

Further to the citizen's right of reply, Standing Order 325 provides the Committee of Privileges and Conduct may investigate a breach of the provisions of the code of conduct. This is how an MP can be held to account for any improper use of privilege. I note no member has been referred to this committee in relation to any of the matters outlined in the commissioner's letters.

I further note the following quote from the ABC reporting on this matter:

The Director of the Centre for Public Integrity, Geoffrey Watson SC, said there was a long-standing convention in Australia's federal and state parliaments to avoid naming low-level public servants to protect their privacy. 'That convention does not necessarily apply to those who are very high in the department, especially heads of departments, and there is no reason it should', Mr Watson said.

He said it was appropriate for parliamentary privileges committees to punish MPs who misuse their freedom of speech in parliament, but he said - 'I don't

know of any parliament which has gone so far as to remove privilege in this kind of select and rather strange way'.

Mr Deputy Speaker, for context, there are 546 parliaments in the world, 142 of which follow the 400 year old Westminster tradition, to some extent. We question whether the Premier has taken expert advice on this matter. The extremely quick turnaround of his announcement for a Standing Orders review suggests not.

Jurisdictional matters aside, it is disappointing it was this issue, of all issues, the commissioner chose to continue to pursue. The *Motion for Respect* report identified it is often MPs and senior managers who are responsible for bullying and sexual harassment. It seems continued advocacy by the commissioner has been on behalf of very senior public servants who are usually only named in relation to accusations of serious or improper conduct or questionable administration. This conduct can also involve very serious impacts on the mental health of subordinate staff or other members of the community who can be harmed by improper conduct, bullying or harassment from senior managers. These senior public servants are largely only answerable to their minister. In the event there is improper conduct which is political in its nature, they are often not appropriately managed by their ministers.

Parliament has long been a place where this conduct is scrutinised and exposed - as it should be. Curtailing this authority would weaken one of the few avenues victimised staff and members of the community have to pursue justice in relation to the poor workplace practices or improper conduct of senior public servants. This would not contribute to safe workplaces in our public service.

Furthermore, I respectfully suggest the commissioner's assumptions are flawed. It is assumed referring to professional titles in parliament, rather than names, would reduce the risk of psychological harm. This ignores the fact that media outlets also report names and are far more widely read than *Hansard*. Journalists do not avoid printing names of senior public servants merely because they are not spoken in parliament. A senior public servant's identity can also easily be identified by title. Matters should be pursued through appropriate processes, not presented as fact in correspondence to the Premier, who is ultimately a politician with politician's motives.

This matter has, regrettably, been handled very poorly by both the Premier and, unfortunately, the commissioner. The Premier needs to abandon this course of action.

Time expired.

Housing Australia Future Fund

[5.54 p.m.]

Ms HADDAD (Clark) - Mr Deputy Speaker, we are in quite a unique situation in Australia right now in that we have a federal government where both the Prime Minister and the federal housing minister grew up in public housing. It is no surprise that, for Prime Minister Albanese and Housing Minister Collins, social and government housing is an absolute key priority of the federal Labor Government.

I want to talk about the Housing Australia Future Fund which would double the number of new social and affordable homes being put into Australia, right around the country - a \$10 billion fund which would sit off the budget, in perpetuity, returning around \$500 million in extra annual funding into social and affordable housing. That is in addition to everything else that both federal and state governments are doing.

It is in addition to the \$575 million through the National Housing Infrastructure Facility for more social and affordable housing; in addition to the National Housing Accord with the states and territories, to build more than a million new houses over five years; in addition to the federal commitment of nearly \$68 million funding to states and territories in extra funding; in addition to the federal \$91.7 million over five years for the Reconnect program to tackle youth homelessness; in addition to the extra \$2 billion for the National Housing Finance and Investment Corporation (NHFIC) no-or-low interest loans and to create more social and government housing; in addition to the 15 per cent increase in the Commonwealth Rent Assistance (CRA); and in addition to the Tasmanian Government's commitment of 10 000 extra homes in 10 years: \$10 million that would deliver an extra \$500 million annually, in addition to all of those commitments.

That is a massive increase in funding that would lead to a massive increase in supply - at least 30 000 homes in the first five years. Everyone recognises that supply is the key issue. We can talk about policy, regulations and standards, but ultimately it is supply which is key and supply that is needed. However, for some baffling reason, both the Greens and the Liberals at the federal level are opposing the bill. In the Senate, it has not even come on for debate, because the Greens are blocking it. The Greens position absolutely baffles me but I will talk about that on a different occasion.

Tonight, I will say that Mr Barnett did the right thing when he went to the federal housing ministers' meeting and signed the letter encouraging the Senate to pass that bill. He said in the media during the week that he wanted his federal colleagues to stop talking and start building. That is exactly what they need to do. He also said that it was clear that the federal government had made a commitment to deliver 30 000 new homes in five years, and he expects them to keep that promise.

Mr Deputy Speaker, it is the federal Liberals who are standing in the way of that promise being delivered. It is the federal Liberals who are voting no. They voted no in the lower House and they are threatening to vote no in the Senate as well. They are teaming up with the Greens to reduce funding and reduce supply for desperately needed social and government housing that would house thousands of Tasmanians and hundreds of thousands of Australians: people fleeing domestic violence, veterans' housing, people who are at risk of homelessness and who are sleeping rough and sleeping in tents right now. I encourage Mr Barnett, who I know cares about housing, to pick up the phone to his federal colleagues. Pick up the phone to the leader of the Liberal party in Canberra and tell him and his senators to support that bill.

If Mr Barnett will not do that, we have the most senior Liberal in the country sitting in this place: the Premier, Mr Rockliff. He is the most senior office holder in the Liberal Party in this country. He could ring Peter Dutton tomorrow and pull him into line and say, 'We need this funding for Tasmania'. Australians need this funding. The Housing Australia Future Fund is a new, unique and innovative way that would absolutely change social and government housing and would massively increase funding and supply. For some baffling, no-doubt

political reason, the Liberals are opposed to it in Canberra. The Greens too. It is completely baffling. As I said, I will talk about that on another day.

Mr Deputy Speaker, Mr Barnett and the Premier, Jeremy Rockliff, need to get on the phone to Canberra and they need to tell Peter Dutton that the Liberals in Canberra need to support the Housing Australia Future Fund in the Senate. Without it we will continue to see people right around this state and the country sleeping in tents and cars. A woman who is 30 weeks pregnant, who I am trying to help, is sleeping in her car. A mum with a critically ill child who is having major surgery is sleeping in a tent because she left a violent relationship. We need this funding. We need it now more than ever. Every government is talking about it but only the Liberals and the Greens in Canberra are the ones standing in the way.

Members - Hear, hear.

Burnie Surf Life Saving Awards Dinner

Agfest 2023

Tasmania Charity Trust Bike Ride

[6.01 p.m.]

Mr ELLIS (Braddon - Minister for Police, Fire and Emergency Management) - Mr Deputy Speaker, I recently had the honour of attending the Burnie Surf Life Saving Awards Dinner, as did my colleague, Ms Dow.

The Burnie Surf Live Saving Club has a long and proud history, having had a presence at West Beach since 1919, and celebrating 100 years. It is truly a powerhouse club, not just here in Tassie, but has had nationally celebrated teams that have competed at the highest levels at Aussies and others. It is one of the largest clubs in Tasmania.

There were several awards presented on the night, including Contribution to Life Saving, Finlee Sayer and Stephanie Prendergast; Junior Patrol Award, Cailin Rienits and Sam Ryan; Open Patrol Awards, Rhiannon Bomford and Mitchell Scott; Surf Life Saver of the Year - an outstanding young man, I have to say, and potentially premier one day, who knows - Jai Mollinson; Beach Award, Gemma King; Ski Award, Brennan Machen; Boat Award, Gemma King and Jackson Lawson; Swim Award, Graci Malley, and the Youth Athlete of the Year award was shared by Gemma King and Luka Jackson. Some outstanding athletes are being produced from the Burnie Surf Life Saving Club at the moment. The Athlete of the Year phoned in all the way from the Gold Coast where she and her brother are living the dream and taking their surf life saving even further, no doubt. Georgia Askew was Coach of the Year. Mitchell Scott and Jesse Lehman, two fine young men who are making a contribution in the Nippers Program, which is just outstanding to see. The Official of the Year, a great friend of mine, Jacqueline DeJong, is doing brilliant work and really stepping things up in a fantastic way. Congratulations to all the recipients.

The surf life saving club and marine rescue units, and the 2300 members that make up that fine organisation, are all committed to saving lives and positively impacting their local communities. Through joining a surf life saving club or a marine rescue unit we are making a contribution to our community and creating some very fine Australians.

I would also like to mention Rural Youth for putting a tremendously successful Agfest 2023 together, back to the traditional time of the first week in May after the disruption of the pandemic. Using my Police, Fire and Emergency Management portfolio, I give a big shout out to our crews, the TFS crew onsite in particular, and the Day One Crew that our Agfest firefighting crew that stand up each year. The Day One Crew actually responded to a gas-bottle fire at 7.30 a.m. on the first day, and were there onsite to keep people safe over the three-day event. We had volunteers from the Prospect and Ravenswood brigades and right around the north. They did an outstanding job.

The local community that attended Agfest did an outstanding job too. Over the three days, the fire service and the SES received 50 expressions of interest for future volunteers. I think that is absolutely fantastic. Even when people are in to buy a tractor or some Milwaukee tools, they can take time out and put their hand up to serve in their local brigade or unit.

There was a strong police presence there, making sure that everyone was staying safe, and also promoting the importance of combatting rural crime. I was pleased to join with minister Palmer. We really want to make sure that our farmers and rural communities are putting their hand up to report crime if it happens in their area, so that they can protect not just themselves and their families, but their neighbours as well.

We also launched the Bushfire Challenge, an online program which begins in spring, giving registered households weekly interactive challenges as they prepare for the bushfire season.

The forest industry site was fantastic. This year it was hosted by the Tasmanian Forest and Forest Products Networks. There were 16-site sharers from across the industry, including Rural Alive and Well that is really pushing to help our foresters. It was the largest industry presence in some time. We also launched the *State of the Forest* report, had the industry morning tea, the Forest Education Foundation event, and the Farm Forestry Carbon Tool, which is an outstanding opportunity for farmers, and the Workplace Development Portal launch for all of our future foresters.

The Master Builders' High Vis Army tent was fantastic too. I want to give a big shout to a Braddon business. There were many there on the day but this one really stood out for reasons that will become obvious. Gaunts Farm was awarded Best Quercus Taste Exhibit, and I have to agree. Their lamb rolls are nothing short of extraordinary. I have a lamb of theirs in my freezer, and their egg and bacon rolls were pretty good too. An outstanding Agfest event.

The annual Tasmania Charity Trust Bike Ride is coming up. It will be held over three days. It has been going each year since 2007. In that time, it has raised over \$800 000 for various charities and organisations across Tasmania. To further support the annual three-day ride, a 170 kilometre one-day ride will be held on Saturday 20 May, which is coming up very shortly. That is a massive effort. I know minister Barnett is probably the only one in this place who would be able to achieve that. Participants include police officers and members of the public.

This year they will be raising funds for two very important charities: Heart Kids Tasmania, who do amazing work, and Muscular Dystrophy as well. It is a truly extraordinary commitment from those people. The ride will leave Prospect from 7.30 a.m. and the route will take the riders down the West Tamar area, before they travel over to Hollwell, Frankford,

Westbury, Bracknell and Carrick before returning to Prospect later in the afternoon. An outstanding cause, fantastic people and really important work.

Government's Priorities

[6.07 p.m.]

Mr WINTER (Franklin) - Thank you, Mr Deputy Speaker, for being with us tonight.

I was going to speak about Housing, but I could not top what the shadow housing minister said, so I am going to stick to the other topic, which is this Government's priorities. I was disappointed I did not get to speak on the MPI this morning, so I thought I would do it here.

This Government has its priorities all wrong. We have had 10 years of this Liberal Government, and if they have not fixed things like Health, Housing, and the cost of living, then they never will. We have lost confidence that they are even trying. Nothing shows it better than their priority to build a massive, new, unneeded stadium in Hobart. We are seriously concerned about what this means for the budget, and what it means for their priorities. It was the Premier who told Tasmanians last Wednesday that we can have it all. Tasmanians know we do not have much at all from this Government so far.

This morning we heard about the Launceston General Hospital, which has its operating theatre covered in sticky tape at the moment to keep pieces of equipment operating correctly. We saw the Premier refuse to make any admission that having sticky tape holding pieces of equipment was not a very good idea. In Education results are going backwards instead of forward. We have seen key and critical pieces of infrastructure that should have been delivered years ago, if they were ever going to be delivered, simply not happen.

Nothing says more about this Government's commitment to keeping its promises and to implementing infrastructure than the magical underground bus mall, which will never, ever happen. It probably would not have even happened whether there was a stadium or not, but let us face it, the stadium has now been put ahead of everything else.

The \$580 million promise to the Launceston General Hospital that this Government made two years ago to Tasmanians must be put on the backburner. It must go further down its infrastructure list of priorities. Critical projects like the light rail that Rene Hidding, when he was infrastructure minister in this Government, committed this Government to deliver for the people of the northern suburbs almost 10 years ago will never happen now. Do you know why? The Infrastructure minister said it was too expensive. It was about \$700 million.

It is okay to build a third stadium for Tasmania but it is not okay to fix traffic for people in the northern suburbs of Hobart. That is their priority. That is where this Government is going all wrong - because it has its priorities all wrong. They cannot make a case for anything being too expensive when they are prepared to give Australia's richest sport a blank cheque. That is what it is. It is not capped at \$375 million, or 50 per cent of the project cost, as the Premier told Tasmanians as recently as November last year. It is a blank cheque.

He does not know how much this stadium is going to cost. He does not know what the design is going to be. He does not know much about it at all. He does not know how people are going to get there. All he knows is that he has promised, in a secret deal with

Gill McLachlan, that he is going to build a stadium at Macquarie Point. I do not understand how these guys are letting him get away with these priorities. We know they are hearing the same things from their communities as we are hearing from ours: this is not the right priority for our state. You need to stick to the basics and try to get anything right.

The impacts of this project are, as I said, at least \$1 billion, probably significantly more, which puts other projects, all of which have been promised by this Government, further down the infrastructure priority list. Projects from small priorities to medium-sized, like the Algona Road Roundabout near my constituents in Kingston, which I worry will be pushed further down the infrastructure pipeline. Projects like the Tamar Bridge. Projects, as I said, like the underground bus mall, which will never happen. Projects like the Mornington Roundabout. All of these things are important. They have been promised by this Government but they are not delivering.

It is not just the impact of the capital of at least \$1 billion. We now know that there is no GST carve-out for this project so almost all of the cost - likely about 97 per cent - will be borne by Tasmanian taxpayers. It is also the operating costs. The Premier talks about a magic pudding. He surely must admit that having an extra \$1 billion of debt is going to cost Tasmanians when it comes to the ability of this Government to pay for the operating costs of running government - about \$50 million a year in interest repayments on that sort of debt. That is \$50 million a year that cannot go into health and education, and likely we will continue to build more debt.

That is what this Government is doing. They cannot possibly justify to anyone any cuts in this coming Budget if they are prepared to put so much money into this stadium. We do not want to see cuts made in this upcoming Budget to pay for their stadium but, again, this is a Premier who will not rule it out. He will not rule out cuts to services and he will not rule out increases in taxes to pay for this stadium. It is the wrong priority.

The people who made their voices the clearest on Saturday night were the people of the electorate of Rumney. What an absolutely massive result for Sarah Lovell and Labor. What a pitiful result: it must be the worst result the Liberals have ever had in some of those booths. Booths like Richmond and South Arm, which are certainly not traditional Labor booths but Sarah Lovell made them red on Saturday night. There is a big correlation here. A Premier who announces that he has finally got his stadium done on Wednesday then on Saturday night he gets absolutely pummelled in the polls. These guys must surely be starting to get worried about it because Tasmanians have woken up to this Government. After 10 years, they know it does not deliver. They know this is a Premier who is weak, who does not stand up to the AFL and will not stand up to them.

Finally, I would like to add my comments to Ms Haddad's. It is time for this Premier to stand up to Peter Dutton. It is time for him to stand up for 1200 more homes for Tasmanians who desperately need them. These are Tasmanians who need his help right now. We need the Liberals and the Greens to stop blocking housing in the Senate as soon as possible.

Launceston General Hospital - Equipment Disrepair

[6.14 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, I rise on adjournment to talk about a very important issue for the State of Tasmania, especially those who live in the north of the state. That is this situation that this Liberal Government has driven us to where we have medical equipment literally held together with sticky tape. That is the situation facing people in Launceston when they have operations. Just imagine that you are about to have an operation and you are being wheeled into an operating theatre. The anaesthetist has your arm, manages to get a vein, the anaesthetic is entering and you look up into the air. What do you see? The lights above your head are literally held together by sticky tape. It is an outrage that this state Government has their priorities so wrong that we have equipment in operating theatres literally held together with sticky tape.

What did they do today? We asked them the questions about it in Question Time. They posted notices around the hospital reminding staff of the code of conduct, that they should not be speaking to the media. What an outrage. That is the way that this Government reacts when they are put under pressure. They do not get straight on the phone to the manufacturers to come and replace the lights so they do not have to be held together with sticky tape. No. What do they do? They go after the staff. They try to keep the staff quiet. 'Do not tell anybody about the true state of the health system, that lights are literally being held together by sticky tape. You have the code of conduct. If you get caught, you can be sacked.' That is the message they sent to their workers today. That is the message they are sending to the State of Tasmania. Their priorities are wrong. They would rather sack workers than fix lights literally held together by sticky tape.

We have another situation brewing on the north-west coast. We have been here before. That is the special school. There are two special schools, one in Devonport and one in Burnie. I have met with very concerned parents in my office in Devonport and my colleague Ms Dow has met with other concerned parents from the Devonport Special School.

What is the Government doing? All of a sudden there is an announcement that the state Government is going to shut the special school in Devonport, shut the special school in Burnie and shift them to Penguin. We have been down this road before. We saw that when the state Government has a building that becomes vacant they think, 'Oh well, let's just chuck something in there'. What we have is there have been upgrades to the school in Penguin. There is a building available. 'What are we going to do with it? Well, let's shut down the Burnie Special School, let's shut down the Devonport Special School. It does not matter what the parents say. Let's just do it.'

We have been down this road before with the Burnie Court. The former university building up on Mooreville Avenue became empty, so what did the state Government do? 'Oh, that's a great place. We can put a courthouse there. Let's put a courthouse way out of town so all the lawyers have to get in their cars, so that anybody who is up for judgments at that court struggles to get up the hill'. A community campaign had to point out the obvious fact that it was a stupid decision. They had to be dragged kicking and screaming to the right decision, which was to build the new courthouse in the middle of town where it should have been in the first place. Common sense.

We have a situation where the special school in Devonport, especially, is not fit for purpose. We know that it is not fit for purpose. We raised it at the last election and, in fact, the Liberal Party made an election promise to build a new special school just for Devonport. What have they done instead? They have tried to come up with this magic solution because there is an empty building somewhere else.

What does it actually mean for the parents shifting those two special schools to one site in Penguin? First of all, most people with children with special needs and all sorts of disabilities and conditions have changed their lives, they have ordered their lives around the fact that the special schools are where they are. I had very concerned parents in my office talking about how they had moved specifically to be close to the special school so they could manage their lives. These parents often do not just have one child with special needs. They might have two children with special needs. They might have more or, they have other children who also need to be taken to school. Also these children have certain conditions that mean they have to be monitored. They might be in danger of choking or they need supervision all the time. It is much easier for these parents the way they have set up their lives to have a special school close by.

What does the state do? In the dead of the night they make this decision. Parents wake up, and say, 'How the hell did this happen?' and, typical of this Liberal Government, it is only now that they start to pretend that they are consulting. We know what this Liberal Government does when they consult. They go out to the community and say, 'Tell us how much you like the decision we have already made'. That is exactly how this Government consults, and that is exactly what they are doing to these parents. These parents want the best for their kids and they are willing to fight for what is best for their kids, so look out. This Government is once again making a silly decision. They should stick with what they promised at the election campaign: to build a new special school in Devonport. They promised it. Why are they not delivering it?

They need to get on board. They need to do what they say they are going to do, instead of trying to force parents to put their children - with all sorts of conditions - on buses to travel to Penguin, when they have already set their lives up to make the challenges that they face as easy as possible. Instead, they get these bricks thrown at them by the state Government. There is no real understanding of how they came to this decision. This decision has just been made. I really hope they reconsider, and that they do what they said they were going to do - build a proper special school in Devonport and get on with it, and not put these parents through the pain of having to fight this as the people of Burnie had to fight their court decision.

Macquarie Point Stadium Proposal - Labor's Position
Frank MacDonald Memorial Prize Study Tour for 2023

[6.21 p.m.]

Mr BARNETT (Lyons) - Mr Deputy Speaker, I stand tonight to respond to the hypocritical ranting of a number of Labor members who have just spoken on the adjournment and highlight the Labor Party media release of April 2021 by their leader, Rebecca White. It said that it is Labor's policy to build a 15 000 seat football stadium in Hobart. Despite having no business case, no team, no site, no market, uncosted, unbudgeted, Rebecca White said this:

The stadium would be suitable to host professional football and rugby, along with helping attract other sporting and live music events to the state. This stadium will be based in Hobart and will be capable of hosting events across a number of sports along with potential for hosting large capacity concerts and events ... a majority Labor Government will build one.

Ms Haddad - Yes, we took it to an election. You have not taken yours to an election.

Mr DEPUTY SPEAKER - Order.

Mr BARNETT - *Res ipsa loquitur* - that means, the facts speak for themselves.

In the few moments I have tonight, I pay tribute to all the participants in the Frank MacDonald Memorial Prize Study Tour for 2023. It was an educational, productive, informative and enjoyable tour this year. Frank MacDonald MM, born in 1896 in Ulverstone, was Tasmania's last World War I veteran and the last of the 40th Infantry Battalion raised in World War I. He was responsible for repairing signal lines between battalion headquarters and trenches, and received a Military Medal. He also served in World War II and received the Legion of Honour in 1998. Frank MacDonald passed away on 23 August 2003 at the age of 107. In recognition of his service, and of all Tasmanians who served, the Frank MacDonald Memorial Prize is in his name, and is now in its 19th year. It is very important to preserve the memory and appreciation for all of our veterans.

The Frank MacDonald Memorial Prize Study Tour took place in Belgium and France, and I was privileged to attend as a parliamentary representative. I was first nominated in 2016. The year's tour consisted of six students from grade 9 and grade 10. They are an outstanding group - future leaders of this state: Sarah Brewer, Ulverstone Secondary College; Harry Lillywhite, Scotch Oakburn College; Jacob Rittman, Penguin District School; Xander Power, Marist Regional College; Jacob Watt, Bayview Secondary College; and Amy Willey, Tasman District School. I am looking forward to catching up with Amy tomorrow at the Tasman District School, with her class.

It was great to have the support, commitment, skills and talents of the teachers, to help with the group. Caitlin Midson was one of the teachers from the Devonport High School and Emma Cohen was a teacher from the Burnie High School. Don Ryan was the RSL representative - a terrific guy based in Hobart - very ably represented RSL Tasmania. Also, a great commendation and massive thanks to Terese Smith, our tour leader from the Department of Premier and Cabinet. I also acknowledge my wife, Kate, who joined and, of course, the tour guide, Dr John Greenacre, who has been a guide on many occasions for this group. I know I can speak on behalf of the whole group by saying thank you to John.

It is an essay-based competition available to any year 9 student in Tasmania. I encourage those students to consider it. I spoke to the Sorell grades 9 and 10 students this morning, to encourage them to consider it. The competition is research-based, focusing on our veterans and the ANZAC spirit. Every day, the students on this tour demonstrated the ANZAC spirit of courage, mateship, service, and sacrifice.

On my pilgrimage, I was able to research Albert William Dilger from Swansea, who was buried at the Borre British Cemetery; each of us had a digger to be researched, whether it was a family connection, or a close connection to their local community. They did a wonderful job

and, at times, it was quite emotional for all of us. We went to Menin Gate in Ypres, and the Last Post ceremony was a very special time. There are 55 000 names on Menin Gate, with no known grave and more than 6000 Aussies on that Gate. The 40th Battalion was a Tasmanian battalion, and there are many local names from Tasmania. We highlighted a Blizzard on that wall and Xander Power. I forwarded that photo to the mayor of Circular Head. It was very special.

We went to the Tyne Cot Cemetery - the resting place of Sergeant Lewis McGee from Avoca and Campbell Town. Nearby, we walked in the footsteps of Corporal Walter Brown. We went to the Canadian War Memorial - Vimy Ridge; we went to Notre Dame de Lorette, which is the largest French Military Cemetery and is the final resting place for soldiers who fell in the battles of the Belgian coast.

We had the chance to visit the Somme, Pozieres, Fromelles, and Villers-Bretonneux for Anzac Day. I certainly had goosebumps on the back of the neck at that time, and I know most of our group did as well. It was great to have an embrace with the Pozieres Mayor, who was so thankful for the Aussies and their support. The Legacy Centenary Torch Relay was launched at Pozieres, remembering the many people who died at Pozieres. My thanks also to Her Excellency, Ambassador Gillian Bird for hosting us in Paris and for showing such honour and respect in welcoming the students and the group in the way that she did.

Lest we forget.

Bendigo Bank - Closures

[6.28 p.m.]

Ms FINLAY (Bass) - Mr Deputy Speaker, I rise to speak to two communities in the electorate of Bass - the communities of the Tamar Valley, and Flinders Island. A devastating decision has been made this week to back-in the previous decision of Bendigo Bank to withdraw the services of agencies in Beaconsfield and at Whitemark. An early decision was announced a couple of weeks ago, where Bendigo Bank made a national decision to close all agencies across Australia. In Tasmania, there were two such agencies - one serving the communities of Beaconsfield and the Tamar Valley area, and one serving the communities of Whitemark and the Furneaux Islands.

The passion of both communities came together where agency operators, Lisa and Taylar Goss, and agency operator, Kylie Clifford, decided to fight for their communities. We called on the national operations manager of Bendigo Bank to face the communities in Tasmania, explain their decision, and to appeal to their better nature to support communities in rural, regional, and very remote Tasmania to reverse the decision, and to ensure that the communities of the Tamar Valley and the Furneaux Islands will continue to be served with what they appreciate and respect: which is good old, traditional, face-to-face service.

We did have a meeting with the national operations manager and the regional operations manager in Beaconsfield. The agency operator, the mayor and the general manager from Flinders Island flew to Beaconsfield, to Bridport and then across to meet them also. Agency operators, Lisa and Taylar Goss, were in attendance as were the original working group that fought so hard years ago when Heritage Isle closed their services to the local community.

We all believe that there was genuine effort by the Bendigo Bank representatives to find a solution, but on returning to mainland Australia, back to head office, were unable to find a solution that met the needs of the bank. Just recently the final decision was determined. It is now confirmed that in Whitemark the agency will close on 11 July and in Beaconsfield the agency will close on 26 June.

This has had a massive impact in the community. I will speak for the community in a minute, but first I want to speak directly to the agency operators. To Lisa, Taylar and Kylie, much respected members of their community, members of their community who have been there for such a long time and have provided heartfelt services to the people who need it most: the people who are unsure of, concerned and worried about transitioning into a digital world; a world where we know all too well that there are so many scam traps for people digitally, particularly older members of our community who are not so digitally literate. These agency operators established these services, invested in the capital, but also the operations to deliver these services to the community and now feel devastated.

I am happy to report that feedback to them from the community is that the community is not angry with them and that they much appreciated and are grateful for what they have done. However, they are sad and disappointed and angry at the Bendigo Bank, and all banks really in Australia that have withdrawn services from regional, rural and very remote communities.

There are three things that we will continue to work on behalf of the community. We believe that there is a responsibility for Bendigo Bank to acknowledge the investments made by these agency operators and to compensate them for their efforts and because they have made a massive decision for their businesses in such a short period of time. What is easy to forget in this situation is that the agencies in Beaconsfield and at Whitemark are small businesses of Tasmania in regional Tasmania and their businesses will be impacted. Their revenue will be impacted and so we also have families immediately impacted by this decision.

We will also call on the Bendigo Bank to provide small grant funding to both the agency operators for a period of time. We know that when those agencies close, their customers will not just leave those businesses that exist, one being a hardware store and the other being a post office. They will actually have a massive influx of engagement with community members where they try to explain this decision and try to support people transition into a digital banking environment and also support people, if they want to, to make changes in their banking circumstances.

One of the other things that has been quite disappointing is that there has been a massive community effort to maintain these services in these regional areas but almost silence from the Government of Tasmania. Yes, I acknowledge that there is on the record minister Ferguson making a comment in response to a question from the media that, yes, this is disappointing. However, no real action to seek to - and I used the word 'intervene' in a media interview. Mr Ferguson jumped on that, but what I mean is, use your power and influence to try to change this decision.

We are calling on the Government to target some programs. The agency operators will help people with their transition in their banking, but what we already know is that people in rural, ageing communities are concerned and scared and do not understand the new digital world. We ask this Government to immediately target programs into these areas to support these communities at this worrying time. It is a tough time for everybody in these communities,

but a time that demonstrates the power of community and the coming together to fight to the end to try to save these services in these communities.

I convey my absolute - is it anger, is it disappointment, is it complete perplexity at the priorities of this Government? This Government's priorities are building a billion-dollar stadium in Hobart. Over the last 24 hours have been revelations that the Tasmanian people will carry almost all the costs - 97 per cent of the costs of a billion-dollar stadium in Hobart when they cannot even organise to have lights in theatres at the LGH with anything other than sticky tape.

I am outraged on behalf of our community. The messages that have come through from our community about their experiences in our health system are dumbfounding. Where this Government thinks it is okay to prioritise a stadium over the health system in our community is just wrong.

The House adjourned at 6.35 p.m.