



HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 7

TUESDAY, 30 APRIL 2019

- 1 The House met at Ten o'clock a.m.
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE. - The Speaker made a statement acknowledging the traditional people of the land.
- 3 PRAYERS AND REFLECTION. – The Speaker read Prayers.
- 4 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice were asked.
- 5 PAPERS. – The Treasurer laid upon the Table of the House the following Paper:-
Fee Units Act 1997: Department of Premier and Cabinet - Schedule of Fees for 2019-2020.
- 6 PAPERS. – The Clerk of the House laid upon the Table of the House the following Paper:-
Parliamentary (Disclosure of Interests) Act 1996: Primary Return for Mrs *Rylah*.
- 7 MESSAGE FROM HER EXCELLENCY THE GOVERNOR. – The Speaker read the following Message from Her Excellency the Governor:-

MESSAGE.

C. A. WARNER, *Governor*.

A Bill for an Act to amend the Electoral Act 2004 (*Bill No. 3 (Act No. 5 of 2019)*)

having been presented to the Governor for the Royal Assent, she has, in the name and on behalf of Her Majesty the Queen, assented to the said Bill.

Government House, Hobart, 15 April 2019.

- 8 BILL NO. 43 of 2018. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled – “A Bill for an Act to amend the Mental Health Act 2013”.

Legislative Council, 11 April 2019.

J. S. WILKINSON, *President*.

- 9 BILL NO. 17. – The Minister for Infrastructure presented -
“A Bill for an Act to amend the Local Government (Highways) Act 1982”.

And Mr *Rockliff* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

10 BILL NO. 18. – The Attorney-General presented -

“A Bill for an Act to amend the Sentencing Act 1997”.

And Ms *Archer* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

11 LEAVE TO MAKE MOTION WITHOUT NOTICE. – A Motion being made and the Question being proposed that Ms *White* have leave to make a Motion without notice. (Ms *White*)

A debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

12 SUSPENSION OF STANDING ORDERS. – A Motion being made and the Question being proposed - That so much of Standing Orders be suspended as would prevent a Motion of Want of Confidence in the Minister for Health from being brought on for debate forthwith. (Ms *White*)

A debate arose thereupon.

An Amendment was proposed to the Question by the Deputy Premier after “forthwith” by inserting the following:-

“And that debate on the Motion be completed by 3 o’clock p.m, that in speaking to the Motion the Premier and the Leader of the Opposition shall speak for no longer than 40 minutes each and all other Members speak for not longer than 10 minutes each and that immediately following a vote on the Motion, the House proceeds to ‘Government Business.’”

A debate arose thereupon.

And the Question being put;

It passed in the Negative.

And the Question being put – That the Main Question be agreed to;

It was resolved in the Affirmative.

13 WANT OF CONFIDENCE IN THE MINISTER FOR HEALTH – A Motion being made and the Question being proposed —That the House:-

- (1) Has no confidence in the Minister for Health, Hon *Michael Ferguson* MP.
- (2) Notes the Minister’s first action was to endorse a budget that cut \$210 million out of health and human services and he has continued to chronically underfund health, with less money to be spent on health next year than has been spent this year.
- (3) Notes that in the five years he has been Minister for Health the state of Tasmania’s health system has gotten worse and that he is unfit to continue in the role.
- (4) Acknowledges the comments from Doctors in the Tasmanian Health system who have collectively raised concern about the unsafe work environment, substandard patient care and the number of avoidable deaths because of the crisis in Tasmania’s health system.
- (5) Highlights with concern the unsafe levels of ambulance ramping which has seen ramping at the Royal Hobart Hospital increase by 500% in the past three years and notes the evidence which shows ramping causes morbidity and mortality.

- (6) Recognises that regularly every Southern Tasmanian Ambulance Tasmania crew is ramped at the hospital, causing up to 13 outstanding 000 cases to go un-responded and in such instances there are no paramedic crews available to respond to calls and that regions have no coverage.
- (7) Notes that Doctors have stated that night shifts are now “categorically unsafe for patients and medical staff alike”, that Doctors are currently working beyond their scope of practice, experience and skill set and that the workplace is not fit for purpose, and that they “anticipate increased patient complaints, litigation and coronial investigations as a result.”
- (8) Acknowledges the incredibly sad occasion when a woman miscarried in the Emergency Department waiting room in a chair in 2016, the occasion in 2018 when a patient was found deceased in the bushes outside the hospital and the recent tragedy of the death of a 70 year old man in the busy Emergency Department.
- (9) Points out with concern that mental health patients are languishing for up to 7 days in the Emergency Department and that while they are waiting for a bed they psychologically deteriorate, self-harm and attempt suicide.
- (10) Reminds Members that the Minister for Health cut the number of acute mental health beds and despite a Coronial Report finding this to be a contributing factor in the death of a patient, he has not reversed this cut.
- (11) Further reminds Members that the Royal Hobart Hospital lost psychiatric medicine accreditation in 2017, the Launceston General Hospital lost emergency medicine accreditation in 2018 and on both occasions those hospitals lost staff.
- (12) Further reminds Members that the Minister for Health delayed the Royal Hobart Hospital redevelopment by a year, he removed local decision making from hospitals and introduced a new governance structure that was subsequently abandoned at significant cost to the taxpayer.
- (13) Notes the Minister for Health has denied women access to legal reproductive health services in the public health system.
- (14) Notes the Minister for Health was happy for patients to be placed in storage rooms with hand bells rather than in dedicated hospital beds.
- (15) Notes that on two occasions in the last six months this House has voted to establish Health Roundtables with key stakeholders and all sides of politics to examine solutions to the health crisis and that the Minister for Health has done nothing to progress these cross-party efforts and has deliberately ignored the will of this House.
- (16) Reminds Members that Ministerial responsibility is a fundamental tenant of Westminster democracy that means Ministers must take ultimate responsibility for failures in their portfolios.
- (17) Further notes that the Minister for Health is incapable of looking after the health of Tasmanians and that whatever excuse he offers it is too late after five years of neglect. (Ms *White*)

A debate arose thereupon.

14 SUSPENSION OF SITTING. - At One o'clock the Speaker left the Chair.
At half-past Two o'clock the Speaker resumed the Chair.

15 WANT OF CONFIDENCE IN THE MINISTER FOR HEALTH. - And the Question being again proposed;

The House resumed the Debate.

Amendment proposed (Dr *Woodruff*) by inserting the following new clause after clause 13:

- () Notes the Minister for Health refused to send a representative to the Australian Capital Territory pill testing trial reiterating his commitment to uninformed ideology above evidence-based public health policies that have potential to save lives.

A debate arose thereupon.

And the Question being put – That the Amendment be agreed to;

It passed in the Negative.

And the Main Question being again proposed;

The House resumed the debate.

16 SITTING TIMES. - *Ordered*, Pursuant to Sessional Order 18A that for this day's sitting the House not stand adjourned at Six o'clock and that the House continue to sit past Six o'clock. (The Minister for Health)

17 WANT OF CONFIDENCE IN THE MINISTER FOR HEALTH. - And the Question being again proposed;

The House resumed the debate.

And the Question being put;

The House divided.

AYES 11

Mr Bacon

Dr Broad

Ms Butler

Ms Dow

Ms Houston

Mr O'Byrne

Ms O'Byrne

Ms Standen

Ms White

Dr Woodruff

Ms Haddad (Teller)

NOES 11

Ms Archer

Mr Barnett

Ms Courtney

Mr Ferguson

Mr Gutwein

Mr Hodgman

Mr Jaensch

Mrs Petrusma

Mr Rockliff

Mrs Rylah

Mr Shelton (Teller)

PAIRS

Ms O'Connor

Mr Tucker

SPEAKER GIVES CASTING VOTE. – The Speaker said: “Honourable Members, given my unique position in this Parliament I will always explain my decisions on my casting votes.

When I was elected Speaker of this House I gave a commitment for supporting confidence and supply in the Government. As an impartial Speaker I believe in good governance and I am very glad that the gag motion on this debate did not proceed. This is the second motion of no confidence in the Minister following a censure motion in just eight months.

Taking out the politics of this discussion the debate today has allowed the voices of the public who voted either for the Government, for the Opposition or for the Greens to have a say on how they see this state of affairs. This debate was needed because of the growing concerns from the community and most importantly from clinicians, registrars, GPs, nurses, paramedics and other medical personnel regarding the dire state of the health system.

It was good to be reassured of some of the great efforts of the Government and the Minister and what they have delivered in this space, but I also hope that they will take on board the serious accusations and desperate pleas for improvements that we have heard today. I, too, was deeply distressed to receive the letter from the registrars of the Royal Hobart Hospital which stated, 'We will no longer be silently complicit in sub-standard patient care and an unsafe work environment'.

I am justifying this decision to support the Minister and the Government because it is on the basis that I want stability in government for the whole state which may be threatened should I not support the Minister in this instance.

I also want to put on record that I recognise the enormous difficulties of this particular portfolio and the fact that it is not the only portfolio the Minister has to manage.

Please make no mistake, this is not an unqualified show of support and that I expect today's debate to bring greater attention to the need for urgent improvements and greater consultation with our medical experts, as acknowledged by our Premier.

I, therefore, in this instance will follow convention and use my standing order 167 to cast my vote with the Noes.”

So it passed in the Negative.

The House adjourned at eight minutes past Eleven o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day except Ms *O'Connor*.