



**PARLIAMENT OF TASMANIA**

**HOUSE OF ASSEMBLY**

**REPORT OF DEBATES**

**Wednesday 12 June 2024**

**REVISED EDITION**



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**Wednesday 12 June 2024**

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

## **QUESTIONS**

### **Child Safety - Death of Child**

**Mr WINTER question to MINISTER for CHILDREN and YOUTH, Mr JAENSCH**

[10.01 a.m.]

Child safety staff have long been warning about the risk of horrific avoidable tragedies if you and your government continue to allow child safety services to be understaffed. Over the weekend a man was charged with manslaughter and a woman was charged with ill-treating a child, after the shocking and tragic death of a four-year old boy in Smithton. Can you confirm the child was known to Child Safety Services and had been the subject of several assessments in recent years?

### **ANSWER**

Madam Speaker, I thank the member for the question. On Friday 31 May, Tasmania Police confirmed the sudden death of a child on the north-west coast. The death of any child or young person is a tragedy and our thoughts and deepest sympathies are with that child's family and his community.

I have been briefed on the matter by the Department for Education, Children and Young People, including the secretary, and have been advised that due to confidentiality as the matter is before the court, I am unable to comment further at this time.

The department will assist Tasmania Police and the court proceedings as required.

### **Supplementary Question**

**Mr WINTER** - Supplementary, Madam Speaker.

**Madam SPEAKER** - I will hear the supplementary, noting the minister has mentioned his legal challenges.

**Mr WINTER** - I am asking whether the minister could confirm the child was known to child safety services and had been the subject to several assessments over recent years.

**Madam SPEAKER** - I will call the minister. I will say in these matters I will allow the line of questioning, but advise people to be very cautious in the commentary they make. There are legal matters and families involved in this process.

I call the minister, if you can provide further information.

**Mr JAENSCH** - Madam Speaker, thank you for understanding the sensitivity of the matter.

I note the question. The advice I have is very clear that in relation to a matter that is before the court, I should not provide any further comment. We will inform the House of developments as we were able to.

### **Child Safety - Strong Family Safe Kids Advice and Referral Line**

**Mr WINTER question to MINISTER for CHILDREN and YOUTH, Mr JAENSCH**

[10.04 a.m.]

Can you confirm that, despite the child's safety having been assessed a number of times over the last few years, there was an open, unactioned case at the Strong Family Safe Kids Advice and Referral Line?

**Madam SPEAKER** - Noting the minister's previous comments, I will call the minister to answer the question.

**ANSWER**

Madam Speaker, I thank the member for his question. I understand the gravity of the matter. I refer you to the answers to the last two questions.

### **Child Safety - Workforce Shortages**

**Ms ROSOL question to MINISTER for CHILDREN and YOUTH, Mr JAENSCH**

[10.05 a.m.]

You have been minister with responsibility for Tasmania's children and young people for the past six years, and yet the system continues to fail vulnerable young Tasmanians. You have known for years the workforce shortages in child safety which are placing children at further risk.

You finally admitted yesterday that only 40 per cent of child safety positions in the north-west are currently staffed, and yet you told this House yesterday that you 'have asked my department to urgently finalise an action plan for ensuring our workforce can get back to full strength'. Given you have had all these years in the job, we do wonder what 'urgently' means to you, in the context of these dangerous workforce shortages.

Will you today give this House a clear timeline for this urgent work you finally asked your department to do, and commit to fully funding and staffing child safety in this year's state budget?

**Members** - Hear, hear.

## ANSWER

Madam Speaker, I thank the member for the question. Importantly, this government has undertaken significant reforms in the child safety area, which have resulted in there being fewer young people entering the statutory out-of-home care system and more families being assisted to be in safe places to care for their children than before.

I am proud of those reforms, which were commenced under my colleague, former minister Jacqui Petrusma, that we have followed through since 18 December with the development and the commencement of the advice and referral line process. The trends continue of fewer young people in out-of-home care, more young people being supported by their families, and fewer families going through the trauma of being separated from their children due to their inability to provide safe care. The reform process that we have undertaken has worked. We will keep it working and we will keep investing in it.

Our government has also invested, more than ever before, in our Child Safety workforce. We have increased the capacity of the workforce by around 40 per cent.

**Dr Woodruff** - Not in the north-west.

**Mr JAENSCH** - This is where I need to call out some of the commentary of Ms White's yesterday, when she said having positions unfunded is effectively cutting jobs or cutting positions. It is not true. We have positions across our Child Safety Service. We have, at this stage -

**Dr Woodruff** - What are the urgent changes you are making?

**Mr JAENSCH** - We have a large proportion of them unfilled. That is a critical issue for us and it is my highest priority as minister. There have been a range of actions undertaken already, including redeployment of staff from other regions to ensure we can meet our basic obligations; negotiations with non-government organisations to provide case support and care teams, child visits -

**Madam SPEAKER** - Minister, you have one minute. I draw you to the question that was asked.

**Mr JAENSCH** - referrals to Relationships Australia for management of complex care teams and recruiting additional unit coordinators, support workers, youth workers and disability liaison officers in the north-west region.

We are also talking with our staff and working right now on a range of other initiatives that include things like scholarships so that we can support our support workers to upgrade their qualifications to perform in child safety officer roles. We have continued to work with the unions on appropriate pay and conditions so that we are competitive in the market and we ask for their support and cooperation to do that. We will do everything we can to ensure that we have trained people in these positions across our state to meet the needs of the children under the guardianship of the state.

**Strong Families Safe Kids Advice and Referral Line -  
Numbers Waiting for Responses**

**Mr WINTER question to MINISTER for CHILDREN and YOUTH, Mr JAENSCH**

[10.09 a.m.]

How many notifications to the advice and referral line are awaiting a response or a call-back from an Advice and Referral Line (ARL) worker? Can you confirm it is approximately 1100?

**ANSWER**

Madam Speaker, I thank the member for his question. I recently visited our ARL team at St John's Park and saw them at work and met many of their staff. I thank them for their important efforts which have enabled the transformation, the reform that I talked about earlier, resulting in more families being supported earlier to be in safe places to care for children, and fewer young people entering the statutory out-of-home care system and becoming wards of the state.

The Strong Families Safe Kids advice and referral line contributes to better outcomes. Since its introduction, the number of contacts to the ARL and the number of resolved contacts have been consistently high and growing. This is reflecting the community's awareness of the ARL through things like the commission of inquiry drawing greater attention to concerns. People are activated and motivated to bring matters to the attention of the ARL and the Child Safety Service and they are using that service. We are also seeing growth in the number of people themselves contacting the advice and referral line, noting that it is now not just a place to log a concern or to dob someone in, but also where families and carers for young children are going for support and help themselves.

**Madam SPEAKER** - Minister, I draw you to the question, please.

**Mr JAENSCH** - To the question that was asked, there has been a significant increase in the number of calls coming to the ARL. There is continuing recruitment to ensure that we have the people we need to meet that demand. Importantly, every single call is triaged to determine the most appropriate response, including a recommendation for an urgent safety assessment if warranted. In all cases where children are at serious risk and require urgent safety assessment, they are referred to the statutory Child Safety Service for contact within 24 hours. This service is working and is under high demand. We are continuing to recruit to it so that we have the capacity and -

**Madam SPEAKER** - Minister, I remind you that the question was around the numbers that are unallocated and awaiting call-backs.

**Mr JAENSCH** - Madam Speaker, as to the numbers as at today, I do not have that detail in front of me but am happy to get further advice on that.

**Madam SPEAKER** - Will you take that one on notice, minister?

**Mr JAENSCH** - Yes.



## **Devarshi Deka - Petition to Allow Permanent Residency**

### **Ms BURNET question to PREMIER, Mr ROCKLIFF**

[10.13 a.m.]

Today we are joined by Devarshi Deka and his parents Kula and Deepalee - and I urge you to meet with them - and principal petitioner, Aimen Jaffri. Today I will table a petition signed by almost 6500 Tasmanians whose wish is for Dev to stay in Tasmania to receive the medical treatment and rehabilitation he needs after sustaining injuries during an alleged attack, leaving him severely debilitated. This is a strong message from the Tasmanian community that this island will not tolerate racism.

Unfortunately, Dev will find acquiring permanent residency difficult because he will not be able to pass a medical test as part of his application. It means that he will be sent back to India to his former home, many kilometres from the closest medical help he needs. Will you do as thousands of Tasmanians want, and urgently write to the Minister for Immigration and Citizenship, calling on him to grant Mr Devarshi Deka permanent residency to stay in Tasmania with his community and get the care he needs?

**Madam SPEAKER** - I note the question went a little over time but given the presence of people in the Chamber, I call the Premier to answer.

### **ANSWER**

Madam Speaker, I thank the member for Clark for the question. I acknowledge Mr Deka and his family and advocates in the Chamber with us today and also, of course, acknowledge the horrific circumstances in which Mr Deka finds himself and the implications for not only his physical wellbeing but wellbeing more broadly and the family as well.

I well appreciate the very worrying circumstances of the family, reflected in the 6000 Tasmanians who have quite rightly put their names to a petition in advocacy for Mr Deka. That reflects the very deep compassion that all Tasmanians have for the circumstances of Mr Deka which have led to Mr Deka being in the Chamber here with us today and the advocates on behalf of Mr Deka. As correctly stated by the member, Mr Giles is the federal minister responsible for these matters and I am more than willing to make representation to Canberra on behalf of Mr Deka and his family.

I acknowledge the work of another member for Clark as well, Ms Ogilvie, who is engaging with Mr Deka and the family, as I understand it, and indeed many members around this Chamber more broadly.

Regarding the circumstances leading up to the horrific incident, we need to do more when it comes to supporting our multicultural communities. We have a very proud record in Tasmania, but we also need to vigorously invest and do all we can when it comes to stamping out racism in Tasmania. It is utterly abhorrent and in my very strong view not a reflection of the Tasmanian people. The Tasmanian people are reflected in the 6000 petitioners, whose petition no doubt you will table today.

I thank you very much for the representation. Of course we will make a representation to Canberra on the families' behalf. I reiterate that senseless acts of violence have no place in Tasmania under any circumstances.

### **Child Safety Services in the North-West**

#### **Mr WINTER question to MINISTER for CHILDREN and YOUTH, Mr JAENSCH**

[10.17 a.m.]

We understand the young boy who was killed in Smithton was the subject of a report to the advice and referral line that went nowhere. Yesterday we heard how understaffed child safety services in the north-west are, with nearly two-thirds of the roles currently unfilled. Do you acknowledge that your failure to adequately staff north-west child safety services has left and continues to leave children at risk of serious harm?

**Mr BARNETT** - Point of order, Madam Speaker. I raise, as you have noted, and as the minister has noted, that legal proceedings are ensuing. The member has yet again made references to those proceedings. I urge caution by the member and all members of the House in that regard.

**Mr Winter** - It has been reported in the media.

**Madam SPEAKER** - Before I call the minister, who is obviously happy to add some details, the question about resourcing and staffing in child and youth protection is an appropriate one for the House to deal with. However, we do not know in this parliament where the legal proceedings are currently at, so I urge all members to undertake some caution in questioning and answering.

Having said that, this is a matter of significant interest to the community, so where possible I will allow the line of questioning. The minister is aware of his legal obligations.

#### **ANSWER**

Madam Speaker, regarding the matter of staffing levels and ensuring that the resources we have are used appropriately to address areas of highest risk, I am informed the coordinated response approach taken when we have less-than-full staffing levels ensures the available child safety officers are directed to those cases that are highest risk due to the complex behavioural nature of the young people, the history of breakdown of those placements, or people who are very young or very new to out-of-home care, amongst others.

At all times, when a concern is raised of serious risk to the health and wellbeing of a child, it is dealt with as an absolute priority every time. Those calls and concerns, and concerns in care, are routinely triaged and resources are applied to those areas of greatest risk.

We have the positions; we have more positions than ever before. I raise this because again, in the opposition's questioning, they are implying that our government has failed to appropriately resource this area of government operations. The processes that are underway are about filling those positions and retaining staff in those roles through a range of means.

I have iterated a number of the steps that have been taken so far. I have also advised the House that I have directed the department to finalise an urgent action plan to go above and beyond what they have done before and to reach into some other and previously untried strategies to ensure that we get our numbers up.

Importantly, we need to ensure that those include more supports that show that we value the staff we have now and increase the retention of staff in these services - as well as attracting new colleagues to work with them. Only by raising our staffing levels do we get back to a fair workload for the teams involved and our ability to provide more than just a safety service - a service that is also able to support young people to thrive in the out-of-home care.

### **Child Safety Service - Vacancies**

#### **Mr WINTER question to MINISTER for CHILDREN and YOUTH, Mr JAENSCH**

[10.22 a.m.]

Budget line items do not keep children safe; child safety workers do. Last year in Budget Estimates you outlined that there were 22 vacancies in child safety services out of 190 positions, a vacancy rate of just over 10 per cent. Last night the House heard the vacancy rate in the north-west is at 60 per cent. After everything we have heard in the commission of inquiry, how have you let the problems in the child safety system get worse to the point where now we are in the midst of a staffing crisis? More importantly, what are you going to do to make sure this does not happen again?

#### **ANSWER**

Madam Speaker, I thank the member for his question. In relation to the answers provided last night to questions taken yesterday morning, the answer that we tabled advice about was that approximately 40 per cent of the child safety positions in the north-west are currently filled, not the number that you mentioned.

**Ms Finlay** - That means a 60 per cent vacancy rate.

**Members** interjecting.

**Madam SPEAKER** - Thank you, member for Bass. I am sure the minister understands that having 40 per cent filled means a 60 per cent vacancy level.

**Mr JAENSCH** - We have been under no illusions about a critical staffing issue in the north-west. That is why we have staff coming from other regions to assist in the interim while we develop and deploy more strategies to recruit and retain more staff. In the past, they have included employment of more unit coordinators and other staff in support roles, so that they can take administrative workload off child safety officers and allow them to spend more time working with families and children.

We will continue to invest in support positions for our child safety service so that we make the best use of the staff that we have now. We recognise that, for them, that involves a greater workload of more intense cases than they might have under normal circumstances. However, I have given commitments to them that we are investigating and acting on every

option that we have to grow our workforce and to ensure that they have colleagues to share the workload with, so we can provide the best service possible for children.

### **Supplementary Question**

**Mr WINTER** - Madam Speaker, may I ask a supplementary question?

**Madam SPEAKER** - I will hear the supplementary before I take a question from Ms Johnston.

**Mr WINTER** - The minister just spoke about using every option available to him. Can the minister state whether he and his government are considering paying child safety workers a market allowance to improve recruitment and retention?

**Madam SPEAKER** - Minister, it does arise out of the answer that you gave, so I call the Minister for Children and Youth.

**Mr JAENSCH** - Madam Speaker, yes, I can confirm that these matters are all on the table: using market allowance; being able to provide a competitive remuneration; also providing competitive employment conditions, including permanency, where we have contract staff at the moment.

**Mr Winter** - On the table? Are you going to do them?

**Mr JAENSCH** - I have answered your question.

### **Child Safety Legislation - Community Consultation**

**Ms JOHNSTON question to PREMIER, Mr ROCKLIFF**

[10.26 a.m.]

One of the many lessons to be learnt from the commission of inquiry is that we must act to empower young people to be engaged and speak about issues that impact their wellbeing and future, and we must listen to their voices. This is particularly the case when it comes to issues about their safety.

In this term of parliament, your government will need to bring forward a number of important bills arising from recommendations of the commission of inquiry. Whilst I appreciate the sense of urgency, getting these things right by taking the time to listen to young people is important.

That means not rushing consultation and allowing proper time for young people to engage and for advocacy organisations to help facilitate their engagement. Will you commit to allowing adequate time, space and support to meaningfully engage with young people in the development of all legislation, but particularly those arising from the response to the commission of inquiry.

## **ANSWER**

Madam Speaker, I thank the member for her question. We want to hear from the voices of lived experience when it comes to child safety, and the voices of lived experience where governments of all colours have failed young people. We have acknowledged that many times. Notwithstanding the importance of timeliness of legislation coming to parliament, which is an important factor in consideration when it comes to the consultation and appropriate timeframes of consultation, where possible, a mechanism where we can listen and, most importantly, learn from young people with legislation that affects them and future generations, is critically important.

I am very interested in the part of your question about young peoples' wellbeing. For about five years now, we have listened to young people in our public school system. We have surveyed our young people from years 4 to 12 on their wellbeing and matters not only at a local school level, but more broadly. That is very compelling and interesting data, particularly as each year adds to that data and you can see trends.

The wellbeing trends of young people, particularly young females in years 8 to 10, is very low and rises again in years 11 and 12, from the data I have seen. I do not have the data in front of me, but I took great interest as Minister for Education in working with the unit responsible within the department of Education at the time on wellbeing surveys, and in the message from that was the importance of listening and learning from young people, particularly when it comes to policy and those types of matters. The Premier's Youth Advisory Council, which Mr Jaensch and I co-chair, has been going for some time across a number of my predecessors. That is another important information sharing and gathering exercise.

Where we can provide the right mechanism for listening to the voices of young people through such critical, important legislation and balancing that with the importance of the timeliness of the legislation going through parliament, we will do that.

### **Threatened Species - Tasman Highway Duplication Project**

#### **Mr O'BYRNE question to MINISTER for INFRASTRUCTURE, Mr FERGUSON**

[10.30 a.m.]

All infrastructure projects must manage and assess environmental impacts as a part of the standard planning and approvals process. This is common practice in Tasmania and across the country. In relation to the highway between the airport roundabout and Midway Point Causeway, a threatened species was identified five years ago when your government started working on the project. The required referral was made to the federal government under the *Environment Protection and Biodiversity Conservation Act* (EPBC act) in 2020, with a decision made in early 2021 that a management plan was required. The federal government provided your government feedback on the environmental management considerations relating to the project, during the first half of 2022.

Can you confirm that over the subsequent two years, you and your government bumbled around and have only just recommenced consultations with the federal government about the environmental management of this project in the last few weeks, and that you still have not provided them with all the information they need to make an assessment?

How can you seriously blame an awkward orchid and a standard environmental approvals process for your government's complete bungling of this project?

**ANSWER**

Madam Speaker, I sense the member's sensitivity on this question. We have been very clear that this is a Liberal government commitment that we are delivering right through and past Sorell. We have delivered on many elements of that project. I gently chastise the member to note that he has occasionally stood in the way of delivering some of those infrastructure projects - in particular, the well-known delays that were caused by litigants around the Hobart Airport Interchange - one of the major game changes of keeping the travelling public being able to move through that zone, as I made the point to you yesterday.

There has been a change in posture by the federal Labor government in relation to impacts that are referrals that are made under the EPBC legislation. I noted overnight the federal minister has jumped to the cause and highlighted that this is legislation that was introduced under the Howard government. That is true but we have seen that new interpretations of that old legislation is holding up projects right around the country.

I will make the point again. Mr O'Byrne seems uncomfortable with me making that point but you only have to look at Tasmania's west to see that the new federal government's views in relation to EPBC matters that were settled years ago are currently placing a major threat over the vitality of the west coast economy, particularly on salmon farms surrounding Macquarie Harbour.

I make that point, and I make it very deliberately, Madam Speaker - Honourable Speaker, old habits die hard.

**Madam SPEAKER** - Sometime this afternoon.

**Mr FERGUSON** - That is right. In relation to this project, the Department of State Growth has worked very hard to achieve success. I make the point that projects that have not needed federal environmental approval, we have delivered, and now we need to get on with the next stages. The referral was made, as the member picked up on my answer yesterday, in 2020. It is now a controlled action. I would have preferred that the highway went through the technically superior location through the property Milford.

I understand it would not have had an impact on that endangered orchid and, being a controlled action, it has been a very frustrating process, to say the least. Nonetheless, the department and I have made the judgment that we will duplicate the highway through the other side of the road of the Tasman Highway, through the golf club's property and guess what? It is still a controlled action.

**Dr Woodruff** - Like you should have done in the beginning. If only your ego had not got in the way, Mr Ferguson. It is all about you.

**Madam SPEAKER** - Thank you, Leader of the Greens. That will do.

**Mr FERGUSON** - We are working through that very carefully and we will continue to deliver infrastructure. I thank you, Mr O'Byrne, for your support.

**Madam SPEAKER** - The minister's time has expired.

### **Supplementary Question**

**Mr O'BYRNE** - Supplementary, Madam Speaker.

**Madam SPEAKER** - I will hear the supplementary.

**Mr O'BYRNE** - Can the minister confirm that the department has taken two years to respond to the feedback from the federal government that was provided to them in the first half of 2022?

**Madam SPEAKER** - As it was the original question, I will call the minister.

**Mr FERGUSON** - Madam Speaker, I will take further advice on that, but I am not sure where Mr O'Byrne would be getting that kind of feedback. It is almost as if Canberra is working against Tasmania and feeding Mr O'Byrne with some helpful lines to help him prosecute his case here.

**Madam SPEAKER** - Treasurer, you have 34 seconds to answer the question.

**Mr FERGUSON** - I will take advice on the matter.

**Madam SPEAKER** - Can I just note that that will be a non-notice question?

**Mr FERGUSON** - Yes, Madam Speaker.

### **Ashley Youth Detention Centre - Therapeutic Care**

**Mrs PENTLAND question to MINISTER for CHILDREN AND YOUTH, Mr JAENSCH**

[10.35 a.m.]

I met with the Commissioner, Leanne McLean, on 5 June and since this meeting, I cannot stop crying when I think about those kids. I have shed more tears in the last week than I have my entire lifetime. You mentioned yesterday that we need to be careful about what we say here because it gets back to the kids. I want them to know that this mama bear is here to fight for their therapeutic care.

Commissioner McLean informed me that on this day that Ashley has had 21 detainees and six staff. Yesterday you said your team is trying to ensure therapeutic care for these kids. However, this staff-to-child ratio only allows the children one hour of outside access a day. What is therapeutic about that?

### **ANSWER**

Madam Speaker, I thank the member for her question. I commend her for her passion and advocacy for young people in our youth justice system.

Everybody in this place places the welfare and the wellbeing and the future potential of those young people in our youth justice system as the highest priority. We share that.

Regarding some of the figures and situations you have quoted, I will update the House that as of this morning, there are 17 young people in Ashley Youth Detention Centre; 11 on remand and six detained, ranging from 14 to 18 years of age.

The conversations you have mentioned with the commissioner reflect situations that have been changing and fluctuating over the last year or so. When we have had high numbers of young people in detention and from time to time when we have had lower than usual numbers of staff, in order to maintain the safety of the young people in Ashley we have had to change the program. This happens every morning at Ashley, when there is an assessment made of not only the number of young people but also the complexity of their behaviour and the interactions between them; whether there are young people, older people, people who have complex violent behaviour sometimes and when there are females in detention as well. It means that we have to order the day so that we do not bring people into conflict with each other. We do not create situations where young people or staff are at risk and we do not put ourselves in situations where we might have a group of, say, older males in a position where they can outnumber and overpower guards if they trigger some violent behaviour.

This is a constantly changing scene and it is managed every day. It means that from time to time young people spend more time in their unit where they can still access television, games, entertainment and their education programs; they can be given telephone calls and access to their legal advisers, the Commissioner for Children and Young People, and other observers in that place.

There was a time where the commissioner observed that that practice meant that young people were spending the best part of their day not in programs out in the facility. It has been commented on from time to time as if that is how it always is.

**Madam SPEAKER** - The minister's time has expired.

### **Supplementary Question**

**Mrs PENTLAND** - A supplementary question?

**Madam SPEAKER** - Are you asking a supplementary, Mrs Pentland?

**Mrs PENTLAND** - Yes.

**Madam SPEAKER** - I will hear it.

**Mrs PENTLAND** - What is the goal with outside access for these children?

**Mr JAENSCH** - I am happy to take that question. The goal is that young people get to participate in the full range of programs and activities available at Ashley every day, with an appropriate and safe staffing ratio and the ability to manage groups according to their needs and behaviours. We want Ashley to be a place, again like our child safety system, where we are not just keeping children safe but we are investing in their therapeutic rehabilitation and



their ability to re-enter the community safely, to live independently or with their families, and lead productive lives. That is our aim, always is.

### **Electoral Disclosure Laws - Liberal Support**

#### **Dr WOODRUFF question to PREMIER, Mr ROCKLIFF**

[10.40 a.m.]

For too long Tasmania has been known, correctly, as the secret state. We have had millions in dirty money flowing into the major parties' coffers without ever having to be publicly declared and dirty elections that treat Tasmanian voters like mushrooms. The worst example of all was the 2018 election, which was purchased by pokie barons for the handsome price of at least \$4 million, of which less than a quarter was declared. Then we had your pork-barrelling sports rorts policy, which even our toothless Integrity Commission dubbed electoral bribery. After years of promises to clean up electoral laws, last year you pushed through legislation that still leaves Tasmania with the weakest electoral disclosure laws, with the support of your Labor colleagues at the time, of course. In this new collaborative parliament, will you support moves to strengthen Tasmania's electoral laws? I will note, Madam Speaker, that this does not pre-empt an order of the day because we do not talk about the legislation at all.

**Madam SPEAKER** - I was sure you were going to ask about pre-empting an order of the day and I have sought some advice on that. Because it is a notice of motion, some leniency is provided that is not provided for legislation brought on normally, so I will allow the question.

**Dr Woodruff** - It is a general question about reforms to our electoral laws.

**Madam SPEAKER** - I have already said that. That is fine.

**Mr Ferguson** - It is a bill.

**Madam SPEAKER** - Yes, but because the member is not actually talking about the bill itself, leniency is allowed. I have taken advice on that to be absolutely sure. Thank you, Deputy Premier.

**Dr Woodruff** - Moves to strengthen our electoral laws.

**Madam SPEAKER** - Thank you. We do not need to interject anymore. We know that the Premier is trying to answer the question now. We look forward to it.

**Dr Woodruff** - Positively, I hope.

**Mr Ferguson** - Put a sock in it.

**Madam SPEAKER** - First of all, the Leader of the Greens will stop interjecting and the 'put a sock in it' comment is completely unacceptable. We will not have that kind of language in this House. I call the Premier.

**Dr Woodruff** - Thank you, hear, hear.

**Mr Abetz** - I have got some other suggestions.

**Madam SPEAKER** - Sorry, who was that?

**Dr Woodruff** - We don't need your vile comments, Mr Abetz.

**Madam SPEAKER** - Before I call the Premier, we have had some really quite distressing questions being asked today in parliament that are causing a number of people a significant amount of distress without deteriorating into rudeness. If we want to set a better example for the community and have this parliament look like it is functioning well, those kind of interjections on both sides will absolutely stop. I call the Premier to answer the question.

## **ANSWER**

Madam Speaker, I thank the member for her question. I recall many times in this place, particularly between 2010 and 2014, when there was a significant donation, if I remember, of \$1.6 million to the Tasmanian Greens and you characterise the reform in a way that butter would not melt in your mouth in terms of the Greens. I think your bill is probably designed to support the Greens as much as possible continuing with their arrangements at the expense of others. Madam Speaker - sorry, honourable Speaker -

**Madam SPEAKER** - Not yet, not until after today. We have not done that yet. I am not 'honourable' yet.

**Mr ROCKLIFF** - I am proud to have led a government that had the most significant donation law reforms in Tasmania's history.

**Members** interjecting.

**Mr ROCKLIFF** - You characterise it in a certain way, but the facts remain. The Liberal government brought in transparency and accountability when it comes to electoral donation reform.

**Members** interjecting.

**Madam SPEAKER** - To be fair, Premier, you are inviting those interjections.

**Mr ROCKLIFF** - I am proud of that fact. You will have your discussion today, no doubt, with your legislation. We will make some comments at that time, but the hypocrisy of the honourable member is noted.

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## **Recognition of Visitors**

**Madam SPEAKER** - Before I call on the next question, I acknowledge in the Gallery some students from Eastside Lutheran College. They are the years 9 and 10 legal students. I am sure they are delighted with the way we are conducting parliament today and will write wonderful things about your behaviour when they go back to their school.

**Members** - Hear, hear.

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## **Child Safety Service - Efficiency Dividend Exemption**

**Mr WINTER question to MINISTER for CHILDREN and YOUTH, Mr JAENSCH**

[10.45 a.m.]

Have you sought and received an exemption from the Treasurer that the Child Safety Service will be exempt from your government's efficiency dividend? If not, why not, and where does your department intend to find those savings?

**ANSWER**

Madam Speaker, we are in the budget process right now, finalising bids and ensuring that we are meeting some disciplines required to ensure we are managing our budget responsibly across governments services. I am in discussion with my department about where the Department for Education, Children and Young People can meet its obligations towards savings and budget control. It gives us the capacity to look across the entire agency to ensure that where we have areas of greatest need that we can give them the resources that they need whilst being able to achieve savings in other areas. That discipline will apply as we work our way through the budget process. There is not a rule that says that every line item shares its proportion of a savings target.

We will work with our department and with Treasury through the process to achieve the savings we need to as well as ensuring that we are maintaining resources in areas of essential services.

## **Long Service Leave - Portability**

**Ms BURNET question to MINISTER for SMALL BUSINESS and CONSUMER AFFAIRS, Ms OGILVIE**

[10.47 a.m.]

Workers in disability and community services, aged care, contract planning and security play an essential role in our society. Despite this, staff in these industries have fewer rights and worse conditions than those in other sectors such as the public service.

One key area affecting workers in these industries relates to long service leave. When a contractor or provider changes, or when they move jobs within their industry, they lose all their long service leave credits. It is deeply unfair. Other Australian jurisdictions have already moved to address this by creating portable long service leave schemes for these industries.

Will you listen to the calls of HACSU, the United Workers Union and the Australian Services Union and commit to creating a Tasmanian portable long service leave scheme for staff in disability and community services, aged care, cleaning and security?

**Madam SPEAKER** - I call the Minister for Small Business and Consumer Affairs. Although, is it a workplace relations question, perhaps?

## **ANSWER**

It does cross a few boundaries. Madam Speaker, I speak very generally and briefly to the importance of all our workforce, no matter who they work for, whether it is a small or big business, government or the social sector. As you would know in this Chamber, I spend a lot of time working with all of those people. As small business minister, everybody who works within small businesses deserves to be treated with the utmost respect, and of course that goes from customer services right through to their pay, salaries and superannuation, and those sorts of issues.

I understand that the issue of portable long service leave and other issues are in the public realm. Some of that sits with other ministers. With your agreement, I would like to take that on notice so we can provide you with a fuller response. I should say also that small business is the absolute engine room of the Tasmanian economy. It is really important we back them in. These are families.

I saw a lovely ad the other day where a small business was saying - I think it was at a national level - when you buy from us, you are providing the child with the new dance outfit, the money for the school books and school shoes, and very important stuff about the Tasmanian community.

**Dr Woodruff** - What does this have to do with portable long service leave?

**Ms OGILVIE** - I think we all like to work like that. From my perspective, I am always happy to take on good ideas.

**Madam SPEAKER** - We might consider if members are taking questions on notice that that might be the end of the answer from now on. That is something we might discuss in order to move through quickly.

### **Robbins Passage - Ramsar Listing Nomination**

**Mr GARLAND question to MINISTER for PARKS and ENVIRONMENT, Mr DUIGAN**

[10.50 a.m.]

In your response to my question yesterday on whether you support Cradle Coast NRM to make a Ramsar nomination for Robbin's Passage in Boullanger Bay, you did not answer the question and did not provide any guarantee that you support this.

You acknowledged in your response that Cradle Coast NRM has a desire to see such a nomination take place. You also noted that there is a large volume of work involved to complete a Ramsar nomination. Is my understanding correct that Cradle Coast NRM has the appropriate funding and resourcing put aside ready to begin this nomination, including the ability to complete a comprehensive consultation process?

You did state that the government's role prior to a Ramsar nomination being able to start is to provide an in-principle approval to commence as the landowner. Will you, as the relevant minister, provide in-principle support to commence on behalf of the state government as a

landowner so that Cradle Coast NRM can begin the work required to undertake a Ramsar nomination? A simple yes or no will suffice.

**Members** - Hear, hear.

**Madam SPEAKER** - Feel free to give a simple yes or no if you would like, minister. The answer is yours.

## **ANSWER**

Madam Speaker, I certainly would not miss the opportunity to talk about this very important issue raised by the member. I thank him for his question and note his interest in the area. I reiterate some of the points I made yesterday that having met and spoken face to face with the Cradle Coast Authority and Cradle Coast NRM, and hearing their desire for this work to progress, I agree that Robbins Passage and associated areas are a special part of Tasmania.

The listing of the wetlands under the International Ramsar Convention is an Australian Government responsibility and that is important to understand. It is also important to understand, as I did mention yesterday, that the state government's position would be around the support of the listing of all the adjoining neighbours. The landholders need to be brought together on this issue and that is an area of work ahead of Cradle Coast NRM.

I note that there is, as I mentioned yesterday, a large volume of work, and I note that they have some funding set aside to commence that work, so I would be happy to see the NRM leaning into that space and -

**Madam SPEAKER** - I draw you to the question, minister.

**Mr DUIGAN** - Thank you. I look forward to watching the progression of that particular listing.

**Madam SPEAKER** - I remind members that if they are not going to answer questions, they can simply do it faster. Thank you.

## **Child Safety Service - Budget Cuts**

### **Mr WINTER question to PREMIER, Mr ROCKLIFF**

[10.54 a.m.]

This morning we have heard that children, particularly on the north-west coast, are at risk due to inadequate resourcing of child safety services. In the face of that, we have also heard that the Minister for Children and Youth and the Treasurer are actively considering budget cuts within the department due to the appalling state of your budget. Do you still support those cuts or will you intervene to ensure these critical child safety services are not further impacted?

## **ANSWER**

Madam Speaker, I thank the member for his question. We are investing in child safety services and will continue to invest and continue to implement the commission of inquiry

recommendations. The questions framed in Question Time today are very sobering for us all, regarding tragic consequences which happen all too frequently, sadly. We need to do more in this space.

We will be investing, not cutting, when it comes to child safety services. We will also, quite rightly, as minister Jaensch said, look at and, in my mind, progress market allowances for those in child safety services -

**Members** interjecting.

**Madam SPEAKER** - This is a really serious matter. I am sure the Premier is going to come to the answer now.

**Mr ROCKLIFF** - notwithstanding the considerable effort that is being made when it comes to the vacancy rates which, understandably, are not good enough. However, we have worked considerably hard in trying to ameliorate and reduce the number of vacancies. Clearly the positions are there to fill, so we need to very proactively look at market allowances to ensure that we are very competitive when it comes to attracting a stable and sustainable workforce in this area.

When it comes to your question, investment in child safety services and the protection of children and young people, we are investing and will continue to invest in those services as per our commitment to the 191 recommendations and more when it comes to protecting our children and vulnerable people.

**Madam SPEAKER** - To remind you, you have one allocation left.

### **Ashley Youth Detention Centre - Alternate Site**

**Mrs BESWICK question to MINISTER for CHILDREN and YOUTH, Mr JAENSCH**

[10.56 a.m.]

In the government response to the commission of inquiry report late last year, it was mentioned that the alternative site for the Ashley Detention Centre had been selected. Where is this site, is it still being considered, how long will the design take, and when can we expect it to start being built?

**ANSWER**

Madam Speaker, I thank the member for her question and interest in this matter. A site has been selected at Pontville, and we can provide you with further background information on that. The site is being taken through a range of site assessment processes as we speak, including Aboriginal heritage surveys, and planning to deliver water, sewerage and power to the site as well. The preliminary work required for a development application is also underway as we finalise the model of care for young people in detention under our reformed therapeutic model and the form of facility that that will require.

Importantly, it will not be a like-for-like replacement with Ashley. What we are focusing on at this stage is a far smaller and more home-like facility, as referenced in the commission of

inquiry's recommendations, for a smaller number of people, predominantly those who have been sentenced, not on remand, and which is designed to support a therapeutic model of care. This is about addressing the causes of the offending behaviour and ensuring those young people have tools to manage their behaviour and participate in their community in constructive ways when they re-enter society.

There is a work program continuing with preparation of the site and planning for the facility, alongside the development of that model of care. The other important work which is underway and which is critical to enable this change to happen is that we develop the capacity in Tasmania for there to be alternatives to detention or secure remand for young people awaiting the outcome of their court processes, and more options in the community youth justice settings for those young people, equally therapeutic and aimed at ensuring that they are not only contained and meet their obligations, but that they are assisted to address the causes of their offending behaviour as well. We have many good service providers available to us.

During the election, we announced a commitment to work with JCP Youth to support their BEAST Program to make additional places available there. We are also talking and working with other service providers, most recently including Colony 47, about the roles that they can play in providing this greater range of tools that courts and police have at their disposal to direct young people rather than defaulting to detention, particularly for those in remand.

### **Child Safety Service - Staff in the North West**

#### **Mr WINTER question to MINSITER for CHILDREN and YOUTH, Mr JAENSCH**

[11.00 a.m.]

There is obviously a staffing crisis across child safety services and it is putting children, particularly on the north-west coast, at risk. You have referenced moving staff from other regions to cover north-west services. How many staff are being redeployed to support the north-west region? How would that impact other regions, and what are the vacancy rates across those other regions?

#### **ANSWER**

Madam Speaker, I thank the member for his question. The coordinated response process that we have undertaken, including the redeployment of staff from other regions is part of a flexible response. It can change daily in terms of our staffing numbers and demand for our services. I will seek advice as to how we can characterise the numbers of staff involved, but I note that they will change from day-to-day and week-to-week depending on the caseloads, the complexity of cases, and staff availability or absences due to leave or other matters at any site.

Our aim is to ensure that we do not create critical staffing issues in any region, but that we use the available resources to cover the bases as best we can and to ensure that we are meeting the highest priority cases and giving them the support that they need.

I commend our staff across the service and the state for their work professionalism, flexibility and willingness to step in and assist colleagues and to ensure that we are supporting children in our out-of-home care and child safety system in the state.

**Members** - Hear, hear.

**Mr JAENSCH** - I commend them for that work and I look forward to giving them more colleagues to work with.

**Madam SPEAKER** - Minister, can I confirm that you will take on notice the relocation and staffing numbers?

**Mr JAENSCH** - I will ask the department what information we can get to respond to that question, noting that it is variable from day-to-day. If we can give it something to characterise how it is working rather than a point in time.

**Mr Winter** - What about vacancy rates in the other regions?

**Mr JAENSCH** - I will get the advice that I can get on vacancy rates.

### **Supplementary Question**

**Mr WINTER** - A supplementary question. Could the minister outline the vacancy rates in the other regions?

**Madam SPEAKER** - That was part of the question. Minister, are you able to include that in your notice?

**Mr JAENSCH** - Madam Speaker, I will take that on notice.

**Madam SPEAKER** - That brings Question Time to an end, and noting that on notice we have the question the minister has just taken; the issue of the numbers of children unallocated, waiting for a call back in the north-west; a possible delay in two years for EPBC for the road near the airport; and the portable long-service issue.

**Time expired.**

### **CONSTITUENCY QUESTIONS**

**Madam SPEAKER** - Yesterday, I gave the call to the Liberal Party, the government member, because nobody else stood. If you do not stand for allocation you cannot complain.

#### **Tuscan School - Netball Courts Upgrades Delay**

**Ms WHITE question to MINISTER for EDUCATION, Ms PALMER**

[11.04 a.m.]

I recently had the pleasure to visit Tuscan School where I was provided with an excellent tour by students who made it their priority to show me their netball and basketball courts. They told me that no progress has been made on upgrades that you committed to years ago, and the netball court is now no longer able to be used due to the poor condition of the asphalt. This means their teams cannot practise at school and they are competing against other school teams



without the ability to train. Can you explain why there has been such a long delay and when the upgrades to the courts will occur?

### **kunanyi/Mount Wellington - Cable Car Consultation**

**Mr BAYLEY question to MINISTER for BUSINESS, INDUSTRY and RESOURCES, Mr ABETZ**

My question is from Phil Stigant and constituents long involved in the protection of kunanyi/Mount Wellington, including direct participation in the failed appeal of the Mount Wellington Cable Way Company, where its cable car proposal was comprehensively rejected by the Independent Planning Tribunal on 18 grounds, including visual impact, visitor amenity, biodiversity, and geo-heritage.

Last week, in an answer to a question, it was stated that a limited set of stakeholders were contacted, or attempted to be contacted, the day before the review announcement. Most were tourism groups, including the proponent of the cable car itself, now headed up by a former principal adviser to the Premier. The State Growth website on the internal kunanyi review now states that the terms of reference of the review will be developed with key stakeholders, including landowners.

What is the difference between a key stakeholder and an ordinary stakeholder? Who decides who will be consulted? Will consultation on the terms of reference occur with community representatives, including residents opposed to the cable car and the Aboriginal community? When will the terms of reference be released?

**Madam SPEAKER** - The time for the question has expired.

### **Historic Heritage Summit**

**Mr FAIRS question to MINISTER for the ARTS, Ms OGILVIE**

My question is in relation to the heritage aspect of the Arts portfolio. I recently attended the Historic Heritage Summit in Launceston and spoke to a number of people in attendance, as did you, minister. It was a wonderful event. There was significant interest in what the government is doing in this space, particularly from both a funding and support point of view. To answer a number of questions raised by constituents at this event, can you please detail the levels of government investment in our built heritage, particularly into supporting the attractions of local, interstate and global tourists?

### **Lions Club Clarence and Meals on Wheels - Accommodation**

**Ms BROWN question to MINISTER for HOUSING and PLANNING, Mr ELLIS**

[11.06 a.m.]

The Lions Club Clarence and Meals on Wheels currently operate out of 10 Binalong Road, Mornington and have done so for a few years. Meals on Wheels currently services

300 people on the eastern shore down to Dunalley. These charities are an invaluable resource. Due to Homes Tasmania acquiring the land, the Lions Club and Meals on Wheels are being evicted on 31 December 2024. Are you aware that your department is evicting two well-established and essential charities with nowhere to go? If so, what are you doing to find appropriate accommodation for them?

### **Support Services for Young People when Parents Incarcerated**

**Ms BESWICK question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr ELLIS**

[11.07 a.m.]

I recently heard about a young man under 18 years of age, who had been left homeless when his father was incarcerated. He did not know what to do or have anywhere to go. I do not have any other details of the situation. My friend connected him to the Salvation Army and they have cared for this young man in this situation. This is quite concerning.

What is the process of wraparound services that are in place to ensure family members are safe with access to appropriate housing, health and safety services when parents are detained? Do we have appropriate systems and social services to ensure these children and young people are protected and not left to fend for themselves?

### **Winter Events in Tasmania - Government Support**

**Mr BEHRAKIS question to MINISTER for SPORT and EVENTS, Mr STREET**

[11.08 a.m.]

I have a question for the Minister for Sports and Events that I will direct to the Premier.

Like others, I am excited that the Winter Feast opens this week, which has prompted questions from constituents who are wondering what other events are taking place over winter. I know we have some great mass participation events with Hockey Tasmania, Water Polo Tasmania and Tennis Australia, but can I please have some detail on what the government is doing to ensure Tasmania continues to thrive and encourage people to get out and about in Tasmania's winter?

### **Bus Stops in Main Street of Kingston**

**Dr WOODRUFF question to MINISTER for TRANSPORT, Mr ABETZ**

[11.09 a.m.]

Mine is about buses in my electorate of Franklin.

During February 2023, the main street of Kingston was closed for road works for several months. In the process, the main Kingston bus stops were moved to temporary locations for the road work. The road works finished in August last year and the Kingston bus stops remain closed until further notice. It has now been 10 months since the road reopened and in that time

the seats at the rebuilt bus stops have been replaced and finished, the shelters finished, and there is no set date for when the stops will resume in their original location. Why have the stops, which appear to be fully accessible now, remained closed and when will they reopen?

### **Renewable Energy Dividend Payment**

**Mr WOOD question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN**

[11.09 a.m.]

The following question is on behalf of a constituent who has asked the following:

I've heard that the supercharged renewable energy dividend payment will be applied directly to electricity retail accounts -

**A member** interjecting.

**Madam SPEAKER** - Continue with your question, member for Bass.

**Mr WOOD** -

Since I am on an embedded network, I do not have a traditional account with an electricity retailer.

Can the minister address the question of whether someone in this situation can still receive the dividend payment in this scenario?

### **PETITION**

#### **Support for Permanent Residency - Mr Devarshi Deka**

[11.11 a.m.]

**Ms BURNET** (Clark) - Madam Speaker, I have the honour to be the bearer of an E-petition signed by approximately 6447 petitioners. The petition conforms with the relevant Standing Orders and the Rules of the House:

To the honourable The Speaker and members of the House of Assembly,

The petition of the undersigned residents of Tasmania draws to the attention of the House the recent attacks on multicultural Tasmanians. In particular, we draw attention to the circumstances facing Mr Devarshi Deka who was left paralysed by a senseless attack last year, while studying in Tasmania and celebrating securing a job.

Dave came to Tasmania to have a new life, but his medical condition means he can no longer apply for any type of permanent visa as he can no longer pass the required medical examination. Dave's parents cannot financially support him, having to rely solely on Dave's brother, a teacher, to support

them. This is placing incredible strain on the family. This means ministerial intervention remains Dave's only hope of staying in Australia.

Your petitioners therefore request the House to urge the Premier and the State of Tasmania to make a strong representation to the federal Minister for Immigration to grant Mr Devarshi Deka permanent residency in order that he may continue to reside in Tasmania and receive support and care he needs.  
Signed by approximately 6447 petitioners.

**Petition received.**

## **CONSTITUENCY QUESTIONS - ANSWERS**

[11.12 a.m.]

**Mr ABETZ** (Franklin - Leader of the House) - Madam Speaker, I lay upon the table of the House responses to constituency questions:

### **No Meander Prison Group**

Ms Badger to Minister for Corrections and Rehabilitation, Ms Ogilvie

See Appendix 1 on page 138

## **TABLED PAPER**

### **Standing Orders Committee - Report - Title of Speaker**

**Mr ABETZ** (Franklin - Leader of the House) - Madam Speaker, I have the honour to present the report of the Standing Orders Committee on the Title of Speaker.

Madam Speaker, I move -

That the said report be received and printed.

**Motion agreed to.**

## **SENTENCING AMENDMENT (PRESUMPTIVE SENTENCING FOR ASSAULTS ON FRONTLINE WORKERS) BILL 2024 (No. 23)**

### **First Reading**

**Bill presented by Mr Barnett and read the first time.**

**HUMAN TISSUE AMENDMENT BILL 2024 (No. 18)**

**First Reading**

**Bill presented by Mr Barnett and read the first time.**

**FORESTRY (MISCELLANEOUS AMENDMENTS) BILL 2024 (No. 20)**

**First Reading**

**Bill presented by Mr Abetz and read the first time.**

**ASBESTOS-RELATED DISEASES (OCCUPATIONAL EXPOSURE)  
COMPENSATION AMENDMENT BILL 2024 (No. 21)**

**First Reading**

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

**MOTIONS**

**Suspension of Standing Orders - Debate Motion Forthwith**

[11.15 a.m.]

**Mr ABETZ** (Franklin - Leader of the House) (by leave) - Madam Speaker, I move -

That so much of Standing Orders be suspended as would prevent a motion in respect of the Report of the Standing Orders Committee tabled today to be debated forthwith.

**Motion agreed to.**

**Standing Orders - Amendment - Title of Speaker**

**Mr ABETZ** (Franklin - Leader of the House) - Madam Speaker, I move - That -

The House notes the Report of the Standing Orders Committee on the Title of Speaker (Paper No. 6), and agrees to the following amendment to the Standing Orders:

After Standing Order 142, insert the following Standing Order:

142A Title of Speaker.

Members must address the Speaker by the title 'Speaker' or 'Honourable Speaker'.

**Madam SPEAKER** - There is a 35 minute debate. I am assuming we are not taking that.

Before calling the vote, I will comment that I appreciate everyone's acquiescence on this. It means that future women who hold this role will not be asked the question about being asked if they wish to be 'Madam' or 'Speaker' a question that is not provided to men. Degendering this position is very important.

**Motion agreed to.**

## **MATTER OF PUBLIC IMPORTANCE**

### **Children in Ashley**

[11.17 a.m.]

**Ms ROSOL** (Bass) - Honourable Speaker, I move -

That the House take note of the following matter: children in Ashley.

On 22 May, the Commissioner for Children and Young People released a statement revealing that at the beginning of that week there had been 26 children and young people detained at Ashley Youth Detention Centre, highlighting that this was the highest number of children held in detention in at least a decade.

In response to questions yesterday, the Minister for Children and Young People advised that on Monday 10 June, there were 19 children and young people detained in Ashley Youth Detention Centre, with their ages ranging from 13 to 18 years. Six were sentenced and 13 were on remand, and I note that today the minister reports this number has reduced by two.

In August 2023, the commission of inquiry recommended the closure of Ashley Youth Detention Centre as soon as possible. This followed many years of similar calls for the centre to be closed and has also been Greens policy since 2018 when we proposed a therapeutic model. Despite this, more young people are being detained at Ashley Youth Detention Centre than ever before.

Yesterday, when commenting on the higher than usual numbers of young people in detention, the minister stated that those numbers were driven by decisions made by courts, not by the youth justice system, as if his hands were tied and the number of children detained in Ashley Youth Detention Centre was somehow outside of his control. There are many factors at play in the number of children being held in detention.

The strike-force response of the state government labels children as criminals and flies in the face of the government's own Youth Justice Blueprint that emphasises the need to invest in the lives of young people in ways that reduce their likelihood of engaging in criminal behaviour. The strike-force, tough-on-crime rhetoric also flies in the face of the principles of therapeutic justice, which are again laid out in the Youth Justice Blueprint. This rhetoric creates an atmosphere that lends itself to young people being stigmatised and criminalised, rather than being respected and treated with the care and compassion that would benefit them.

We know that lack of accommodation options for children and young people who could otherwise be released on bail is contributing to them being held on remand. Children and young people lack access to legal services while they are in Ashley Youth Detention Centre, meaning they languish in detention with no-one to advocate for them or push for action in their cases.

The government has failed to work with community organisations, who are ready and able to work collaboratively with the government to identify and address the needs of currently detained children. Just yesterday, TasCOSS wrote to the Tasmanian parliament and reaffirmed their willingness and availability to urgently commence this work. We know that there are actions that can be taken right now and services that have offered to help. Actions we could take include raising the age of criminal responsibility as soon as possible, reducing the number of children in detention, and establishing a special task force to urgently address the number of young people in detention. To date, the government has made no commitment to establish this task force, despite calls from the community and from the Commissioner for Children and Young People to establish such a task force.

Another action we could take is to provide access to a full-time on-site lawyer and social worker in Ashley Youth Detention Centre to help progress the cases of children and young people, ensuring more speedy court hearings that would enable a more expedient release from detention. We could work more urgently to develop and provide diversion options which are not being utilised at the moment, and we could work urgently with the community service providers who already have the experience, connections and ability to respond to the needs of young people. Action could also be taken to urgently fund alternative accommodation for children on remand to keep them from ending up detained in Ashley Youth Detention Centre. This is how we can begin to turn around the lives of young people.

We call upon the government to move beyond broad, sweeping statements of commitment to children and therapeutic care, to cease with the tough-on-crime rhetoric that is only damaging Tasmanian children and young people, and to take urgent, clear and measurable action that will make a meaningful difference to the young people of Tasmania.

[11.22 a.m.]

**Mr JAENSCH** (Braddon - Minister for Children and Youth) - Deputy Speaker, I thank the member for bringing on this MPI today and also for the opportunity that we had to discuss these matters and others. I look forward to further discussions with her as we progress our blueprint reforms and deliver better outcomes for young people that also keep the community safe as well.

As we spoke about earlier, our government is committed to closing the Ashley Youth Detention Centre as soon as possible and making the transition to new contemporary therapeutic facilities as part of an overall model of care and reformed youth justice system.

I will not repeat the matters we discussed in question time this morning. Suffice it to say, there are several streams of work progressing in parallel that include the preparation of the Pontville site and the development of the model of care, both of which will then inform the design of a final facility that will be smaller and more home-like than the existing Ashley Youth Detention facility. It will be designed for a smaller number of young people sentenced to detention and supportive of the therapeutic model of care, which will enable them to move from detention back into the community and not into reoffending and turning up in the adult justice system. This is supported by a \$50 million investment commitment we have made into

new facilities, as well as our \$6 million commitment during the recent election to support diversion programs and capabilities in our community which will help to keep young people out of Ashley.

I note the stakeholders that you have spoken to and heard from and I reiterate that we have met with TasCOSS and a range of service providers such as JCP Youth, we have spoken at length with Colony 47 and we are continuing to talk and work with providers in the sector. It is safe to say that there is a lot of interest and there are a lot of solutions available. The solutions need to be built around the needs of individual young people who are unique, their circumstances, their behaviours, the length of time anticipated to be in remand or needing to have supported bail. We need to work through that and ensure that we are putting together not only a process of determining the needs of young people currently on remand who may be able to be accommodated outside of detention, but also how we put in place a system that can inform magistrates, JPs and police who are making decisions prior to young people being sent to detention that they can have confidence in.

We will continue to work with all players in the sector to do that. We have an intensive case management process. We are in discussion with the Commissioner for Children and Young People about her support and ability to advocate for that as well. We will keep all interested members and this House updated on developments with those processes.

In the meantime, we have been investing in the safety of young people in the Ashley Youth Detention Centre for several years, until we have alternative and better options in place and in use, including: ensuring coverage by CCTV technology; the use of body-worn cameras; the presence of the Australian Childhood Foundation on site providing therapeutic evaluation of young people and guidance to staff; the involvement of the Advocate for Young People in Detention who represents the Commissioner for Children and Young People; the Custodial Inspector's regular visits as well, and continuing investment in improvements to training and processes, including use of force, the stricter controls to minimise or eliminate the need for partially clothed searches of young people through investment in things like the body scanner, which is now in place at the Ashley Youth Detention Centre. Ashley, now, is not the place it was decade ago. We will continue to invest and keep young people safe in Ashley while we finalise our reforms and transition to them.

**The DEPUTY SPEAKER** - The minister's time has expired.

**Mr WINTER** (Franklin - Leader of the Opposition) - Deputy Speaker, I thank the Greens for bringing on this very important matter of public importance today.

Ashley Youth Detention Centre was announced to be closed within three years on 9 September 2021 and we are here in June 2024, only months from the date that the government set itself to close Ashley. It is not that the new facility is under construction or we could see something happening; it is actually that we cannot see very much happening at all. The timetable that the government has now given itself, having first given itself three years, is 'as soon as possible', which is not actually a time frame at all. It is the time frame you give yourself when you actually do not know when you can deliver the project and you are not sure quite how to do it.

That is where this project, the closure of Ashley, has got to. There is no confidence anywhere. My read of sentiment within those who represent the workers there, those who



advocate for children, those who are passionate, and those who have supported the commission of inquiry and all of its recommendations, is that they simply cannot see the process. When we hear the minister say, 'it will close as soon as possible', it just adds to that further uncertainty around the government's commitment to this project.

I keep hearing them say that things are a priority and yet nothing seems to happen. It was a priority earlier today that we recruit more workers into the child safety workforce to ensure that children are kept safe on the north-west coast and across Tasmania. It is a priority, they say, to close Ashley, and yet nothing happens. The government does not deliver on these projects. It continues to happen. After 10 years of this government, we continue to be let down by promises that have been made and not delivered. The then-premier, Peter Gutwein, announced that -

... it was time for a major systemic change to our youth justice system, with the need for a holistic approach that gives our young people a far better chance of gaining the supports they need so that they are in a better position to rehabilitate and to live better and more productive lives.

It is a great thing to say. Perhaps it is difficult to deliver. It has not been delivered at all. He announced the closure of Ashley Youth Detention Centre. He said that it would close and they would invest in new infrastructure to introduce those services and deliver a model in its place. They said it would happen within three years, which puts the closure at only a few months away.

The government has been talking about a therapeutic model of care about improving the facility for those young people at Ashley. We have heard the minister for Children and Youth and in the past we have heard the Premier, Jeremy Rockliff, speak about these issues. Yet at the same time people are confused because you also have the minister for Police, Felix Ellis, out there talking about being tough on crime. Those two things appear to be completely incompatible with one another.

You have a government that has a Premier and a minister for Children and Youth who are saying on the one hand they want to take a therapeutic approach to care, and talking about the fantastic services offered by JCP Youth and the BEAST Program, which Labor was very proud to support during the election campaign. We are very pleased that the government jumped on board to support that. At the same time, the minister for Police is talking about being tough on crime.

It is very difficult to see what this government's plan for Tasmania is, and very difficult to see what its plan for education for young people is. We cannot see the progress on the closure of Ashley. We cannot see the progress of important reforms to support young people in this state. We cannot see progress to support those young people on the north-west coast. We have seen vacancy rates now explode to 60 per cent, having been at only 10 per cent last year. They are now growing and things are getting worse so, when the minister says that these issues are a priority, I just cannot see it. If this is a priority to close Ashley and yet, after almost three years, it appears nothing has happened, and if it is a priority to support our child safety workers on the north-west coast and yet they are leaving the service, I would hate to know what is not a priority.

If those things are priorities, it is very difficult to see how this minister and this government are going to deliver for those children to keep them safe. Whether they are in Ashley or in their homes, we need a government that is going to deliver.

[11.32 a.m.]

**Ms BADGER** (Lyons) - Deputy Speaker, I rise to speak on the most critical matter of public importance - the children in Ashley Youth Detention Centre. The commission of inquiry made it very clear that there are live and current risks for children at Ashley Youth Detention Centre. In fact, they were already expressing concerns about delays in closing the centre. I quote from the commission of inquiry report:

... the Tasmanian Government has previously announced its intention to close Ashley Youth Detention Centre by the end of 2024.

On 13 July 2023, minister Jaensch cast doubt on that closure date. While we acknowledge the government's reinstated commitment to closing Ashley Youth Detention Centre, we are gravely concerned by any suggestion of further delay. To be clear, those grave concerns relate to any further delay beyond the end of 2024.

The minister has suggested that 2026 would be viewed as an acceptable solution by the commissioners. This is false and the minister should stop pretending otherwise. Not only are we seeing these alarming delays to closing Ashley, but we are also seeing the government pursue policies that are directly at odds with the commission of inquiry's report recommendations and the government's own youth justice plan.

As the Greens' police spokesperson, I, like many others, are alarmed by the government's so-called Strikeforce policy. For those who might not be following along so closely, last year the government announced plans to employ high-visibility policing and crack down on young offenders with punitive actions. Then, at the election, the government doubled down on this tough-on-crime stance, announcing a Strikeforce that would target youth. In announcing this policy, the police minister used language that should never be repeated.

This government adopted the Strikeforce policy without even consulting the children's commissioner. After the policy was announced she made her views very clear that punitive, populist, tough-on-crime announcements might make for good media but they do not make Tasmanian communities safer. We cannot arrest our way out of these complex problems.

The commissioner is spot on. There is evidence from other jurisdictions that it is therapeutic justice that really works. That is something that the government says they are aiming for through their youth justice blueprint, but the results speak for themselves. The percentage of youth subject to diversions from police instead of court actions has decreased from 54 per cent to 43.3 per cent, and that number is only going to fall further under this government Strikeforce policy, meaning that more children are subject to unnecessary harm.

The commissioner for children has also made very clear her concerns about what this policy means for Ashley. She has pointed out that it is resulting in more children being sent to Ashley, and she has highlighted how the greater number of children at Ashley makes the centre less safe and leads to more frequent violations of the rights of children at the centre.

Make no mistake, the Strikeforce policy is making it harder to close Ashley. That alone makes it directly contrary to the commission of inquiry report. Of course, we know it contradicts the fundamental point made by the commission of inquiry about the need to pursue therapeutic approaches to youth justice.

Let us be very clear: so long as it continues with this policy, the government cannot say that it is following the recommendations of the commission of inquiry. It is a deep shame on the Premier and every member of this Cabinet. On behalf of the Greens, I again call on the government to abandon its Strikeforce policy as a matter of urgency.

[11.32 a.m.]

**Dr BROAD** (Braddon) - Deputy Speaker, I rise on this very important matter. We have to start asking questions about this government and put some pressure on them. In the wake of the commission of inquiry, the question has to be asked: What has actually changed?

What we see when it comes to Ashley, is that, in effect, nothing has changed. Maybe some senior public servants have been allowed to quietly resign, but that is about it. In terms of the way that Ashley is functioning, what we see now is no action from this minister. This minister gets up and he talks about working through a process, processes. I did not do a count, but I think this minister mentioned process and processes about 10 times. 'Investing in,' 'we are investing in the solution,' 'we are finalising reforms.' What is actually happening is zero action. Ashley should have closed. It should be closing in a matter of months and the Leader of the Opposition highlighted that. This is the difference between action and no action.

When former premier, Mr Gutwein, received personal evidence from whistleblowers about what was happening in Ashley, he made the decision to shut Ashley. It should be shut in a matter of weeks. and what we see now is no action. There is a saying that 'Perfect can be the enemy of the good'; looking for that perfect solution can be the enemy for doing anything. What we see in this minister in particular is that working through processes seems to be the enemy of action. We have the minister get up, wring his hands, be very concerned but what we end up with is no action, because this minister, instead of having something today or having interim solutions, is simply waiting for the perfect solution that is pushed off into the distance - 2027 or 'as soon as possible'. The result of this lack of action is that there are children in Ashley now who are vulnerable and the system has not changed.

The question is, are children safe in Tasmania under this government and especially under this minister? I would say, no. What we see is, as we heard in Question Time today, there are massive problems with the advice and referral line. Have you tried to make a referral? I have. I thought I was a mandatory reporter and I was duty bound to make a referral in a case of a child at risk. I was told after letters bouncing back from the minister that no, I am not a mandatory reporter. I know teachers who have tried to make reports and have been unable to get through the system because this government has made it more difficult to refer vulnerable children.

We know that these vulnerable children are on a pathway. Some of those children end up in Ashley. This is not about one particular aspect of child safety and what children are doing, this is about the whole system and this government is failing. Everywhere you look, there is failure. There are more children at risk and it is only a matter of time before we see another incident like we did in Smithton. The system is broken and it is broken on this government's

watch. We have the minister getting up saying time and again that he is trying to do all he can as he works through these processes. That is clearly not good enough.

The commission of inquiry highlighted, in their language, that there are 'people who are displaying a staggering lack of curiosity.' For example, this minister is not asking the question of why there is a 60 per cent vacancy rate in child protection staff in the north-west. Why is he not asking that question? Why is there a 60 per cent vacancy rate? There is obviously something seriously wrong, not only with recruitment, but with retention. This is a minister who completely lacks curiosity and as a result, he will work through his processes, he will get very concerned, he will be trying to develop his perfect solution, and in the meantime nothing else happens. It is not good enough. The services under this minister are under severe pressure.

The commission of inquiry was a moment in time where this state could have changed. The commission of inquiry demanded immediate change. What was the immediate change that it demanded? It made this recommendation before the commission of inquiry report was brought down - and that was close Ashley. What is this minister doing? He is doing everything he can about processes, but Ashley does not look like closing until who knows when.

**The DEPUTY SPEAKER** - Your time has expired.

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### **Recognition of Visitors**

**DEPUTY SPEAKER** - Honourable members, I acknowledge that we have the honourable Michael Polley in the Chamber, former Speaker of the House of Assembly. Welcome, Mr Polley.

**Members** - Hear, hear.

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[11.42 a.m.]

**Mr FAIRS** (Bass) - Deputy Speaker, I am pleased to make a contribution to today's matter of public importance. Although I have only been in this place a very short time, I have had a long interest in improving outcomes for Tasmanian children, young people and their families and keeping our community safe. In fact, I was so motivated to contribute on this important issue I set up a not-for-profit volunteer organisation to help disadvantaged youth and after almost two-and-a-half years, we have managed to change the lives of many young Tasmanians - without government support, I might add. I do not believe you always need government support to make change. It is often a challenging and difficult area of policy. It is also an area - and I have seen this firsthand - that is incredibly rewarding.

Our 2030 Strong Plan for Tasmania's Future committed \$6 million over three years for initiatives aimed at diverting young people away from offending, and I certainly welcome this investment. We will also invest \$2.3 million to support innovative local initiatives and partnerships that target root causes of youth offending in local communities and engage children and young people in education, training, employment, sport and the arts.

Finding meaningful connections and partnerships - whether it be on the sporting field, classroom, in training or employment - are key drivers to diverting young people away from poor habits and behaviours, which so often can lead to offending and possible incarceration. By investing in new local initiatives and partnerships that offer innovative place-based

solutions, we can target the root causes of youth offending and reduce the number of children and young people in the youth justice system.

In December 2023, the Tasmanian government released the Youth Justice Blueprint 2024-34 outlining the government's clear plan for a youth justice system that improves outcomes for children, young people and their families and keeps communities safe. This is in line with the recommendations of the commission of inquiry.

Our goal is to reduce the involvement of children and young people in the youth justice system by having fewer children and young people entering the system, minimising the amount of time children and young people are in the youth justice system, and having fewer children and young people re-entering the youth justice system.

Using a public health approach, the blueprint has a focus on strengthening supports for children, young people and their families through an integrated multidisciplinary system that promotes wellbeing and reduces engagement in antisocial and youth offending behaviours. The result will be a service system that supports early intervention and a service that diverts children and young people away from the statutory youth justice system.

One of the consistent themes heard through the development of the Youth Justice Blueprint was the need to increase our focus on early intervention and diversion from the youth justice system by providing a range of options and services. From my experience, getting in early is a vital element in combating the causes of youth offending, which can start at a very young age. We are trying to achieve an increase in availability and access of effective diversion in intervention services for young people at risk of offending.

The government has also commenced development of the youth justice diversionary services framework, which will identify criteria and measures for diversionary programs to ensure they are effective, evidence-based and regularly monitored and evaluated. This is being developed in consultation with government agencies that deliver programs and services to children and young people, non-government organisations, Aboriginal community-controlled organisations, and children and young people with lived experience of the youth justice system, including Tasmanian Aboriginal children and young people.

While diversionary options such as informal and formal cautioning services and referring young people to community conferencing are valuable and will continue to be used, the government will increase the number and range of diversionary approaches available to assist more young people and their families. This includes ensuring that Aboriginal children and young people have access to Aboriginal-led diversionary services, as we recognise that while we seek the same outcomes from diversionary services for Aboriginal children and young people, the approach we take to divert them away from the youth justice system in partnership with Aboriginal community organisations may be different.

This significant service system development will see young people being diverted through an increased number and range of programs, initiatives and services, grounded in evidence -

**The DEPUTY SPEAKER - Your time has expired.**

[11.46 a.m.]

**Mrs PENTLAND** (Bass) - Deputy Speaker, in an article on the ABC news in December 2022 a former Ashley Youth Detention Centre child described the same conditions that are still occurring at the centre in June 2024; locked up in isolation for 23 hours of the day. Due to this isolation, they reported they no longer woke up at a reasonable hour but instead at 10 a.m. This was due to the day and time spent locked away in their room. It is made so much longer and mentally unbearable if they woke up at 7 a.m.

The same article reported the former Ashley Youth Detention Centre member spent more than 35 days in a row with only one hour a day outside their room. Nintendo Switches are given out to help pass the time, but the children do not receive them until 6 p.m. This statement is massive. This time could be filled with therapeutic measures. The statement recognises how bad the isolation of 23 hours a day in a single room could be that these children need a way to help pass the time locked away and as a form of mental stimulation.

There are numerous reports and studies that show how the effects of video games are detrimental to young persons' health, especially at night. This includes reduced and affected sleep patterns, poor or impacted and impaired attention, academic performance issues and wellbeing and mood changes which can lead to potential addiction issues. Whilst not the cause, its effects have also been linked to developing obesity and an increased interest in violence and/or violent behaviour.

This isolation is not the therapeutic measure these children deserve. Ashley was meant to be a rehabilitation centre for these children and a last point of call, but there is none of that happening and instead it is now becoming the first point of call.

Premier Rockliff is quoted in an ABC news article dated 27 September 2023, saying, 'If there was a capacity to close it now, we would; I would not hesitate'. This needs to be happening now, not in 2026. The timeline for closure now being 2026 is too far away, especially given the isolating and limited therapeutic conditions for a so-called rehabilitation centre.

The commissioner stated that in six years Ashley's numbers and conditions are the highest and worst she has ever seen. Commissioner McLean again implored that the children need to be removed now, not later, as she is severely concerned about how the centre manages the rights of these children. The numbers are increasing as a result of the government's tough-on-crime stance, policing and the real and present risk of abuse continuing to occur.

The government needs to make the site closure the highest of priorities, as the closure by 2026, to put it simply, is not good enough. These children have already had enough delays in their life from essential services that could have seen them avoid Ashley altogether. We must not allow this House and the current government to be another delay in their formative years of life. The government and everyone in this House must remember that if we would not want our own children in Ashley, why would we be allowing other people's children to be there?

**Matter noted.**

## MOTION

### Discrimination and Bullying in Tasmanian Schools

[11.50 a.m.]

Ms **JOHNSTON** (Clark) - Deputy Speaker. I move -

That the House -

(1) Notes -

that the Tasmanian *Anti-Discrimination Act 1998* has some of the most comprehensive prohibitions against discrimination and bullying in educational settings in Australia. However, according to recently released data from the Australian Council for Educational Research, Tasmania has the highest rate of schoolyard bullying of any state or territory;

the regular and numerous reports to support services and in the media of school students and staff experiencing discrimination and prohibited conduct;

the adverse impacts of discrimination and bullying on students, staff, parents and whole school communities, including adverse impacts on physical and mental health; and

there is growing concern about Tasmania's lower levels of student participation, retention and achievement and that discrimination and bullying can adversely impact all three.

(2) Refers the following reference to the Standing Committee on Government Administration Committee A to: -

(a) inquire into and report upon direct and indirect discrimination, prohibited conduct, unequal and disadvantageous treatment, bullying and harassment in Tasmanian schools in regard to students and staff;

(b) inquire into and report upon the measures necessary to prevent and remedy discrimination and bullying in Tasmanian schools in regard to students and staff;

(c) examine the obligations and duties of Tasmanian schools under the *Anti-Discrimination Act 1998* and other relevant statutes and policies in regard to students and staff;

(d) examine and recommend what efforts are being made and should be made towards meeting those obligations by Tasmanian schools in regard to students and staff;

examine what other legislative or policy reforms may be required to address discrimination and bullying in regard to students and staff;

determine the impact of discrimination and bullying on student participation, retention and educational outcomes, and on staff recruitment, retention, workplace safety and career development;

ensure appropriate public consultation is conducted on all matters;

any other matter incidental; and

that the Committee reports by 28 November 2024.

A vote will be required, Deputy Speaker.

Every young person in Tasmania deserves to be able to learn in a safe and supported environment that is conducive to them reaching their full potential. Every staff member deserves to be able to work in a workplace that is free from discrimination and bullying. These are two statements I hope everybody can agree upon. They seem non-contentious.

As we know, discrimination and bullying can take many forms and be based on a number of attributes and occur in a number of activities. I want to take the time at the start of this debate to remind members of the kind of attributes that can be discriminated on. These are from the *Anti-Discrimination Act*, and they include: age, race, disability, irrelevant medical record, gender, gender identity, intersex variations of sex characteristics, breastfeeding, pregnancy, sexual orientation, relationship status, lawful sexual activity, marital status, family responsibilities, parental status, irrelevant criminal record, religious belief or affiliation, religious activity, political belief or affiliation, political activity, industrial activity and association with a person who has or is believed to have any of the other attributes.

Discrimination on the basis of an attribute is unlawful if it happens in connection with an area of activity that is listed in the Act. These areas of activity include: employment, paid or unpaid; education and training; provision and facilities of goods and services; accommodation; membership and activities of clubs; administration of law of Tasmania or any state government program; awards; enterprise agreements or industrial agreements.

The *Anti-Discrimination Act* continues. It says under section 17(1) that a person must not offend, humiliate, intimidate, insult or ridicule another person on the basis of age, race, disability, gender, intersex, gender identity, sexual orientation, lawful sexual conduct, pregnancy, breastfeeding, family responsibilities, parental status, marital status and relationship status, and where a reasonable person having regard to all the circumstances would anticipate the other person would be offended, humiliated, intimidated, insulted or ridiculed.

This can be a form of bullying that is against the law. It is important to also note that where harassment and bullying happens but does not relate to the attributes covered by the discrimination law, it is still a very serious problem and may be a breach of other laws such as occupational health and safety laws, workers rehabilitation and compensation laws and/or criminal laws related to assault and threatening behaviour.

These are far-reaching and they are serious matters. We have arguably strong laws, so you would think that students and staff ought to be safe and free from discrimination and bullying. Sadly, this is not the case. Recently released data from the Program for International



Students Assessments found that students in Tasmania reported the highest levels of bullying in Australia; 24 per cent of Tasmanian students reported that they have been made fun of a few times a month; and 10 per cent higher than their Victorian counterparts, where bullying was the lowest. This kind of data is replicated time and time again in reports and surveys. This is totally unacceptable.

I regularly hear from constituents who are concerned about their children and the impacts of bullying and discrimination. I want to raise a few examples, but I will not provide specific details in respect to those particular individuals, but I am sure you will understand the seriousness of these particular issues.

I have spoken to constituents and parents who are concerned that their child has a disability and has been excluded from activities, even in some cases expelled from schools, and the school's inability to accommodate those particular disabilities and the need for them to learn.

I have received examples from parents who are very concerned about bullying and discrimination within their school where their child's sexual orientation is a factor: where not only are other children bullying their own child, but the school has not actively taken action against this.

I have had examples provided to me very recently, in relation to the Archbishop, where students have experienced what they feel is discrimination based on the Archbishop's letter.

I have also heard from staff members who feel unsafe in their workplace because of bullying and discrimination, and examples of this relate to people's marital status where their sexual orientation is questioned and they are asked to hide their sexual orientation, or where they have been involved in political activity and that has brought into question their ability to remain in that school.

The impacts from this kind of discrimination and bullying on staff and students are widespread. They impact quite clearly on that person's mental health and wellbeing. For a student, in particular, it has a significant impact on their ability to engage in education. We know that in Tasmania we have a significant issue with attainment and retention in our education systems. Surely, we must be looking to take away any barriers that might be there to a student's engagement in education.

When I have spoken to colleagues in this place about my notice of motion ahead of this, I am sure that many members have experienced the same concerns raised by constituents to them. I am not the only one, and sadly, it is not unique. I know a number of members have expressed concern that parents with children with disabilities have come to them concerned about their child's ability to engage in education fairly and appropriately. The same with children who have a different sexual orientation, but the school might not be able to accommodate that.

I have heard from staff members, and I know that staff members have reached out to a number of members, particularly concerned, for instance, about the archdiocese letter recently sent out and the implications for their ongoing security and employment in Catholic education. This is not acceptable. It should not be happening. If you have not had constituents come to you with those particular matters, surely you must have seen its prevalence reported in the media, because it is regularly featured in the media.

This motion I bring forward today is quite simple. It begins by noting the reality of what is occurring, the high rates of bullying and discrimination, the regularity of reporting, the undeniable adverse impacts of bullying and discrimination, which are the reasons that we have these laws in the first place. It also notes the connection between Tasmania's low level of student participation, retention and achievement, and the level of bullying and discrimination in schools.

The second part of the motion is about what we are going to do about it. I feel compelled to do something, and I hope that members feel compelled to do something when we are talking about the wellbeing of young people and their educators. The first part, as I say, is assuming that we find the situation intolerable. It is inquiring and reporting into what is happening in Tasmania's schools. It asks the committee to look into the measures necessary to prevent and remedy discrimination and bullying. It asks to look at the obligations under our existing laws and to look at what efforts are being made to meet them. It looks at the impact of discrimination and bullying and asks what legislative and policy reforms are required. It is a practical and solutions-focused terms of reference for this committee.

In the lead up to this, I have engaged with a number of key stakeholders and I would like to table the letters of support for the notice of motion, if I may.

**Leave granted.**

**Ms JOHNSTON** - I have circulated hard copies of this to the speakers on this particular motion. Apologies, I have not been able to e-mail them to you. My computer has died on me, but you have hard copies. What I have tabled are letters from:

- Leanne McLean, the Commissioner for Children and Young People
- Sarah Bolt, Anti-Discrimination Committee Commissioner
- Equality Tasmania
- A Fairer World
- Disability Voices Tasmania
- Concerned Catholics Tasmania
- Robin Banks, the former Anti-Discrimination Commissioner

I indicate to members that I have spoken with David Genford from the AEU this morning. Whilst he was unable to provide a letter of support in time, he did indicate his support for the inquiry as it proposes to promote a safe workplace for his members. Additionally, whilst I have not had the ability to speak with the IEU, I do recognise their voice and action in recent weeks regarding the Archbishop's letter to Catholic school students.

I will highlight some of the reasons why those particular stakeholders feel that this notice of motion and this inquiry are important. First, the Commissioner of Children and Young People writes:

I am supportive of parliamentary inquiry such as this that focuses on the rights and wellbeing of children and young people. Tasmanian school students have told me regularly that discrimination and bullying impacts adversely on their wellbeing and learning, including their access to education.

Later on, she says:

I am also supportive of this inquiry such as this, as it will enable the investigation of matters and the formulation of recommendations for further actions that are critically important to our effort to uphold the rights of the children.

Again she highlights that this is an issue for her office and she would like to see action taken.

Anti-Discrimination Commissioner Sarah Bolt writes in her letter:

I am aware of discrimination and prohibited conduct occurring in Tasmanian schools through complaints made under the *Anti-Discrimination Act 1998*, as well as anecdotally. I am supportive of an inquiry which would seek to comprehensively understand the issues and create systemic change in educational settings, reducing and removing discrimination, prohibited conduct and other such barriers.

Rowan Richardson from Equality Tasmania writes:

As Tasmania's leading LGBTQIA+ advocacy organisation, we regularly receive complaints from parents, teachers and students regarding discrimination. This can take many forms, including failure to acknowledge a student's identity, warnings to staff that coming out could result in diminished career prospects, and parents concerned about bullying that is left unchallenged.

As you know, discrimination in Tasmanian schools is illegal. That is why we refer many of our people who contact us to Equality Opportunity Tasmania or to Community Legal Services if further legal advice is required, but it is clear to us that this is not enough to bring discrimination to end. If it were, the number of complaints we receive would have decreased over time, but this has not occurred. Indeed, the complaints received seem to increase in gravity, with some LGBTQIA+ students reporting they are segregated within their school community, some LGBTQIA+ teachers reporting harassment, and some parents relocating their LGBTQIA+ children to different schools.

We believe it is time to address these systemic problems.

Fairer World writes:

Despite the protection provided by the Tasmanian *Anti-Discrimination Act 1998*, the prevalence of discrimination and bullying in our schools indicates gaps in enforcement and support. I commend the inclusion of public consultation in this process, ensuring the voices of those directly affected students, staff and parents are heard and considered. This approach is vital for developing effective, sustainable solutions.

Vaughn Bennison from Disability Voices Tasmania writes:

Disability Voices Tasmania understands well the impact that discrimination can have on people at all stages of life and is particularly aware of the significant impact discrimination and bullying has on young people in educational settings. We support the intent behind this motion and welcome the resulting inquiry into bullying, harassment and discrimination faced by disabled people in educational settings, both staff and students.

Concerned Catholics write:

Concerned Catholics Tasmania is pleased to support your call for a parliamentary inquiry into discrimination within school communities. We are aware that some staff members within our Catholic education system are being treated less favourably than others because of their sexual orientation. In addition, students who are experiencing gender dysphoria are singled out.

Finally, Robin Banks, a former anti-discrimination commissioner, writes:

In my experience, the impact of discrimination and bullying is profound and enduring. Discrimination and bullying are not isolated incidents that those subjected to it can readily overcome, least of all if they are a child. The failure to prevent and respond quickly and effectively to discrimination and bullying leave those who are targeted feeling isolated and devalued.

The very best outcomes is to better understand discrimination and bullying where and when they are happening, in this case in schools. Through your proposed inquiry, we can hope to achieve this and to also focus on what can be done to prevent these devastatingly harmful actions.

Quite clearly, you can see that these particular key stakeholders, representatives of our community, particularly those who are there to help protect young people and staff members, are raising concerns that what we have in place is not enough, that discrimination and bullying is occurring in educational settings, in all Tasmanian schools and that we need to do more.

I hope this parliament can be unified in supporting this motion. Discrimination and bullying is unacceptable. We know it occurs, we know where it occurs and we have a responsibility to act. This is one further step in that direction. I commend the motion to the House.

[12.06 p.m.]

**Mr BARNETT** (Lyons - Attorney-General) - Deputy Speaker, I thank you for the opportunity to speak to this motion. I will share a number of remarks with respect to these very important matters. Discrimination and bullying totally have no place in Tasmania in terms of our communities and certainly not in our schools.

I acknowledge Jo Palmer, the Minister for Education. I know of her strong commitment to those objectives on behalf of our government. I also acknowledge the former minister for education, Mr Roger Jaensch, who likewise is very strongly totally committed to those objectives. I also refer to the Premier, another former minister for education, for his strong

commitment in this space. As a government we are very supportive of a caring, respectful environment, not just in our schools but in our community. I will have more to say about that very shortly.

Tasmanians have the right to feel included, seen, heard and respected and, as I have said, there is no place for any type of bullying or discrimination anywhere, including in our schools. It is, however, important to reflect on the work that has already been done by our government in this space. I would like to reflect upon legislation that was passed through this parliament with respect to bullying and cyber-bullying back in 2019. The Criminal Code Amendment (Bullying) Bill 2019 drew on recommendations from the Tasmanian Law Reform Institute, with the offence of stalking at section 192 of the *Criminal Code* amended to capture serious bullying behaviours. Of course, bullying can occur in almost any social settings, so I am not just talking about schools but any social environment, and can be perpetrated or experienced by a wide range of people. Cyber-bullying is a significant issue given that rapidly changing technology and the widespread use of social media now gives online bullies 24-hour access to their victims.

Bullying has lasting effects on individuals and their families and can result in tragic personal consequences for victims, such as long-term mental health impact, psychological damage and self-harm. As Minister for Health, Mental Health and Wellbeing, these are really important objectives and principles that should be acknowledged across the parliament, and I know it is absolutely and I appreciate that. With respect to that legislation, it was well consulted and supported through this parliament. Bullying behaviour, including cyber-bullying, is not only unacceptable, it is now in many respects a criminal act.

Much of the motion focuses on our schools and I want to indicate that, based on advice I received just this morning, the government has invested \$3 million to combat bullying and cyber-bullying in all Tasmanian government schools and since 2014, we have employed over 63 support staff to provide more social and emotional support where needed. I want to recognise that and thank the government since 2014 for implementing those initiatives and highlighting the important role across government for those support staff. I also want to commend our school chaplains and the social support workers in our schools for the wonderful work they do under difficult circumstances in many respects.

With respect to the recent election campaign, this came up as a bit of a focus in terms of bullying, cyber-bullying and social media, because it is not just the physical bullying in our schools and, as I say, this is a concern for our community. The Premier said on 21 May:

When it comes to a potential social media ban for minors, I have an open mind. What I do know is that the time for action is now.  
Above all, we need to give parents the support they need and listen to the experts in doing so.

The Premier also said:

I know many parents are feeling quite powerless to protect their children from bullying or adult content. I absolutely support a national approach to this danger. It is present in every home, no matter which street, no matter which state you live in. The recent step by the federal government for an age verification trial is a step in the right direction, but it is not enough. We cannot

afford to sit by while the health, happiness and wellbeing of our children is at risk.

I believe that speaks to the motion, and the objectives, principles and values that sit behind that motion. I acknowledge that. I thank the Premier for his leadership, and acknowledge the concerns, not just for our children, but for the parents and for the families alike.

I note that the motion obviously speaks specifically to Tasmanian schools. As I have noted already, it goes well beyond the school gate, in terms of antisocial behaviour. That is a concern in our community. We hear it time and again with respect to bullying and antisocial behaviour in our community, and it is not on. It is not acceptable. That includes discrimination and bullying, which is very much a broader issue across our community.

Schools do not operate in isolation. That is a key message that I share on behalf of the government. This is a much bigger issue than just in our schools, and I am sure the mover of the motion would acknowledge that. We are focused very much on our schools. We are talking about the health and wellbeing of our children and students in particular.

In terms of government policy, I acknowledge our 2030 Strong Plan for Tasmania's Future with respect to engaging and developing with our multicultural communities and ensuring that people with disabilities are cared for and supported - and this has been referred to by the mover of the motion.

People would know I am absolutely committed to that. I know across the Chamber we would have the same view. They need support, they need care, and they need an environment in which they can prosper and do well. For some years, as parliamentary secretary to the former premier, Will Hodgman, I was involved with the Premier's Disability Advisory Council. We need to support and foster greater connections and inclusion within the Tasmanian community.

If the Minister for Education was here she would advise that with respect to the data referred to by the mover - the Australian Council for Educational Research from 2022 - the international survey included all three Tasmanian schooling sectors, made-up of government, Catholic and independent schools. I understand in terms of that advice that there was a total of 774 15-year-old students from 49 Tasmanian schools surveyed, which included 385 students from 28 government schools. All government schools are encouraged to foster a culture of openness and a celebration of diversity, and the creation of this environment can be achieved through a range of approaches and resources.

As we are speaking about the multicultural space, I pay tribute to Peter Gutwein for his efforts on the walk. He is pretty much halfway. I think he left Perth earlier today on a very long walk from Burnie down to Hobart. I congratulate the former premier, Peter Gutwein, as head of Migrant Resources Tasmania, and commend him on building a more inclusive society. Getting behind that effort of the former premier is something I know we all support.

Regarding the government acknowledging the incidence of discrimination in bullying in our schools and in the community - yes, it is a concern. It must be addressed, and it is being addressed by our government. The government does have a school safe program through policies, procedures and investment in capital works, which have safety and inclusion as core design principles. That includes our capital works program.

We know that old-style toilet blocks, particularly in secondary schools, sadly had the potential to be bullying zones. As a government, we have been investing in upgrading those toilets across 42 identified schools as individual safer student bathrooms to assist in combating bullying in our schools.

Any incident of bullying and discrimination in our schools is deplorable, and everything should be done to take action to stop such behaviour. The government has already acted in that regard and will continue to do so. Schools work hard to create and maintain safe, supportive, positive and inclusive environments where all students can engage in their learning with confidence and optimism. We want our children to be the best that they can be. If we can provide a safe, caring, supportive environment, that is the way to go.

I would love to have further conversation on how we can actually achieve respect, ensure there is honesty and a safe environment, and ensure that school is an inclusive environment so that children can prosper, reach their potential and do well. That is the sort of environment we want in our schools and in our community: promoting respectful relationships and positive behaviour, and preventing and responding to unacceptable behaviour, which includes discrimination, harassment and bullying. Ensuring that students are safe and free from discrimination, harassment and bullying is a shared responsibility between school staff, the parents, school councils, the carers, the students and the community.

In strengthening how schools prevent and respond to bullying, a new Student Behaviour Management Policy was implemented at the beginning of last year. The policy set minimum standards for preventing and responding to bullying. The policy also has a clear definition of what bullying is and sets clear expectations for supporting students impacted by bullying. If a parent or a carer is aware of bullying, they should raise this with the school as soon as possible so it can be addressed. Respect for self and others may seem like a natural part of life, but it is a learned behaviour. That program is well underway in our schools.

I cannot think of a minister more committed to a respectful, caring and kind school environment that is supporting an inclusive and respectful approach than minister Jo Palmer, who is on the game. We can certainly help to foster a safer and more respectful society for our children to live free from violence and abuse by promoting core values around how we treat each other. I wanted to acknowledge that.

We have school support and wellbeing teams running in all Tasmanian government schools. That is encouraging. Those teams play a key role in helping to address and support the needs of all our students. Schools are also supported by professional support staff and services such as inclusive learning and student engagement and attendance teams, who provide at-the-shoulder support for schools. The Tasmanian government is committed to delivering a respectful relationships education. The comprehensive resources are evidence based, age appropriate and extend from the early years - birth to five years, and to year 12.

Embedding those respectful relationships and consent education in our schools continues to be a priority in the whole-of-government approach, and Tasmania's Third Family and Sexual Violence Action Plan 2022-27: Survivors at the Centre, which is so important. That action plan was launched in November 2022 and included an initial \$700,000 to focus on primary prevention, early intervention, and response and recovery. Is that not what we want? We want to get in early and be proactive.

There is implementation under the action plan and a range of measures that are being undertaken there. I could go through that, but there are so many things that the government is already working through and progressing. We look forward to continuing to do that under the leadership of the minister and indeed across government, thanks to the leadership of our Premier, Jeremy Rockliff. Our government is committed to a further three years of funding for the program from 2024 in terms of the school year. There is much that is progressing.

I will make a few final remarks to allow the member for Clark to share some remarks and possibly others. With respect to the Minister for Veterans Affairs, Anzac Day is a great day to focus on the courage, mateship, service and sacrifice of our veterans. Those initiatives should be strongly supported.

I know that we want the best for our children. We know that we want the best for them, and to prosper and to do well. I appreciate the mover of the motion and her sincere efforts to progress these important matters.

[12.21 p.m.]

**Ms HADDAD** (Clark) - Deputy Speaker - is that the right way? It takes some getting used to.

**The DEPUTY SPEAKER** - Either/or.

Thank you, Deputy Speaker. I want to ask a question by interjection of the Attorney-General: are you opposing the motion? No. Okay, good. I was not sure from your comments whether you were intending to support the referral of this research, and I hoped that you were.

I am glad to have that confirmed now because I acknowledge the work that is already happening, and the Attorney-General has given us a very clear snapshot of the work that is happening across government schools, in particular around legislation, policy and procedures, and programs that are being delivered in schools, as well as the important work of the different round tables and councils that the government hosts, such as the minister's Disability Advisory Council and the whole of government LGBTIQ+ working group.

The point I was going to make is that while all of that work is incredibly important - and I do want to acknowledge the incredible work being done by school leaders in every tier of the school system at the government school level, independent and Catholic schools as well. There are outstanding teachers, principals, social workers, other staff working across all three tiers of the school system who are doing work in their individual schools to make sure that students, staff and teachers are all safe and working in inclusive environments.

Unfortunately, all the legislation, policy and programs that governments can deliver do not necessarily change culture or change culture quickly. The *Anti-Discrimination Act* that we have in Tasmania - that we can thank our former attorney-general, Judy Jackson, for introducing in 1998 after a very long and drawn-out attempt to do it from opposition over many years, since she was opposed by other parties in this place back then in trying to introduce anti-discrimination legislation. She finally achieved that when the Labor Party formed office in 1998, and that legislation was nation-leading at the time. It remains nation-leading, albeit



that I know that there have been some comments that it could do with some improvements all these years down the track.

As members here are well aware, the *Anti-Discrimination Act* does provide protections from discrimination, as well as protecting things like religious freedom across a range of attributes, including race and age, sexual orientation, gender and gender identity, marital status, relationship status, pregnancy and breastfeeding, parental status, family responsibilities, disability, industrial activity, political belief and activity, and religious belief and activity, and there are more as well.

Despite the successes of that act, and we have seen some significant culture change in Tasmania over those intervening decades, sadly, the reality is that discrimination does still continue to have a massive impact on people in our general community, and particularly in our school system.

I am sure everyone in this place hears stories from students, staff, teachers and parents about things that have happened to them or about the treatment of their child or themselves have received. We hear instances of terrible racism in schools, homophobia and transphobia, discrimination of students with disability, particularly students with physical disability, but also neurodiverse students who often are unfairly treated not only by their fellow students but others in the school system as well. I have recently heard stories of a parent who was given the horrible news that the school believed that they should look for a different school for their child because their child was autistic and has other neurodivergent traits that meant that the school basically decided that it was too much and that that student should find another place to study.

It is incumbent on the parliament to act on these things. There is a lot of work happening in schools right now, but it is appropriate for the parliament to look more deeply into these issues. The *Anti-Discrimination Act*, as I said, may well be right for some improvements.

We might find, as the mover of the motion, my colleague, the member for Clark, has said other legislation may well be being contravened as a result of bullying and discrimination across the school system: workplace safety laws and other pieces of legislation that are designed to protect people in their workplace.

Bullying is unacceptable at any level and we know that when it does happen in schools, it intrinsically affects school culture. It affects school engagement and disengagement. We know that there are alarming increases in the rates of school refusal in Tasmania. We have low school retention rates. Bullying and discrimination might not be the only thing that is contributing to low rates of school completion, but I dare say that it is one of the factors that affects young people when it comes to school refusal and low rates of school completion.

I note, as Ms Johnston did, that she has had letters that she has tabled today welcoming the referral of this reference to the newly established standing committee. That is very significant. These are all organisations who work every day protecting people in our broader community from discrimination and working with people, particularly with young people, in schools.

Ms Johnston has received support for this inquiry to take place from the Anti-Discrimination Commissioner, Sarah Bolt, from Rowan Richardson, the President of Equality Tasmania, who also notes in his letter to Ms Johnston that Tasmania returned much higher rates

of schoolyard bullying than any other state in a recent Australian Council for Educational Research study.

She has received support from Alice Webb from A Fairer World, who noted in her letter that despite the protections provided by the *Anti-Discrimination Act*, the prevalence of discrimination and bullying in our schools indicates gaps in enforcement and support. She also noted that discrimination has significant impacts on the physical and mental health of those affected, disrupts school communities and contributes to Tasmania's concerning levels of school participation, retention, and achievement.

She has also had support from the Executive Officer of Disability Voices Tasmania, who recognises that discrimination and bullying against students with disability is a significant issue impacting not only those students but their families and the broader school community.

Importantly, Ms Johnston has also had support from Susan Chen, the Chair of Concerned Catholics Tasmania (CCT). That is an active group who advocate for students and staff in the Catholic school system. Ms Chen said in her letter to Ms Johnston that her concern, or the concern of Concerned Catholics Tasmania, is for the welfare of all staff, students and members. They are concerned that the current archdiocese officers put more store in adherence to what they believe is Catholic moral teachings than in the welfare of staff and children, an approach that does not align with Christ's teachings that we should love God and neighbour and that all are loved by God. She said that the CCT supports the current arrangements whereby their church can give preferential treatment to those who are members of the church. Authorities should not have the power to hinder those whose sexual orientation they disapprove of.

Ms Johnston also has the support of Robin Banks, former Anti-Discrimination Commissioner, who noted that to better understand discrimination and bullying, where and when that is happening, in this case school, through the proposed inquiry we can hope to achieve this and also focus on what can be done to prevent these devastatingly harmful actions.

Ms Johnston has received the support of the Commissioner for Children and Young People, Leanne McLean, who said that she has reports into her office of discrimination and bullying that impacts adversely on the well-being and learning of students in Tasmania and impacts their access to education.

We know that bullying and discrimination does happen in Tasmanian schools, as it does in our broader community. I wanted to share some of the reasons why I think it is appropriate for the parliament to conduct this research through the Committee, because it does go to what kind of society we want to live in. Do we want to live in a society where we have an impact on the culture of schools and the culture of society when it comes to bullying and discrimination?

I believe that we all would want to have an impact on making sure that we are doing everything we can as elected representatives to make sure that schools are safe for students and that they are safe workplaces for staff and teachers.

I know that Mr Bayley, the member for Clark will also be speaking, but I wanted to share a few of the stories that have been shared with me about discrimination that has been experienced in schools by students and staff. These stories have been de-identified and are shared in a de-identified way, but with permission from those individuals.

First of all, this story from the parent of a son at a high school in Tasmania:

Two years ago, my son told his teacher that other students were calling him 'fag'. The teacher believed the other students said fat. The teacher required my son to apologise. The bullying behaviour continued and escalated following this.

About six months later my son was marched into a room and surrounded by a bunch of bullies. They wouldn't let him out of the room. They were jeering slurs at him and saying he had a crush on one of the boys. They trapped him in there for several minutes. The school did not ask for names of the people involved and did not take any action and the bullying got worse.'

This story from a gay teacher in a Tasmanian college, who said:

I feel accepted by my colleagues and the school principal, but I don't feel supported by those higher up. I am told about communications that say homosexual teachers won't be employed if they are known to be gay, can't be promoted to leadership positions and that we must not talk about our spouses at work, including to other staff. That worries me much less than what students are going through. I can handle it, but when a gay or trans student comes out there should be an affirming response, as opposed to what happens at the moment, which is that they are left to deal with bullying alone.

From a trans student at a secondary college in Tasmania:

I experienced physical violence alongside constant harassment. These incidents were typically resolved by the administrators having a strong talking to with the offenders. However, this was more severe than any other. One young male in my class had recently begun harassing me incessantly. Regardless of the complaints I made, nothing was done. After some incidents of increasingly violent behaviour, which included increasingly severe verbal harassment and goading behaviour, thanks to which I felt increasingly unsafe, we both had to sit in the same classroom.

In the middle of the class and the other student got up and asked to leave for the bathroom, to which the teacher said yes, of course. As they walked to the door, he stopped in front of my desk. I looked up and he grinned. It happened in about half a second. I saw his right arm flurry, then I felt a blinding pain in the centre of my face. I heard him laugh as he sprinted from the classroom. When I gathered myself enough to focus past the dazzling lights, I felt blood trickle down my chin and a sharp stabbing pain in my nose.

I looked around and everybody else in the class was staring at me. I looked at the teacher to find she was staring down at her laptop. I called her name and asked did you see that? She stared absently. I was informed later that apparently at the time she had seen the other student attack me and run. She asked, he did? She ignored the incident. My nose was broken and I was terrified. Both myself and the other student were given a two-day suspension and we were expected both to return to class together shortly after.

Finally, a story from a trans student at a Hobart college in Tasmania, who said:

At the start of Grade 7, my name on the attendance sheet was my birth name, not my preferred name. Eventually I was able to get the attendance sheet name change to my preferred name instead of my dead name. This change only appeared on the attendance. My report card still came under my dead name even though it had been asked for that to be changed to my preferred name.

At the start of the school year, every year I have to go to IT to get the name changed in the school's online education systems from my dead name to my preferred name. This occurs every year.

I know of trans teachers who are mis-gendered by staff and taunted by children and nothing happens to that teacher. I know of students with disability, particularly some neurodiverse students, who have been told to find another school to study at. Ultimately, this kind of behaviour in schools not only affects the way that those students and young people can engage in education, but it is incredibly dangerous and in some instances has cost young people their lives.

The final story I will share is from another trans student in a college in Tasmania, who said that:

When the school goes on camps, we are putting tent groups of around three or four people of the same gender as us. In groups, we prepare and organise stuff needed for camp. Everyone would remember that kind of time at high school - who brings the tent, who brings what food is needed, and so on. I am a transgender student and the school does not let me be in t those camp groups. Instead, I have to get a tent of my own to myself and have to provide everything and hence miss out on the important bonding time and friendship opportunities that tent groups provide. When students at the campsites arrive, they are split into two parts for safety, one side for girls and one side for boys. When I am attending the camp, a third side is added in the corner, far away from all the other tents as I do not fit into either of these groups, which leads to exclusion from group activities.

Those are just a handful, Honourable Speaker, of the stories of young people and staff who have been affected by bullying and discrimination in Tasmanian schools.

I will finish where I began, which is that I very much appreciate the great work that is being done in many schools and there are excellent school leaders and staff and excellent students who support one another. Nonetheless, we do know that direct and indirect discrimination does happen in Tasmanian schools and that is why this referral to the committee for research is a very positive one. It will, as the motion itself says, allow the parliament to not only investigate these things but also to report on what kind of measures might be necessary to prevent future discrimination; what are the legislative or policy reforms that might be required to address discrimination and bullying in regard to student and staff; as well as analysing the impact of discrimination and bullying on student participation.

For those reasons, the Labor Party will support the motion and look forward to participating in the committee.

**Mr BAYLEY** (Clark) - Honourable Speaker, I thank Ms Johnston, the member for Clark, for bringing this motion forward and working it through so comprehensively. We read it very closely and take a strong interest in this and for opportunities to improve this. I indicate upfront that we are very supportive of the motion as drafted and note also the comprehensive work she has done in terms of getting letters of support and endorsement from important stakeholders in this space. I thank the member and we will support the motion, because bullying is a significant problem in our schools.

In fact, to take it a little bit higher, tolerance and acceptance is a problem nationwide. We have just had a nationwide conversation about racism and whether Australia is or is not a racist country. The response to that, particularly from some conservative commentators and others, indicated that we are a racist country. We do have significant problems when it comes to tolerance and acceptance and more needs to be done to address it. More needs to be done to make sure that people who are different in any way, shape, or form are accepted. We have had the tragic situation in the parliament just this morning where a petition has been tabled that supports an international student and his needs following an alleged racist motivated attack.

Tolerance and acceptance is a significant problem and certainly the research shows that in our schools there is no exception. I know it has been mentioned already, but the Australian Council for Educational Research demonstrates that of all students in OECD countries, only Latvia reports higher levels of bullying than Australia. Almost one in five, so that is about 18 per cent, of teenagers surveyed reported instances where other students had made fun of them and 10 per cent of students felt left out and had nasty rumours spread about them, while 5 per cent had been threatened.

We know that this has significant consequences. It has consequences in terms of the individuals involved with disengagement from the school system; dissatisfaction with their situation and indeed even, potentially, themselves; poor educational outcomes; poor mental health outcomes; and in some tragic situations that are being reported in the media, particularly when it comes to cyberbullying, instances of suicide. If a student is feeling so bad as to take those steps, clearly this is a crisis that is unaddressed and needs further attention.

I note from the letter from the Commissioner for Children and Young People that bullying and discrimination in schools adversely effects the human rights of people, full stop. They are human rights that we as a country have signed up to protect - the right of all children to live free from discrimination, the right of all children to have their identity protected and preserved, and the right of all children to be protected from violence, abuse, neglect and more.

This is an incredibly significant issue for our schools and school students and I really welcome that fact that the motion extends to address staff as well and bullying of staff in a school and educational context, because in meeting with the Principals Association, unions and talking to teachers, we know that the instances of violence in schools is increasing, be it student-on-student violence, physical or emotional, or any other kind of violence such as student-on-staff violence, so it is incredibly important to make sure that the staff cohort is indeed included in this referral to Committee A and dealt with.

We need to promote an inclusive school culture. We need to make sure that schools are inclusive and I am really pleased that the Catholic Archbishop's letter to his cohort has been raised already because that was a lamentable action from the Archbishop and was really an abuse of his position that increased the risk to a whole range of students and staff in his school system. It is an issue that is bigger than just schools.

We heard the minister reference the very good work being done in schools across the board, and I note the release last year of the Student Behaviour Management Policy, so a lot of good work and thinking is being done to look into this issue but as we see and as we hear, the problem continues. When it happens in schools, when we have a tolerance and acceptance problem, when we have a racism problem and as the other national conversation has indicated, when we have a domestic gendered violence and a broader male violence problem in this country, the solutions to those problems start very early. They start in schools, and I would suggest that unaddressed bullying and unaccountable students are in some instances a starting point of that ongoing gendered and family violence and that simply must end.

We need to see more investment in schools, not only in anti-bullying programs and so forth, but we know there is a dearth and a lack of support staff in the school system, whether it is speech pathologists, psychologists or other behavioural experts. We know that if these kids do not get the support they need to deal with the challenges they have in a learning environment, quite often their reaction is to mask it with inappropriate offensive, violent and unacceptable behaviour and that is bullying.

Speaker, I will leave it there to allow some time for the member for Braddon to have a say but I congratulate the member for bringing this motion on and we will certainly be supporting it.

[12.46 p.m.]

**Mrs BESWICK** (Braddon) - Honourable Speaker, I thank the member for bringing this motion to parliament today. It is a really important issue and we agree with the sentiment of this motion. There have been some really heartbreaking outcomes of bullying in schools and we need to make sure our schools are safe spaces. I want to make the point that bullying and discrimination are very different things and I feel they have been lumped together a little bit too much.

We need to pay attention to that when this goes through committee and as it goes through the research and reporting process, because discrimination is obviously very cultural and looking at issues that come from different characteristics, religion and race, and we have all heard about that today, but bullying is the actual activity, and it is not necessarily brought to us from that space - some kids just bully because they bully. We just need to be concerned about that behaviour and how we are looking after those two things and separating them at times and not necessarily lumping them together as one.

It is a very important motion and I definitely understand that we want to look into this issue. This needs to be looked at appropriately. I thank the member for bringing it on.

[12.47 p.m.]

**Ms JOHNSTON** (Clark) - Honourable Speaker, in the final minutes of this debate I thank all members for their contributions and their indication of support for this important motion, referral to Government Administration Committee A.

I also acknowledge, as the minister has done, the terrific work the government has done in terms of reducing bullying in schools, but what we clearly hear and see across the board, not only from those organisations who have written letters of support but anecdotally, is an increase, unfortunately, in the prevalence of bullying and discrimination within schools. That leads us to ask why this is occurring, and what can we do to make this situation better? That is hopefully the important work that this inquiry and committee will do.

I acknowledge, as the minister has done, that bullying and discrimination does extend beyond the school gates, but as we all know, it is very important to the educational setting, the formative years, particularly of young people, to set the tone and the standard of what we expect in later life. If we allow discrimination and bullying to occur in educational settings where young people are involved, it normalises that kind of conduct.

The member for Clark, Mr Bayley, has indicated that can lead to further later in life other instances of discrimination and bullying and the normalisation of that in other situations and activities. It is so important that we address it in the younger years education in particular to ensure that our educators and staff members in schools have the right sort of safe and inclusive environment where they can influence these young minds.

I reiterate, to make it clear, that this particular inquiry will inquire into all Tasmanian schools, not just government schools but across the private sector as well. It is important that we include all schools because we want every young Tasmanian to be able to participate in a safe and supportive education system, whether they are at a government school or a non-government school.

I thank members who have shared stories today about instances where young people have been discriminated against and bullied.

In response to the member for Braddon, I completely agree that there are differences between discrimination and bullying. That is why the inquiry will look at both aspects because they do impact and interact quite a lot, but there is a difference in distinction there. It is important that the committee understands those instances, what is happening, and then looks at how they can be addressed. The interaction between the two is critical and impacts on our young people and their ability to achieve their full potential.

I thank members for their support for this motion. I commend it to the House.

**Motion agreed to.**

**Quorum formed.**

## **ELECTORAL DISCLOSURE AND FUNDING AMENDMENT BILL 2024 (No. 9)**

### **Second Reading**

[12.51 p.m.]

**Dr WOODRUFF** (Franklin - Leader of the Greens) - Honourable Speaker, I move -

That the bill be now read the second time.

**The SPEAKER** - Is a vote required today?

**Dr WOODRUFF** - Yes, it is.

Honourable Speaker, democracy, when it is functioning, is a beautiful thing. It is also increasingly under threat and very rare when it comes to talking about what is happening on the planet. When it functions well, it is free from influence of vested interests, powerful lobbyists, and, increasingly, super powerful and self-interested corporations. It provides a playing field for each person to stand as a representative of their community and its values.

Healthy laws are a check on the advertising and also on the political organising and purchasing power of massive for-profit corporations. These bodies should have their say, but no greater say than every individual citizen who has equally important perspectives, equally important lived experience, equally important future hopes and dreams, and strongly held values and beliefs.

A healthy democracy should provide a level playing field for all candidates. It gives people full information before they cast their vote at an election about who has given money to support a candidate or a party.

Many Tasmanians are genuinely worried, and rightly so, about the more authoritarian, less democratic shift to executive powers and to an erosion of the proper processes of governance that has occurred globally, especially in the last decade. They are concerned too, about what has been happening in Tasmania. The lack of transparency and accountability that infuses all politics of the major parties and how that has played out over at least the last three elections, and the impact that has on good governance processes like the right to information and access to information about the work of government; like the fact that special enabling legislation has been written in the last couple of decades to fast-track or override planning laws; to facilitate developments for special interests; to allow harms to the environment to continue unchecked when in the interest of big business.

We have seen, over the 2018 election, millions of dollars in money flowing into the Liberal and Labor party coffers without ever having to be publicly declared, especially the Liberal Party. In the lead up to the 2017-18 election, they received \$4.167 million but only declared where \$925,000 came from. The Labor Party, in the same election, received \$1.128 million but only declared \$245,000. What we saw in that campaign was a huge fight to control the legislation-making powers of the government of the day after the 2018 election to favour the federal hotels and big gambling interests. That money flooded into Tasmania. As anyone who remembers and was around for that election would understand, it was not a fair playing field. What we have seen in the chamber with the increase with the Greens and the crossbench is that Tasmanians are sick to their back teeth of that way of campaigning for elections.

It was so obviously a bought election when every masthead, day after day, in the *Mercury*, *The Examiner* and *The Advocate* tabloids were full of advertising for the Liberals. Every pub in Tasmania had enormous advertising and there was a sea of blue on every single road and highway. We knew that dirty money was flowing into the state and we knew it was influencing the outcome of the election.



There was an outcome for some of the people that we know of who put the money into that election. The \$900,000 that the Tasmanian Hospitality Association spent campaigning against the Labor Party and the Greens in 2018 was rewarded by a \$15 million donation from the Liberals there afterwards. That is what happens when you stump up and put money into secretive campaigns and you do not have to disclose to the people who are going to the ballot box.

We saw again operating at the last election with the Liberals and the salmon industries. They had a cosy dinner that the Premier attended: an expensive Liberal Party fundraising dinner and lo, what a surprise that the money has flowed to the Liberal Party and continues to flow there. In the last reporting period, the Liberals declared that they got \$2.4 million in donations, but we only know where 80 per cent of that came from. They only declared \$420,000 worth.

It is not surprising we did not see JBS and Cooke there. Why would they need to make that known? They just do their business quietly in the background and they get rewarded by making sure that flag wavers and there are weak regulations so that the maugean skate remains on the brink of extinction, despite the fact that we know removing salmon farms from the Macquarie Harbour would make the difference to keeping that species with us into the future.

The Labor Party is doing the same thing. Both parties are doing the same thing. In the last reporting period, the Labor Party declared they received \$1,000,000 in donations but they only disclosed where \$16,000 of that came from: 98.4 per cent secret donations. This is the problem. When you have secret donations, you do not know who is paying the people to represent special interests over your interest to get your bus stop fixed up; your interest to get a hospital bed when you need it and your interest to get houses built instead of a stadium. Who is paying for these decisions? That is the basis of the bill that we have before us today.

As it stands in 2018, ABC Fact Check found Tasmania's donation laws would become the weakest in the country after the Victorian government made reforms. In the years since then, Victoria has reformed their laws, as has New South Wales, Queensland, Western Australia and the Northern Territory, which have also passed reforms that have enhanced their political donations and expenditure framework and made them more public.

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

## **ELECTORAL DISCLOSURE AND FUNDING AMENDMENT BILL 2024 (No. 9)**

### **Second Reading**

**Resumed from above.**

[2.30 p.m.]

**Dr WOODRUFF** (Franklin - Leader of the Greens) - Honourable Speaker, Tasmania dropped even further behind the rest of the country when we were declared to have the weakest donation laws. The government's reforms that were passed last year with Labor support, but unfortunately without the amendments they promised to introduce at the time, still leave us in a situation where we have the weakest laws in the country regarding electoral disclosure and funding. The donation disclosure threshold that we have passed of \$5000 leaves us with the second-highest threshold of any state or territory. It is only just a scrape ahead of South

Australia that has a current index threshold of \$6299. Next to Victoria, we remain one of only two states or territories that has no expenditure limit at all.

The government's reforms, when they are enacted later this year, will bring us in line with three other jurisdictions that have a ban on foreign donations. However, they still fail to adopt a ban on other potentially corrupting donations from the property organisations and the tobacco and gambling industries. It has been long established that these three in particular have an absolutely corrosive effect on democracy with the rivers of money that pour into governments to influence their decisions.

The government's reforms last year also failed to bring us into line with jurisdictions such as Victoria, New South Wales and Queensland, which have introduced caps on political donations. The disclosure time frames that we passed last year are ahead of many jurisdictions. However, even in this matter, the Liberal government failed to bring us into best practice. In Tasmania, we still do not have a requirement for 24-hour disclosure to Tasmanians in the last seven days before a polling day, which is critical because that is when so much money flows in: just before an election. That means we now have government legislation passed which did not introduce a single measure that is nation leading, and we are equal or near equal to last in three of the most important measures to improve democracy: the cap on donations, a disclosure threshold, and a cap on the amount that parties and candidates can spend at elections.

It is in this context that we are reintroducing our bill today, which would make our laws nation leading. This was something the Greens campaigned on hard in the election campaign we just had, and I also note that independents such as Craig Garland, Kristie Johnston and members of the Jacqui Lambie Network campaigned on transparency and integrity. I do not know about Mr O'Byrne, but I remember those other voices in the campaign making our collective voice against what has been the stranglehold of major parties in Australia over electoral laws to make sure that the people who vote on election day do not know who is paying for the campaigns of the people they might be voting for. They do not understand what interests are at play.

We made a commitment during the election campaign that we would bring in this bill at the first opportunity and we are proud to have put in the work and to have listened to Tasmanians. We have worked very strongly across the crossbench, in particular with independents, minor parties, and also in conversation with the government and the Labor Party to bring forward a set of amendments which are based on what we advocated for when the government's legislation came to parliament last year. The consultation process for these amendments was done over years.

The Greens' policies on this matter have been well aired. They have been in the public domain now for more than seven or eight years, and they have been supported by civil society: calls that have happened since the 2018 election regarding the money that came to the Liberal Party's campaign from the pokies lobby. There has been a common and loud call over years now to strengthen our democracy in these areas.

We know that donation caps are incredibly important. It is where most of the country is lagging. Only Victoria, New South Wales and Queensland have caps on donations. Of those three states, Victoria is the only one to have a somewhat restrictive cap at \$4160 over a whole term. Queensland's is a cap of \$10,000, and New South Wales has a very high cap on political

donations of \$26,400. The Victorian cap demonstrates that the cap that we propose in this bill of \$1000 a year will not cause the sky to fall in.

It is relevant how much money gets donated because it was summarised in the comments of an anonymous politician in a study in 2018 about electoral reforms. That person said, 'If someone donates \$1000, they support you. If they donate \$100,000, they've bought you'. In 2018, we also heard from Michael Yabsley in a similar study. Michael was a former Liberal Party treasurer. He described what he called a 'commonplace soft corruption in the donations process', where donations are tied to a commitment to meet with particular ministers or political leaders.

The federal Senate committee called to look into the political influence of donations found that it is hard to directly prove that donations buy political outcomes. However, the anecdotal evidence between the donations and the outcome is utterly compelling. The Senate committee also recognised that the amount of any donations cap would be relatively arbitrary. There is no rule book in the universe that states what is the best place to draw the line when it comes to how many donations are okay and how much is too much in a parliamentary term.

The Senate's inquiry struck, on balance, a recommendation that a donation cap should be set at \$3000 per term per donor. We recognise that that number still sounds somewhat arbitrary, but it was referenced to a number of things. For example, the average amount that individual Australians personally donated to charities in 2017-18 was \$764. Over a four-year term that sums up to \$3056, which is very close to the \$3000 donations cap that was ultimately proposed by the Senate committee.

It was based on a kind of relativity to what seemed, for the average Australian, reasonable to spend and donate to charities in a year. Drawing a connection between expenditure on charities and expenditure on political parties was something that the Senate thought was a reasonable connection.

One of the issues with large political donations, obviously, is that they disproportionately give influence to people or organisations who have more wealth. The Senate committee evidence showed that \$1000 a year in a donations cap would bring the maximum allowable donation down to the same level that is spent by everyday people on issues that matter to them. It confirms that \$1000 a year would be a reasonable cap for the purposes of levelling the playing field, which is what this bill intends to do.

On the matter of who is eligible to make political donations, this bill introduces a new division to the act that deals with donations from anyone other than natural persons who are not citizens or permanent residents.

Various jurisdictions in Australia have already banned donations from foreign actors from the property, tobacco and gambling industries. The Greens' preferred approach is the Canadian donation laws, which allow that only natural persons who are citizens or permanent residents of that country can donate to political parties. The Canadian law is similar to provisions that New South Wales attempted to pass in 2012 that sought to limit donations to persons who are registered on the electoral roll only. This law was overturned by the High Court in 2013 on the basis that it failed to satisfy the Lange test. This was because no clear purposes were articulated for the prohibition.

Our proposed amendment in this bill deals with this matter by limiting donations to natural persons rather than the more restrictive electoral roll requirements that New South Wales was considering. This is outlined in the proposed new section 28A, which articulates the object of the division. What this means is that it can only be individual, natural people who are able to donate to political parties or candidates.

Regarding real-time disclosure of donations, our bill introduces a proper real-time disclosure framework that is modelled on the Queensland legislation. It is a proposal for a blanket requirement for donation disclosure within seven days after the receipt of donations and within 24 hours during the seven days in the lead-up to the election polling day. Our bill would ensure that all but the donations made in the 24 hours before polling would be disclosed before voters go to the ballot box.

The reforms that the government passed last year are an improvement, but they are still woefully inadequate. As it stands in our legislation, information about any donation that is made seven days before polling day would not be available to the public before polling day itself. That could be as high as 14 days, as the Electoral Commission has to take up to seven days to publish this information.

I flag here that we have been in conversation with Mrs Beswick from the Jacqui Lambie Network, and they have proposed an amendment to this bill, which we have accepted. That would take the disclosure time period of seven days outside an election to a one-month disclosure time frame outside an election. If we go into Committee, I will discuss that amendment in detail, but it means that by the fifteenth day of a month following a month when a donation had been made or received, a disclosure would need to be made in that period. We think that is a very reasonable balance and are happy to support that.

On the matter of a donation disclosure threshold - our bill lowers the donation disclosure threshold, which is the level at which a candidate or a party is required to tell Tasmanians where their donation has come from, from \$5000 down to \$1000.

There is a huge number of submissions to the government's draft bill last year that included some from the Integrity Commission, the Tasmanian Election Inquiry Limited, the Human Rights Law Centre, the Australian Conservation Foundation, the Australia Institute and the campaign email that was sent by an undisclosed number of people who advocated for this \$1000 threshold. New South Wales, Queensland and the Australian Capital Territory also have this threshold, and Victoria has a threshold just \$40 higher. The Northern Territory has a threshold of \$1500, Western Australia is \$2500, and South Australia is the only Australian jurisdiction to have a similar threshold as lax as ours at \$5000.

Any candidate or party registered to run candidates in a federal election would have to comply with federal disclosure thresholds of \$1000. Keeping a threshold of \$5000, they will effectively be two sets of rules for candidates at Tasmanian elections, depending on the Electoral Commission registration status of candidates.

Finally, our bill also introduces expenditure limits for candidates, the parties and the third-party campaigners, for all House of Assembly elections. Most jurisdictions impose a cap on spending for independent candidates and a cap on parties, with the dollar amount that is multiplied by the number of electorates that the party has endorsed candidates within. This cap

can often be distributed across electorates in excess of a candidate's electoral cap. Tasmania and Victoria are the only states without expenditure caps for lower House elections.

The 2013 Electoral Amendment Bill that passed the House of Assembly stalled at the first reading in the Legislative Council. That bill would have imposed expenditure caps of \$75,000 for candidates and \$750,000 for a party, that would increase by \$1000 and \$10,000 a year. That is the model that we passed here in this lower House 11 years ago. It did not make it through the upper House at the time, but we passed it through this place. We are proposing the same model to put expenditure caps on parties and candidates today.

I do not have much time left and I am looking forward to other members' contributions. As I mentioned, we announced that we would bring this suite of reforms on during the election campaign. It is unfinished business from last year. Last year, the Labor Party promised that they would introduce amendments that are almost the same as the ones that we are proposing today and yet, they did not bring those amendments through in the upper House as they promised. They had reasons at the time that they had for not doing that. This is the first opportunity and we promised Tasmanians that we would come here and do everything we could at this point in time.

While the Electoral Commission is preparing the changes to the legislation that passed last year, now is the time to make these reforms that should have been done last year. The reason they were not done was because at the time, the Labor Party said they wanted to get some base reforms through before an election. That is where we were. Despite the fact that I have heard some negative comments from Ms White, who is responsible for taking this bill through for Labor, I hope that we have made the very clear point that the Greens want to collaborate and have been collaborating for the past five weeks non-stop, and we are trying to find every opportunity to make amendments or remove clauses from this bill so that we can compromise and find a way of passing laws that are better than what we have.

That is the bottom line. We are here to collaborate, to work to pass better laws for Tasmania, to have more transparency, more accountability and more clarity about who is paying for the campaigns for people when they stand for parliament.

We proposed amendments and I made it very clear, in addition to the personal conversations and many text messages I have had this morning, that we are open to and will move a bunch of attached amendments, including the ones that I flagged on behalf of Miriam Beswick from the Jacqui Lambie Network. Also, we are prepared to remove the provisions relating to limitations on the eligibility to make political donations, and also on the cap for political donations and, if required, in the truth in political advertising provisions.

These are matters that Tasmanians want to have resolved. We accept that. It does not in any way change our Greens policy position. We firmly believe that having a cap on donations, banning corporations and just making individuals able to make donations, and to have truth in political advertising is essential for best practice democracy electoral legislation.

However, we are realists and we are here today on behalf of Tasmanians who voted for us, listening to the community who desperately want to work across the parliament, with the crossbench, with the Jacqui Lambie Network, Independents, and the Labor Party, if they will come on board, to make Tasmania's laws on elections and how they are run, better. In good

faith, we are open to the changes that we wait to hear from the Labor Party. We are open to hearing about changes that can be made that will be in our state's best interests.

I am very confident that is what the majority of Tasmanians want us to be doing. They want us to be working together, they want us to compromise, they want us to reach solutions that overall are improving the state of our democracy.

I finish by thanking all the members who have worked very hard, attended briefings that we have given, listened to ideas and come up with problems; as well as the JLN for coming up with proposed amendments. It is clear from reading the *Hansard* of the bill in November 2022 that there were many conversations about things that could be improved. I am looking at the comments made by Labor at the time. Now is the time to put those words into action and make sure that the state's electoral reform laws on disclosure and funding can be better than the woefully inadequate ones we have at the moment.

**Time expired.**

[5.52 p.m.]

**Mr BARNETT** (Lyons - Attorney-General) - Honourable Speaker, I acknowledge the contribution of the Leader of the Greens.

There was a reference right at the last moment with respect to good faith. I can confirm right here and now that there has been no good faith demonstrated with respect to the bill put forward by the Leader of the Greens, no good faith whatsoever.

**Dr Woodruff** - We gave it to you five weeks ago.

**Mr BARNETT** - I am standing here, some 30 minutes into this debate that is an hour and a half or thereabouts, and you still have not circulated any amendments. I have been made aware that amendments would be circulated in due course. They did not come to me. They have not been circulated in this House to anybody on the government benches. They were provided to me over the lunch period.

**Dr Woodruff** - Minister, we only got them this morning.

**The SPEAKER** - You were listened to in silence, Leader of the Greens.

**Mr BARNETT** - There is no good faith by the Leader of the Greens with respect to this bill. We have had this bill in the public arena for more than two weeks since you introduced it, and we have been preparing for this day with respect to that bill. There is no second reading speech and there is no fact sheet. The bill is there.

I respect your views. I respect the views of the Greens and others in this Chamber that were expressed last year. What has been expressed today has not been done in good faith. We have walked into this Chamber for the afternoon session and we have been given views by the Leader of the Greens that speak in favour of the bill as unamended and then refer to an array of amendments which still have not been circulated. Come on. In terms of collaborating in good faith, this is not how to do it. This is the opposite of how to do it.

I call all members to consider very carefully what we are doing. We are trying to create good law in Tasmania. This is exactly how not to do it. You have had some discussions with yourselves and maybe some other members. You still have not circulated those amendments - through you, Speaker. This is in my nine and a half years in the Senate -

**Dr WOODRUFF** - Point of order, Speaker, that is incorrect. The minister had them this morning in the office -

**The SPEAKER** - If you have a point of order, I need to know what the point of order is. You just cannot get up and speak, Dr Woodruff.

**Dr WOODRUFF** - He is being dishonest because we circulated them to his office this morning.

**The SPEAKER** - If you wish to make a substantive motion about the minister not being honest, then you may do so, but the minister may choose to seek advice on that.

**Mr BARNETT** - Thank you, Speaker. Someone in my office received an email from the Leader of the Greens this morning after two-and-a-bit weeks.

**Dr Woodruff** - Yes, when they were drafted.

**Mr BARNETT** - They did not come to me. They had not come to anyone else in the government, Speaker. Let us be very clear: this is a really dodgy way to make good law. This is creating law on the fly. This is how you are doing it. This is not a way to make good law. Good law is what delivers. If you deliver good process, it delivers good policy and good outcomes. You have broken rule number one in terms of creating good law. That is incredibly disappointing. We are having the debate and they still have not been circulated through this Chamber today. Let us be very clear about that.

Let us go back a step. Everyone is entitled to their views. Everyone was entitled to their views last year. They were respectfully heard in this Chamber and then upstairs, and the bill was passed. In the view of the government and many others, it struck the right balance. We got the right balance. With respect to electoral disclosure, electoral laws, political donations and the laws that relate to that, the balance was set and it was agreed. Labor, and the leader of the opposition, had quite a bit of criticism of the Leader of the Greens at the time. That is understandable and fair enough. However, it went through the parliament and it was passed and guess what? Now there is a chance to have that law tested and we believe that we have got the balance right. There has been no opportunity for those laws to be properly implemented and to see how they would work. You have a bill passed last year and we have now created a new framework for this legislation.

Literally months later, you have brought a bill here two weeks ago, for which we were preparing. We totally oppose this bill; we totally oppose any amendments to the bill that you are seeking and still have not circulated to members in this Chamber. I will go through the bill and provide criticism of the bill. I will also provide criticism of the proposed amendments, even though they are on the fly. I will do that very shortly.

However, there is one way out: to do the right thing. What is the right thing to do with this bill? The right thing to do with this bill put forward by the Greens is to refer it to the soon-

to-be-established Joint Parliamentary Committee on Electoral Laws. It has been agreed in the upper House; we will agree in the lower House. My understanding, from the advice I have received is that it depends on who are to be representatives from this Chamber on that joint parliamentary committee. That committee's job is to look into our electoral laws, political advertising and the like, and to consider the merits of the bill, to consider the merits of amendments - which still have not been circulated - and to provide advice to this Chamber.

Please consider the merit of a little extra time. Give it due consideration and this Chamber will make its decision. There are no issues there. Everybody has the right to a vote and to express that view. We have already had half an hour from the Leader of the Greens. The government needs to respond. Obviously, Labor and other members need the opportunity to respond in a considered way.

I am urging, in a very fair and reasonable way, for this bill to be referred to a parliamentary committee which is about to be established, based on that it has been passed in the upper House. That is my advice. I understand there is agreement around the Chamber to establish it here in this place, subject to identifying who is on that -

**The SPEAKER** - Sorry, minister, are you seeking to move that amendment? I was about to say the committee is not established.

**Mr BARNETT** - That is exactly what I have said: the committee is not established. That is the point I am making. It has not been established, but it is soon to be established; there is agreement for that. My plea is that members of this parliament consider that. I encourage the Labor Party, the Greens, the Jacqui Lambie Network and independent members to consider that. I encourage all members of this parliament to consider it.

Having said that, let us just go through why this bill put forward by the Greens is so badly flawed. The bill that was passed last year is to set up the new disclosure and funding system in relation to elections in Tasmania. The Greens bill obviously proposes a range of amendments. There are reasons why we do not support those particular aspects. Let me go through some of them the best I can in the time available.

Our bill certainly provides an introduction of a fair and transparent approach, a modern political donation disclosure scheme and will increase transparency. That is what it does. It will ensure that the public continues to have confidence in the outcomes of our elections. That is the objective. That was achieved in our bill passed last year. It provides for a fairer and more transparent modern electoral system for Tasmania. It strikes the right balance.

In the contribution of the Leader of the Greens, there is acknowledgement of how problematic those amendments are as they have flagged their intention to abandon their own aspects of the bill or amend them. You have a bill that has been out there for the last two weeks on the public record and I respect that. There are no issues there. However, we are at the last minute about to consider the merit or otherwise of those amendments. This is a very dodgy way to look at it. You still have not had opportunity for stakeholders and members of the public to express their views on it. It is incredible that you would even consider this. That is why there is merit in referring this to a soon-to-be-established parliamentary committee.

The bill was tabled on 15 May. The Leader of the Greens is clearly abandoning swathes of her own bill. It almost beggars belief that we are going down this track today in this process. This is a way to throw out a good process 101.



I do not know how any member in this place could have confidence that those amendments will achieve what is desired of them. If it is the case that Labor will be supporting the Greens' amendments, well there you go, you have the Labor-Greens accord all over again. They have not changed. At the election they said they would learn -

**Ms White** - Look at how your government's being propped up. Seriously, you want to go down that conversation path?

**Mr BARNETT** - This is hypothetical because we do not know what Labor will do unless you want to nod now and say you will be supporting the amendments without due consideration.

**Ms White** - I will talk when it is my time, minister.

**Mr BARNETT** - Very good. There you go, hypothetically, if Labor was to support the Greens, that would be going back to those bad old days which you said you would have behind you after the election. You said you would learn your lesson well.

**Dr Woodruff** - It is because of that sort of childishness that people are leaving the major parties in droves - because of this rubbish.

**Members** interjecting.

**The SPEAKER** - Minister, if you could avoid inviting the interjections, then we might have a calmer parliament. Mr Garland is the only one being well behaved today.

**Mr BARNETT** - Whether there will be a unity ticket of Labor and the Greens time will tell. We will wait with bated breath.

Relating to the reduction of the disclosure thresholds, as was noted in the debate last year, the threshold in South Australia is considerably lower than the current Commonwealth threshold, which I understand is \$16,300 and we have, as noted last year, from \$5000. The federal Labor government and the Prime Minister have made commitments to change the threshold. However, it made those commitments a long time ago. What has happened? Nothing has happened at the federal level. The limit is \$16,300. They have made commitments at the federal level and have not delivered on it, so that is a matter for them. That is on the public record.

In terms of the reduction of disclosure time frames, real-time disclosure, the proposed amendments in this bill would see the donations disclosure period in the act shortened to seven days year-round, except for the lead-up to polling day when the donations would be disclosed within 24 hours. The Greens, literally moments ago, flagged an amendment, and that is acknowledged, and the JLN's position with respect to that amendment is noted, but again, what is the consequence? What is the impact of that? Why would you not consider a parliamentary committee to consider that matter?

The proposed amendment in the bill creates a significant administrative burden without evidence that such a burden is warranted, and that remains true even if the foreshadowed amendment to the bill is successful. There will certainly be particular concern to independents and small parties such as JLN under these provisions. These people would bear the burden of reporting donations received well outside of the election period within seven days. In instances

where an independent or small party had a contracted or casual administrative person doing this work for them, this may be a significant compliance issue. The proposed amendments, in short, increase the administrative burden of reporting.

As to the reduction of time frames for publication by the Tasmanian Electoral Commission (TEC), the proposed amendments shift the wording in relation to the TEC requirements to publish declarations within seven days by providing that publication must be as soon as possible, but in any case, no later than seven days. The government has every faith that the TEC operates to ensure statutory time frames are met, so we do not regard it as necessary to specify the TEC must publish as soon as practicable. While this amendment is unnecessary, it is likely to have little practical effect.

Regarding the introduction of expenditure caps, the bill proposes amendments that would impose expenditure caps on House of Assembly elections. The cap will start at \$85,000, increasing by \$1000 per year for a candidate and \$530,000, increasing by \$10,000 each year for a party. The government remains opposed to imposing expenditure caps on House of Assembly elections at this time. That is for a whole range of reasons. You might mention free speech, but I make it clear that recommendation for the final report of the *Electoral Act* review that any decision in relation to cap should follow the analysis of evidence gathered under the new disclosure regime. That is to my point. Why not allow the law that was passed last year by this parliament to progress and have it reviewed maybe in a few years' time at the appropriate time and then do the change based on an analysis of the evidence as reported in the final report on the electoral laws review?

There is currently no information available as to what amounts are generally spent during House of Assembly elections. It would be premature to set a cap when we do not know what an appropriate cap would be. What is an appropriate cap? A cap set too low would inhibit dissemination of ideas and policies by all involved in the electoral process. A cap set too high would achieve nothing. That was not supported by the *Electoral Act* review final report and there is insufficient evidence to introduce them at this time. The government does not support this amendment.

The Greens propose an amendment to ban misleading political advertising and create a stand-alone offence with a penalty of a fee not exceeding 200 penalty units. The TEC power to direct misleading advertisement - it gives the TEC that power. While this amendment is no longer being pursued, I am advised, based on verbal advice - still have not seen the amendments.

**Dr Woodruff** - It may not be, depending on what we hear from other members.

**Mr BARNETT** - Well, how would you know?

**Dr Woodruff** - How would you know?

**Mr BARNETT** - I have not seen the amendments.

**The SPEAKER** - We cannot have a conversation across the Chamber.

**Mr BARNETT** - No, thank you, Speaker. I appreciate that.

The truth in advertising issue is complex. Again, this has not occurred at this stage given that the issue was out of the scope of the *Electoral Act* review and was not included in the draft bills that went out for consultation. The bills last year were consulted. They went into the public arena and got feedback from a whole host of people and the feedback was considered. These changes were literally made on the fly this morning - we still have not seen the amendments - and have not been consulted. What are the views of the stakeholders?

**Dr Woodruff** - You have seen the amendments.

**Mr BARNETT** - What are the views of the stakeholders?

**Dr Woodruff** - Unfortunately, you are being very misleading.

**Mr BARNETT** - There are no stakeholders because they have not had a chance to review them. It is just appalling process.

One very important aspect is that they only apply to electoral advertising, not to what is said and done during the course of the campaign. To fall within the ambit of the bill, the statement in an advertisement must purport to be a statement of facts. Statements of opinion, questions and insinuations may not be construed as statements of fact and may not attract the operation of the law. These particular aspects of the law are likely to lead to many complaints being made and having to be processed and considered by the TEC where the act does not apply to matters that are the subject of the complaint.

Further, these laws risk politicising the TEC. Is this something that you want to do? That is a real risk in the view of the government. It undermines the Tasmanian Electoral Commission. Significant TEC staff time will be required during the election campaign to administer those laws and if you look at other jurisdictions, South Australia and the ACT are the only two Australian jurisdictions whose electoral legislation provides for the regulation of misleading electoral advertising.

The final report into the Tasmanian *Electoral Act* review referred to truth in political communication as being a complex issue and one that the *Electoral Act* review considered to be beyond its terms of reference. It has not been properly considered in the Tasmanian context. There is much more that could be said, but I will go on, in light of the short time we have, to consider these important changes being put forward.

The South Australian Electoral Commissioner, Mick Sherry, has acknowledged the challenges in administering the legislation that I referred to, most recently when appearing before the Joint Standing Committee of Electoral Matters in November 2022. Mr Sherry is quoted in the transcript of that session, and I draw that to the attention of members. He said:

While the commission has a good reputation in the electorate, it is a reality of administering misleading advertising provisions that we are drawn into the political debate.

There you have it. There are other significant points Mr Sherry has made and I draw those to your attention. It is on the public record.

Given that the bill currently under consideration appears to be adapted from the South Australian legislation, there is no reason to think that the significant challenges identified above will not also apply to the Tasmanian context.

The Australian Electoral Commission has made written submissions as well, with the Electoral Commissioner, Tom Rogers, appearing at the hearings of the committee in September 2022. Again, we do not have time today to consider all these things. These are important views and they are not being considered.

You have independent experts and the views of electoral commissioners all around Australia on these particular aspects and you are not even considering them. This is not a good way to make good law; this is the opposite. It is a really dodgy way to pass law on the fly. We are meant to be collaborating, working together with a 'Team Tasmania' approach. This is not the way to go. This is a very disappointing approach and we should carefully consider that, and I urge colleagues to do so.

As to the ban on donations from all non-natural persons, the bill proposes an amendment to ban donations from non-natural persons, meaning companies, businesses, and we totally oppose that. This is the Greens picking and choosing, yet again. I understand, from what the Leader of the Greens has said, that it is not being pursued. Nevertheless, I want to make it clear that, as a government, we do not support the Greens' approach to picking and choosing who can and who cannot donate.

**Dr Woodruff** - Why is that?

**Mr BARNETT** - Through you, Speaker, I will continue. We have all had opportunities to express our views and mine is on behalf of the government and hopefully you will be able to have a listen.

It is appropriate to say something about these kinds of bans, as they have important implications for freedom of political expression and the ability to participate in the political process. You are denying all those corporations, businesses, small businesses and community incorporated associations that opportunity. Beyond foreign donations, the government has significant concerns about bans on donations in general without a firm evidence base. The High Court has been very critical of limitations on the ability of individuals and groups to contribute to the political debate without firm evidence that any limitation is appropriate and adept. Let us just have a think about what the High Court might say about such a provision.

There is a live question as to whether a ban to this extent is constitutionally sound, and I again quote the final report on the *Electoral Act* Review in relation to the bans:

Given the lack of data on the extent of third-party activity, it is difficult to make an informed judgment as to whether any bans on donations may be required in Tasmania in future. Recent High Court judgments have indicated that it is possible to ban donations from certain entities or individuals. However, there are complex legal assessments required to ensure that constitutionality of such a ban.

When will you get advice on that?

**The SPEAKER** - The minister is aware he cannot ask questions of members across the Chamber.

**Mr BARNETT** - This is a rhetorical question.

**The SPEAKER** - You may put the rhetorical question, but you should not be expecting an answer, and an answer should not be interjected on. Thank you, minister.

**Mr BARNETT** - Thank you, Speaker. This is a rhetorical question. I am standing here aghast that members of this Chamber will not be getting advice: legal advice, constitutional advice, independent expert advice. Why would you not want to do that?

This is something that the Greens and others regularly say is so important, and here we are creating law on the fly. It is mind boggling, gobsmacking. I have never, in my nine-and-a-half years in the Senate and coming up for 10 years in state parliament, seen such a dodgy process for making and reforming a law. Never, in all that time - coming up to 20 years in federal and state parliament. This is the worst of the worst. Let me make that very clear. I do not know how clearer I can be.

I wish we had more time because this is a very disappointing approach being put forward by the Greens. I hope other colleagues in this Chamber very carefully consider the merit or otherwise of progressing this bill today in this way.

The introduction of donation caps similarly. It is understood that the provisions of the bill that proposed an aggregated cap on donations from the same donor to the same recipient of \$3000 within a four-year period are not being pursued. The government does not support such an amendment. Caps were not recommended by the *Electoral Act* review. Why would you do it? They were not recommended, and there is insufficient information available to determine whether the amount of the cap is reasonable:

The making of donations to political parties as part of the democratic process in our society would be undemocratic and likely challengeable in the High Court if arbitrary caps were placed on donations from a single source with no evidence to back this cap up.

The government bills that passed late last year represent, in my view and the government's view, a significant body of work that provides Tasmania with fair and more transparent laws and involves the working of our democracy. The government does not consider that the amendments proposed in this bill represent an improvement. In some cases, they could serve to undermine the *Electoral Disclosure and Funding Act 2023*.

Let us just go back a step to last year. There was much debate in advance of that bill last year. There was a lot of feedback. There was public consultation on that bill. There were pros and cons; a lot of analysis; legal experts; constitutional experts; independent experts; university; stakeholders left, right and centre. They had their say and we, as members of parliament, took it on board and progressed that legislation. We had a good debate in this Chamber. It was a good, productive, quite feisty debate. I remember Mr Winter and the Leader of the Greens were having a very feisty debate, particularly over a certain \$1.6 million donation from a certain Mr Graeme Wood to the Greens. I agreed with much of what Mr Winter said at the time. Mr Wood has responsibility for the biggest donation in Australian history, in my

understanding, of \$1.6 million-plus. The leader for the Bob Brown Foundation congratulated Mr Wood but said he would not get any special treatment. That is a really funny approach.

We have not even talked about the Bob Brown Foundation and the other support for the Greens that came through other ways; of course, they would not be directly relevant in terms of how they are assessed under this bill. That is a separate matter.

In summing up, there are significant questions about the practicality, the necessity, and the constitutionality of the original amendment, which was released more than two weeks ago. We still have not had the amendment circulated. Seriously, Speaker, where are those amendments? Why have they not been circulated?

**Dr Woodruff** - They have been.

**Mr BARNETT** - Where are they? They have to be tabled in the Chamber.

**Dr Woodruff** - With your office.

**Mr BARNETT** - For goodness' sake. Honourable Speaker, we know they have to be tabled in this place. We have spent nearly an hour into this debate. We are about to have a vote. Why can we not see these amendments and analyse them? They are for the public. There was an email.

**The SPEAKER** - If I can just remind members that amendments do need to be circulated prior to debate which will happen in consideration in detail, tabled, and shared in the Chamber for consideration.

I am letting you know that you do not have to give them now. You have said that you will do them in consideration in detail. That is when we would expect as a House to see them. Anything outside of that is a matter for you as individuals.

**Mr BARNETT** - That is right. Speaker, it is an appalling process, in my view. On behalf of the government, we strongly oppose the original bill put forward by the Greens and this dodgy approach to progressing good law by putting forward these amendments. It is mind-boggling. It is gobsmacking. The government is totally opposed to this approach. I urge careful consideration by independent members, by JLN and all members of this parliament on how we progress this bill. There is an opportunity to improve it, and that is to refer it to that joint parliamentary committee yet to be established. Hopefully, that will be considered during the course of this debate. I thank the House.

[3.22 p.m.]

**Ms WHITE** (Lyons) - Honourable Speaker, I rise to make a contribution on the Electoral Disclosure and Funding Amendment Bill 2024, tabled by the Leader of the Greens, Dr Woodruff.

I found the contribution from the Attorney-General extremely interesting. It is a distraction from the content of the bill on which I will contribute in a minute. I do not know if that was faux rage or if that was real rage, but it surprises me what makes people angry in this place.

This is the Health minister. He presides over a health crisis in our state, where patients are languishing on waiting lists for years and years. Ambulances are ramped. Health workers are at their wits' end, but I do not see him getting angry about that in this place. I do not see him get publicly angry about the state of the health system. I do not hear him talk about how that anger is motivating him to make a difference.

That is why I find it surprising what makes people angry in this place. That is why I have to question whether that was genuine anger, or just a cover for some of the remarks that the minister just made on the contribution. Even the way he went about complaining that he did not get the amendments in time - where were the amendments? Why have they not been tabled? - knowing full well that is not the process - amendments are tabled during the Committee stage - but then, also confirming that he received the amendments via e-mail this morning, just like other members.

**Mr Winter** - That was my favourite bit.

**Ms WHITE** - It was very surprising. 'What? I did not get the amendments.' 'Actually, yes, I did, on e-mail.' Maybe he was expecting to get them on a fax machine because that is how most staff in the health service still receive information. We are in a bit of a time warp here.

Then, the minister became a prophet, anticipating how members might vote on this bill, anticipating the establishment of a committee. Apparently, he can now read the future.

I may be wrong, and I am sure we will discover what the outcome of this might be, but I do not believe that committee the minister was referring to exists. I believe we have received a message from the other place, but because your government did not get its act together yesterday, you did not deal with that. We have not established that committee, so I am unclear how you can refer a current bill to a committee that has not been established. You are the lawyer in the House, lecturing us on what is good practice and what is poor practice. I hazard a guess that is not the right practice. I might be wrong, but I assume that because the parliament has not established that committee you would be pretty hard pressed to refer any matter to it.

The matter before the House is an important matter. The Labor Party has had a longstanding position on this, which is about increasing transparency when it comes to who is donating to political parties and candidates in this state. We have a longstanding policy position, which is to lower the threshold for donations to be disclosed to \$1000.

The current act has been supported by this parliament but not proclaimed. Perhaps the Attorney-General can provide an update on when the government intends to proclaim that act; it will not take effect until the government does that. That act lowers the threshold and sets in place, for the first time in Tasmania, a disclosure regime for our state, because we have not had one. The threshold is at \$5000. The Labor Party's policy is to see that reduced to \$1000.

We also want to see more frequent disclosures of donations. It has been the longstanding position of the Labor Party that donations should be disclosed monthly. It is also our view that there should be caps on the amount of money that can be expended during an election. In the past we have seen significant amounts of spending take place both by political parties and third-party campaigners who have, no doubt, influenced the outcomes of elections. Therefore, we would like to see a cap on the amount that candidates and political parties can spend as they are conducting a contest of ideas to hopefully win election.

They have been longstanding policy positions of the Labor Party. They are positions that we argued for when the bill was brought on for debate in this House by the government. We all know the history of that and I will not reflect on votes that were taken. I will make the point that what we have as a consequence of the decisions the Labor Party made at that time is an act. It is still to be proclaimed, but we finally have state-based legislation which has a disclosure threshold of \$5000, and which has regular reporting - albeit six-monthly - on who is donating to political parties, and it provides a framework.

This would not have been possible except for the fact that the Labor Party took a pragmatic approach to support the passage of that legislation, because, as we all know, the government called an early election. If they had continued to delay progress on debate on that bill, which had been their tactic for well over 12 months - it had passed through this house and then sat on the books upstairs for 12 months - there would not be any state-based disclosure framework in this state.

We have been very clear - not only since that time, but through the election and in the months since - that we intended to bring a bill to this place to amend that act to improve transparency and improve the framework, so that we have legislation that better reflects the expectations of our community around how elections are conducted and to have who is donating to those elections better revealed for Tasmanians to understand.

We have before us an amendment bill from the Greens brought in by Dr Woodruff that has changed significantly from when it was first tabled. That is a problem. In the Greens' rush to table a bill - any bill - on this matter, they caused enormous problems because they are now seeking to amend their own bill. Perhaps they can explain why they are in such a rush to table a bill. Had they done the consultation that has occurred since it was tabled prior to tabling it, they would have better understood the views of other members of this place and instead tabled a bill that could have been supported without amendment, and particularly, you would expect, honourable Speaker, without having to amend their own bill themselves.

Genuine consultation did not occur prior to the bill being tabled. I am not sure why that did not happen.

**Dr Woodruff** - We read what you said you wanted in your second reading speech last year.

**Ms WHITE** - Actually, that is not true. I will take that interjection by the member, despite what you may rule. Sorry, I will not reflect on your ruling, honourable Speaker.

**The SPEAKER** - Dissent, so early in my Speakership!

**Ms WHITE** - There is a number of amendments that the Greens proposed in the original bill they tabled that are completely inconsistent with Labor Party policy. In fact, when they were proposed by the Greens in the debate on the matter that was dealt with in this House during the last session of parliament, we opposed them. That is on the public record. I am unsure why you assumed that we would support everything that you tabled in this bill because we have not supported it previously.



Again, I am not sure why you tabled the bill without doing prior consultation with the members or the broader community. Maybe you just wanted the media sugar hit. Maybe that is the cynic in me. Consultation after a bill has been tabled is an extraordinarily strange way to go about consultation and it has led to this situation where the Greens are amending their own bill.

The original bill was not something the Labor Party could support because, for a variety of reasons, as I have already said, there were serious questions about the constitutionality of some of those clauses. The Attorney-General referenced some of those in his contribution, including prohibiting donations from anybody who is not a natural person. There were other questions we had including the disclosure periods, which we regarded to be too administratively burdensome, and questions about how certain clauses work together. For instance, there is a candidate cap proposed in the bill, which remains, I believe, in the bill. The Greens want a debate once they have dealt with all of their amendments.

There is also a party cap. I have a question about whether the candidate cap is just for independents or whether it is for all candidates, or whether it is for party candidates and then they also get brought in under the party cap, or whether they are exclusive of one another. I am trying to understand whether independent candidates get dealt with under that specific clause and party candidates get dealt with under the party cap clause. It is not clear to me. There is no fact sheet. There are no clause notes accompanying this bill. It is difficult to interpret. It is also difficult to know how those figures were arrived at, and how the party cap of \$830,000 was agreed. I believe from feedback in our briefing that it is based on the 2013 bill, which was a 25-member parliament. Things have changed since then. It is not clear to me how those clauses work together. I would be grateful if the member could provide some answers to that.

There are other questions particularly in relation to what is defined as expenditure. There is a definition in the act that this parliament has already passed. However, that was not predicated on there being a cap on expenditure. There might be expenditure incurred by a candidate that falls within a cap but is not regarded to be election expenditure and, for the purposes of the act because the definition in the act itself is quite broad, gets captured. There are serious questions about that. We have seen in other jurisdictions that where the definition of expenditure is not clear, meaning activities of an ordinary member of parliament going about their business get captured in the expenditure cap, it causes all sorts of other complications.

There are questions about what the expenditure period is. I presume that it is consistent with what is in the act. As we do not have fixed terms of parliament this is a little different from the upper House where the expenditure period is from 1 January until the election, which is always the first Saturday in May. In the House of Assembly elections, where we do not have fixed terms of parliament, it is more difficult to determine what an expenditure period might be calculated as. In the act, from memory, it is six months, which goes back from the last date in the *Constitution Act* on which the election can be held, or when the election is called.

As this is silent, I would like to understand whether the expenditure period is the same. If so, it should be clearly outlined in the bill. Otherwise, interpretation issues might arise. For the avoidance of doubt, that matter needs to be dealt with.

There are also questions about how this might be dealt with from an administrative point of view, particularly for entities. I will speak to the Labor Party's entity, Labor House, where we have a very small administrative staffing arrangement. In the final seven days before an

election, where you have 24-hour reporting required under the bill that has been tabled by the Greens, what happens if that process fails, and it is not for any other reason except for the fact that you are completely under-resourced? You are in the middle of an election and it is the last week of the campaign. You might have donations coming in and you are doing your best to disclose them as required by law. What happens if there is a failure? What happens if the person processing those donations falls ill in the last week of a campaign? What happens if you need to get someone to replace them and you need to then teach them the system? There might be some technical problems as well. Payouts from payment processes can generally only happen once per day, so they process the payment from a donor immediately, but it might not arrive in a bank account for one business day, making reconciliation and subsequent reporting exceedingly difficult.

Gifts in kind often require some admin work to determine a value. If a gift in kind is received in the last seven days, would the party have to rely on a candidate informing them immediately? I assume so, and then rely on the provider of that gift to also supply the party with the relevant information about the value of that gift. This seems rather impractical in the last seven days of an election campaign when all of us know every single effort of every person's time is on trying to win that election.

Having seven-day reporting throughout that period is standard across states now, rather than daily reporting, which is through the election period. What the Greens' bill proposes to do is create an incredibly tight time frame for disclosure that is much tighter than any other state. That deserves our time to look at to make sure we get it right. Notwithstanding, I accept the intent of that amendment and the need for there to be disclosure at a greater frequency, particularly in those last weeks of an election campaign, to make sure people understand who is donating, but we need to be realistic about what could be achieved from an administrative perspective.

There is also a question about the candidate party caps. I already spoke about some of the questions we have in relation to how those clauses might relate to one another, but I also have questions around how a party cap might relate to a party that does not run a full ticket of candidates. We have an example in the recent election where the Jacqui Lambie Network did not run seven candidates in each electorate; in fact, in the electorate of Clark they did not run any candidates. I have a question about whether they would be able to expend the full amount under the party cap regardless of how many candidates they run, or whether the party cap is to be reflective of the number of candidates who are endorsed for that party and running an election.

There could be inequality created across parties campaigning together in an election if they are all able to expand that full amount of the party cap but some of them only run 15 candidates and others run 35 candidates. I am not clear how the Greens proposed to deal with some of those challenges.

Speaker, can I check how much time I have left?

**The SPEAKER** - You have until 3.51 p.m.

**Ms WHITE** - Thank you. There are some technical questions I have regarding different clauses of this bill, but also the general intent of it.

I want to be very clear that the Labor Party supports improving Tasmania's donation disclosure framework. We always have. I agree that there needs to be much greater scrutiny of this bill before it can be supported by the Labor Party. It sounds like there might be other members, particularly government members, who share that view. That is not to say that we do not agree with the intent of the amendments moved by the Leader of the Greens. It is very unfortunate that we find ourselves in a situation today where we cannot have agreement on what the amendments look like to actually improve this act.

I am not satisfied that there is a rush to do this before the bill is proclaimed. It is appropriate that we get this right. The commissioner is doing work already, but it is fairly simple for them to adjust what they are doing if the amendments we are talking about are agreed to in the future, and that is lowering the threshold to \$1000, increasing the frequency of donations and also putting a cap on party expenditure. It does not matter if we take more time to assess the evidence and weigh that up to make sure we get the definitions correct, particularly regarding what expenditure is in the campaign period, so that we do not create an inadvertent problem or consequence that can be avoided.

As the electoral matters committee does not exist, I would like to move an amendment. I move that the bill be amended by -

Leaving out all the words after 'That' and inserting instead:

- (1) The Bill be referred to the Standing Committee on Government Administration Committee B for inquiry and report thereon.
- (2) The Committee report by 10 September 2024.

I do not believe the committee will need too much time to look at these matters. If it needs more time, as we all know, committees can extend the amount of time they require in order to report back at a later date. I understand that Committee B includes the portfolio for Attorney-General, which is where this bill resides, so it is the appropriate point of referral. I believe we can then look in detail at the matters that have been presented today, as well as the questions that have been raised.

**The SPEAKER** - Ms White, are you going to move the amendment formally?

**Ms WHITE** - I have just moved it, Speaker.

**Ms WHITE** - Honourable Speaker, I believe that the committee will be able to do this work swiftly. There is evidence from other jurisdictions that we can draw upon and look to inform appropriate amendments to the electoral bill to make sure it meets everyone's expectations.

I did not hear any reasons presented by the government today that they do not agree that we should lower the threshold for donations to \$1000. It sounds to me like you believe the federal government is going to be doing that. You did not sound like you were opposed to that. In fact, you sounded a little upset they had not done it already. I conclude from that that the Attorney-General is looking forward to the donation disclosure threshold being lowered to \$1000 and he is hoping the federal government might do it before he can. It is a race, how

exciting, and something for him to get animated about in this parliament. I look forward to seeing him bring those amendments to this place.

Increasing the frequency of donations from six months to one month should not be a problem. I do not expect anybody to have an issue with that. During the period of the election, there needs to be a conversation about the frequency of donation disclosures because 24 hours or one day does not appear to be enough time. Every other jurisdiction does it every seven days and we should be looking to replicate that in the first instance.

Then there are the candidate party caps. There are some important questions to answer about how they work, whether they are for independent candidates only or party candidates and, if so, how does that relate to the party cap? How do you ensure that you have an equitable arrangement for a party cap so that when parties are running fewer than 35 candidates, they are not provided an advantage from a financial point of view over parties who run 35 candidates?

I will wind up there because I think there are some members on the crossbench who also want to contribute. I thank the member for bringing this matter to the parliament. It is a really important issue and something we have been campaigning on since 2018. I think it is quite hypocritical when the Attorney-General criticises the federal government for not progressing law reform in this area, given the amount of time it has taken the Liberal Party to get going and given the fact that they still have not proclaimed the act. Maybe the Attorney-General could turn his invigorated attention to proclaiming the act.

[3.43 p.m.]

**Mr BEHRAKIS** (Clark) - Honourable Speaker, we would be supportive of that amendment for the reasons the Attorney-General outlined as well as for the reasons outlined by the member for Lyons. We have some concerns about the bill as it stands, as well as the amendments and the nature of how these have come before the parliament.

As we all know, the *Electoral Disclosure and Funding Act* passed the parliament late last year to introduce a fair, more transparent and more modern political donation disclosure scheme in Tasmania. That was done to increase transparency and to ensure that the public continues to have confidence in the outcomes of future elections. There are, as has been said, many questions about the nature of what is being proposed today. We have not even been able to see what has passed already, what will work in practice, and what needs to be done.

What we have already done brings Tasmania into line with other jurisdictions which have state-based requirements for the disclosure of political donations and expenditure. We believe we have struck the right balance and the government does not support any further amendment of the act. Any further amendments would have to be well considered and thought out as to the effects they would have and whether they would be giving unfair advantages or disadvantages to anybody.

The implementation process we have is significant and requires the recruitment and training of staff to undertake roles and implement processes that are not currently undertaken by the Tasmanian Electoral Commission. It will involve purchasing and adapting an online disclosure system as well as time to test the system before it can go live. In addition, there will need to be educative and supporting materials developed, published and distributed. The TEC will likely conduct information sessions for entities that will be regulated, which include

political parties, candidates, electoral staff, party agents, official agents, potential candidates and third-party campaigners.

The bill before us today which we are discussing -

**The SPEAKER** - As long as you are referring to the amendment on the bill?

**Mr BEHRAKIS** - Yes. I am discussing the reason why I consider it is important for us to send this off.

**Dr WOODRUFF** - Point of order. I am looking at the time and wondering whether Mr Behrakis is giving his speech, because other members wanted to contribute.

**The SPEAKER** - Mr Behrakis has the call and has the right to give his speech. As I have heard, he is referring to why the amendment to the bill is relevant. I remind members that we have five minutes left.

**Mr BEHRAKIS** - I will make it quick then. There is much that could be said. What is being proposed is a very complex space. We are talking about things that are currently untested, that need to be thought out. We are talking about electoral caps that I fear have been set arbitrarily by the Greens. We need to think these out, which is why it is important to refer them for proper consideration. I am talking about expenditure caps, donation caps, what is too high or low, what is appropriate, and caps that are too low and patently undemocratic, especially expenditure caps that I fear would be unfairly advantageous to those with incumbency and would prevent those new names - people who do not have the gift of incumbency, do not have the gift of an existing name profile like many of us in this room would have - from being able to compete in that space and have their views heard if they are unable to take out ads in the paper or put advertising on social media, as is their right.

We do not know what is an appropriate cap to limit political donations for the same reasons. We hear from the Greens about wanting to stop particular people from being able to donate and I know that is not in the bill.

**Dr Woodruff** - No, that is not true. That is incorrect. Corporations.

**Mr BEHRAKIS** - It is true.

**Dr Woodruff** - It is not political people.

**The SPEAKER** - The member has the call. Thank you.

**Mr BEHRAKIS** - Thank you, honourable Speaker. For many reasons, there is just too much to work out. There is too much that needs to be said. We have a very complex bill. We have a limited time to discuss it today.

We need to make sure that what we are voting on and what laws we are applying to the political process, the democratic process and how we elect governments in Tasmania, are done in a way that is fair, done in a way that does not advantage particular parties and does not disadvantage people and prevent people from being able to take part in the democratic process. That is very important.

If we rush it, as the Leader of the Greens wants us to do, we risk destabilising and causing disadvantages for people who want to take part in the democratic process, which is important. We need to be careful about how we do it, if we if we are to do it at all. We need to be able to fully work out and work through all those concerns, all those questions that I heard the member for Lyons saying, as well as the Attorney-General, and work those things out so we know that whatever we are voting on is the right thing or the wrong thing and that those settings are correct. We would be supporting that amendment and there would be much more to say on this in the future.

**The SPEAKER** - We have until 3.51 p.m.

[3.49 p.m.]

**Ms JOHNSTON** (Clark) - Honourable Speaker, I will be very quick on the amendment.

After deliberation, I will be supporting the amendment. I am supportive of the bill that has been introduced. It is an improvement to what we have. We have gone from no laws to the worst laws to hopefully slightly better laws, and there is much more we can do. I fear from listening to the debate here that both the government and the opposition have indicated that if this amendment is not supported and referred to committee, the bill dies. That would be an absolute tragedy because the important work that the Greens have done in delivering this bill needs to be given proper consideration.

I hope this is referred to Government Administration Committee B and that those members from the opposition and the government who are on that particular committee listen very carefully to the evidence and the sound reasons why this bill is good and will be a significant improvement to the worst laws that we have in this state. I would like to have seen this bill pass today and the improvements take place. I do not want to see it die so I will be supporting the amendment to refer it to the committee.

[3.50 p.m.]

**Dr WOODRUFF** (Franklin - Leader of the Greens) - Honourable Speaker, the Greens will be supporting the amendment. It will give us an opportunity to correct some inaccuracies and very misleading statements that have been made here today. What we brought before has already been based on substantial consultation, and I thank people who have been involved in good faith. We are about getting a good outcome for Tasmanians. I am confident that I will be able to work something through in a committee at that stage.

**The SPEAKER** - The time for the debate has expired.

**Amendment agreed to.**

**Motion, as amended, agreed to.**

## MOTION

### Tasmanian Education System

[3.52 p.m.]

**Mr WINTER** (Franklin - Leader of the Opposition) - Honourable Speaker, I move -  
That the House -

- (1) Recognises the importance of education to Tasmania's economic future and the ability of Tasmanians to find work in safe, secure, well-paying jobs.
- (2) Acknowledges:
  - (a) Tasmania has the worst education outcomes of any state and results are going backwards;
  - (b) the Liberal commitment to ensure Tasmania's NAPLAN results reach the national average by 2020 was not met;
  - (c) the Liberal commitment to reach the national average for Year 12 retention by 2022 was not delivered;
  - (d) the Liberal commitment to ensure 75% of Tasmanian students get a TCE by 2022 was not delivered; and
  - (e) educators are working with excessive workloads that are driving them from their profession. Until that is fixed there won't be any significant or sustained improvement in what Tasmanian students are able to achieve.
- (3) Calls on the Tasmanian Government to commission an independent review of the State's education system.

We were asked today to bring the important issue of education to the parliament. I know all members on all sides appreciate and understand the importance of education. The Labor Party is the party that stands for jobs - for good, well paid, safe and secure jobs and we understand at our heart the relationship between an education system that works for Tasmanians and the jobs and opportunities for Tasmanian workers as they grow up and enter our workforce.

Over the last 10 years under this Liberal government, we have had a proposal from this government, which was proposed almost as a silver bullet for Tasmania education system - the expansion of high school into years 11 and 12. After 10 years of this government, we are starting to see the results of what 10 years of Liberal government has done to our education system. Those results have been very bad and, in fact, devastating to our education system.

There is an enormous issue here within our education system. We have seen results over the course of the last few weeks which should be putting alarm bells through the government: results that tell us that, unfortunately, our education system is going backwards. Those results

show that high school attendance was down from 89.3 per cent in 2015 to only 83 per cent, well below the national average. Retention rates between years 10 and 12 were down from 74.5 per cent to 69 per cent, with the national average at 78.7 per cent. Year 12 attainment down from 61 per cent in 2017 to only 53.1 per cent, well below the national average of 76.3 per cent.

Tasmania spends more than any state on schools and unfortunately, we get the worst outcomes. We have seen this occur over the course of the last ten years under this government. Normally, when you have a situation like this where the results are showing that something is going desperately wrong, you have a government which has something to say about it - they have a plan or some or a way to fix it but that is not what we have. The silence on these results from the government has been deafening.

It is quite extraordinary that, in the face of these results, the government has not even been able to tell us whether they support a review into our education system. We have had the Premier rule out a review before the election, saying that he would not implement an independent review. Since then, we have had the new Minister for Education, Ms Jo Palmer, from the other place, making sounds as though she is now considering it. Well, the time is now for the government to outline what they are going to do with education: what the plan is.

Without a plan, and I can see no evidence of a plan, then they should implement a review. They should support holding an independent review into our education system so that we can understand exactly what is going on and why the results have continued to deteriorate over the last 10 years in spite of all of the promises that they have made over the last 10 years.

In 2018 - this was when the now Premier, Jeremy Rockliff, was education minister - he said he would get our school results up to the national average by 2020. He said he would increase the year 12 retention rate to the national average by 2022. He said he would increase the percentage of students who get a TCE score to 75 per cent by 2022. Not a single one of those promises was achieved.

Over the course of those 10 years, Tasmania's results have unfortunately been going backwards. The 2021 NAPLAN results for Tasmanian students were worse than they were in 2008. Our NAPLAN results are showing that, rather than just not improving, which was the government's promise, they have been going backwards.

This goes to the heart of the problem. This means that Tasmanian students are not getting the same opportunities as students in other states and territories. It means that they are not getting opportunities to get the jobs that they want and businesses in Tasmania are not getting access to students who have the skills that they want as they come out of year 12, out of TAFE, or out of university.

That is a huge problem for us economically and it is one of the stories that tells you why we have a wage problem in Tasmania, where Tasmanians earn about 80 per cent of the national average. We earn significantly less on average than other states and territories. That can be drawn back to our education system.

It is not new. There is a historical problem in Tasmania where our education system has not performed as well as other states. However, we would have expected it to get better, not to get worse. That is what has happened. If we want to have a Tasmania where young people have



access to the best opportunities in life, where they have access to good, well paid, safe and secure jobs, then we need to have an education system that gives them access to that.

Every time I speak to business - particularly to industry groups - there are some pretty common themes that run through those conversations. It is bureaucratic red tape in trying to deal with government. It is unclear government policy. It is access to skilled workers, to Tasmanians, that they want access to. When I told the business group last week that there are fewer year 12s coming through our education system now than there were five years ago, they were astonished.

This is a supply issue of young people finishing our education system with the skills that they need. It is actually reducing. It is a massive issue for our state. We know that, on average, every four days, a Jetstar flight full of young people is leaving Tasmania for better opportunities. We have not seen a brain-drain like this since the 1990s. The government used to talk about population growth as a good thing. They used to say, 'Our plan is working'. They do not talk about population growth anymore. They have stopped because, unfortunately, our young people -

**Mr Willie** - They do not talk about education results anymore.

**Mr WINTER** - They do not talk about education results either. That is exactly right, Mr Willie. They have stopped talking about these things because they do not have a plan.

These results that came through the Report of Government Services (ROGS) data last week should have sent any good government into a spin; into a crisis meeting to decide how they are going to get on top of this. Instead, we have had an abject failure to deal with it at all. They still have not been able to coherently tell us whether they support an independent review into our education system.

Today is the day. We finally get to hear the plan. Is this government going to put its head in its hands and do nothing about it, or is it going to commission an independent inquiry to get to the bottom of the issues behind this?

I acknowledge as part of this debate our educators have been doing a fantastic job and have been screaming from the rooftops for years about the issues they face at work. I have had the pleasure and the privilege of attending a few of their rallies over the last couple of years, particularly from the Australian Education Union (AEU), which has been raising serious concerns about staffing and resourcing in their schools. Hearing from educators, for example librarians who do not have job security and are not getting paid during school holidays; hearing about the lack of permanency for teachers; hearing about their wages and how they compare to interstate teachers or educators doing the same job. These serious issues are impacting our ability to attract and retain outstanding teachers. We need to value our education system and value our teachers much more than we have been.

A review is a good opportunity for us to understand exactly why we have had educators leaving and why their job security issues are so important to them and why we do not have the level of support that teachers need. I am looking forward to hearing Mr Willie, as a former teacher, get an opportunity to have a conversation about that in this place.

These are critical issues that we need to get hold of. Now that we understand that what we are doing is not working, we need to work together to make sure that we get this right. We have talked about this Parliament being a place to collaboratively work together through big issues and there is not a bigger issue in Tasmania than our education system. The future of Tasmania is reliant on our education system. It is reliant on our teachers, our students and our parents having the best opportunities to teach well, to learn well, to be the best and to get the best possible start in life.

Unfortunately, the stats that we have seen, particularly on safety and behaviour, make for very sobering reading.

In terms of safety and behaviour, there were 8873 suspensions in Tasmanian schools in 2022, a record high number since the *Education Act* was introduced in 2017, and a 28 per cent increase over the last five years. With a school having close to 200 teaching days, there are on average 44 suspensions every day across the state, close to two entire classrooms of students. These suspensions start at a very young age, with eight recorded in kinder classes and 61 in prep. We also found out through RTI documents that 307 staff were physically abused or harassed in Tasmanian schools in 2022. Students with a disability were the subject of 31 per cent of suspensions in the first three terms of 2023, despite making up just 12 per cent of all students.

That is a shocking statistic that tells us again that we need to address these issues. We need to make sure that schools are safe places to be for students, educators and everyone involved. Schools should be safe. They should be a place to learn and grow in education, emotion and physical wellbeing. Schools are a fantastic opportunity for students and families to engage.

All of these things need to be addressed. Without a plan - and the government has no plan for this, unless we are about to hear a plan from the government to resolve these issues - they should undertake a review. They should deal with these issues and make sure we have students who are coming out of our education system with the best possible chance in life.

I have seen the amazing results of the child and family centres, which were a fantastic initiative from the former Labor government - and credit to the government to continue to roll out a great initiative. These have given more young people the opportunity that they otherwise might not have had: to engage with learning and community from a very early age; and for whole families to engage with community, with services that they need so that kids can have the best possible opportunity. That is an example of a great reform that has had long-lasting impacts that are being felt through our economy.

An education review would be another opportunity to make those services even better from those very early years, from primary schools to high schools to colleges to university to TAFE and registered training organisations. We need to understand and value education for what it is, as the biggest and most important economic driver and enabler of our state. If we do not do that, if we do not appreciate and we do not address these issues now, we are likely to keep getting the same results.

These results will not change if we do not change. They will not change if we do not have a serious look at this. As I said, this is a parliament in which all of us - I think I have heard most crossbenchers, government members, opposition members and Greens members talk

about it - are trying to make this Parliament work. This is a really challenging parliament, and this is a really challenging policy issue. If I had the silver bullet response to education in Tasmania, I would simply move that the government adopt that policy response, but I do not. I do not think there are silver bullets in this.

I have spoken to a lot of people about education over the last few weeks and a lot of them seem to think they have the silver bullet. I am pleased that they do. In an inquiry, let us hear from those people who have big ideas for our education system, who are really passionate about it, who are involved in policy or teaching, or who are involved in child and family services. Let us hear what they have to say. Let us look at other jurisdictions where things are working. Let us hear from other jurisdictions where they have been improving their education system over time.

I am sure when you look at these stats, you will see that there will be jurisdictions whose results are improving over time. What are they doing in those jurisdictions that is working? What are we doing in this jurisdiction in Tasmania that might not be working so well? We cannot keep getting results like this.

The NAPLAN results showed that we had the worst results for any state in reading in years 5, 7 and 9; the worst result for numeracy in years 5, 7 and 9; the worst results for writing across every single age group; the worst results for spelling across every age group; and the worst result of any state for grammar and punctuation across every age group. We need to understand the reasons why this is happening and why this continues to happen in this state if we want to try and make a lasting and really important change for Tasmania.

To go to the motion itself - the motion is that we recognise the importance of education to Tasmania's economic future and the ability for Tasmanians to find safe, secure, well-paid jobs. I am sure the Parliament will do that and recognise the relationship that Labor understands so well between our education system, our workforce and the ability to find well-paid, safe and secure jobs.

The motion also acknowledges that we have had the worst education outcomes of any state and results are going backwards. That Liberal commitment about NAPLAN results reaching the national average by 2020 was not met. The commitment about year 12 retention by 2022 was not delivered. The commitment around 75 per cent of Tasmanian students getting a TCE by 2022 was not delivered. We should acknowledge that.

Educators are working with excessive workloads that are driving them from their profession, and until that is fixed, there will not be any significant improvement or change in what students can actually achieve.

Those excessive workloads, as I said earlier, have been driven by issues that are really important to teachers. One of the key pieces of feedback that we hear from educators, whether they are teachers or other members of teaching staff, is around the amount of paperwork that they have to do, and the amount of reporting that they are required to do.

When I talk to teachers, what they want to do is teach. They do not want to be bogged down with endless amounts of paperwork. Experts I have spoken to about this have also raised concerns about teachers spending too much time doing administration and not being given enough time to spend with students or to plan for the next day of teaching and learning. That is a really important thing, and I would love to hear from teachers around these issues and how

we can improve things for them, so they can spend more time on the floor of the classroom teaching, and more time preparing to teach, which I know is a huge component for teachers.

Finally, the motion calls on the Tasmanian government to commission an independent review of Tasmania's education system. This is the least that we can do to indicate that we are serious about this issue, that we are serious about the state of our education system, and that we understand that critical and important relationship between work, our economy and our education system.

As I said, it has been unclear from the government for quite a few weeks now. It was clear before the election that they were not going to support an independent review. Labor did. They did not. That is okay. That was their position. I have heard some more promising responses from the new Minister for Education that they are considering supporting this review. If they are not considering supporting this review, they need to outline today very clearly for the House what the plan is. What is the plan for our education system? What is the plan for Tasmania going forward? We need to make sure that we are looking after students, teachers, educators and parents, and that we have an education system that is fit for purpose for them right into the future.

**Members** - Hear, hear.

**Ms OGILVIE** (Clark - Minister for Small Business and Consumer Affairs) - Honourable Speaker, it is a great pleasure to rise today to speak to this motion. I noticed as I read the motion that it was pretty negative. I feel that it is worthwhile to speak on behalf of the children, the parents, the teachers and everybody who is currently engaged with our education system. That includes many people in this House, including myself with my children, who are in that zone, coming through those year groups that we have been speaking about today.

I particularly thank our very hardworking teachers, principals, staff and everybody who sits in our schools and school system for what they do - parents, carers, grandparents, and everybody who is engaged in this lifelong journey that is education. The importance of that cannot be overstated. We know that education provides a pathway and a door to bright futures, to new jobs and to all sorts of things, but it is not easy for all children and all families.

We know that a quality education can be the foundation for a good life and ensure Tasmania remains the best place to live, work and raise a family. We also recognise that education is the most powerful driver for improving economic and social outcomes in Tasmania - health, life expectancy, happiness and productivity. Whilst Labor has brought on this motion today, I think it is important to reflect just briefly on what our Tasmanian Liberal government has achieved.

We know early learning gives children the best possible start in life, and we are proud to support our youngest learners on this lifelong journey. The Tasmanian government is committed to improving outcomes for young children and their families and to enabling universal access to early learning for children in the year before kindergarten. The Early Learning for Three Year Olds (EL3) initiative and Working Together both aim to expand access to early learning for three-year-old children in Tasmania as we work towards the long-term goal of universal access in the context of national reform of early childhood education and care.

We are also investing \$32 million to deliver four new supersized child and family learning centres at Huonville, Smithton, Scottsdale and Longford. Since 2014, the Tasmanian Liberal government has provided record infrastructure funding, with \$8.9 billion invested into education and skills.

Over the past decade, the government has been able to make a number of significant reforms to improve the educational outcomes of our students, such as extending the Tasmanian school year to four terms. We legislated that students must stay in education or training until the age of 18, either through staying at school, undertaking VET and an apprenticeship or traineeship, or a combination of these. We also extended all secondary and combined schools to offer years 11 and 12, with over 1,200 students now attending their local high school.

As part of our 2030 Strong Plan for Tasmania's Future, we made significant commitments to:

- Invest \$3 million to extend structured literacy, including phonics to years 3 to 6
- Supply decodable readers for all primary schools, libraries and mobile libraries
- Provide dyslexia support and provide advocacy group Square Pegs with \$800,000 to support students
- Give more funding to young leaders of Tasmania.
- Recruit an extra 25 full-time-equivalent maths and science teachers - a passion project of mine
- Extend remote teacher incentives to hard-to-staff schools and build and/or upgrade homes for 25 teachers in rural and remote communities.

Our 2030 Strong Plan for Tasmania's Future commits to turbo-charging VET and vocational learning opportunities for our government school students and expanding YouthBuild to all government schools. The government is working collaboratively with key stakeholders to develop a youth jobs strategy to ensure all young Tasmanians are equipped, safe and supported to engage in education, training, or quality work that benefits their future as well as the state's future prosperity. Our Liberal Government recognises the importance of education to Tasmania's economic future and the ability of Tasmanians to find work in safe, secure and well-paying jobs.

In relation to some of the specifics of the motion that has been put, the member has suggested that Tasmania has the worst education outcomes of any state. The Tasmanian government absolutely refutes this statement. Indeed, the data from ROGS simply does not reflect this statement as a fact. We do not accept this criticism of our students and our teachers from the members opposite.

**Mr Winter** - It is not a criticism of students and teachers.

**Ms OGILVIE** - We have learners and students making fabulous achievements throughout their education and hardworking teachers who are focused on delivering the best outcomes for students. It is also highly misleading to suggest that Tasmanian year 12 students are achieving 20 per cent lower than the rest of the nation. Put simply, what is counted as attainment in each state is different and over time states have changed what they count. It is

not helpful to compare Tasmania's performance with other states using ROGS data on attainment.

A singular focus on the TCE does not reflect the various pathways and outstanding achievements of young Tasmanians who choose another pathway to success. With young people having more options on how they participate in education beyond year 10 and low unemployment rates and a strong economy, we are increasingly seeing more Tasmanian young people participating in other learning pathways, particularly apprenticeships and traineeships.

Our 2030 Strong Plan commits to turbocharging VET and vocational learning opportunities for our government school students and expanding YouthBuild to all government schools. This will result in increasing numbers of young people studying VET at school and will prepare a generation of young people who are job ready.

To increase attainment, we are not just focusing on years 11 and 12 but investing our focus on increasing attendance and retention commencing in year 7. We need to ensure our young people see purpose in their education and stay connected with learning. Our actions include providing all schools with the resources and tools to help them improve attendance, which led to increased attendance in 2023; ensuring all students have strong foundational skills in literacy and numeracy; investing record amounts into trauma support, student wellbeing, disability funding, and financial assistance for back-to-school costs; increasing online learning opportunities through Virtual Learning Tasmania; providing more choice and flexibility in courses and qualifications students can choose for years 11 and 12; and increasing VET and work-based learning opportunities. These are the things that have been done.

I note also that there was commentary around NAPLAN results and national averages and I would like to place on the record some facts and reflections. In 2019 we unashamedly set a target to be at or above the national standard to ensure we were driving a coordinated change and encouraging achievement in the foundational subjects. 2023 NAPLAN results show Tasmania was statistically comparable with Australia in reading at every year level. When education context is factored into NAPLAN results, we can see our students achieving comparable results outcomes to schools with similar educational context to Tasmania. I would have thought those on the other side would understand context. This is evidenced in our statistically comparable results to South Australia and Queensland across nearly all tests. It is also evidenced when we compare schools in inner regional locations across Australia. These are not excuses. These are statements of facts from national NAPLAN reporting.

The government knows that we need to do more to improve literacy and numeracy outcomes in Tasmania and that is why we have accepted all the priority recommendations from the Literacy Advisory Panel's final report to government, *Lifting Literacy*.

In 2019 we had a target to meet the national average for year 12 retention, and we have checked the data and government school apparent retention rates to year 12 have met the national average every year to 2022. Let me say that again. Tasmanian school students have reached and exceeded the national average for retention since 2019. Further to this, 80 per cent of 15- to 19-year-olds are engaged in education or training.

There is a range of options for our senior secondary students which did not exist under Labor, including the ability to stay at their local high school to complete years 11 and 12. This means there are significantly more Tasmanian students being retained in our schools and

colleges from year 10 to year 12 under this government, compared to Labor's disastrous record to 2014.

**Mr Winter** - You ran for Labor in 2014. How ridiculous you sound.

**Ms OGILVIE** - I saw the light, did I not?

Our government established Back on Track in 2021 to support those young people who have disengaged from the government education system to find an appropriate learning pathway that meets their individual needs. This may be to re-engage with school or to undertake a VET course, an apprenticeship or a traineeship, or it may be to obtain an exemption to undertake other paid work.

In 2019 we had a target to ensure 75 per cent of students achieved a TCE to drive improvement in attainment. Looking at the state data from 2018 to 2022, for those students who remained at school until the end of year 12, 79.7 per cent achieved a TCE in 2022. This figure remained consistent from 2018 to 2022. We need to note that these figures do not reflect the achievements of all the other young Tasmanians who choose pathways other than staying at school, including apprenticeships and traineeships.

In relation to workloads and the profession, again I would like to acknowledge and thank all our passionate teachers, principals and support staff who work tirelessly to educate our children and young people every day. We understand that schools are complex places and through a range of initiatives in our 2030 Strong Plan for Tasmania's Future and the new teachers agreement, our government is focused on supporting staff in our schools.

The Tasmanian Liberal government has delivered significant funding for government schools through the National School Reform Agreement and the associated bilateral agreement, including an additional \$340 million over the 10 years to 2027. The additional \$340 million provided by our government has supported students with disability, students impacted by trauma, provided a safeguarding lead in every school and delivered commitments beyond salary increases in the 2023 teachers wage agreement, including an additional 170 full-time equivalent in-class support-related positions and incentives for isolated schools.

Since 2014, the Tasmanian Liberal government has also employed record numbers of staff to provide in-school support, including recruiting an additional 435 full-time equivalent teachers, 421 full-time equivalent teacher assistants and 49 full-time equivalent administration officers. Our government has also increased professional support staff by 100 full-time equivalent positions, including the reintroduction of 58 full-time equivalent school nurses to assist students with their wellbeing, their engagement and their learning.

Our government is working in good faith with the federal Labor government and states and territories to deliver the new Better and Fairer Schools Agreement by the end of this year. We must see 100 per cent funding for Tasmania's public schools and anything less is unacceptable.

The Tasmanian Liberal government remains absolutely committed, as I have said, to improving education outcomes in Tasmania. We of course acknowledge the call for an independent inquiry into the state's education system and while we welcome all interest in the effectiveness of the Tasmanian education system and its functions, we know that there are

differing views about how best to support Tasmanian learners and educators. Our government is listening to the points of view of all interested parties, including education advocates and the Australian Education Union Tasmanian Branch. We know there are varying views on whether a review is needed and what a review may look like. The Minister for Education, Ms Palmer, is meeting with various stakeholders and we will not be drawing any conclusions or making any decisions until this consultation is complete and we have listened to a range of stakeholders and considered their perspectives.

Our decision will be based on what is in the best interests of the children in our schools and the education workforce. The AEU has made it clear that it does not back a lengthy review and that there are better ways to support our education system, including ensuring Tasmania gets its fair share of federal funding for our schools. With that, Deputy Speaker, I will close but I will say to all the kids out there - including my own - study hard and dream big.

[4.26 p.m.]

**Mrs BESWICK** (Braddon) - Deputy Speaker, I feel like saying good evening; it is almost there. I thank the member for bringing this motion to the House. It has been very concerning over the past few weeks to hear about the failings of our education system, despite higher levels of expenditure per child than other states. Some of these statistics that have been brought to us today by Mr Winter are very alarming. Mr Eslake has reported his concerns about this issue to our team and has advocated for differing styles of teaching which have received better outcomes in other places. He is also advocating for a review into education.

We all know the early years of education are the most important. The basic 3Rs, as we referred to them when we were kids, should be foremost in this education - developing the capability for children to read, write and do basic mathematics.

Watching my children's education over the past 15 years, I have observed the reduction in focus on things like multiplication tables. This has not been just here, but also in the ACT. It was a massive part of primary school for me, and I find this a bizarre trend.

I have also noticed the capacity of parents in managing competing priorities and providing for their families, not having the time to support the development of these basic skills at home the way they used to when we were children. On top of that, most schools do not even try and send homework, assuming parents will not support it, despite educational outcomes being a huge priority for everything, but this is anecdotal evidence from a parent with little official education experience. I am not a teacher. I draw our attention to the specific items in this motion around numbers of students completing their year 12 certificates, and the implication here that completing year 12 aligns directly with success in life and capability for providing for our families.

I understand there is research to back this up but that is not always an achievement statistic and can be discriminatory to those who legitimately choose not to waste their time in formal education when they are disengaged and have goals and objectives elsewhere.

I would like this review to include consideration of how many students move from their education out of our college system and into the workforce with traineeships and apprenticeships, and to consider those who chose to engage in future further education later in life. I point out that I am one of these people. Due to trauma through childhood and being kicked out of home at 16, I did not complete year 12. I went on to university in my mid-20s



and if you want to state that I am unsuccessful, I do not think you would get very far with that debate.

I note that there may be ways that this system could have treated me better, kept me more engaged and supported my family to perhaps have a very different outcome. Notwithstanding the statistically comparable outcomes against our small region, against other areas around that compare, our goal should be the best at the bare minimum. We are a small state and we have capacity to do things differently and to make things best.

It is important that we know what is blocking our educational outcomes for our families. An independent review with clear, effective terms of reference is a healthy and appropriate option for making sure this House is monitoring how our education system is performing and where we could do better.

[4.30 p.m.]

**Mr BAYLEY** (Clark) - Deputy Speaker, I thank the Leader of the Opposition for bringing this motion forward today and giving us the opportunity to discuss a review and the significant challenges facing the education system. It has been quite the day for education, what with the member for Clark's motion earlier around bullying in schools. It is very welcome to see this parliament put this level of attention into this issue because education is so critical to the future of the state.

I acknowledge our education professionals, our teachers, our support workers and others - and families, who are working so hard to put children through school under difficult circumstances.

There are significant challenges. Nobody can deny that there are significant challenges. I do not consider anyone can deny that more investment can be made in education, not only financial investment but other levels of attention and investment as well.

I note the work of Saul Eslake, Lisa Denny and Michael Rowan in ventilating the issues in terms of the very poor statistics and the very big challenges that are being realised within our education system, and I note the significant number of signatures they have to their open letter from eminent Tasmanians, educators and others calling for this review. That cannot be ignored. I also note the work of the Australian Education Union (AEU), the Principals Association, the Association of State School Organisations and, of course, our teachers.

Different organisations have different perspectives on the notion of a review. Some know exactly what they think should happen and it is just a matter of government getting on with it. Others think that there is significant value in looking deeply at the challenges, at the data and at the evidence, and the experience of teachers, and trying to understand that. From the Greens' perspective, the critical thing is probably that while we accept the value of looking back and analysing and understanding the challenges, the critical part of this conversation is for Tasmania collectively to get on the same page with a plan about how we deliver education to our children; how we give them the best possible opportunities in life; how that creates the best possible community that is within our reach; and what it is going to take to get there. We want to be forward looking when it comes to this.

When you talk to the teacher cohort, there is a myriad of views. There is concern about year 11 and year 12 in high schools; there is concern about colleges; concern about investment;

and there is concern about support services. There is no unity ticket when it comes to education. One of the biggest challenges in Tasmania is the socio-economic relationship between our community and educational outcomes. This is one thing that does deserve analysis and it also means that we are not necessarily always comparing apples with apples when we look at some of the data that comes out of Tasmania and some of the data that is coming out of other states.

Whether that is because of the regional nature of Tasmania or the socio-economic issues and demographics or whether that is because we report on slightly different elements of the education system - is it just year 12 completion; is it the Tasmanian Certificate of Education (TCE); is it certificates; do other jurisdictions give certificates if you have just finished, even if you did not pass? There are a lot of intricacies here that need to be teased out and there are significant challenges.

The issue that has been mentioned before by the Leader of the Opposition - about the challenges of permanency for librarians, for teachers' aides, for Aboriginal education workers and so forth - are critical issues. It is not just about delivering good education outcomes for our students, it is about delivering good workplaces as well. It is about making sure that a school is a healthy workplace to go to, that workers in those schools feel supported and have the resources that they need and they deserve to do the job that we expect them to do - and that parents expect them to do.

Turning to the motion, I welcome the fact that this is brought on. On the first reading, I found this a bit shallow, with all due respect, and as a result, I have an amendment I would like to move. At the same time, it is important that we debate this and we look into the challenges. One of the things that is really important in the context of this motion is that a good education is not just about good, well-paying jobs. It is about a community; it is about healthy lives; it is about the social fabric of our community; it is about environment and it is about personal fulfilment. It is really about that.

Paragraphs (a) to (d) in the motion are largely statements of fact. I note the member for Clark disagreed with them, but they are largely statements of fact and, like I said at the start, we want any review to be really forward looking.

I have an amendment that I would like to move. I will read it and then talk to it.

I move -

That the motion be amended by:

- (a) Omit from paragraph (1) everything after 'importance of education' and substituting 'to Tasmania's future and the ability of Tasmanians to have healthy, safe, secure lives and livelihoods'.
- (b) In paragraph (2) insert the following subparagraph before subparagraph (a)
  - ( ) The significant commitment of teachers and their school colleagues to the education of young Tasmanians.

- (c) Omit from paragraph (2)(e) everything after 'excessive workloads' and insert instead 'and inadequate resourcing and support, contributing to substandard educational outcomes and driving some teachers from the profession.'
- (d) Omit from paragraph (3) all the words after 'education' and to insert instead 'system, including the link between low socio economic status and educational achievement, and to recommend reforms necessary to improve education and social outcomes for Tasmanian children and young people.'

We crafted these amendments relatively carefully because we did not want to detract from what the Leader of the Opposition is trying to do here in terms of raising the alarm, flying the flag and pointing to a review, but we wanted to make sure that the motion represented a broader perspective and a forward-looking perspective.

As I mentioned before, the importance of education to Tasmania's future and the ability of any Tasmanian is not just about finding safe, secure, well-paying jobs as is drafted in the motion. It is absolutely about that, but it is more than that. That is my point. We are not trying to detract from the notion of jobs. We understand that that is a mantra and a significant agenda of the opposition, but education is about our lives. It is about our community and it is about people and Tasmanians having healthy, safe, secure lives, and livelihoods and jobs.

We are trying to build on the framework that the Leader of the Opposition had in there because it is not all about the economy; it is not all about jobs; it is about us as human beings and how we want to be in a community.

When it comes to the second amendment, we all thought it really important in our contributions to acknowledge teachers and education workers and so forth, so I imagine that will be pretty uncontroversial. It is making sure that that is reflected in this motion. We want the significant commitment of teachers and their school colleagues to the education of young Tasmanians to be recognised in this motion.

When it comes to the third amendment, we take 'educators are working with' and we delete 'excessive workloads', substituting 'inadequate resourcing and support'. In many ways that talks to the excessive workloads, but it speaks to the challenges, which are funding, support workers and the like, which contribute to substandard educational outcomes and drive some teachers from their profession. We are grabbing onto the thrust of what the Leader of the Opposition wanted to get here, and talking to the fact that it is about resourcing. It is about support for those teachers, and yes, it is having an impact on those teachers. Some are leaving the profession.

When it comes to the call for the independent review of the state's education system, we are supportive of that. We are not opposed to that. We are open to that. One of the things that is most important is that it needs to be forward looking. We need to make sure that this is not just trawling through the challenges and the problems of the last decade or two - the statistics that we are getting at the moment - but that it is actually proposing a way forward and it is actually proposing how we resolve this issue.

It would be good to have a clear commitment from the government that it would be prepared to implement the recommendations of such a review because, ultimately, there has been review after review of different parts of the education system in Tasmania. They have looked at bits, they have made recommendations, and they consistently fall on deaf ears. They are consistently not picked up by the government and not funded by government. Structural changes do not happen and we end up still with mediocre educational outcomes.

I will leave my contribution at that. We feel that the amendments do not take anything away from the motion but add to the motion and add some clarity to the call on government to deal with an education system that is in crisis. It is absolutely fundamental to the future of Tasmania. It is fundamental to the fabric of our society and how we will be seeing ourselves in the world.

[4.43 p.m.]

**Mr SHELTON** (Lyons) - Honourable Speaker, considering the time, the amendments that have been put add a bit to the motion, but it does not really change the fact of the question around the review.

I thank the member for bringing the motion on, and I also thank all our hardworking teachers, principals and staff of all our schools. Hardworking staff have been mentioned here today. I come to you as, like Mr Willie, a former employee of the education system, but on the TAFE college side. I spent 22 years teaching in the TAFE system, and my comments will mainly be directed towards that vocational education, as well as adding a few other points.

We know that quality education is the best foundation we can give to our young people. It offers learning, knowledge, skills, social contacts, and can be a basis of friendships that last a lifetime. From engagement at early years through the early childhood and learning centres, through to primary school, high school and college years and the early VET workforce skills and training, the Tasmanian Liberal government is providing young people with the opportunities to engage and learn those things that will set them up for life.

This government has implemented a range of reforms that increase the options in what young people can study and the qualifications they can achieve, supporting them to remain in education and training and obtain a meaningful qualification. As a result of the changes in the *Education Act*, options for school completion are more contemporary and relevant for our young people.

Tasmania's economy is very strong. Demand for workers and apprentices is high. This has meant that more students are leaving schools to take up apprenticeships and traineeships. This will continue given the strength of the Tasmanian economy.

A singular focus on the TCE does not reflect the pathways and outcomes of all young Tasmanians. In 2023, Skills Tasmania indicated we had a record 768 young people in full time apprenticeships and traineeships that were not counted in the TCE attainment data. Apprenticeships and traineeships take longer to complete than two years of secondary schooling and their outcomes are not reflected in the attainment data. However, vocational learning such as this results in valuable skills and qualifications that cannot be discounted as a valid pathway.

Our government has made it easier for Tasmanian students entering years 11 and 12 to access schooling in their local community by extending all schools to years 11 and 12 and

providing more options for students to build their years 11 and 12 experience. We know early days of learning counts, and that is why the Liberal government has extended all combined and secondary schools to include senior education. By extending schools to include years 11 and 12, more young people are remaining engaged in learning, and for longer. Students can choose to stay in their local schools for years 11 and 12 and study close to their home in family surroundings with the peers and teachers they know or they can choose to go to college. For some students, a shared enrolment between their school and the colleges meets their needs.

Our government has also established Virtual Learning Tasmania, which enables young people to study the subjects that they want in their local schools, regardless of how many students at the school are interested in the subject or whether it can be offered by a teacher at the school. A total of 43 subjects are offered, ranging from biology and contemporary arts to VET community services and road safety.

In 2024, there are over 1200 students studying at school that have extended year on year. This number has increased almost 10 per cent this year, and we know that many of these young people might not have stayed in the school otherwise. In 2014, 66 per cent of prospective government school students in years 11 and 12 lived within 10 kilometres of their nearest senior secondary provider. In 2022, this was 86 per cent of the students.

We do not agree with the statement made about retention and attainment data by Labor. You cannot compare apples and oranges, as Labor has done by comparing Tasmania to the rest of the nation. This is a simplistic view with many variables. The attainment indicator for ROGS data should be interpreted with caution. Attainment is defined as the number of students who meet the requirement of year 12 certificate or equivalent. Assessment and reporting of criteria for obtaining a year 12 or equivalent certificate varies across jurisdictions. Students completing their secondary education in technical and further education institutes are included in reporting from some jurisdictions and not others. It is highly misleading to suggest that Tasmania's year 12 students are achieving 20 per cent lower than the rest of the nation. Put simply, what counts as attainment in each state is different and, over time, states have changed what they count.

It is not helpful to compare Tasmania's performance with other states using the ROGS data for attainment. Some students choose to study an equivalent recognised qualification in their senior secondary schooling. Qualifications young people can achieve include the Tasmanian Certificate of Education, the Big Picture Learning Credentials warranted by the Melbourne University Assessment Research Centre, IB, Vocational Education and Training, and the Tasmanian Certificate of Education. Figures for these qualifications are not counted in Tasmania's attainment rate, but we know firsthand from talking to young people, they are undertaking a rigorous program of learning that sets them up for success in life and work.

With more options available to them locally and through regional partnerships and Virtual Learning Tasmania, young people are able to engage in learning programs and stay connected with school, which we know will improve their life outcomes over time. Our government is providing more choice and flexibility in courses and qualifications that students can choose for years 11 and 12 and there are increased VET and work-based learning opportunities to prepare students for work, further education and training, and life beyond school. With so many pathways and opportunities for young people to take up beyond year 10, young people have a bright future and we need to recognise all the pathways and successes they have, not just focus on a single measure of success.

As a personal anecdote: you are listening to a person who, at 15 years of age, left school after year 10 and was glad to get out of there and took up an apprenticeship and the work life experience. My brother and sister also did apprenticeships. The three of us went back to school in adult schooling to gain teaching qualifications or engineering qualifications. It is about what is available for all our young people.

I add that I am the grandfather of eight children. My eldest granddaughter, I am sure she will not mind me saying this, has just left high school in year 10 to the disappointment of her grandmother. She took up an apprenticeship in the building trades and is a building apprentice. She is building buildings in Launceston. Her grandmother would have preferred her to go on, but, as you know when dealing with teenagers, you encourage them as much as you can, but you cannot force them to do anything. She is a great kid and could have done anything. She would have passed the TCE qualifications, not a problem at all. She chose this other path and we had a good discussion about that. She is happy with her decision and I fully back her.

The Leader of the Opposition mentioned difficult students and children, and teacher safety. I read this to you:

The children now love luxury. They have bad manners, contempt for authority, they show disrespect to elders, and love chatter in the place of exercise. Children are now tyrants, they no longer rise when elders enter the room, they contradict their parents, chatter before company, gobble up dainties at the table, cross their legs, and tyrannise teachers.

Socrates, 469-399 BC.

The issue of working out the best way to teach students has been a question for society for a little bit of time. Mind you, it was not always right, because another quote from Socrates is, and I have every faith in our youth, but he did say:

If the whole world depends on our today's youth, I cannot see the world lasting another 100 years.

How wrong was he?

[4.55 p.m.]

**Mr WILLIE** (Clark) - Deputy Speaker, I am pleased to support the Leader of the Opposition in this motion. I thank other members for their contributions. There were some insightful contributions and there were many apologies and excuses on behalf of the government members. I acknowledge the link between socioeconomics and education outcomes. There is research to suggest that, but why can we not have aspirations for all Tasmanian children? Why can we not we have aspirations that the Tasmanian education system can be world-leading? There are kids in lower socioeconomic communities who are breaking the mould. Why do you not want to understand more about that and having that opportunity for more kids?

I do not know what the fear is about an independent review conducted by a well-respected expert who can conduct research into the system and understand more about why some outcomes for some children are better than others. I do not know why we these excuses are being put forward by the government that we cannot have aspirations for all children. I find it

offensive. Representing a pretty low socioeconomic area where I live in the northern half of Clark, I want the best for those kids. I used to teach in a school out there and I wanted the best for those kids. Why do we not want to understand more about that?

Our education system is not well connected to the labour market. We just had a speaker from the government, and I certainly acknowledge his experience and some of the things he was saying around apprenticeships. We need kids going into apprenticeships. If you look at some of the work from demographer Lisa Denny, she shows how our education system is not connected to the labour market. Why do we not want to understand more about that?

We have many people with bachelor's degrees and qualifications, we have many low-skilled workers with lower educational attainment, and we have a middle section of people with diplomas and certificate IIIs and IVs. Why do you not want to understand more about that and making the education system better suited to the labour market demands?

It is clearly out of whack. We have youth who are unemployed in higher numbers, yet our education system is not serving them well to get into those jobs that we need in the economy, to grow the economy so that we can all prosper. Education is the greatest lever any state government of any stripe could pull to improve economic and social outcomes. Clearly we are not doing well enough. Why do you not want to understand more about that?

In terms of the motion before us, recognising the importance of education to Tasmania's economic future and the ability of Tasmanians to find work in safe, secure and well-paying jobs, the Labor Party acknowledges the education system's role in connecting people to safe, secure and well-paying jobs. We acknowledge the economic complications from an underperforming education system.

I have been fortunate to be in the other Chamber and now in this Chamber in different roles for the Labor Party. Education was a shadow portfolio I held for about five years and there was quite a lot of data that I asked for that Tasmanians would not know about. I religiously asked for it and I know that the ministers at the time and the Education department did not really appreciate my questions. They knew I was getting the granular data that was not publicly available that would expose the system. I saw over those five years the data get worse and worse and worse.

As to the NAPLAN results, we had lofty goals from the government back in 2018 at the election that they were going to reach the national benchmark for all Tasmanian children by 2020. They used to have aspirations back then. They talked about it. They wanted Tasmania to be a world-leading education system. They do not talk about it anymore. Since that time, we have seen NAPLAN results go backwards. In Tasmania 37 per cent of year 7 students are not meeting reading expectations. That is the data from last year. Reading is a foundational skill. It is pretty hard to participate in the community if you do not have foundational skills. Why do you not want to understand more about that?

Some of the work Lisa Denny has done regarding NAPLAN results is very revealing. The proportion of Tasmanian students who need support and intervention to achieve this expected level is alarming, to be frank. In some grade cohorts like year 9 for writing, 47.2 per cent need an intervention to reach the level expected of them for the grade in Tasmania.

No wonder we have employers saying we cannot find the skilled workers we need. We do have some people who are interested in this job, but unfortunately, they do not have the literacy and numeracy skills and we are going to have to give them a bit of support, or they are going to have to go away and do some further remedial work, before we can take them on. That is a tragedy for the employer who wants to grow their business; it is a tragedy for the Tasmanian who may have been applying for the job. I do not know what the fear is here with an independent inquiry.

School suspension data - we would not have that granular data that is out in the public domain if I were not asking for it in the department's annual report. It is displayed on a percentage basis for the whole system of schooling, not the number of suspensions. There were 8873 suspensions in Tasmanian schools for the 2022 year. That was a record number under the *Education Act*. From that five-year period when the *Education Act* was implemented in 2017, we saw a 28 per cent increase in suspension incidents. Suspensions are an indication of disengagement. They are kids who are sounding the alarm that they are potentially not having their needs met in relation to what they need to learn. Maybe they need mental health support; perhaps it is a bullying issue at school that is not being dealt with or a learning difficulty that has probably been red flagged all the way through the system and not been dealt with.

Suspension data is a cry for help and, unfortunately, many of the kids who are suspended are kids with disabilities. It is an absolute shame. Thirty per cent of all suspensions are kids with disabilities, yet we only have 12 per cent of the Tasmanian student population living with a disability. We have a disproportionate number of students with a disability being suspended, which says to me that their needs are not being met. They are not being supported in their learning. The adjustments are not being made. Schools are not being supported. I am certainly not blaming schools; they need support with professional learning, and specialist staff to make sure that learning plans are appropriate for children. I know for a fact that is not happening in a lot of schools. Then we see the suspension statistics in the trends that they are. Why do you not want to understand more about that? I certainly do.

We have a government that came to power saying that the year 11 and 12 extension schools were going to fix the education problems in the state. They presented it as a silver bullet. That is why they were promising some of the things in 2018, because they had only just started implementing the policy in their first term. In 2018 they were promising that retention by 2022 was going to be at the national average. This is when they had aspirations - they thought that their reform was going to fix everything. Then they promised 75 per cent of Tasmanian students will get a TCE by 2022, which did not happen.

Kids are moving through the system; they are being red flagged all the way through the system. We are not providing the interventions and the catch-up learning. They are not keeping up with the year level as expected and the NAPLAN data clearly shows that, and then they are disengaging.

You cannot expect to make a structural change at the end of schooling and think that is going to fix the problem. It is not, and it is clearly showing up in the data from some of these schools too. They might be enrolled at some of these schools but they are certainly not in the classrooms.

Some of the questions I used to ask were about attendance in some of these extension schools. Last year, in Budget Estimates, I asked a bunch of questions. There were 59 state



schools that had expanded to years 11 and 12. There were 11 that had average daily attendance rates below 60 per cent in the 2022 school year. Attendance was as low as 20.9 per cent at New Norfolk High School, which had 26 senior secondary students - most of the time they are not there. Deloraine High School, with 22 students, had 34.1 per cent attendance rates, while Sorell School, which commenced years 11 and 12 in 2017, had attendance rates of 53.7 percent. It is hard to improve education outcomes if kids are not in the classroom to start with. Why do you not want to understand more about that?

I know the AEU called for a review into extension schools, and that could be part of this review. Full disclosure: I am an associate member of the AEU. I very much enjoyed working with David Genford and Brian Wightman and the team in my five years as the education shadow minister. I respect their positions but there are educators I talk to who want a review. There are respected educators and former educators who have signed the open letter wanting a review. There are mixed views in all sectors. I support their position in terms of funding. That is a critical issue not just in Tasmania but around the country. We have debated equity in our schooling system for too long.

We have a school resource standard that has been agreed upon by both sides of politics at a national level, yet we still have public schools not being funded to that level. It has been agreed upon. Most private schools and Catholic schools are already at the school resource standard. Public schools are not and it needs to be fixed. I hope that this government can negotiate in good faith with the federal government and not have this blame game that is going on across portfolios because they cannot fix the problems here, and that we can get a good result and fund public schools properly. I strongly support the AEU in that position. That is one of the issues and it would be part of this review too. You could look at funding. You could look at the adjustments model. I know that they have had concerns around the resourcing of that. There could be an entire range of things that you could look at.

We have concerns across the community. It is not just within the system. We now have the vice chancellor saying that the public education system in Tasmania is in trouble, and it needs major reform. He is talking a lot about catch-up learning and I agree with him about that. You can pretty much track many kids who have dropped out of the school system and you can probably see early in primary school, on their file, where it started to go wrong. Were the interventions provided? Probably not. There may have been attempts but were they evidence based? Were they effective? A review could have a look at some of those things.

A review would be all-encompassing and system wide. You could start in the early years, you could look at good government reforms, you could look at things where things are missing and you could look at things for the future.

I note the member for Clark talking about universal access for three-year olds as a national reform and how we can embed that in the system. There have been good reforms from both colours of government in Tasmania in the early years. The Working Together reform was something I supported from opposition. I thought that was a great initiative. There is the Launching into Learning preschool program that a Labor government implemented that helped break down the barriers for school for families in the early years. That was a great reform.

There are the Child and Family Centres, which I am passionate about. When I was first elected, the Liberal government was not funding new Child and Family Centres. They did not want to; it was a Labour initiative - 'We could not do that'. When we proposed them in

government, they wanted to cut them in opposition. You know that story well, honourable Speaker. These are great centres and I am glad that the government has finally come on board. They did match our commitment for six new ones back in 2018 and they are starting to open those now. I am looking forward to the one in Glenorchy. They provide a different service and they try to break the cycle.

I have a great story from in my electorate in Chigwell. I met a dad there once. He told me that he could not read. He came into the centre with his son because he wanted to learn how to read so he could read to his son. They had 26TEN there to help him. They did some intensive support for quite some time and he learned how to read to his son. A great outcome. Because he could learn how to read, he obtained a driver's licence because he could read the text. From getting the driver's licence, he gained a job as a courier. This is a guy who had been long-term unemployed, who had come into the centre wanting to learn to read to his son. He completely changed not only his own life and economic circumstances, he changed his son's life because now he had the economic means to support his son through his schooling and he could read to him along the way.

That is what child and family centres do. Why would we not want to understand more about where that is working well in communities, where it may not, and what we could do to boost some of these centres or take them into communities that need them?

I am still quite connected to the teaching profession, and I still have a lot of friends who work in the system. They tell me it is much harder than when I left, that it has become much harder over the years. They had a terrible time in COVID. They are now dealing with a workforce shortage. In some schools, they cannot even put a teacher in front of some of the classrooms. That means they are trying to find a relief teacher. If they cannot find a relief teacher, there may be a senior staff member who has to stop doing what they are doing and come and teach the class, or what is even more disruptive, they break up the class into small groups and send them to other classes in the school. That is disruptive for learning, difficult to manage in the school for all teachers involved in that process, and incredibly damaging for young people and their education.

We cannot put enough teachers into schools to put them in front of classes. I acknowledge that this is a national issue, but it is also a national labour market. We are not doing enough to compete with the big states that are paying huge incentives for teachers to relocate. We have our teachers burning out in record numbers. They are leaving the profession. One of the saddest things I find myself experiencing from time to time is when I bump into old teaching colleagues from whatever school I was teaching at at the time. I say, 'Hey, are you still teaching? Where are you?', and they say: 'No, I had to stop. I just could not do it any more. I really loved teaching kids but I just could not survive in the system any more. For my own health, I had to leave'. I have heard that story so many times.

When people reflect that in a conversation, I find that incredibly tragic. People I knew at university who were very altruistic, who wanted to make a difference in the world, who went in bright eyed, end up like that. They are not in front of kids with all their gifts and talents, helping young people reach their potential. They have been burnt out by the system, the administrative load and all the things they hated about that, rather than teaching kids. Why do we not want to understand more about why teachers are leaving the system, what we can do to make their life easier and what we could do to support them in their professional learning and nourishment in their careers?

The government has talked a lot about literacy reforms. We have been supportive of those. We have been trying to drag the government to act quicker, for example, with the year 1 phonics check. I was saying to ministers, 'Why don't you mandate that?' for years before they actually did it. Decodable readers - the member for Braddon has just walked in. For years at the Estimates table, I was saying, 'Why don't you replace decodable readers in schools?' I know for a fact that many of them are 20 or 30 years old. They are not evidence-based; they are predictive texts. It is not what you are talking about all the time when you are talking about a new approach to literacy teaching. It took until this year and the election for them to realise it. Easy things to do.

We need to do more to support our teaching profession. That includes support staff as well, making sure there are enough school psychologists to perform the important role they do, particularly in the early years when a teacher might say to a psychologist, 'I have a little concern about this young person in my class; I would just like you to make an assessment.' A cognitive assessment absolutely changes a child's life in the early years. You might be able to pick up a learning challenge and provide some interventions in those early years when it is critical to keep that kid on track.

There are not enough school psychologists. The waiting lists are huge. The waiting lists - this is maybe year-old data - 168 days to see a school psychologist when you have a wide body of research showing how important the early years are. Kids are waiting 168 days in our system before they can see a school psychologist. It is crazy. There is 27 days for an intervention and 183 days to see a speech and language pathologist. Why would we not want to understand more about that through a review?

**Time expired.**

**The SPEAKER** - Are there any further speakers to the amendment as moved by Mr Bayley?

Before I put the amendment, there is an error in the amendment. In clause (c), omitting '(2)(f)' should read, '(2)(e)'. We will administer that through a clerical process, but just to advise the House of the change to that amendment.

**The SPEAKER** - The question is -

That the amendment to the motion be agreed to.

**The House divided -**

**AYES 10**

Ms Badger  
Mr Bayley  
Mrs Beswick  
Ms Burnet  
Mr Garland  
Ms Johnston  
Mr O'Byrne

**NOES 21**

Mr Abetz  
Mr Barnett  
Mr Behrakis  
Dr Broad  
Ms Brown  
Ms Dow  
Mr Ellis

Mrs Pentland (Teller)  
Ms Rosol  
Dr Woodruff

Mr Fairs (Teller)  
Mr Ferguson  
Ms Finlay  
Ms Haddad  
Ms Howlett  
Mr Jaensch  
Ms Ogilvie  
Mrs Petrusma  
Mr Rockliff  
Mr Shelton  
Ms White  
Mr Willie  
Mr Winter  
Mr Wood

**Amendment negatived.**

**The SPEAKER** - There is disorder in the House. These upper House people!

For future reference, members should not actually be wandering around the Chamber during the vote. Just so members know, when you are in the middle of a division, the only people who are allowed to be moving are this group of five here. They are the tellers and the whips. Everybody else is to remain in their place so that they can be counted on the correct side of the Chamber. It much easier for the tellers.

Given time has now moved on, we are going to go to the substantive vote now. Would members like to resume their seats. The question now is - That the motion be agreed to.

**Motion agreed to.**

## **STATEMENT BY SPEAKER**

### **Notices of Motion - Submission Deadline**

**The SPEAKER** - We will now move to the private members time for the JLN. As I call the member, I remind members that you are to have your notices of motions in by the deadline of 11.00 o'clock the day before for them to be valid. That means they go in the box by 11.00 a.m. The JLN paper was submitted late. It has been accepted this time, but it will not be accepted again. I call Mrs Beswick, member for Braddon.

## MOTION

### Care and Development of Children in Public Institutions

[5.25 p.m.]

**Mrs BESWICK** (Braddon) - Honourable Speaker, thank you for that waiving of the timing yesterday. It is much appreciated. I move:

That the House:

- (1) Notes that Tasmanian Public institutions responsible for the care and development of children should provide them with the necessary support and resources to thrive.
- (2) Further notes that institutional environments should be conducive to physical, emotional, and mental wellbeing in a manner that shows the level of care for children as though they are our own.
- (3) Recognises standards of excellence for nutrition, exercise, and overall health should be paramount.
- (4) Further notes that Institutions should:
  - (a) promote mental health awareness and support services for children, including counselling and therapy resources;
  - (b) encourage education on healthy lifestyle choices, including balanced diets and regular physical activity;
  - (c) advocate for policies that prioritise the wellbeing of children in institutional settings, such as adequate staffing levels and appropriate training for caregivers; and
  - (d) allocate resources for regular inspections and monitoring to ensure compliance with established health and safety standards.

I thank you all for paying attention to this very important matter. I stand before you to address, and to raise the knowledge and understanding of this House on the wellbeing and development of our children, particularly those under the care of Tasmanian public institutions. We have been talking a lot about education today. We have had a very deep and meaningful debate. We are all on the same page about the importance of education and our institutions.

Our children are not just the future but the present, deserving of the highest standards of care, support and resources to thrive in every aspect of their lives.

First and foremost, it is imperative that Tasmanian public institutions responsible for the care and development of children provide them with the necessary support and resources to thrive. These institutions serve as the cornerstone for the growth and nurturing of our young ones and it is our duty to ensure that they are adequately equipped.

Moreover, the environments within these institutions must be conducive to physical, emotional and mental wellbeing. We must treat these children as if they were our own, ensuring that they feel safe, loved and supported every step of the way. Creating such environments not only fosters growth but also instils in them a sense of security and belonging.

I recently received communication from a parent regarding first aid policies in our public schools, namely the appointment of only one first aid officer per 350 students. This policy was purportedly approved by the Department of Children and Young People but has not been made public. I quote:

DCYP insists that it is an internal document and, as a parent, I cannot access it. I am likewise not being given access to the administration of student medication procedure.

This does not seem to give the impression that we are taking the care of our children seriously in our schools. As a parent of the Hillcrest incident, I cannot help but say this rings a series of alarm bells for me. When it comes to standards of excellence, nutrition, exercise and overall health, there can be no compromise. Proper nutrition, regular exercise and access to health care are fundamental rights that every child should have. It is incumbent upon us to prioritise these aspects and ensure they are upheld to the highest degree.

I am very excited by the schools lunch program that is offered to some schools and about the anticipated extension of that, and its expansion in the next budget. I believe this shows that we do care about health and education outcomes, and I am really excited by this program.

To achieve the goals of social outcomes and health, institutions need to take proactive measures. First, they must promote mental health awareness and support services for children, including counselling and therapy services. Mental health is just as crucial as physical health, and we must provide the necessary resources to address any issues that may arise.

Education and healthy lifestyle choices, including a balanced diet and regular physical activity, and time spent outside for adequate vitamin D should be encouraged, as well as other areas of importance. Empowering children with the knowledge and tools to make healthy choices sets them on a path to a fulfilling and vibrant life.

Advocating for policies that prioritise the wellbeing of children in institutional settings is essential. This includes ensuring adequate staffing levels and providing appropriate training for caregivers to meet the diverse needs of the children in their care. Allocation of resources for regular inspections and monitoring, such as training, education, utilisation of technology, establishment of monitoring protocols and continuous improvements, needs to be a high priority. It is vital to ensure compliance with established health and safety standards.

We must hold ourselves accountable and take proactive measures to safeguard the wellbeing of our children. I bring attention to the detrimental impacts that children of Ashley Youth Detention Centre are at times facing. When my colleague met with the Commissioner, Leanne McLean, last week, she informed her of Ashley's 21 detainees, one as young as 13, and only six staff at the time. During this time, the children have been quoted on a number of occasions, in a number of articles and to the commission about the isolating, deplorable and horrible conditions that have occurred for a significant amount of years.

One such condition is that of solitary isolation, which can be compared to that of a solitary maximum security inmate as a measure of control. We understand the difficulties in managing interactions between residents, which are complex, but a total of 23 hours a day, with only one hour that they are not outside of their room in the centre some days, this is not conducive to a healthy environment for these children. One hour outside in fresh air at a bare minimum, in Tasmania's cold and low vitamin D environment is probably not meeting their needs.

This has a significant amount of risk to these children, not just mentally but on their overall health. The formative years of these children's lives are being treated and developmentally this can be a massive impact on how their brain develops, the lessons and behaviours they learn and come to understand as normal - which are not. We are seriously going to wonder why some of these children re-offend.

This centre was built to be a rehabilitation centre and the last port of call for children. It is currently becoming a first port of call, and a temporary removal fix for these children from society instead of trying to rehabilitate them so they do not reoffend. By not actively supplying therapeutic measures, these children are spending their time thinking about their next offence and, with the isolation, they risk developing serious mental health conditions that will not, in turn, be treated in the system. We have been failing and we need to do better.

The effects of social isolation can be:

- Regression of loneliness;
- Poor physical and mental health;
- Disruption of social relationship;.
- Participants often feel discriminated against, misunderstood and judged by others, a result of public stigma.

The people who have experienced this discuss internalising these attitudes. They suggest that a lack of understanding from others, for example from their partner's family and peers, and unreliable or absent support systems, resulted in feeling of loneliness socialisation and reduced the quality and quantity of relationship formations, social bonds and interactions. Stigmas reduced their self-confidence, their self-esteem, which in turn fostered secrecy and a reluctance to disclose their depression. Most participants reported having long-term goals and aspirations to reconnect with others. These goals stood in contrast to feeling hopeless and unmotivated during periods of depression.

This is a very important. I do not want to just take it all to be Ashley's fault. It is very important that our children are set up for the best in life. I know we have been discussing that for the week with education here but the wellbeing and development of our children is non-negotiable. It is our collective responsibility to ensure that Tasmanian public institutions provide the necessary support and resources for children to thrive.

Let us commit ourselves to creating environments where every child feels loved, supported, and empowered to reach their full potential.

**Members** - Hear, hear.

[5.34 p.m.]

**Ms BURNET** (Clark) - Honourable Speaker, I rise to speak to the motion moved by the member for Braddon, Mrs Beswick, about the importance of all children being supported and cared for in institutional environments. It is fitting to hear this today, given the topics of conversation during Question Time and children being at the core of those concerns.

Specifically, I would like to speak to paragraph (3) of her motion, which recognises standards of excellence for nutrition, in particular, exercise and overall health should be paramount. As the Greens spokesperson for preventative health and wellbeing, I will focus on the very important area of children's welfare which can make a substantial difference for Tasmanian children - their nutrition at school.

Historically, a school lunch was a packed lunch. In the 1990s, school canteens became part of the school community. The Tasmanian School Canteen Association, now known as School Food Matters, was formed in 1994 to support the operation of school canteens. School Food Matters operate in 273 government and non-government schools, of which 240 have a school canteen or food service, and currently work with 151 of the 240 schools through a canteen accreditation program.

The School Food Matters strongly supports that need to care for all children. It is not about privilege - it is about caring for all children. Its work is promoting nutritional, tasty and safely prepared food in schools. That has been their mantra for the past 30 years. The School Canteen Accreditation program has been the mainstay of supporting nutritious food at school and over the past three years, School Food Matters has been trialling a sit-down cooked meal in 30 government schools.

Researchers such as Professor Rebecca Golley of Flinders University, whose research in a range of settings where children live, eat, learn and play suggests:

A universal school provided lunch model could help to ensure all children have access to food at school, reduce stigma of children not having lunch or having different types of foods to their peers and help to ensure children are provided with healthy lunch options.

There are many benefits to a school lunch program, and they include:

- For setting government policy and direction, it delivers against recommendation No 62 from the Premier's Economic and Social Recovery Advisory Council (PESRAC), their interim report and PESRAC's recommendation 31 of the final report. Setting policy is very important and that is what governments and education departments do.
- Food security of Tasmanian primary school-aged children is improved by ensuring that they eat a nutritious lunch each day, rich in vegetables and fruit, and therefore are able to reach their learning potential.

It is a reality that there are many situations where some Tasmanian school students have no understanding of, or exposure to, non-processed food. A high proportion of school lunch boxes are not nutritiously balanced, and are packed with highly processed products pitched at parents and children through the media and at the supermarket. A universal school lunch



program provides an opportunity for all children to sit down to a well-balanced, nutritious and tasty meal.

This in turn improves the eating culture of young Tasmanians by normalising sharing nutritious, seasonal food. It improves concentration, mood and behaviour so children are ready to learn. It improves educational outcomes. It improves attendance at school of children in low income communities. Using food that is local and seasonal improves freshness and nutrient density and reduces waste. Every dollar invested returns three to 10 times the economic return from improved health and education among school children and increased productivity when they become working adults - so it does not just invest in the children's future but it invests in Tasmania's future.

Honourable Speaker, not all children are able to access the school canteen, due to economic reasons. The canteen may not be operating every day and school canteens offer options ranging from very nutritious to not so nutritious foods. As a result, some children will always select the lesser nutritious foods because that is what they are familiar with; hence the trial of the school lunch program.

We have heard through today's questions relating to child safety, those children currently in Ashley Youth Detention Centre, the limitations of the effectiveness of child protection with so many vacancies in those professions. We have even heard from the Commissioner for Children and her concerns raised yet again. Children's welfare for them to thrive and take their place in our society and communities must occur with all of that as a pathway out of poverty. It must be respected and nurtured, and much of this starts with providing adequate nutrition. I thank the member for her motion.

**Mr JAENSCH** (Braddon - Minister for Children and Youth) - Honourable Speaker, I thank the member for Braddon, Mrs Beswick, for bringing on this important motion today. The Tasmanian community has expressed its clear expectations when it comes to keeping children safe. Our government is committed to making meaningful change to ensure the safety and wellbeing of children and young people across our state. In response to the commission of inquiry, we are making sure that action is being taken across government to improve our systems, our services and levels of care to keep children and young people safe, in government institutions, in particular. As we have updated the House, there is a significant program of work underway to deliver 48 phase 1 recommendations by 1 July 2024. This work builds on progress already made on the interim response actions prior to the release of the commission's report.

I recognise that the member's motion is not just about what the government is doing in response to the commission of inquiry. It is much broader than that. It is important here to highlight our government's overarching child and youth wellbeing strategy. In 2021, our government launched Tasmania's first comprehensive, whole-of-government Child and Youth Wellbeing Strategy: It Takes a Tasmanian Village. The strategy and its first four-year action plan were directly informed by the voices of Tasmanian children, young people and their families. The action plan has resulted in:

- Access to community-based, multidisciplinary, paediatric services for vulnerable children through the establishment of 15 Kids Care clinics within Tasmanian communities, with another two sites to commence soon. In 2023, 1267 children access these services.

- A new community outreach model for child and family learning centres, which is now active in four communities, Latrobe, Circular Head, West Coast and Dorset, with family engagement workers in each region providing place-based support.
- Funding of Burnie Works and the University of Tasmania to deliver the First 1000 Days project in the north-west of the state, delivering innovative, community-led learning resources for parents.
- Three mentors in the north-west to deliver the Supporting Expecting and Parenting Teens program, with 83 young parents enrolled and engaged during July to December last year, 15 of whom gained employment and 37 who were actively studying.
- Mission Australia is delivering the pilot therapeutic residential model of care for the Under 16 Lighthouse Project, with the first young person entering a Kingston house in November 2023 and, I understand, two subsequently.
- The construction has commenced on a 25-unit Youth to Independence facility in Burnie, which I understand is near to, if not completed, with Youth and Family Community Connections selected as the provider there.
- It has launched the new Vaping Youth and Health E-Learning package for schools, teachers and students to address misinformation about vaping.
- Delivered over 5000 Little Tasmanian bags for new babies born in Tasmania during the 2023-24 year, aimed at increasing awareness of the importance of the first 1000 days in a child's life.
- Dedicated youth connectors to link young people to education, training and employment opportunities. The Northern Employment and Business Hub has recruited a dedicated connector, adding to existing connectors.
- Glenorchy and Sorell Jobs Hubs that have, respectively, assisted 45 and 78 young people into jobs.
- In December last year, an additional 25 organisations were provided with funding under the Premier's Fund for Children and Young People to increase children and young people's participation in recreational and social activities in their local communities.

There are many more initiatives in the Child And Youth Wellbeing Strategy, including the Bringing Baby Home initiative, which supports families in crisis to bring a new baby home with three intensive family engagement service providers providing direct outreach; the Sure Start Action Plan, which supports the learning and wellbeing of children and young people in out-of-home care by providing literacy support devices, driving support and scholarships. In 2024, 90 laptop devices will be delivered to eligible students in high schools under this program.

The prison parenting program, Connect 42, delivered three cycles of its parenting program in late 2023 in the Ron Barwick Minimum Security Prison, Mary Hutchinson Women's Prison and the Risdon Prison Complex. An additional in-house parenting program called Bringing Up Great Kids was delivered in both Ron Barwick and Mary Hutchinson in 2023.

There is much more to talk about regarding the whole-of-government strategy, and I am advised that the Premier's office will be pleased to arrange a briefing for the member, and any member who is interested in this important work. We provide annual reports on the progress of the Child and Youth Wellbeing Strategy, which are publicly available. The second annual report for the strategy was released earlier this year.

We have spoken already today about our youth justice system. I reiterate that the Tasmanian government is committed to developing a youth justice system that achieves better outcomes for young people and their families, and keeps our community safe. We are progressing our plans to close the Ashley Youth Detention Centre and transition to new therapeutic youth justice facilities as soon as possible. Until then, we believe that enhancing safety and oversight, and ensuring Ashley has a full staff complement delivering a therapeutic model of care, is the best option for supporting these young people. From the 2023-24 commission of inquiry funding allocations, the government has provided additional funding of \$11.5 million for the Ashley Youth Detention Centre to ensure we continue to prioritise the safety and wellbeing of children in the centre.

New facilities form just one part of our comprehensive reform of the entire youth justice system. We want to support children and families, and engage young people at risk early, direct them away from the youth justice system and restore young people who do come into conflict with the law as valued and productive members of our community.

While our plans for a new facility and services are progressing, significant reform has been occurring at the Ashley Youth Detention Centre over recent years. This work includes new CCTV technology to increase accountability and safety for both young people and staff, and body-worn cameras to ensure transparency of incidents and safety of children and young people. The Australian Childhood Foundation has been on site since mid-September 2022 to provide independent therapeutic evaluation of all young people and their support needs, as well as providing direct guidance for staff at Ashley.

Practice improvements have been undertaken, including review of incidents involving use of force, assault and damage, and stricter controls to further minimise the use of personal searches, which is married with the adoption of new body-scanning technology at Ashley, which should eliminate the need for most personal searches. The Advocate for Young People in Detention, who represents the Commissioner for Children and Young People, is on site and available to young people for a number of days each week. The commissioner also regularly attends the site. We are more confident than ever that children and young people in the Ashley Youth Detention Centre have independent avenues to raise complaints or concerns about their care at Ashley, including through the Ombudsman's office, the Commissioner for Children and Young People, the Custodial Inspector and the Advocate for Young People in Detention.

We are not stopping there. We will continue further initiatives to ensure Ashley is fit for purpose, safe for children and young people, and provides appropriate care and support as we transition to the new therapeutic model and facilities that come with it.

We believe it is important for children to stay with their families whenever it is safe to do so, but their safety is our top priority. That is why the government is investing in initiatives that better support children and their families who have contact with the child safety system. This includes providing \$4.2 million for the ongoing provision of the Intensive Family Engagement Service to build capacity in the family to prevent families entering the child safety service and possible entry to the out-of-home-care system.

We have committed \$2.6 million towards the establishment of a new local placement program with a therapeutic model for children and young people with highly complex and exceptional needs. We have invested \$2.1 million over three years to deliver an out-of-home care accreditation scheme and a carers register, building on the Tasmanian Out-of-Home Care Standards released in 2022. We continue to fund the Transition to Independence program, a supportive aftercare program for children exiting the out-of-home care system and transitioning into adulthood. We have provided \$10 million over four years for an under-16 Lighthouse pilot project, which provides accommodation for young people who are not in state care, who are unable to live at home and may otherwise end up homeless.

We have allocated \$2.2 million to develop and implement an accreditation framework and carers register that will be developed and implemented by July 2029. We launched a new foster carer recruitment campaign to build the number of available carers and we are continuing to put in place outcomes-based reporting that allows the department to better monitor, escalate and measure the effectiveness of services.

We have implemented a new service level agreement with Homes Tasmania that prioritises the needs of children and young people in out-of-home care and exiting the youth justice system. We will, of course, ensure that these initiatives are aligned with and complementary to the broader commission of inquiry recommendations as they relate to the child safety system, including the broader recommendation of transitioning all out-of-home care placements to the non-government sector as part of that.

We know that everyone here accepts and asserts and expects that the safety and wellbeing of children and young people is our greatest priority as a government and as a community. We know that Tasmania is nation-leading in many of its reforms, including the Strong Families Safe Kids child safety systems reform, the Youth Justice Blueprint, our statewide safeguarding model in all schools across the state, and our Child and Family Learning Centres, which give families with children under five years old the best start in life in communities across our state.

We know that this work will never be completed and that there will always be more to do and we will keep learning and working across government and with Tasmanian families and communities to ensure all of our children are known, safe, well and learning.

[5.53 p.m.]

**Ms ROSOL** (Bass) - Honourable Speaker, I thank the member for Braddon, Mrs Beswick, for bringing this important matter to parliament today. Our children are precious and they deserve all of our best efforts as parents, grandparents, families, carers, communities and as a government. Children have the right to be protected from violence and neglect. They have the right to the best health care possible, to healthy food and a clean and safe environment, as well as information about how to stay safe and healthy. For those children who cannot live

with their family, they should have their situations checked on regularly to ensure that they are safe and being cared for.

Children have the right to an education that allows them to develop their personalities, their talents and their abilities. They have the right to protection from sexual abuse. Children should only be placed in detention as a last resort and should receive legal help. Children have the right to access many solutions to help them to become good members of their communities, rather than only having the option of detention. These rights are all recognised in the Convention on the Rights of the Child and they have the capacity to guide our public institutions.

The Greens will support this motion put forward by Mrs Beswick today because Tasmanian public institutions should provide children with those things that are necessary to help them thrive.

In my brief time in parliament, I have read many blueprints and strategies and I have heard the government recite ad nauseam all it is doing for Tasmanians. However, at the same time, I am hearing from the community of situations where there are insufficient services for the needs of people and their children. For example, within Child Safety Services, I have heard about the Advice and Referral Line, that not all reports are being responded to in a timely manner. I have heard that Integrated Family Support Service and the Intensive Family Engagement Service require better funding and are not sufficient to meet the needs of families who need support to care for their children.

I have heard that case managers do not meet regularly with the children in their care and on their caseload because they are under enormous pressure with huge caseloads and cannot meet the needs of all the children that they care for.

We have heard a lot today about Ashley Youth Detention Centre and the issues there, and the need for us to continue to do all we can to provide for the safety of young people by providing alternatives to detention.

I have heard from people who are attempting to access child health nursing services for their children that children often are missing out on growth and development assessments because there are insufficient services available for them. I have heard about child and family learning centres with insufficient services being available there - fabulous wraparound support services, but not everyone is able to access the support that they need.

Within our schools, we know that we need more school psychologists, social workers and speech pathologists. We know that housing is an issue for young people and that many children are at risk of homelessness.

There is so much more we could be doing for the children of Tasmania. All of these services need more funding if we are truly to meet the needs of our children. Our children deserve our best. We must offer more than fine plans and words. We must do all we can to meet the needs of the children of Tasmania and ensure that our children can and do thrive.

**Members** - Hear, hear.

[5.57 p.m.]

**Ms WHITE** (Lyons) - Honourable Speaker, I rise to contribute to the motion brought by Mrs Beswick. The Labor Party will be supporting the motion. I thank her for the very genuine contribution she delivered to this House. It is clear from the way that she spoke how deeply she cares about this issue. She talked about it from the perspective of children who are in institutional settings for their care - out-of-home care for instance - and all children. It is fundamentally important and a fundamental responsibility of any good government to make sure we have appropriate practices in place wherever children interact with government services or other institutions.

The motion talks about how Tasmanian public institutions have responsibility and that institutions should promote mental health awareness and support for children, amongst other things. I agree with that and am not seeking to amend your motion. However, it is the government that should be named in the motion, personally, as opposed to institutions. Our agencies who deliver services to children across Tasmania's public services do so at the direction of the government and ministers who are responsible for those agencies. In a Westminster system, ultimately the ministers are responsible for those actions and the decisions they make about what they prioritise and what they do not, and the institutions respond in delivering those priorities. This is important to point out because when we speak about institutions it can sometimes remove the human element and the direct line of responsibility and accountability that rests with the people who are making those decisions. In this system it is those ministers.

The motion moved by Mrs Beswick touches on a number of different elements. I want to touch on two parts that relate specifically to the commission of inquiry. In particular, recommendation 12.23 which relates to creating a child-focused youth detention system. Based on some of the contributions we have heard on this motion, that is a key focus. It talks about how this is one of the recommendations that the government will implement by 1 July this year. This recommendation calls on the Department for Education, Children and Young People to develop and implement a policy that recognises the importance to children and young people in detention of maintaining or building connections with their family and community and specifies ways to promote such connections, including through visits, temporary leave and phone or video calls.

It clearly states that entitlements to visits, temporary leave, and phone or video calls cannot be denied on the basis of a child or young person's behaviour, and provides reasonable assistance, including financial help, to members of a child or young person's family or Aboriginal community to enable them to frequently visit the child or young person with families or Aboriginal community members who have barriers to accessing the youth detention facility.

There are a number of recommendations from the commission of inquiry - well, 191 of them demonstrate the ways that we have failed children in this state across government institutions. Some are historical in nature, some more recent in nature. There is no doubt that the intent of this parliament is to implement those recommendations to improve how government institutions support young people in this state.

The reason I raise this recommendation is, firstly, because it needs to be delivered very soon, but also because it speaks to an issue that a lot of us have raised already in this place regarding the welfare of the young people who are detained at Ashley. There has been a lot of discussion about the number of young people at Ashley, alternatives to detention, the speed at

which the government is standing up those alternatives, and also how we are supporting those young people who are currently detained.

The Premier provided an update when the parliament resumed this year about progress on those recommendations. There is, of course, information that was tabled in the parliament that indicates to us whether things are on track or have been delivered, or are delayed. This particular recommendation 12.23 is in progress. I hope that by 1 July, we will be able to get better information from the government about all of these recommendations, but that one in particular given how sensitive that issue is and how topical it is in public discourse at the moment.

I also touch on some of the data that was shared in the previous parliament's committee of inquiry into the commission of inquiry - that is a bit of a complicated way to say that. It shared with us some data about the number of children who were, as at December last year, in out-of-home care, as well as some of the staffing across those agencies that care for our most vulnerable children.

I recognise all the staff who work across government services to deliver care to children, whether they are in education or health settings, or in detention or youth justice settings. I know there has been an enormous amount of scrutiny and pressure applied to them in recent years because of the commission of inquiry and there is no doubt that has been incredibly tough.

There are many great people doing an enormous amount of policy work, as well as delivering services directly to young people. I would not want any of my comments to be construed as reflecting poorly upon them. However, I point to some of the data that was shared last year because I would imagine, based on some of the information that has been shared already, this parliament unfortunately has not changed very much.

Regarding out-of-home care, we heard an update on the number of vacant positions in the child safety service as a whole within the advice and referral line and within units managing out-of-home care. This was a question that was asked to understand a comparison between vacancies in 2022 versus 2023 in child safety positions. We heard that the number of child safety positions occupied in 2022 was 206.1. That was a statewide figure. In 2023 it was 186.5, which is a variance of 19.6. There was a loss of nearly 20 staff in that time.

We were informed that in 2022 there were 1.8 vacant positions in child safety, including in out-of-home care, and in 2023 there were 45.2. That is a significant increase in the number of vacancies in a year in out-of-home care. We heard data from the minister yesterday about the vacancy rate in the north-west and we put some questions to him today, hopefully getting some answers before the parliament rises this afternoon about statewide vacancies and breakdown.

It will be interesting to compare that to the December data. I hope that it shows an improvement. I fear that it will not because of some of the information that has been shared to date about the pressures in recruiting to fill those positions.

I note as well that the union representing child safety workers has today written to the minister to request an urgent meeting to discuss the staffing crisis in child safety, asking for immediate action, including market allowance, and leave and housing for the north-west in particular, because, as we all know, we needed action on that yesterday.

I recognise that the Premier and the minister today agreed to negotiations around market allowance as a way to recruit and retain staff in the north-west. Obviously, the union has written to the minister about seeking an urgent meeting to discuss not only that but other strategies that might be used, including housing. It is a big challenge in regional areas, and I include the north-west in that, to accommodate staff when we try to recruit these positions. If that is a way that we can overcome one of these challenges, then the minister would have our full support to investigate how that might be improved.

In December, we also heard about the number of positions in the advice and referral line from 2022 compared to 2023. We heard that in 2022 there were 39 positions. In 2023 there were 57 positions. Of those, the occupied positions in 2022 were 40, so more than the number of positions in the establishment. In 2023 there were 45, fewer than the number of positions for the establishment, but an increase from the years prior to that. It is not quite as bad as what is happening in child safety, but there are obviously still a number of vacancies in that area.

We also asked questions - these are questions put on notice by Mr Bayley, so I recognise that - regarding the number of staff who commenced employment and then continued on in employment in different years. I draw members' attention to this information which has been tabled and is available on the Parliament website.

I talk about the number of children in out-of-home care who have a dedicated child safety officer or caseworker assigned to them. We heard that, as of 30 November 2023, 478 children in case management have a dedicated child safety officer. At the same time, 647 children - 57.5 per cent of all children in case management - do not have a dedicated child safety officer. More than half of the children in out-of-home care did not have a dedicated child safety officer as of December last year.

We also heard that at as 5 December last year there were 550 children or young people managed through a teams approach. There has been much debate in this place and through the media about concerns relating to the teams approach and worries that children might be slipping through the gaps there. That is a very high number of young people to be assigned to the teams approach.

There were other matters I wanted to touch on in relation to the motion more broadly, because it was not specifically about the commission of inquiry or children in out-of-home care, and just reflect on some of the engagement that I have had personally with different public services as a mum. I want to thank the staff who helped me along the way.

I was reminded of this reading the Child and Youth Wellbeing Strategy, which was launched in August 2021. There is an annual report that was published in January on the department's website that I have had a look at, and there is also some quite interesting data that is updated there regularly. It would be useful to better promote and publicise that wellbeing strategy. It is a document that has broad bipartisan or tripartisan - I do not know how you describe this parliament anymore. Broad support -

**Mr Jaensch** - Panpartisan.

**Ms WHITE** - Panpartisan support. Given this motion and given the fact the government does have a wellbeing strategy for children and youth, it would seem an opportunity to better



promote the work the government is doing across agencies, and also provide more public updates about what that implementation strategy is delivering for our community and how it is helping support the wellbeing of young people in our state.

I know it has a focus on the first 1000 days, and there are many different programs that operate there. I want to touch on a couple of them. Where there is good work happening that can instil confidence in government institutions and provide a good point of reference for staff to feel very proud of the work they are doing, it would be nice to see more of that happen.

Just a reflection on my own personal interactions: I have had interactions with Child Health and Parenting Service (CHaPS), which was marvellous with both of our children - there is a visiting service as well as the service provided through the community health service in Sorell, which is where I was able to go. I note there have been a number of shortages of staff across the state for that service from time to time, which has meant that there are children who have not been assessed as regularly as they should be given how CHaPS would operate under normal circumstances. In my electorate of Lyons, on the east coast there have been examples where people have not been able to get a CHaPS appointment because the nurses have been unable to see the number of people but also primarily due to staffing shortages. CHaPS appointments are important for giving a new mum reassurance and tips about how you might support your young person, but also checking to make sure that we are picking up on anything that might not be going right and referring to appropriate services.

Another great initiative is the Child and Family Centres, now called Child Family Learning Centres (CFLCs), initiated under former Premier, David Bartlett, and continuing to be supported by the Liberal government. These are amazing places where families can go. Another great one recently opened in Sorell. I have been able to take my two-year-old there. He loves it so much he does not want to leave, wants to go there as his new school and it is hard to drag him away. It is a great space, great people work there and do amazing things. I know that the government does promote the work of our CFLC's, but I want to recognise how important they are as well.

Launching into Learning - another great program that supports children entering into the formal education system, and the teachers and staff who support that deserve a shout out. It makes such a difference, breaking down some of those barriers for people going to school who might have had a horrible experience themselves, and as a parent, introducing their child into the environment for the first time but then being reintroduced to a school setting as a parent, maybe for first time in decades. They play such an important role helping with that transition to education.

Then our public education providers. I am a very proud student of public education at Sorell School; my daughter goes to a public school and my son will follow her. I cannot speak highly enough of the work of our public educators in our school settings and all the support staff. Those places are important as a community support structure for our young people to feel safe and to know that they have lots of people looking out for them to make sure that they can thrive. There are many different visiting services that go in there.

Mrs Beswick, you have spoken about some of the policies and procedures that you would like to see greater transparency around, as well as some of the staffing for those ancillary staff - whether it is nurses, mental health workers, et cetera - who are also vital. I will always strongly

support a greater focus on making sure we can support our children to access those services through our public school settings.

I wanted to touch on those things, given the motion was about children in out-of-home care settings, and recognise some of the great things that happen in our public institutions across different agencies delivering care to our young people. That is not to mention health settings and a whole range of other areas where children also interact. I put on the record my thanks to all the staff who work in those centres and school settings. I recognise the important role they play in helping all of us raise our children and to do that to the best of our abilities. We do not always get it right, but when we can get a bit of help, it certainly goes a long way.

**Motion agreed to.**

### **WAIVER OF PRIVATE MEMBERS' TIME**

[6.14 p.m.]

**The SPEAKER** - The debate having been concluded prior to the allocated time, does the member wish to waive the remainder of her time?

**Mrs BESWICK** (Braddon) - Yes, I am happy to waive it, please.

### **WAIVER OF PRIVATE MEMBERS' TIME**

**The SPEAKER** - The member having waived the remainder of their time for Private members business, I will call on the minister to advise on whether the House wishes to proceed to government business, noting that the government private members' time is about to be given over for government business. I call on the government Whip.

**Mr WOOD** (Bass) - Thank you, Honourable Speaker, in accordance with Standing Order 42(d) I indicate that government private members' business is waived for this day's sitting.

### **RACING REGULATION AND INTEGRITY BILL 2024 (No. 10) RACING REGULATION AND INTEGRITY (CONSEQUENTIAL AMENDMENTS) BILL 2024 (No. 11)**

**In Committee**

**Continued from 11 June 2024 (Page 123).**

**Racing Regulation and Integrity Bill 2024 (No. 10)**

**Further consideration of clause 27 -**

**Clause 27 -**

Commissioner's findings

[6.17 p.m.]

**Ms JOHNSTON** - Deputy Chair, when we were concluding the debate on this last night, I was adding to my support for the amendment. It is very important that we have provisions in this bill that ensure there is transparency. I noted that a number of the clauses we have previously dealt with in Committee lack that transparency, and there is great discretion provided to the commissioner to withhold information from the public. That certainly would go against what the role of the Integrity Commissioner should be all about. I will be supporting this amendment. It is very important that we do so.

**Ms HOWLETT** - Deputy Chair, I am going to circulate an amendment to clause 27 right now.

**Ms Johnston** - An amendment to the amendment?

**Ms HOWLETT** - Yes.

**The DEPUTY CHAIR** - To clarify, we currently are on Dr Woodruff's amendment. We need to resolve that before we do the minister's amendment.

**Dr Woodruff** - No, this is an amendment to the amendment. Actually, it is a new amendment. So you are foreshadowing this amendment that you will table after we have -

**The DEPUTY CHAIR** - We are still on your amendment, Dr Woodruff?

**Dr WOODRUFF** - For an abundance of clarity, I think what has happened is that the Greens moved this amendment to clause 27 to make sure that there is a positive duty to require public information and the release of the report conducted by the TasRIC. Our amendment seeks to have that report laid in the House of the parliament within five sitting days.

The minister has just tabled another amendment which I can see is seeking to do substantially the same thing in a slightly different way. If the government is prepared to support that amendment, I will withdraw my amendment.

**The DEPUTY CHAIR** - You need to seek leave to withdraw that amendment.

**Dr WOODRUFF** - I seek leave to withdraw the amendment.

**Leave granted.**

**The DEPUTY CHAIR** - We are back to the minister. You can move your amendment now.

**Ms HOWLETT** - Deputy Chair, clause 27, my amendment has been circulated.

I move the following amendment -

Page 43, after subclause (6).

*Insert the following subclauses:*

- (7) The Report under subsection (1) to the Minister in respect of an inquiry is to be in writing.
- (8) A copy of the report is to be tabled in each House of Parliament within 10 sitting days after the day on which it is received by the Minister.
- (9) The Commissioner may recommend to the Minister the omission of a part of the report before it is tabled in Parliament if satisfied that the public interest in the disclosure of the matters set out in that part of the report is significantly outweighed by any other consideration, including public security, privacy of personal or financial affairs or the right of any person to a fair trial.
- (10) The omission of a part of the report is to be clearly indicated on a copy of the report tabled in Parliament.

This clause also allows the commissioner to proceed to an inquiry. On completion of an inquiry, the bill states in clause 27 that the commissioner must submit a report of its findings and recommendations to the minister. The bill was drafted to be silent as to what else the commissioner can do with its report and findings, meaning the bill, as drafted, would not have prevented the commissioner publishing a report of its findings after an inquiry.

However, to provide certainty and responding to concerns raised in the debate yesterday, the government is bringing forward amendments to the bill. These amendments provide greater clarity and protections, providing that:

- The inquiry report must be in writing.
- The inquiry report must be tabled within 10 sitting days.
- The commissioner may recommend to the minister the omission of a part of the report before it is tabled in parliament in specific circumstances, namely when the public interest in the disclosure is significantly outweighed by any other consideration, such as public scrutiny, privacy of personal or financial affairs, or the rights of any person to a fair trial.
- The omission of a part of the report is to be clearly indicated on a copy of the report tabled in parliament.

These amendments are based on similar provisions in the *Commission of Inquiry Act 1995*. The amendments will clarify that redactions will be based on the recommendations of the commissioner and what criteria the commissioner should apply, as the commissioner may make such a recommendation that it is not mandatory that omissions from the report are made. Importantly, when tabled in parliament, it will be transparent whether any information has been omitted. This provides a balanced and responsive approach. I commend the amendment to the House.

**Dr WOODRUFF** - Thank you for doing this, minister. I think it is better that we are all in agreement on this matter. You have captured, under subclause (9), the matters we expected the commissioner would already do when providing a report to the minister because of the powers the commissioner has in other parts of the bill to withhold certain matters during public hearings or from public submissions. The commissioner already has the power to protect the sort of things you are talking about here: privacy of personal and financial affairs, right of a person to trial, public security, et cetera. Therefore, I had already expected that the commissioner would have the power, on giving a report to the minister, to recommend that parts of the report that had those contents would be redacted. It is good that it is listed there as a specific option for the commissioner.

I suppose the only difference we would have is that 10 sitting days can be a long time in real-life terms. Within five sitting days would be better because that is, effectively, within two parliamentary sitting weeks. If a report, for example, had been finalised and presented to the minister on Friday last week then, under this mechanism, it would not be required to be presented to parliament until July. That might be a long time in the public interest. We might have a discussion about this in the in the upper House to see whether other people agree that 10 days is too long and five days is better, but we are comfortable to support the amendment as it is now.

**Amendment agreed to.**

**Clause 27, as amended, agreed to.**

**Clauses 28 to 49 agreed to.**

**Clause 50 -**  
Offences

[6.29 p.m.]

**Mr WINTER** - I sense some frustration that we went through the bill methodically last night, but that last amendment is a bit of a triumph of the scrutiny we have given the bill. I believe the bills are in a better condition because of the scrutiny given by members. We will continue that. Not needlessly - I am not going to pull every single clause out, but there are clauses I am interested in and want to make sure they work as I expect and I might be asking questions about.

Clause 50 talks about the offences under the act. Does the definition of an employer in subclause (3) include Tasracing or any other racing authorities?

**Ms HOWLETT** - The answer to that question is yes, Leader of the Opposition.

**Mr WINTER** - That is good. What we have here is a whistleblower protection in the act. It is very important in racing that people who call out bad behaviour, whether their employer is a trainer or any other aspect, including the racing authorities themselves, is afforded the protection of the act. It says the employer must not dismiss an employee or prejudice an employee in employment on or for the account of, and it talks about having given evidence.

I cannot help but again reflect on Janet Ainscow, who blew the whistle on her own industry and on ORI, and who is still, as far as I am aware, stood down from being somebody

who is able to work in the harness racing industry. Thankfully, she is still employed and able to be a casual steward within thoroughbred racing, but is still, to my knowledge, not able to participate in harness racing. She loves horses and loves the industry, and she should be back at work if she wants to be. She should not be disadvantaged because she told the truth and because she called out animal welfare breaches at Ben Yole's establishment at Sidmouth. Because she did, she has now been disadvantaged for a long time.

There has been no apology that I am aware of and no acknowledgement that she was right to call out those practices. I cannot find anybody in racing who disagrees with her assessment of the practices that she called out at that property. In winter, at the moment, it will be muddy and the horses will be in mud. In summertime, it is a dust bowl. There are too many horses on that property. We still do not have an equine code of conduct that I am aware of to police these issues. We should have one.

I congratulate the minister for bringing whistleblower protections in with this bill. I am very pleased to see that those protections are now included in the act for people like Ms Ainscow if they are to blow the whistle in the future on issues that they see.

**Clause 50 agreed to.**

**Clause 51 -**

Annual report by Commissioner

[6.34 p.m.]

**Ms JOHNSTON** - Last night we spent some significant time talking about the information that would be made publicly available and the minister indicated that the activities of the commissioner would be reported annually in the annual report, and that is where members of the public should look for information about the activities of the commissioner, in particular the outcomes of investigations and inquiries.

My question to the minister is regarding the level of detail that would be provided in the annual report. I am concerned that what we might see is just going to be a table of the activities of the commissioner put in the annual report, with very little detail about the matters involved, the parties involved, the outcome, and the penalties or the enforcement. I am after some guidance from the minister about the kind of detail that members of public can expect in relation to investigations and inquiries that will be reported in the annual report.

**Ms HOWLETT** - I thank the member for her question. This clause provides that within three months after the end of each financial year, the commissioner must provide an annual report on the performance of its functions and the exercise of its powers during the previous financial year. It identifies what must be in the report. It also provides for a copy of the annual report to be laid before each House of parliament.

**Ms JOHNSTON** - I appreciate that is what is included in clause 51: the recommendations, directions and non-compliance. I am after the level of detail that is expected particularly when it relates to the recommendations and directions and non-compliance. Will it be a simple table outlining what that is, or will there be detail in terms of determinations, investigation and inquiries?

Earlier in the debate, you suggested that a member of the public should look to this document if they want transparency on what the commissioner has been doing. If it is merely a headline, for instance, the integrity commissioner reports through a table about their activities, and what is open and closed in terms of investigations, that is not a level of transparency that the community needs when it comes to the activities of the TasRIC.

What they need to see is further detail, particularly if those matters are not reported on through other processes in the bill that we have already discussed.

**Ms HOWLETT** - I will seek some further advice, but I believe I have answered the question.

I thank the member for Clark for her question. It is up to the commissioner's discretion, but without limiting the generality of subsection (1), the commissioner must include in the commissioner's annual report the following in respect of the previous financial year:

- (a) any recommendation made by the commissioner under this act;
- (b) any direction given by the commissioner under this act;
- (c) any noncompliance with recommendations made or directions given by the commissioner under this act;
- (d) any matter referred to the commissioner by the minister under section 21;
- (e) any report made by the commissioner under section 27(1);
- (f) any request made by the minister to the commissioner under section 54;  
and
- (g) any recommendation made in relation to a plan or the amendment of a plan under section 61.

**Ms JOHNSTON** - The full reports will be provided as an attachment to the annual report? I imagine these might be lengthy documents to include in an annual report. Will they be annexed to the annual report or will they be in the body of the annual report?

**Ms HOWLETT** - I am advised that they will be separate reports and attached.

**Clause 51 agreed to.**

**Clause 52 -**

Report to Minister on failure by Tasracing to comply with requirements

[6.39 p.m.]

**Dr WOODRUFF** - Clause 52 is about the requirements or powers of the commissioner to act when Tasracing refuses to comply with actions that they are required to take under the act. The clause says:

- (1) The Commissioner may advise the Minister of a failure by Tasracing to do any of the following:
  - (a) submit a plan under section 61;
  - (b) comply with a recommendation of the Commissioner under this Act;
  - (c) comply with a direction of the Commissioner under section 13.

Proposed section 61 requires Tasracing to provide an annual integrity plan. Proposed section 13 is about the compliance of Tasracing to a direction from the Tasmanian Racing Integrity Commission (TasRIC). In the circumstances that Tasracing has refused to comply with the act or a direction from the commissioner in proposed section 13, where they are directed to take an action or to make compliance, then the commissioner has to go through a process of providing that information to the minister; written notification after giving Tasracing 14 days to provide a written response to that and then providing the minister with the response of Tasracing and their advice about Tasracing's failure to comply, and then nothing.

Silence after that. What happens in a stalemate between the Tasmanian Racing Integrity Commission and Tasracing? When the point of this bill is to ensure integrity, if the Integrity Commissioner is directing Tasracing to do certain things and Tasracing fails to comply, or it is directing Tasracing to develop an annual integrity plan, and they failed to do that satisfactorily, then TasRIC prepares all the information it gives to the minister and there is no action required from the minister under this bill. There is no requirement to take an action within a certain time frame to make all of this public and so, again, it is back to where we were on proposed section 27.

It is a secret process that goes nowhere, so I am concerned. I would like to understand from the minister, leaving aside you as a particular minister, but in any minister, there does not appear to be anything in here that requires the minister to act, to make it public, transparency and, fundamentally, what happens in that situation.

**Ms HOWLETT** - Clause 52 provides that the commissioner may advise the minister of failures by Tasracing, including failures to comply with a recommendation or direction of the commissioner. I will seek more advice.

I thank the member for the question. If Tasracing or a racing club fails to comply with the recommendation given to it by the commissioner, the commissioner may issue a direction to Tasracing or the racing club, requiring compliance with the recommendation. Non-compliance with any directions, and the reasons for non-compliance, will be reported to the minister. Where there is non-compliance, it will be reported in an annual report, which the minister must table in parliament. Therefore, there will be transparency about whether there is non-compliance and whether the non-compliance is being implemented or complied with and this is similar to provisions to the Victorian legislation and the annual report will be tabled for scrutiny.

**Dr WOODRUFF** - Thank you for that explanation. It could be a year before the public finds out what is going on, and that does not sound good enough. When Tasracing is failing to comply with the direction from the commissioner around matters of integrity, that is a very



serious situation. This does not put any requirement on the minister to take an action and resolve the situation. I do not understand why the bill does not require the minister to decide and resolve it.

There is an impasse. Tasracing is not doing something. They would have their reasons why they are not doing something - or not. The commissioner thinks they should be doing something; they are the integrity body. This is a bill that is meant to give the public confidence in the racing industry and the animal welfare conditions around it. If Tasracing is not doing something, all this says is there is no requirement on the minister to report to the public or to take an action. A year in between drinks is a long time for an integrity issue to fester unfixed.

I am not comfortable with this situation. I am inclined to suggest that the minister might like to think about a fix to this before it goes to the other place. We will certainly be talking about it there and seeing if there is a stronger way to end an impasse or at least to put something in legislation because it does not seem desirable just to leave it hanging. It is kind of up to the minister but it is not public. No one else necessarily needs to know what is going on, which is a concern.

**Clause 52 agreed to.**

**Clause 53 -**

Integrity and Animal Welfare Standards

[6.46 p.m.]

**Ms JOHNSTON** - Chair, my question about this and what was explained to me in the briefing was about the desire to try to harmonise, for want of a better word, the standards in racing regarding animal welfare and the *Animal Welfare Act*.

In my contribution to the second reading speech, I noted that this would be good in principle but expressed grave concern that the animal welfare standards in the *Animal Welfare Act* are woefully inadequate and not contemporary and that the act is long overdue for review. My question to the minister is: Is it possible for the commissioner to recommend or direct for standards for animal welfare to be made that are better than what is currently contained in the *Animal Welfare Act*, and if not, then does the minister have any indication when there might be a whole review of the *Animal Welfare Act* to modernise the standards in that?

**Ms HOWLETT** - I thank the member for her question. This clause gives the commissioner the power to make, amend and revoke standards for any matter relating or incidental to the conduct of racing and matters to which the commissioner is to have regard when making a standard. It also provides that before making the standard, the commissioner must consult with the Integrity and Animal Welfare Advisory Committee and Tasracing. It also provides that the standards are not statutory rules or subordinate legislation, and for related matters, it allows a court or a person acting judicially to take judicial notice of the standards and admit them as evidence in certain circumstances.

**Ms JOHNSTON** - Chair, that does not answer my question. Can the commissioner make a direction for a standard that is better than what is in the *Animal Welfare Act* already?

**Ms HOWLETT** - I am pleased to say yes. To facilitate cooperation in relation to animal welfare initiatives between Tasracing, the department responsible for the administration of the

*Animal Welfare Act 1993*, the department responsible for the administration of the *Biosecurity Act 2019* and the RSPCA.

**Mr WINTER** - Minister, this part of the act, clause 53(3)(b), obviously is about not just animal welfare standards but also integrity standards and deals with things like very important issues for participants like publication of race field information, minimum training required to be completed by persons employed/engaged in the racing industry. These are the standards that people in the industry need to hold themselves to, which is quite important.

Subclause (3)(b) talks about 'integrity in racing, including but not limited to, the setting of licence and registration standards and criteria'. I have some questions for the minister about those standards for licence and registration criteria. What is the approach to the workers compensation insurance policy issue going to be? We understand there was some divergence in the standards between thoroughbred and harness trainers late last year. Has that already been resolved or will that be resolved as part of the changeover to this act?

**Ms HOWLETT** - I thank the Leader of the Opposition for his question. I will seek some advice.

The act will allow the commissioner to set an independent standard. As far as workers compensation, Tasracing will be able to set the rules as far as workers compensation and that will fall under Tasracing.

**Mr WINTER** - Has that already been resolved? There was a lack of clarity within the harness racing licencing requirements about whether trainers needed to have a workers compensation insurance policy and how it was being monitored. Have those rules been resolved to this point or are we waiting for this act to come into being before we have a proper licencing requirement around the workplace?

**Ms HOWLETT** - Thank you, I will seek some advice.

I know what you are referring to, Leader of the Opposition. Like you, I expect racing participants to be fit and proper people and have standards set for them. As far as workers compensation, this is a matter for Tasracing and it is an operational matter. I can seek some advice and get back to you in relation to that.

**Mr WINTER** - Thanks, minister. I appreciate you getting back to me on that. It is something I am very interested in.

It also goes, as you just mentioned, to that 'fit and proper person' test. Subclause (3)(j) talks about 'the qualifications, attributes or other criteria for persons applying for licences or registration'. Is that effectively the 'fit and proper person' test here, or is that somewhere else that I am missing, around the licencing standards?

**Ms HOWLETT** - Thank you, Leader of the Opposition. The bill does not seek to take on the regulatory role of WorkSafe. I am advised Tasracing has corresponded with WorkSafe on these matters.

In relation to a fit and proper person, that is outlined in clause 60(2).

**Dr WOODRUFF** - I would like some clarification on what your expectations are, minister. In these animal welfare standards under clause 53(3)(a) it says:

(3) Without limiting subsection (2), the Standards may make provision with respect to the following matters:

(a) the welfare of animals that are or have been involved in racing

What is missing there is animals that are bred for racing but are not ultimately used for racing. You would know and understand that greyhounds, for example, are bred in litters of say, six. It is often the case that one of those animals is raced and the other five are deemed wastage for the industry. There is no record of those dogs because they are not required to be recorded, and yet they have lives. You cannot buy baby greyhounds on Gumtree. How can it be that there is just one dog in all the breeds of dogs that exist on the earth that have litters of one dog, one puppy. It is not what happens. For every five, seven, or nine puppies that the greyhound bears, the rest of them are snuffed out and there is no record of that.

**Mr Winter** - Is there any evidence of that?

**Dr WOODRUFF** - There is no evidence that it is not happening, because they are not for sale anywhere.

**Mr Winter** - In this society, we like to provide evidence of the allegations before we make the allegations -

**Dr WOODRUFF** - That is the point. The point is that we would like to understand whether it is your intention that the breeding of dogs and horses, but especially dogs, since horses usually only have one foal at a time - there are aberrations, you can have twins.

Is it the government's intention that animal welfare standards would include the breeding and the welfare of animals that are bred to potentially be involved in racing, some of whom will never get to a racetrack and whose lives may be extinguished very early on and, while they are not recorded, they are wastage of the industry.

**Ms HOWLETT** - Dr Woodruff. If you go to page 69, the next page, you will see under:

(i) the lifetime traceability of greyhounds and horses;

It is included in this.

**Dr WOODRUFF** - For clarification, my understanding is the lifetime traceability of greyhounds and horses as it stands is only a guideline for starters but this is an intention to make a standard, and that is great. However, I say again, is that not just about greyhounds and horses that race or entered for a race once or more in their lives, but any that are bred with the possible intention of their being used as a racing animal?

**Ms HOWLETT** - This is a matter for the commissioner, and the commissioner can expand on this. However, as I said, the lifetime traceability of greyhounds and horses is included in this subsection.

**Dr WOODRUFF** - Is it your government's intention that it would also include animals that are bred in the industry?

**Ms HOWLETT** - That would be up to the commissioner.

**Dr WOODRUFF** - So you do not have a position on that? That is unfortunate.

I will ask another question about animal welfare standards. I am at subsection (3)(a), the welfare of animals that are or have been involved in racing. Ms Johnston noted earlier, and it is a good point, that subsection (4) talks about the commissioner having regard, when making standards, to the *Animal Welfare Act 1993*. That act is deficient in many ways. One way it is particularly deficient is that it does not include a definition of pain or suffering within the act that includes mental and physical suffering, and distress. It does not recognise sentience of animals. It does not recognise that animals have mental and physical feelings and can feel distress. It is not just simply about giving them adequate water and accommodation. It is far more than that.

Is it your intention to encourage a commissioner to develop animal welfare standards that would include things like caring for animals and making sure they do not live in distress or have mental and physical suffering?

**Ms HOWLETT** - I thank Dr Woodruff for her comments and questions. This government takes animal welfare extremely seriously.

**Mr Winter** - If you cared about animal welfare, you would have an equine code of practice by now.

**Ms HOWLETT** - I spoke about that yesterday: Tasracing is working through the equine code of practice -

**Mr Winter** - For a year.

**Ms HOWLETT** - Whether it be a year, it will be done and consultation needs to be done properly. What this bill does is put a strong emphasis on animal welfare across all three codes.

**Dr WOODRUFF** - All right. I will finish this conversation by saying that the Animal Welfare Advisory Committee of 2013 recommended that the *Animal Welfare Act* definition of pain and suffering be expanded to include the distress, mental and physical suffering of animals. That has not been acted on the whole time the Liberals have been in government. When the changes to the *Animal Welfare Act* came to parliament, the Liberals voted against an amendment the Greens moved to the act that would have included that definition.

Unless our animal welfare standards are better than our *Animal Welfare Act*, we can be sure that animals will continue to live in physical and mental distress because there will be no standards to prevent that happening. They may have enough water and they may not live on concrete floors and with chewed bedding, which shows the distress they are living in. However, they will, nonetheless, show other symptoms and there will be nothing that an integrity commissioner or the RSPCA will be able to do about that because there will be no standards to protect them. If you are serious about animal welfare, you have the power, at this point, to make the changes in the standards so that we can have a better industry.

**Ms HOWLETT** - Dr Woodruff, I have to disagree with you in relation to the government not doing anything. The government amended the *Animal Welfare Act 1993* to strengthen animal welfare outcomes in Tasmania. These reforms included expanding authorised officers' powers of entry and providing additional sentencing options for animal cruelty. The amendments included a range of significant changes of two powers that enable the inspectorate, Biosecurity Tasmania and RSPCA Tasmania, to operate more effectively. These amendments improve powers for animal welfare inspectors for emergency entry and the power to take possession of animals where the inspector believes the animals to be of imminent risk, and changes to assist inspectors in gaining information to secure a prosecution.

Tasracing is committed to developing an enforceable canine welfare code of practice and has recently launched the Racing Animal Welfare Grants Program to support the project that improves the animal welfare of racing. A program of kennel and property inspection is undertaken by the stewards of the Office of Racing Integrity. These inspections will continue under the new integrity model bill proposed in this bill.

Therefore, I have to disagree with you, Dr Woodruff. We have not stood by and done nothing.

**Mr WINTER** - I was not going speak but I must, after hearing how important the government holds animal welfare. I had to read from the Murrhy review -

**Ms Howlett** - Why can you not look forward?

**Mr WINTER** - I cannot look forward, minister. The minister says, 'Oh, look forward'. I cannot because Ben Yole and Tim Yole are allowed to come back to racing this weekend if they want to. They do not have any horses nominated, but they can come back this weekend. Drivers involved in the Murrhy review are back.

**Ms Howlett** - You know I am waiting on an independent review on 30 June. You are politicising this.

**Mr WINTER** - The minister now says she needs an independent review. If this is an issue the government took seriously, we would not still be in the situation where those participants are still able to participate more than a year after the allegations were made. This is what the report said:

In reaching the determination the investigation gave regard but was not limited to evidence given by seven former stable employees, of race day practices involving horses in the wash bay area at the Yole Sidmouth property namely:

- Immediately prior to horses being loaded onto horse transports at the Sidmouth training property to be taken to compete at race meetings in Tasmania, Ben Yole, in concert with Tim Yole, systematically arranged for a number of horses to be firstly brought to the wash bay.

- While in the wash bay, horses were tied up and fitted with blinds and/or earplugs.
- As the blinds and ear plugs were removed a harness whip, encased in a plastic bag to exacerbate the noise levels, was used by Ben Yole and Tim Yole to deploy physical abuse, whilst also making loud and excessive noise, including shouting, to frighten and terrorise the horse.
- The whip made contact with the rump, hind legs and/or rug of the horse.
- Such actions were directed by Ben Yole and Tim Yole to broadly simulate conditions in the latter stages of a race, when a driver asks the horse for maximum effort.

That is abuse of an animal and the minister knows what the findings are. We have an independent review that made these determinations, based on evidence given by racing people who used to work in the stable, and he is still allowed to race. Determined by this government, they made a conscious decision when they received the Murrhiy review, to sit on it for two months and, meanwhile, allow these people to continue to participate in our industry that we love, that participants love. The government consciously decided to allow them to keep going for two months. After they released the review, which they only released to Tasracing at the same time as they released it publicly, they said it was fine for them to keep going. It was never okay for them to keep going. They should have been stood down then and there, and they are still going. When the minister says they take animal welfare issues seriously, how could you possibly take that seriously?

**Ms HOWLETT** - You know very well that I take animal welfare seriously.

**Mr Winter** - Do something about it.

**Ms HOWLETT** - You know that I do. You also know that I cannot comment until I get the independent stewards panel report on 30 June. You know that, and you are just politicising this.

**Clause 53 agreed to.**

**Clause 54 -**

Request by Minister to prepare Standards.

[7.11p.m.]

**Ms JOHNSTON** - As I exhausted my opportunity to speak on the previous clause I will rise on this particular clause because it is relevant. Clause 54 provides for the request by the minister to prepare standards. Under subclause (1):

The Minister may make a written request that the Commissioner develop and issue Standards for such matters relating to racing as are specified in the request.

We have said that the *Animal Welfare Act* is woefully inadequate when it comes to the protection and recognition of pain and suffering of animals, and it needs significant modernisation. It is well over 30 years old now, and it fails to recognise pain and suffering and that animals are sentient beings.

I am keen, under this particular clause, to understand whether you would be willing to make a written request to the commissioner that asks the commission to develop standards recognising this that are better than what is currently provided in the *Animal Welfare Act*.

I raise this point because I have a very personal understanding of pain and suffering of animals from this industry. I have adopted a rescue greyhound, Freddy. Freddy came from Barry Heawood's property and training facility. Recently, when Animal Liberation Tasmania released their footage of Barry Heawood's property and the conduct, they provided a copy of the audio recording to me. I listened to that at home with Freddy sitting next to me on the couch. He has not been at Barry Heawood's property for almost two years. The minute he heard Barry Heawood's voice on that audio recording, a soundly sleeping dog woke up, started crying, shivering and shaking. The words and the sound of that particular man's voice caused much trauma. It took over two weeks for Freddy to get back to normal and recognise he was in a safe place.

It was my mistake to have played the audio recording in his presence, but that demonstrates that dogs are sentient beings. Animals are sentient beings: they experience great trauma, great harm, physically and mentally. Our *Animal Welfare Act* is woefully inadequate in that it does not recognise this.

This, under clause 54, is an opportunity for you, minister, to recognise this and to ask the commissioner - in an industry that exploits animals for the profit of individuals - to at least make a difference for these particular animals' lives and recognise their sentience and that they do suffer greatly.

Will you be providing a written request to the commissioner to issue standards that are much better than the *Animal Welfare Act* and that recognise sentience and pain and suffering?

**Ms HOWLETT** - I completely understand what the member has said and I sympathise with you greatly for this trauma. It is not right.

The bill is not yet in place and the clause empowers the minister to make a written request to the commissioner to develop and issue standards for such matters related to racing, as specified in the request and related matters. If the commissioner decides not to comply with a request, then the commissioner must provide the minister with written reasons as to why.

**Ms JOHNSTON** - I understand what the clause provides. My question is whether the minister intends to make a written request that the standards the commissioner applies are better or higher than currently under the *Animal Welfare Act*.

**Ms HOWLETT** - I will certainly be encouraging animal welfare standards to be improved.

**Clause 54 agreed to.**

**Clause 55 -**

Integrity and Animal Welfare Advisory Committee.

[7.16 p.m.]

**Dr WOODRUFF** - This is an amendment. I will explain it and then everyone will understand. I am moving an amendment to Part 3 of the bill, the Integrity and Animal Welfare Advisory Committee part.

Clause 55 details the Integrity and Animal Welfare Advisory Committee. This is a very important committee. It is an important part of the structure and provides advice, which is a critical part of the functioning of the integrity of this bill. We have a number of problems with this section as it has been drafted.

I would like some clarification before I read the amendment into subclause (2). The Integrity and Animal Welfare Advisory Committee will consist of the following persons: the commissioner; the person who is nominated by Tasracing; a person from the department responsible for the administration of the *Biosecurity Act*, nominated by the secretary of that department; a person from the department responsible for the administration of the *Animal Welfare Act*, nominated by the secretary of that department; a person nominated by the RSPCA and such other persons as are nominated by the commissioner.

As it stands, and I confirmed this in the briefing, it could be that four out of the five minimum people on the committee are state servants. I have no truck with state servants. The question here is, does that adequately represent independence and the proper breadth of advice that should be available for this committee? Two of those people are from the same area: biosecurity and animal welfare. It is hardly a broad sweep when you are talking about an animal welfare advisory committee. Two of them are within the same unit in the same department. We are concerned that the committee does not have as much breadth as it should.

We think it is more than appropriate to have one person from the biosecurity and animal welfare areas within the same unit, and there should be more people on the committee. It does allow for other people to be nominated by the commissioner, but it is still essentially going to be a committee that is stacked with state servants and people from government agencies, or a government GBE - Tasracing - which is set up to make profit and to further the growth and development of the horse and greyhound racing industries. These are not the best people to put on the tiny list of people who are on this advisory committee.

We have concerns that, as it is drafted, this is too narrow a group of people. I wondered why you did not consider broadening the scope to people other than state servants from a narrow range of agencies.

**Ms Howlett** - You would like that advice before your amendment?

**Dr WOODRUFF** - Yes. That is a separate part of this clause that we would like an answer to. Thank you. What is the model that you have based it on?

**Ms HOWLETT** - I am very comfortable with how this section of the bill is written and the commissioner, as I have stated before, will have the power to nominate up to two additional persons with an appointment made by the minister.



It is not feasible for one person from the department to represent and provide the required subject matter expertise in the separate areas of biosecurity and animal welfare. I am very happy with the bill as it stands. I am happy to talk about your amendment to clause 55 if you would like.

**Dr WOODRUFF** - Okay, let us talk about that. I move the following amendment -

Page 75, subclause (7)

*Leave out* paragraph (a)

*Insert* instead the following paragraph:

(a) at least once every quarter; and

This is in relation to the meeting times of the Animal Advisory Committee which, at the moment as it stands in the bill, has to meet at least twice every year, and also at any reasonable time at the request of at least half of the members of the committee.

We do not consider that half a year is good enough for a committee that needs to be making determinations about animal welfare. Given that the committee is tasked with the welfare of animals involved in racing, it has some pretty weighty functions to provide advice to the commissioner on the welfare of animals involved in racing, biosecurity matters, integrity in racing and any other matters, and to provide a forum for consultation on policy matters relating to the integrity of racing and animal welfare.

Yes, the bill allows it to meet more often, but every genuine board that I know of meets at least quarterly. You need to meet at least that often. They can meet more often than that if required. There is nothing wrong with meeting quarterly. There certainly will not be a waste of time. We really need to turn the tide on the failures of the integrity in the racing industry and having regular meetings of the Animal Welfare Advisory Committee is a minimum requirement.

**Ms HOWLETT** - Thank you, Dr Woodruff. I have listened to everything that you have said. I am happy to accept this amendment.

**Dr WOODRUFF** - Thank you, Minister.

**Amendment agreed to.**

**Clause 55, as amended, agreed to.**

**Clause 56 agreed to.**

**Clause 57**

Racing Integrity Committee

[7.29 p.m.]

**Dr WOODRUFF** - At the moment, subclause (6) of clause 57 says:

- (6) The Minister may only appoint a person to the Racing Integrity Committee if the Minister is satisfied that the person has the skills, experience and knowledge in matters that are relevant to the functions of the Racing Integrity Committee.

Deputy Chair, I move the following amendment -

Page 77, subclause (6)

*Leave out* "functions of the Racing Integrity Committee."

*Insert instead* "functions of the Racing Integrity Committee, and is to ensure that the Racing Integrity Committee, collectively, have expertise relevant to integrity and animal welfare."

**The DEPUTY CHAIR:** The time being 7.30 p.m., I will now report progress.

**Progress reported; Committee to sit again.**

## ADJOURNMENT

**The SPEAKER** - Are there any adjournment matters? I call the Leader of the House.

### **Answer to Question - Advice and Referral Line**

### **Answer to Question - Child Safety Workers in the North-West**

[7.31 p.m.]

**Mr JAENSCH** (Braddon - Minister for Children and Youth) - Honourable Speaker, I provide answers to questions taken on notice earlier today.

To the question: How many notifications to the advice and referral line are awaiting a response or a call back from an ARL worker? Can you confirm it is approximately 1100?

The answer: There are currently no outstanding call back requests. All calls to the ARL are triaged accordingly. Any high-risk reports receive priority follow-up by staff in ARL to determine whether a referral to Child Safety is required.

To the question: How many staff are being redeployed to support the north-west region? How would that impact other regions? What are the vacancy rates across those other regions?

The answer: There are currently four staff that have been redeployed to the north-west. Redeployment of staff from other regions is part of a flexible response and is dependent on the caseloads, the complexity of cases, and staff availability or absences due to leave or other matters at any site. As at the week ending 5 June 2024, the vacancy rates for all frontline positions in child safety services were 22 per cent in the north and 13.3 per cent in the south.

## **Answer to Question - Long Service Leave - Portability**

**Ms OGILVIE** (Clark - Minister for Small Business and Consumer Affairs) - Honourable Speaker, I am also adding to an answer to a question from the Greens' member for Clark, Ms Burnet, who asked during Question Time today about the cause of HACSU, the United Workers Union and the Australian Services Union to commit to creating a Tasmanian portable long service leave scheme for staff in disability and community services, aged care, cleaning and security.

I can add that the government has no plans to create a portable long service leave scheme for staff in the sectors to which the member refers.

### **Statewide Cup**

#### **Milan Lakoseljic - Tribute**

[7.33 p.m.]

**Mr WILLIE** (Clark) - Honourable Speaker, I rise tonight to talk about the Statewide Cup held at Kingborough on Monday.

**The SPEAKER** - Was that because your team won?

**Mr WILLIE** - Do not be a bad sport.

**The SPEAKER** - May *Hansard* record the Leader of the Opposition, who supports Kingborough, is leaving the room.

**Mr WILLIE** - I thank President Brian Downes and the Kingborough Lions for hosting such a wonderful event for the Statewide Cup. There were many games across the day. The opposition leader, who has now left, and I could not attend until the final game, and I will get to that in a minute.

There was the under-17 boys' Statewide Cup: Devonport City versus Launceston City.

The under-18 girls' Statewide Cup: Glenorchy Knights versus South Hobart Football Club.

The under-21s women's Statewide Cup: Devonport City Strikers versus Clarence Zebras.

The women's Statewide Cup: Devonport City Strikers versus Kingborough Lions.

Then, of course, the Lakoseljic Cup: Kingborough Lions versus the Glenorchy Knights.

It was a great day with some terrific matches of football.

The Lakoseljic Cup is quite a proud cup for the Glenorchy Knights to win. It is named after Milan Lakoseljic. He was a former star striker of the Glenorchy Knights, formerly known as Croatia Glenorchy. Milan Lakoseljic arrived in Tasmania from Croatia in 1969 and made a significant contribution to the game. He played for Croatia Glenorchy and was the top goal scorer in southern Tasmania in 1971, 1973, 1974, 1975 and 1981. He was awarded the league's Best and Fairest Award in 1971 and 1973. Milan, whose nickname was Monaro because of his

speed, was part of the famous 1970 Croatia Glenorchy side that won the treble: the Statewide Title, Statewide Cup and the Southern League Title in that year.

Milan retired as a player in 1981 and, in 1991, started coaching, guiding Croatia Glenorchy to a reserve premiership. The following year, he coached the senior team from fourth position in the final series to a memorable State Championship win over Devonport City. Devonport City has been a good side for a long time, particularly in recent years.

Sadly, Milan passed away in 1999 after a lengthy illness, and the Statewide Cup was renamed and relaunched in 2000 as the Milan Lakoseljac Memorial Trophy to honour his memory. It is a knockout cup. Sides from all around the state are able to compete.

We were fortunate to get to the last game. Glenorchy dominated much of the men's final, but despite a glut of possession and several promising attacks, the Knights could not score in the first half. After the teams went to the break, it was 0-0. Kingborough made a stunning start to the second half, with winger Alex Brown scoring a goal just a minute in. It was a bit upsetting. Glenorchy levelled with Stefan Cordwell, but Kingborough's game clicked into gear again, with captain Kobe Kemp scoring another goal.

However, a late header in the 89th minute by Riley Dillon equalised to send the game into extra time. I think you know what happens from there. Stefan Cordwell broke the deadlock to seal the cup 3-2 with a stunning left-foot strike from 25 metres out to pierce the Kingborough defence, much to the opposition leader's disappointment.

I congratulate the Glenorchy Knights on a fantastic win for the Statewide Cup, which is a very sentimental cup for them as a club. They won in 2020 and I was at that game as well. I congratulate the president Paul Woodham, coach James Sherman, captain Tyler Harris and the whole team for an extraordinary effort. They are very competitive this year for the MPL as well and they are a great family club. They have a very dedicated membership base that were out in numbers in Kingborough.

The Opposition Leader said it felt like there were more Glenorchy Knights supporters there than Kingborough supporters on the night. It goes to show how passionate they are. They have a long history in the northern suburbs and I am proud to be patron of that club and speak about them tonight. Thank you for the opportunity.

### **Tourism in Tasmania**

[7.38 p.m.]

**Ms BADGER** (Lyons) - Honourable Speaker, winter traditionally marks the off season for tourism in Tasmania. This year many small businesses and operators are heading for a slower than normal season after a swathe of events were cancelled.

More year-round tourism opportunities are needed to help mitigate seasonality and to provide a more stable income for reliant businesses. There is a myriad of presently untapped opportunities to upscale all-season tourism in Tasmania. There are underutilised chances in niche, low to no impact but high yielding tourism market segments. Two of these nature-based opportunities I would like to touch on this evening are tall tree tourism and dark sky tourism.

Last week *The Financial Review* published an article on the value of tall tree tourism around the world. Aside from their ecological wonder and sheer towering beauty, tall trees and their landscapes can tell cultural stories and provide health and wellbeing benefits to visitors.

*The Financial Review* says Australia's most successful tall tree destination is the Daintree Rainforest because it is one of the oldest rainforests in the world and has been listed as a World Heritage Site since 1988. Well, Tasmania can top that. Here we have trees including the Huon Pine and *Nothofagus gunnii*, which are ancient paleo-endemic species. Our Tasmanian Wilderness World Heritage Area, the TWWHA, was listed earlier than the Daintree in 1982, and has had numerous boundary extensions. Some of those extensions have encompassed exemplary tall trees. Other magnificent forests - some of the biggest, most unique on this planet - are yet to be properly protected, including the Grove of the Giants in the Huon Valley, which was featured on *The Project* this past Saturday night. If not for their life-supporting carbon sequestration, let us protect these trees for their natural wonder.

In 2023, the Big Tree State report estimated that an initial investment of \$745,000 across eight potential tall tree tourism sites would generate 139,000 visitor days and over \$2 million in revenue for regional communities year around.

That initial investment required to generate that income includes simple maintenance of existing roads to the remote forests and some new signage promoting the sites, the wonder and safe visitation. The Tree Project has produced a Visitor Best Practice guide to protect these precious places from being over-loved or damaged. The Tree Project is an exemplary example of grassroots organisations leading in sharing Tasmania's extraordinary tall trees with the world. There is more to be done. The government has to step up to help protect these towering giants and sustainably promote them as a low impact and wholesome tourism experience.

The long winter nights in Tasmania are prime viewing time for our clear and dark skies. Constellations and stars have governed cultures around the globe since humankind has lived on this extraordinary planet. The night sky is humanity's unifying heritage. However, artificial lighting and rising satellite numbers are increasing the brightness of our night skies at an alarming rate. It is estimated that over 80 per cent of people in America cannot view the stars. Excessive energy burning artificial light is causing greater harm.

Beyond interrupting the awe of the starry vista, it has altered the environment by disrupting ecosystem functionality. Migratory birds, beetles, and sea turtles all use the night sky to navigate. Many plants require daily light to dark cycles, as do nocturnal animals for foraging and mating; even one of the densest populations of wildlife on Earth, humans, need the dark to sleep properly.

Communities across the world are rallying to save their dark skies by gazetting dark sky parks and reserves and sanctuaries; mechanisms which work the same as national parks or conservation areas do for the land. Tasmania has an enormous opportunity to jump in and have one of the highest accredited dark sky places on Earth in the south-west. By virtue of being uninhabited, the south-west provides a relative baseline nocturnal environment. The area is subject to national park and the Tasmanian Wilderness World Heritage Area (TWWHA) management plans, which already prohibit mass industrial or urban development which would otherwise generate light pollution at a scale to compromise the area's dark sky values.

Dark Sky tourism is a rapidly growing visitor segment. Let us ensure Tasmania taps in to generate new economic benefits for the state. The government needs to get a move on if Tasmania is to shine in this new competitive space. We are already missing out on a global profile. For example, the Smithsonian National Museum of Natural History exhibition in the United States last year featured South Australia's River Murray International Dark Sky Reserve as a brilliant example of the southern hemisphere night sky.

Tasmania's more superior crystal-clear viewing of the Milky Way, if listed as a Dark Sky sanctuary, would catapult our state onto that international league as a leader. Tasmania is home to some of the last great wilderness areas on Earth. Amplifying those qualities by also protecting sky country should be a priority. A world-class night sky viewing experience for tourists and locals alike is just the stroke of a pen away. It is as easy as flipping a light switch. Let us declare south-west sky country Tasmania's international Dark Sky sanctuary.

### **Tony Foster AM - Tribute**

### **Don Howe - Tribute**

[7.44 p.m.]

**Mr BARNETT** (Lyons - Attorney-General) - Honourable Speaker, tonight I pay a tribute to Tony Foster. Tony Foster was Tasmania's longest serving local government mayor and a friend. Tony passed away peacefully on 27 May at 81 years old. Tony leaves behind his beloved wife, Noeline, and his sons, Stephen and James, together with their families. I pass on my sincere condolences and sympathies to the family.

**Members** - Hear, hear.

**Mr BARNETT** - It is great to hear many 'hear, hears' around the Chamber because I know others would concur.

I had known Tony for decades, in fact three-and-a-half decades. When I first met Tony, it was in pre-politics days. I was managing director of Guy Barnett and Associates. I was supporting and acting as a consultant to the Brighton Council on the progress and development of the Bridgewater/Gagebrook Urban Renewable Program, which is called BURP for short. It was wonderful working with Tony then and the council. Ron Sanderson was the general manager at the time. Many around this Chamber know Ron. It was great working with him, since moving into the Senate in 2002 through until 30 June 2011, and then more recently in the last 10 years, since 2014 as a member for Lyons and a minister in the Rockliff Liberal government.

Tony was always a strong advocate and a passionate supporter. He was a tiger. He made things happen; he made a significant positive difference in his community. If you think about the things that have occurred in the Brighton municipality over that period, I think that is testament to his leadership for and on behalf of the local community.

That is now well served by Leigh Gray as mayor, the Brighton Council, their councillors and others in the community. Leigh has some very big shoes to fill. Tony had dedicated 35 years to the Brighton Council, 27 of those years as mayor, retiring in June 2021. There was remarkable growth and development.

Some examples include his work with the federal government when I was in the Senate and with the Tasmanian government on major projects - the Bridgewater bridge and the Brighton High School. He worked closely with the Premier and then-Education minister, Jeremy Rockliff, to get that done. It is a remarkable achievement.

There are discussions about naming the school in honour of Tony, or at least part thereof. I am totally supportive of that approach. Tony advocated for the local educational opportunities, the Jordan River School, and the school farm at Brighton.

He played a key role in so many other initiatives - getting government funding and support in a whole range of areas, such as the Jordan River Learning Federation. From the former Bridgewater High School, he welcomed refugees from Kosovo and Afghanistan. Some of us in the chamber remember his advocacy and strong support for that committee over a long time, providing sport and recreation activity. Soccer was a big one.

**Mr Willie** - He was a keen golfer, too.

**Mr BARNETT** - A keen golfer, too. He was right there in the mix of it, supporting his local community, supporting those from overseas, and he relentlessly lobbied state and federal government. I was on the receiving end many times of phone calls and in-person meetings.

He oversaw the Brighton Bypass project; developed a new and welcoming streetscape for the town, the Bridgewater Parklands project; the Brighton Transport Hub - look at that now - and its progress going forward; the Brighton Medical Centre; the Brighton Industrial and Housing Corporation; enhanced sporting facilities, including the Brighton Regional Sports Centre and the Brighton Eagles' entry into the Tasmanian Premier League cricket competition.

Tony encouraged the development of the Brighton Bowls and Community Club. I had many meetings with Tony there, providing support at the federal level and then, likewise, at the state level and threw the bowls down. I have a special memory of one occasion visiting the bowls club and touching, hitting the kitty and being a few centimetres from that kitty. That was a special memory on that visit with Tony to the Brighton Bowls and Community Club.

We can certainly be proud of Tony and his legacy. Brighton is vastly different today from when he first joined the council in 1985, thanks in large part to his amazing administration and efforts to advocate for his community.

He had dedicated service. He was awarded the Order of Australia Medal (OAM) in 2005 and Member of the Order (AM) in 2015. We reflect on Tony's legacy tonight and I pay a special tribute to him.

In conclusion, just a couple of remarks with respect to a colleague and a friend, Don Howe, who passed away last month at the age of 87. He was the former mayor of Deloraine and was in that role for a number of years. I worked with Don when he was the mayor of Deloraine in the early 1990s in my former role as managing director of Guy Barnett and Associates. We had been colleagues and friends ever since. Don J. Howe & Sons Engineering at Mole Creek is a well-known establishment.

I pass on my respects and sympathies to his wife and family and his sons, in particular. He was a man of enterprise, entrepreneurial flare. He did so much work for the local

community, the Rotary Club of Deloraine for 25 years, and was held in such high regard. There is a lovely story in *The Examiner* about Don Howe in the last week or so. That was a real tribute to Don. He was an outstanding man and his legacy will live long. I thank the House.

### **Deepinderjeet Singh - Petition**

[7.51 p.m.]

**Ms HADDAD** (Clark) - Honpurable Speaker. I seek the leave of the House to table a document which is a petition that has been prepared that does not conform with the Standing Orders. I advise the other parties in the Chamber of my intention to table this on the agenda tonight.

**Leave granted.**

**Ms HADDAD** - This petition has been prepared on behalf of the Punjabi Society of Tasmania and the Guru Nanak Society of Tasmania by Community Advocate because of Mrs Mala Crew. I recognise that Mrs Crew and many members of the Punjabi Society and the Guru Nanak Society have joined us in the Chamber this evening. Thank you very much for being here.

**The SPEAKER** - Welcome to the parliament.

**Members** - Hear, hear.

**Ms HADDAD** - Sadly, it is a very sombre topic that I need to raise tonight. The petition draws to the attention of the House and the parliament and the community the tragic death of a young man, Deepinderjeet Singh, who lost his life when he was pushed into the water at Princes Wharf in January this year. Mr Singh's death has been widely mourned across Hobart and the wider community. He was a diligent student, a loved restaurant worker at a well-known Hobart restaurant, and had a very wide circle of friends and loved ones here in Hobart. His death was a tragic event, likely motivated by robbery and violence. He was a young man with a very bright future ahead of him, whose life was taken far too soon.

His death occurred at a time when we were already seeing an alarming increase in crimes in and around Hobart and southern Tasmania motivated by racism and racial hatred. Members would know that I have been speaking about this increase in race-related violence for some time. We have seen taxi drivers horribly attacked. We have seen business owners in my electorate of Clark and elsewhere horribly beaten in their businesses. We have seen individuals who are simply walking down the street or catching a bus horribly verbally and physically attacked. It has been raised in this parliament already a number of times in the last few weeks.

It is one of the reasons why during the recent election campaign, the Labor Party committed to new laws that are commonly known as hate crime laws. These would be new parts of the *Police Offences Act* and the Criminal Code that would mean that when it is clear that an offence was motivated by hatred, it could be racial hatred, homophobia, transphobia, disability discrimination, or other forms of hatred, that crime or offence the person is charged with would reflect that motivation.

Right now, Tasmania's laws are deficient in dealing with any form of hate crime. The only place that racial motivation for a crime can be considered is under the *Sentencing Act*,



where a judge can consider racial motivation for a crime as an aggravating factor for sentencing but that is right at the end of the criminal justice system. We need modern contemporary laws that reflect community expectations. Hateful motivation for offending should be able to be considered far earlier in the criminal justice system, not just right at the end during sentencing. Further, that provision in the *Sentencing Act*, which at least provides something, does need to be expanded to cover other forms of hatred in addition to racial hatred.

This petition recognises the community campaigns that are currently being led by the Multicultural Council of Tasmania, as well as Equal Opportunities Tasmania, which have been for some time calling for hate-crime legislation to be introduced in this state. It recognises the alarming increase in racially motivated violence, assault, and property damage, as well as calling on the Parliament to implement these laws and to provide the tools that police need to record hate crimes so that reporting offences is straightforward, seamless, and consistent across the state. Right now, we do hear varying responses from people who attend Tasmania Police stations around the state and report crimes around whether or not police can record that racial hatred as a motivation for that crime. Sometimes police will take that information, sometimes they will not. That is very much symbolic of the fact that these offences need to be created on our statute books, and that police need to be given the systems and tools that they need to record motivation behind offending when that is known.

Honourable Speaker, Tasmania does need these laws to deal with racially motivated crimes, as well as crimes motivated by other forms of hatred.

I again put on the record my sincere condolences to the family and the many community loved ones of Mr Singh. I know that his life will not be forgotten.

Earlier this evening I raised this issue with the Attorney-General, Mr Barnett, who has invited me to write to him about this issue so that he will be able to provide a response to me, which I will provide to the community because I am tabling this petition on the adjournment this evening.

**The SPEAKER** - Thank you, Ms Haddad. I am sure all members join you in extending our sympathy to the friends and family of Mr Singh.

### **Launceston for Palestine**

[7.57 p.m.]

**Ms ROSOL** (Bass) - Honourable Speaker, I draw attention to and thank those people in Bass who have been consistently active in calls for an immediate and permanent ceasefire in Gaza, an end to genocide, and a free Palestine.

Launceston for Palestine is a grassroots collective of individuals and groups who formed in the weeks following Israel's invasion of Gaza on 7 October 2023. They have peacefully rallied and acted for peace every week since that time.

Regular actions include a rally and street march in the centre of Launceston, alternating with 'Honk for Palestine' actions on a prominent Invermay corner. Speakers at these events are regular members of the Bass community who are deeply concerned and very distressed by the horrific events playing out in Gaza. I have heard many of them share heartfelt reflections as

they attempt to comprehend what is happening and urge our government to speak out against Israel's actions in Palestine.

As well as weekly rallies, Launceston for Palestine and its members have presented a weekly installation called Shoes for Gaza in Brisbane Street Mall. Through winter, the shoe installation will take place fortnightly. Two hundred pairs of empty shoes are displayed to represent the daily death toll and raise awareness in the community about what is happening in Gaza.

On Saturday 18 May, 20 people from Bass undertook a Gaza Ceasefire Pilgrimage. The group walked from West Ulverstone to Devonport, a distance of 32 kilometres, to represent the distance from Gaza City to Rafah. The pilgrimage was part of a worldwide movement of Followers Of Jesus who seek an alternative to the support of mass destruction in Gaza by so many Christian churches. Its purpose was lament and the highlighting of principles of peace and non-violence, as well as calling for an enduring and sustained ceasefire, immediate flow of humanitarian aid and release of all hostages on both sides.

Participants reported the pilgrimage brought together people of diverse backgrounds and, while tiring, was poignant and meaningful, and provided a space to hold the pain Tasmanians feel about events in Gaza.

Soon after this, on 25 May, Kites for Gaza was held at Riverbend Park. Participants decorated and flew kites to demonstrate support for children in Gaza. Seeing the joy and delight of children made for a beautiful event, but it highlighted the tragedy children in Gaza are currently living through. According to *Al Jazeera* live tracker, on 10 June, the death toll in Gaza was at least 37,658 Palestinians, more than 15,000 of whom were children. There are more than 10,000 people missing in Gaza.

Israel has expanded its military operation to Rafah in the southern Gaza Strip, an area in which the vast majority of displaced Palestinians had been told to seek refuge. Israel continues to carry out strikes on schools and hospitals. In the most recent strike, 33 people, including 12 women and children, were killed and in an air strike that destroyed a school.

Israel's attacks on Gaza have destroyed or damaged more than half of Gaza's homes, 88 per cent of school buildings, and 16 out of 35 hospitals are partially functioning. Every hour in Gaza, 15 people are killed, six of whom are children, and 35 people are injured. For context, that is 15 killed during the time of this adjournment debate, while the International Court of Justice ruled that starvation has been used as a weapon by Israel.

Last month, the International Court of Justice stated that the humanitarian situation in Gaza is now to be characterised as disastrous.

These current actions come on the back of 76 years of military occupation of Palestine by Israel. Since Nakba in 1948, Palestinians have been controlled, restricted, attacked and had their land continually illegally annexed.

The current violence in Gaza is a continuation of Israeli colonisation of Palestine. For this reason, I thank Launceston for Palestine and all the associated groups and individuals who faithfully show up every week and conduct actions, and for consistently and peacefully drawing our attention to the atrocities being committed against Palestinians.

Honourable Speaker, we need to hear the voice of Palestinians. We need to pay attention to what is happening in Gaza and we need to do all we can to call for peace and an end to the violence. Concerned citizens of Bass are rallying every week. We need their actions to be matched by government action. The Tasmanian Greens call on the Australian Government to condemn attacks on innocent civilians and do all they can to help bring about a permanent ceasefire in Gaza and the delivery of unrestricted humanitarian aid to Palestinian people in Gaza.

### **Answer to Question - Threatened Species - Tasman Highway Duplication Project**

[8.02 p.m.]

**Mr FERGUSON** (Bass - Deputy Premier) - Honourable Speaker, I rise to add to my answer to the member for Franklin, Mr O'Byrne, this morning. The question related to the process for the Tasmanian Government to meet Commonwealth environmental approvals for the Tasman Highway Duplication Project between Hobart Airport Interchange and the Midway Point Causeway.

The project runs through multiple properties and a sensitive environment. I am advised that the Department of State Growth lodged its initial submission with the Commonwealth Department of Environment in January 2021, and also responded to a request for further information in February 2022.

The Commonwealth advised its position to the Department of State Growth that an environmental offset would be required in June 2022 after a site meeting. These further demands from the Australian Government set in motion a protracted and complex process which only very recently reached a conclusion. Since June 2022, the department has been in negotiations and discussions with expert consultants and others to try to find an agreed position on a suitable environmental offset.

However, in recent months the department developed a new design on a new alignment to avoid impacts to native orchids, and to minimise impacts to all adjacent properties. All these matters are complex to resolve. They have taken time. I am advised the department is now satisfied that it has a design that meets these federal requirements.

I am pleased to advise that a further submission to the Commonwealth will be made next week as a result of these significant efforts.

Concurrent with addressing environmental impacts, the department has also been negotiating with the Tasmania Golf Club on rearrangement of its fairways as a result of the difficult decision to realign the design.

### **Road Kill Warriors**

[8.04 p.m.]

**Mr BAYLEY** (Clark) - Honourable Speaker, I rise tonight to talk about an important community conversation I was invited to and attended with my colleague, Ms Burnet, the

member for Clark, in Taroona a week or so ago. The event focused on wildlife champions, specifically what is called Road Kill Warriors.

I thank Suzanne King for hosting this event and the Taroona Community Association - Anne and Jill in particular - for promoting and pulling it together, and Ruth at St Luke's Church. This was a very important conversation about how we, as individuals, can take responsibility for our own driving behaviour to reduce what is a catastrophic toll on our roads every year.

It is estimated, Honourable Speaker, that 400,000 animals a year are killed on Tasmania's roads. That is threatened species, common species, birds, marsupials - a whole raft of native wildlife killed.

This event on Wednesday night focused on a really quite sweet, if not challenging film called *Roadkill Warriors*. It was made by filmmaker Lara van Raay. It is a 10-minute doco and I am sure you can find it somewhere along the road. It focused on Ruth Waterhouse, an artist from Kingston and a wildlife lover. She combined both of those attributes to highlight the challenge of roadkill on our roads.

The film tells the story of Ruth wanting to take small steps of activism and awareness-raising in her street, appalled at the nightly toll on the street she had to drive along just outside Kingston, in a peri-urban fringe. She decided to make some small crosses, paint them pink and put them on the road verge alongside the corpse of every single animal. She ultimately took the sensitive decision to cut off the top of the cross so it turned out to be a 'T', so it was not a cross, so it did not offend anybody who may have been offended by crosses. She continued this action and, over time, even when the bodies of those animals had either decomposed or been removed, highlighted exactly how big an impact our driving behaviour has on native wildlife.

She then went on to design and print a whole raft of signs that basically featured wildlife that had been injured, that had been rescued and rehabilitated. These were photographs of individual animals on signs that people bought and put on their fence: 'Slow down, my life is in your hands'. She had worked out a whole raft of different slogans. This film told the story about these signs. These signs were available to buy on the night and they told of the impact.

They also told of the change in driver behaviour, which is what is critically important here. As Lara says in some promotion about the film, the film is not about solutions as much as about using art and personal activism to raise awareness and ask questions. I commend Lara and Ruth for their activism and advocacy in this space because it is a problem statewide.

We have all heard and been appalled by the situation in the north-west of the state, Woolnorth Rd. Alice Carson up there has estimated that over 240 Tasmanian devils have been hit on the Woolnorth Rd -114 in one year, 240 in total. The north-west is a critical habitat for Tasmanian devils, being, to date, disease-free. We simply cannot afford to lose this number of devils in this kind of environment because it is where they need to be.

Alice teamed up with Simon Plowright and made a beautiful film, *Living with Devils*, that told the story and really humanised the character of Tasmanian devils and how important and special they are. One thing from talking to Lara tonight, with an impending footy team in Tasmania called the Devils, we cannot afford the devil to go extinct, to be lost on the roads in this fashion.

I pay tribute to the carers as well because, on the evening, there were carers there. They spoke about their personal experiences of having to go out every night, usually, to pick up something out of a pouch on the road, to look after it in the short term and then take it to someone who could care for that animal longer term. I am going to be catching up with Jed and Kim later in the week to talk about their efforts in caring for possums. They specialise in brushtail and ringtail possums. I want to give a shout-out to carers because there is an incredible network of carers around the state who will go out at all hours of night, an absolutely unedifying experience of looking through pouches, looking for survivors and then handing them on. Bonorong Wildlife Sanctuary needs a good shout-out too because they have an impeccable and incredible wildlife hospital and rehabilitation program.

I want to leave a message here. The fate of our wildlife on our roads is in our hands. It is really simple: between dusk and dawn slow down, drop 20 km off whatever the speed limit is. If it is safe, stop and remove carcasses from the road because if you leave carcasses on the road, they inevitably attract the carnivores, be they raptors, birds of prey, or devils and quolls. They come and then get hit. This is an issue that is not going away. We have faster and faster cars, we have better and better roads. We need to be doing more from a regulation perspective to reduce speeds at night. We need to be doing more to educate drivers about their behaviour, about what they can do to protect these animals. Having 400,000 native animals a year being killed on our roads is utterly unacceptable.

I commend Lara and Ruth for their activism. I took the opportunity to raise this important issue here tonight because it is something that we all, as individual drivers, need to take responsibility for.

**The House adjourned at 8.11 p.m.**

## Appendix 1

**Minister for Small Business and Consumer Affairs**  
**Minister for Corrections and Rehabilitation**  
**Minister for the Arts**  
**Minister for Women and the Prevention of Family Violence**

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Ms Tabatha Badger MP  
Member for Lyons  
Email: [Tabatha.Badger@parliament.tas.gov.au](mailto:Tabatha.Badger@parliament.tas.gov.au)



Dear Ms Badger

### CONSTITUENCY QUESTION – Meander Prison

I write in response to your question on 21 May on behalf of the No Meander Prison group.

The government is committed to delivering secure, modern correctional infrastructure with a focus on rehabilitation and community safety. We have a proven track record, exemplified by the successful delivery of the Southern Remand Centre, and we are currently exploring various options for a Northern Correctional Facility (NCF).

Extensive consultations have been, and will continue to be, integral to our planning. We are dedicated to ensuring that community needs and concerns are central to our decision-making processes. This includes providing ample opportunities for stakeholders in the Meander Valley to participate in consultations.

We will ensure the community remains informed of updates as and when they become available.

Yours sincerely

A handwritten signature in black ink, appearing to read "M. Ogilvie".

Hon Madeleine Ogilvie MP  
Minister for Corrections and Rehabilitation