**PARLIAMENT OF TASMANIA**

**DEBATES OF THE LEGISLATIVE COUNCIL**

# DAILY HANSARD

**Tuesday 17 November 2026**

**Preliminary Transcript**

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**Tuesday 17 November 2026**

The President, **Mr Farrell,** took the Chair at 11.00 a.m., acknowledged the Traditional People and read Prayers.

## PETITION

### Regulatory Pathway for Tiny Houses on Wheels

[11.02 a.m.]

**Ms GLADE-WRIGHT -** Mr President, I present an e-petition from 3709 citizens of Tasmania who call on the Tasmanian government to develop and implement a clear regulatory pathway for tiny houses on wheels in Tasmania by progressing appropriate planning, building and plumbing reforms to enable their lawful long-term occupation on suitable land.

**Petition received.**

## QUESTIONS ON NOTICE - ANSWERS

### No. 70 - Department of Health's Training Procurement Process

**Ms FORREST question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY**

[11.08 a.m.]

(1) With regard to the Department of Health's Training Procurement Process, in particular Aggression Management Training Services:

(a) The contract awarded to Maybo Australia on 15/02/2019 with a contract period from 18/02/2019 to 17/02/2022, noting this was a recurrent contract - with a contract price in 2019 of $218,100,00, presumably annually,

(i) Is this contact still in place; and
(ii) If so, how many times has it been extended?

(b) Treasurer's Instructions PP-6 Procurement Processes - Contract Extensions: Goods and Services Effective Date 16 April 2026 notes:

6.1 Contracts relating to the procurement of goods or services must not be extended without undertaking an appropriate procurement process unless the contract contains a specific extension provision (an option to extend) or an extension is approved in accordance with the requirements set out below.
6.2 Provided the original procurement was not a covered procurement, the accountable authority is permitted to approve an extension to a contract outside the original term of the contract for a period of no longer than one year, provided the extension does not

include a significant expansion to the scope of the original contract and one of the following circumstances exist:

6.2.1 due to exceptional circumstances, the extension is required to enable a full procurement process to be properly undertaken; or

6.2.2 other exceptional circumstances exist that justify an extension.

6.3 Approval under clause 6.2 must occur prior to the contract being extended and auditable documentation regarding the approval must be maintained.

(i) What steps have been taken to ensure TI PP-6 has been followed with regard to the Maybo Australia contract; and

(ii) If TI PP-6 has not been followed, has a new contract been entered into and on what date?

(c) What procurement methodology and process was undertaken by the Department with regard to Aggression Management Training Services?

(d) How many suppliers were invited to participate in the limited sourcing process; and what was the basis upon which those suppliers were identified?

(e) What process and market assessment were undertaken to determine that the selected solution was the best available;

(i) Which potential suppliers were considered as part of that assessment?

(ii) Why was threat protect training not given the opportunity to demonstrate its methodology, experience and capability, particularly in light of previous engagement with the department and established experience in delivering specialised healthcare training; and

(f) What formal independent review, complaint or procurement assurance mechanism is available to unsuccessful companies?

**ANSWER**

(1) (a) (i) The contract awarded to Maybo Australia commenced on 18 February 2019 and had an expiry date of 17 February 2022. This contract is no longer in place.

(ii) The contract had no extension.

(b) (i) Years following the expiry of the contract, the department undertook a separate procurement process in 2025 for occupational violence prevention and challenging behaviours training services, resulting in a new procurement arrangement with Maybo Australia. I'm advised the department undertook a direct submission sourcing procurement process in accordance with Treasurer's instruction PP-2.18.2. The procurement was reviewed and endorsed by the department's procurement review committee, the PRC, established in

accordance with the Treasurer's instruction PF-5. All agencies have a PRC committee which provides procurement, governance and assurance to ensure procurement activities comply with applicable Treasurer's instructions.

(ii) In this instance, PP-6 did not apply as a contract extension was not executed. A new contract was entered into on 2 December 2026.

(c) The department undertook a direct submission sourcing procurement process in accordance with Treasurer's instruction PP-2.18.2. The procurement approach was informed by procurement planning, market analysis and assessment of operational requirements and was approved through the department's procurement governance processes.

(d) The department utilised a direct submission sourcing process under Treasurer's Instructions, PP-2.18.2, and engage directly with Mabo Australia.

(e) The department undertook a market assessment of available occupational violence prevention and behaviour management training providers to identify providers capable of supporting a consistent occupational violence prevention and behaviour management framework across the Tasmanian Health Service. I'm also advised the assessment considered healthcare suitability, statewide scalability, implementation support, trainer accreditation requirements and alignment with contemporary violence prevention practises.

(i) The department considered a range of potential suppliers as part of its market assessment, including threat protect, resolution, education, EQ Energy Youth, Phoenix Australia, MOAT: Mental Health Services, Crisis Prevention Institute, CPI and Mabo.

(ii) I am also further advised threat protects methodology, experience and capability were considered as part of the department's market assessment. Following evaluation against the department's requirements, Mabo was determined to be the preferred provider.

(f) Suppliers may raise concerns through the Tasmanian Government procurement complaints process. This includes review by the Agency Procurement Complaints Officer and, if required, escalation to the Department of Treasury and Finance

**No. 74 - Victims of Crime Assistance**

**Ms THOMAS question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY**

[11.11 a.m.]

The second question number 74 from the honourable Member for Elwick, does have a couple of tables, so I will seek leave to have those incorporated into *Hansard* when I complete.

The Department of Justice Annual Report 2023-2024 shows that the number of applications for Victims of Crime Assistance increased from 375 in 2021-2022 to 435 in 2022-

2023 and 509 in 2023-2024, while the number of awards made, including interim awards, increased from 333 to 350 and 358 respectively.

Given the Department of Justice currently advises applicants to allow at least 12 months for an application to be processed, noting that timeframes may depend on the availability of police files, medical reports and other information, and the outcome of court proceedings, can the Government advise:

(2) What are the current average and median processing times for Victims of Crime Assistance applications, measured from receipt of an application to determination?

(3) How do the current average and median processing times compare with those in each of the previous five financial years?

(4) How many applications are currently awaiting determination, and of those, how many have been outstanding for:

(i) More than six months; and
(ii) More than 12 months?

(5) What are the principal reasons for the current processing timeframes, and have staffing or resourcing constraints within the Victims Assistance Unit contributed to those timeframes?

(6) What measures have been implemented to reduce processing times or the number of outstanding applications, and what impact have those measures had to date?

(7) Does the Government have a target or expected timeframe for reducing current processing times, and if so, what is that target or timeframe?

**Answer**

(1) The Victims of Crime Assistance (VOCA) does not capture processing time data in a format that enables average and medium processing times to be reported. Processing times are influenced by a range of factors, many of which are outside the Department of Justice's control. Applications generally cannot be determined until any related criminal proceedings have been concluded and relevant supporting information has been obtained. This may include police files, medical and psychological reports and comments on passing sentence.

The average time taken for VOCA applications to be finalised following the completion of court proceedings is approximately 6 months. Depending on the availability of relevant material such as police files and comments on passing sentence, matters before the Supreme Court may take longer where appeals remain on foot or there are delays in the release of police files following the completion of proceedings.

Data is available on the elapsed time between an applicant's lodgement date to a status of complete within several categories, including six months to less than 12 months and more than 12 months.

The distribution of applications finalised within these time frames is set out below.

(2) With the noted growing demand for services, processing times have increased each year over the last five years, the proportion of applications finalised within each category from the previous five financial years is set out below. Hence that table.

(3) As of 28 October 2026, 230 matters are awaiting allocation of a hearing date or decision on the papers. Of those:

- 106 matters have been waiting more than 6 months
- 76 matters have been waiting more than 12 months.

This includes 112 matters awaiting a court outcome and/or police file before being listed for a hearing date or decision on the papers. These matters cannot ordinarily progress to final determination until the relevant information becomes available.

(4) Demand for VOCA has increased significantly in recent years and applications received increased from 375 in 2021-2022 to 624 in 2025-2026, and again, there is a table.

Processing times are influenced by a range of factors, including:

- the significant increase in applications which have increased workloads across assessment, case management and hearing coordination functions, and has placed pressure on application processing timeframes
- the availability of police, medical and other supporting information
- whether related criminal proceedings remain before the courts
- the complexity of individual applications.

(5) In the 2024-25 Budget, the government provided additional funding of $299,000 per annum, or $1.2 million over the four years following recommendations from the commission of inquiry.

- An additional assessment officer and a team leader were appointed to assist in managing increased demand and to support the trauma-informed handling of applications. Funding of these two positions is provided until 30 June 2028.

The victims assistance unit has streamlined information-gathering practices to reduce requests for full police files where sufficient information is available from other sources, such as comments on passing sentence and the memorandum of a sentence.

The department continues to review business processes and workload management practice to identify opportunities to improve timelines, while maintaining procedural fairness and ensuring decisions are made on the best information available.

(6) No, there is no target or expected timeframe. The victims assistant unit continues to monitor workloads and assess the impact of process improvement. It is important to note that victims do not need to wait for the determination of an application to access support. Through the Victims of Crime Service, victims can access free and confidential counselling, practical assistance and referrals while the application is being assessed.

In addition, section 5(6) of the *Victims of Crime Assistance Act 1976* enables a commissioner to make an interim award. We're satisfied that an award should be made, but further information is required before the final amount of award can be determined. Applicants experiencing urgent psychological, medical or dental expenses arising from an offence are encouraged to discuss their circumstances with the victims assistant unit.

As I indicated at the beginning of that response to the honourable member for Elwick, I seek leave to table a document and have it incorporated into *Hansard*, which relates to the tables of that answer.

**Leave granted; document tabled and incorporated.**

**See Appendix 1 (page xx).**

## No. 71 - Environment Impact Statement (EIS) relating to the Leven River Crossing

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

[11.18 a.m.]

With reference to the North West Transmission Developments, specifically the section crossing the Leven River valley belonging to the Staverton to Hampshire Hills component of the project, known as the Leven River crossing -

(1) In regard to the Environmental Impact Statement (EIS) relating to the Leven River Crossing:

(a) When was the survey, or series of surveys and assessments conducted that were later used to inform the EIS;

(b) What environmental reports, fauna surveys, threatened-species assessments and other evidence have been relied upon in assessing the Leven River crossing;

(c) Will there be a post-construction assessment of the EIS to assess its accuracy and efficacy, and what form will it take; and

(d) The Tasmanian Azure Kingfisher (*Ceyx azureus subsp. diemenensis*) is a rare and endangered endemic subspecies only found in Tasmania - with just a few hundred mature specimens left in the wild in the whole of Tasmania:

(i) How have known Azure Kingfisher sightings and nesting sites along the Leven River crossing area been considered in the environmental assessments and surveys;

(ii) What assessment has been undertaken of the potential impact of the proposed transmission towers, conductors, construction access, vegetation clearing, machinery, noise and helicopter activity on Azure Kingfishers and other threatened or significant wildlife using this section of the river;

(iii) How has the potential impact of construction during the Azure Kingfisher breeding and nesting period been specifically assessed and what protection measures have been proposed; and

(iv) What conditions will be placed on construction and contractor activities to prevent disturbance to known or potential Azure Kingfisher nesting sites and other wildlife habitats?

(2) How will TasNetworks ensure that independent wildlife monitoring will be undertaken before, during and after construction at the Leven River crossing, and will the results be made publicly available?

(3) Before the remaining environmental approvals are granted, how will the Government ensure that the specific environmental concerns relating to the Leven River crossing, including Azure Kingfisher nesting habitats, are fully assessed and addressed?

(4) In relation to the accuracy of the environmental assessment:

(a) The environmental assessment reportedly concluded that there was no suitable Azure Kingfisher habitat at the Leven River crossing. What evidence supports this conclusion, given the reported sightings and known nesting habitat along the western riverbank; and

(b) Has the Government independently verified the survey findings against known sightings, nesting records and photographic evidence from the Leven River, and will this evidence be considered before any further environmental approvals are granted?

(5) In relation to helicopter and other aerial survey activity:

(a) What assessment has been undertaken of the potential disturbance caused by helicopter flights, drones and other aerial surveys to active nests of threatened birds, including the White-bellied Sea-Eagle and White Goshawk, in the Leven River area; and

(b) What restrictions will apply during the breeding and nesting period?

(6) In relation to the Leven River Cruises tourism operation:

(a) How have the environmental and operational impacts on the existing Leven River Cruises passenger pontoon, passenger embarkation and disembarkation areas, and the associated riverbank habitat been assessed, given the proposed transmission line crossing directly above this area?

**ANSWER**

The North West Transmission Developments program is being delivered by TasNetworks to strengthen Tasmania's electricity transmission network and support Project Marinus. The Remaining North West Transmission Developments (RNWTD) is a distinct component of that broader program and comprises the major new transmission line and associated infrastructure works between Palmerston, Sheffield, Burnie and Hampshire Hills. The section of the project that crosses the Leven River Valley forms part of the Staverton to Hampshire Hills component of the RNWTD.

As Minister for Energy and Renewables, I am not the proponent for the project, nor am I a decision-maker in relation to the statutory approval or review processes that apply to it. TasNetworks is responsible for the development and delivery of the project, including obtaining and complying with all necessary approvals and permit conditions.

The project has been subject to extensive assessment through state and Commonwealth environmental and planning approval frameworks, with decisions made by the relevant independent statutory authorities. Those approvals were subsequently subject to independent merits review by the Tasmanian Civil and Administrative Tribunal (TASCAT). There are ongoing court proceedings relating to aspects of the project. It would not be appropriate for me to comment on matters before the courts, which should be allowed to proceed independently of government. I note the relevant planning and environmental approvals remain in force, and no stay has been granted preventing the project from proceeding while those legal proceedings continue. I have been assured that activities currently being undertaken for the NWTD are being carried out in accordance with the relevant approvals and statutory requirements. The proponent, TasNetworks, has provided the following information:

> The permit application for the RNWTD, including the Environmental Impact Assessment, was prepared by highly qualified technical experts and was subject to rigorous assessment at state and commonwealth level.
>
> The RNWTD has received all the required planning and environmental approvals, permit MIPP-2026-01, granted by the Tasmanian Planning Commission on March 10 2026 under the *Major Infrastructure Development Approvals Act 1999* and the *Land Use Planning and Approvals Act 1993*. Approval 2022/09247, granted by the Commonwealth Minister for the Environment on April 24 2026, under the *Environmental Protection and Biodiversity Conservation Act 1999*.

The permit, and approval, allow the construction of the RNWTD to proceed and apply various conditions in relation to how construction is to occur, including how the potential environmental impacts of the project will be minimised, managed or mitigated. Where the new 220kV overhead transmission line crosses the river, the nearest towers will be located well away from the riverbanks with Tower 57 more than 270 metres from the western bank, and Tower 56 more than 140 metres from the eastern bank.

Construction access will utilise existing tracks and easements, and no vegetation clearance is planned between the towers except for safety clearance purposes. In relation to the Leven River Cruises tourism operation, the new 220kV overhead transmission line will pass through the same easement as the existing overhead transmission line, which will be removed.

## RECOGNITION OF VISITORS

[11.22 a.m.]

**Mr PRESIDENT** - Honourable members, before we go into special interest this morning, it's a pleasure to welcome to the President's Reserve a familiar face to us all, the former member for Elwick, Adriana Taylor, and Beres Taylor, who are here as the guests of the member for Elwick, and subject of the special interests a little later on in the morning. It's lovely to have you back in the Chamber, and I know that all members will join me in making you both very welcome here this morning.

**Members** interjecting.

First up, we have the honourable member for Montgomery.

### Lydia Sutton

[11.23 a.m.]

**Mr HISCUTT** (Montgomery) - Today I wish to acknowledge Lydia Sutton, an 18-year-old ballet dancer from Gawler in the Montgomery electorate, who recently represented Australia at the Margot Fonteyn International Ballet Competition in London. Gawler is a small rural community near Ulverstone on the north-west coast of Tasmania. For a young dancer from Gawler to earn a place at one of the world's most prestigious ballet competitions is an achievement our entire region can celebrate.

Lydia was one of just seven Australian dancers selected this year, and only the second Tasmanian to compete in the event's 95-year history. For a young dancer from Tasmania's north-west, earning a place on that international stage is an achievement our whole region can be proud of.

Lydia began ballet at seven and has trained with Ms Caroline Small at the Caroline Small School of Dance in Devonport ever since. She qualified for the Fonteyn by earning a distinction in Advance 2, a Royal Academy of Dance examination that took years of work on technique, musicality, and artistry.

Lydia also reached another milestone closer to home this year. She and two of Ms Caroline Small's other students sat the Royal Academy of Dance Solo Seal Examination. It

was the first time the academy's Solo Seal Examination has been assessed here in Tasmania. Lydia prepared for the examination while balancing year 12 studies, and part-time work.

The Fonteyn holds particular meaning for Ms Caroline. At 16, she won a silver medal in London at the same event then known as the Genee. Years later, she helped one of her own students earn a place there. Lydia's family spoke about the many extra hours Miss Caroline gave to help Lydia prepare for London. That commitment speaks to what a teacher can make possible for a young person.

Earning a place at the Fonteyn was one milestone. Getting to London was another. Flights, accommodation, entry fees and other expenses came to more than $10,000. As word spread, offers of help came from people who knew Lydia and from people who had never met her. The Lions Club of Mersey made a significant contribution and together the donations covered most of the costs. That support gave Lydia the chance to focus on preparing for the Fonteyn. At 18, Lydia made the trip to London on her own. Before the Fonteyn began, she went to see the Royal Ballet perform *Manon*, then came a week of daily classes, coaching and rehearsals at the Royal Academy of Dance in Battersea. Lydia performed two solos in the Fonteyn semifinal and worked with coaches who helped her refine her technique and develop how she expressed herself on stage.

More than 70 dancers took part in the Fonteyn and 12 advanced to the finals. Throughout the week, Lydia made friends with dancers from around the world, heard how they had found their way into dance and received feedback that she could carry into the next stage of her training. Lydia described her time at the Fonteyn in her own words.

> Now it's all over I couldn't imagine going any better than it did. Though I was nervous living up to it, I realised during the first reception that I was surrounded by dancers just like myself, and I quickly made friends with the people in my group. I learned so much every single day. Each class built something on the last. The teachers and coaches were exceptional. It was such a privilege to work with them. I've returned a changed dancer and I'm endlessly grateful to the people who made this experience possible. [TBC]

Lydia will begin full-time training next year through the ED5International Advanced Diploma of Performing Arts. She takes with her years of training on the north-west coast and the confidence she gained from travelling independently and performing alongside some of the world's most talented young dancers.

I want to acknowledge Lydia's family, Miss Caroline of Caroline Small School of Dance, and I also thank my Tasmanian colleagues in the federal parliament who contributed across party lines towards Lydia's trip in London. To everyone in the community who donated, including those who chose to give anonymously, thank you for helping Lydia take up an opportunity that she had worked towards for years. Lydia, congratulations on representing Tasmania and Australia at the Fonteyn. I wish you every success as you begin full-time training next year and I look forward to seeing where dance takes you next.

## Cancer Council Annual Impact Report 2025-26

[11.28 a.m.]

**Ms ARMITAGE** (Launceston) - Mr President, and I too, welcome Adriana and Beres; it's lovely to see you back in the Chamber. Members may be aware that Cancer Council Tasmania released its annual impact report 2025-26 in September. I speak today about the amazing work that Cancer Council Tasmania has done in the past 12 months and how this has made a real difference in the lives of people living with cancer, their families and loved ones and the wider community. Cancer Council Tasmania's mission is to reduce the incidence and the impact of all cancers for all Tasmanians through a range of measures from support, prevention, advocacy and research. The impact report highlights that over the past 12 months, 2240 Tasmanians impacted by cancer received support through over 4170 occasions of care. This included the distribution of over 220 wigs and more than $185,000 in financial assistance provided to adults, children and young people impacted by cancer.

As many of us are aware, for people going through illnesses, especially ones like cancer, the experience can be isolating, demoralising and have a significant impact on the mental health of patients and their families. While we know that providing financial support and resources materially eases many of these stresses, providing connection through emotional, mental and pastoral support is also extremely important. It was, therefore, heartening to see in the impact report that over the past year there was the expansion of Cancer Council Tasmania's emotional support programs, including a new counselling service which supported 135 Tasmanians in its first six months.

For Tasmanians who needed to travel to access treatment, Cancer Council Tasmania's transport2treatment service helped 566 clients attend more than 7400 cancer treatment appointments, powered by an extraordinary team of 78 volunteer drivers who travelled an estimated 369,000 km across the state.

Education and training remain core activities for Cancer Council Tasmania, including through the SunSmart program, educating people on the risks of skin cancer and how to mitigate them, and distributed more than 3620 evidence-based cancer prevention resources. Included in the achievements they celebrated throughout the year was the 30th anniversary of the Quit Tasmania program, with the refresh of the Quit Tasmania identity and website and the expanded set of offerings for people to help prevent the start of, and to quit, smoking, as well as the use of other tobacco-related products including e-cigarettes.

None of this happens without resourcing, and fundraising is another core component of Cancer Council Tasmania's annual activities. Funding and resources come from a range of resources with a calendar of events, community fundraising, sponsorship, gifts left to the organisation through wills and, of course, people power in the form of volunteers. I had the absolute pleasure of volunteering for the Cancer Council's 17th annual Women's 5 km Walk/Run in Launceston. By midmorning, the event had raised $183,000. It's important to emphasise that, while it's called the Women's 5km Walk/Run, all are welcome to participate and there were many men as well. With the 3500 participants in 2025, the cap was extended by another thousand participants for 2026. Deloraine agricultural worker Jimmy Lyall came in first, crossing the finish line after about 16 minutes, so a very fast time. Of course, it's not all about winning and all participants did their part to raise funds for an extremely important cause, connect with their community and get some fresh air and exercise for the morning.

The Cancer Council Tasmania chair, Distinguished Prof Gregory Peterson and CEO Alison Lai state in their overview,

> The figures throughout this Impact Report are important, but behind each trip, service and conversation is a person, family or carer supported during an already difficult time.

Nothing could be more true, and the work that Cancer Council Tasmania does within the community cannot be understated. That's why publications like their annual impact report are so important. We can look at the raw numbers, the data and financials all we like, but they don't tell us the human experience - the difference that Cancer Council makes in the lives of those who live with cancer, their families and loved ones, and the wider community.

There's so much contained in the impact report, and I encourage all members to take a read of it when they get the chance as it emphasises the meaningful and significant impact that it has on people's lives. Thank you.

**Members** - Hear, hear.

## Implications of the NDIS Changes for Tasmania

[11.33 a.m.]

**Mr GAFFNEY** (Mersey) - Mr President, I rise today to speak about the significant changes now underway to the National Disability Insurance Scheme (NDIS) and, more particularly, on what those changes may mean for Tasmania. The NDIS is primarily a national scheme. The legislation sits with the Australian parliament and the National Disability Insurance Agency, but the consequences of reform do not stop at Bass Strait. When the boundaries of the NDIS change the people who still need support do not disappear. Their needs can shift into state-funded systems, our hospitals, aged-care, schools, housing, community services and the justice system. That is why it is important for this parliament to recognise the risks and for Tasmania to be prepared for the substantial consequences of the Commonwealth's 2026 reform.

The National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) bill received royal assent on 20 August and changes access, planning, reassessment, and support arrangements. At the same time, governments are developing foundational supports outside the NDIS. Nationally, governments have agreed to $10 billion in joint funding over five years, with Thriving Kids the first major element. None of this automatically means poorer outcomes. There may be opportunities to make supports simpler and earlier, but reform of this scale carries significant risk if one system withdraws before another one is ready.

Tasmania's own budget papers acknowledge that risk. They warn that the capped funding model for Thriving Kids, together with broader NDIS reforms, may increase pressure on state-funded mainstream services including health, education, housing, justice and community services.

The 2026-2027 budget speech noted that in March this year 103 Tasmanian hospital patients were medically ready for discharge, 94 were waiting for residential aged care and nine

were waiting for NDIS supports. The estimated cost to Tasmania of those delayed discharges was around $73 million a year. This is exactly the pressure Tasmania must plan for. If people cannot access the disability support they need, the pressure does not disappear, it just shifts. It can mean longer hospital stays, greater pressure on aged care, increased demand on schools, housing and community services, and additional pressure on justice and other state systems. Those service pressures quickly become budget pressures.

There is also the issue of advocacy. Speak Out Advocacy, a wonderful Tasmanian organisation providing support and advocacy for people with intellectual or cognitive disability, notes the following and I quote: [tbc 11.36]

> Speak Out Advocacy has real concerns about the impact these changes may have on people with disabilities. NDIS related matters have historically been the number one issue people seek our advocacy support for, and that was before these changes were passed. We're concerned that people with disabilities may fall through the cracks, particularly if they cannot get timely access to independent advocacy to understand decisions, challenge them where necessary and find the support they need.

That concern deserves attention. Major changes are likely to create more people needing help to navigate new arrangements. Speaker Out Advocacy have articulated the following areas where careful planning, transparency and practical safeguards will be essential. Firstly, Tasmania needs a clear understanding of how these reforms may affect people in our state, Tasmania's specific modelling would help identify how many people may receive lower NDIS budgets, lose access to particular supports or be unable to enter the scheme under future eligibility settings. Without that information, it's difficult to plan a safe transition.

Secondly, the financial implications for Tasmania deserve close attention. The state's expected contribution to thriving kids and broader foundation supports need to be clear across the forward estimates. So does too the potential additional cost if demand exceeds capped funding. Transparent, high demand financial modelling would help parliament and the Tasmanian community understand these risks.

Thirdly, new and alternative services must be available in practice before existing NDIS supports are reduced or withdrawn. People need to know which services will exist, where they will operate and who will deliver them and how long then they have to wait. This is particularly important in regional Tasmania, where access to services can be already extremely limited.

Fourth, this cannot be treated as a disability portfolio issue alone. Health, education, housing, justice and community services may all experience additional demand. Tasmania needs a coordinated whole of government response with clear responsibility for forecasting that demand and planning for it.

Next one, safeguards and referral pathways must protect people who would otherwise fall between systems. No Tasmanian should be left without necessary support simply because responsibility has shifted from the NDIS to another service, there must be a clear pathway to appropriately help with accountability for ensuring that help is actually available. Independent disability advocacy is also a vital safeguard. People need timely, accessible advice to understand changes, exercise their rights, challenge decisions where appropriate, and navigate

unfamiliar systems. As the complexity of these arrangements grows, the capacity of advocacy services must be part of transition planning.

And finally, public reporting will be important. Tracking service demand, waiting times, expenditure pressures, regional access and instances where people go without support would help show whether these reforms are working for Tasmanians and where action is needed.

The question before Tasmania is not simply whether the NDIS needs to change. The question is whether the transition is adequately planned, funded and sequenced. We need clarity about what alternatives will exist as the NDIS changes, we need transparency about where additional costs may fall, and people with disability must be involved in designing and evaluating the services that affect their lives. Above all, reform must not leave people without the support they need. These changes will be felt here in our hospitals, aged care services, schools, housing, community services and state budget, but most importantly in the everyday lives of Tasmanians with disability and their families. Individual rights, safety and dignity must remain at the centre of this transition.

## City of Launceston RSL Band - The Buzz Junior Band Program

[11.40 a.m.]

**Mr DUIGAN** (Windermere - Minister for Energy and Renewables) - Mr President, great pleasure to get up today to speak about the universal appeal of music, to some extent. Whether it's your excellent iPod in your chambers or singing along in the car, or indeed learning to play an instrument, we know that music is good for us. It can lift our mood, bring people together and create lasting memories.

Today I rise to acknowledge an organisation that's made an enormous contribution to our community through music, while also preserving an important tradition and creating opportunities for young people: the City of Launceston RSL Band. As their vice patron, along with the member for Launceston, we share that lofty title, I have the privilege of seeing firsthand the passion, dedication and community spirit that exists within the band. Many Tasmanians will know the CoL band through its performances at civic events, commemorative services and community concerts recently at the Remembrance Day service or Christmas event local celebration. The City of Launceston RSL Band has long been part of the soundtrack of northern Tasmania.

What is particularly great to see is the work being done to ensure that the tradition continues for generations to come. In 2022, the band launched The Buzz junior band program, an innovation developed by musical director Simon Partridge and Mowbray Heights Primary School music teacher Cherie Partridge. It's a fairly simple concept, but one that is proving very effective. The band has invested in instruments and learning resources, making things like cornetts, trombones, euphoniums and music books available to students who wish to participate, and those instruments are loaned to the children who may not otherwise have the opportunity to learn.

Today, the beginner Buzz program is available to students in grade 3 to 6 at Mowbray Heights Primary School with around 17 or 18 students currently participating. The program is supported by volunteers from the senior band, who generously give of their time to mentor and encourage these young musicians.

There is a pathway. As students' progress, they have the opportunity to move into a more advanced ensemble. This group now includes students in grades 5 to 7, and allows those who have transitioned to secondary school, including Brooks High School, to continue to develop their musical skills and remain connected to the program.

What is good about Buzz band program is that it's about more than just music. Being in a band requires commitment and discipline, it builds confidence and encourages teamwork, it creates friendships and a sense of belonging. Of course, in an age where young people face increasing pressures and competing demands on their time, programs like this provide a positive, constructive environment where skills can be developed and achievements celebrated in music. I believe it has been demonstrated to be an important accelerator of cognitive development, and the results are already evident.

The Buzz has performed at school assemblies, and there will be another one coming up at the end of this year, community concerts, Christmas events and alongside the senior band at Anzac Day services in Launceston. Their performances have been warmly received wherever they've appeared.

Just as importantly, the program is creating a pathway for the future of brass banding in Tasmania. Many of these young musicians are expected to progress into the senior band in coming years, ensuring this proud community institution continues to thrive.

I would like to take this opportunity to acknowledge President Ian Reeve, musical director Simon Partridge and teacher Cherie Partridge for their vision and leadership, and the many volunteers who give their time week after week to support rehearsals and encourage young players. Their contribution demonstrates the impact community members can have on young people's lives. I'd also like to acknowledge the support of the Sunshine Association, whose donations have helped purchase tutor books and band resources, helping the program to continue to grow.

Congratulations to the band. They've had a good year this year, including being crowned State B Grade Championships at the State Band Championships. As vice patron, I'm very proud of the achievements of the band and their engagement with our community and what they are doing with the students of the Mowbray Heights Primary School.

## Glenorchy Community Fund

[11.45 a.m.]

**Ms THOMAS** (Elwick) - Mr President, I rise today to acknowledge an organisation that has quietly but consistently strengthened the social fabric of Glenorchy for more than 15 years, and that organisation is the Glenorchy Community Fund. The Glenorchy Community Fund was established in 2011, implementing a very generous and visionary idea of the former member for Elwick and former Mayor of Glenorchy, Adriana Taylor. I'm very pleased to have Adriana and Beres join us here in the Chamber today, so thank you for being here.

The fund was established with the support of Glenorchy City Council but has always operated independently of the council under the umbrella of the Australian Communities

Foundation, ensuring donations are professionally managed while decisions remain firmly focused on the needs of the Glenorchy community.

The mission of the Glenorchy Community Fund is simple but powerful: raising funds and supporting community projects that make a real difference to the people of Glenorchy. Its purpose is equally inspiring: to help build a more connected, inclusive and resilient community where everyone feels they belong and can thrive. Over the past 15 years, the fund has distributed more than $310,000 in grants to local organisations to deliver projects that improve community wellbeing, education, inclusion, culture and social connection.

Each year, grants of up to $4500 provide a number of community organisations with the opportunity to turn good ideas into meaningful outcomes. Often, relatively modest amounts of funding can make an enormous difference, allowing organisations to purchase equipment, expand programs, support volunteers or reach more people in need.

Just last week saw the second grant awarding ceremony for 2026 held at the Moonah Arts Centre, where 16 organisations this year have received grants from the Glenorchy Community Fund. This year's recipients demonstrate the extraordinary diversity of our Glenorchy community and the breadth of projects and organisations that the Glenorchy Community Fund is able to assist.

Congratulations goes to those grant recipients, the Association of Ukrainians in Tasmania, the Claremont Bowls and Community Club, Paraquad, Springfield Gardens Primary School Community STEM Club, Glenorchy Brass Band Inc, Samoan Cultural Collective Tasmania, Claremont Little Athletics Club, Glenorchy City Bowls Club, Tasman Adventure Cruises, Claremont Flower Show, Northern Suburbs Men's Shed, Writing for the Disabled Association, Springfield Gardens, the Tasmanian Transport Museum, Tassie Blasters and the Glenorchy Rowing Club. Very diverse range of organisations there, and each of these organisations contribute something unique to our municipality; whether they're preserving culture, supporting education, promoting inclusion, strengthening community participation, or creating opportunities for people to connect, they all help make Glenorchy a stronger and more welcoming place to be.

Behind every successful community organisation are dedicated volunteers who freely give their time, energy and expertise, and the Glenorchy Community Fund is no exception. I pay special tribute today to the founder and chair of the Glenorchy Community Fund, Adriana Taylor, who was the independent member for Elwick in this place from 2010–2016 and Mayor of Glenorchy from 2005–2011.

I'm not sure if honourable members know this, or if many people in the community actually know this, but Adriana Taylor founded the Glenorchy Community Fund through a very generous contribution. Members may recall at the time Adriana was elected to this place, as the member for Elwick, you could be both mayor of Glenorchy and the member for Elwick at the same time. Who would have time to do that, but Adriana gave it a red-hot crack and did a great job. But at the time, instead of receiving both a salary as a member of parliament and the allowance as Mayor, Adriana generously used the allowance to establish the Glenorchy Community Fund. That mayoral allowance has been put into the fund and has been added to by the very hard efforts and fundraising activities of the Glenorchy Community Fund over that time. Each year the interest that is acquired on the funds in that account is used to provide grants to our community. I just want to acknowledge that that's a very generous contribution

and an enduring legacy. To leave 15 years and $310,000 is a very significant contribution to the community.

Adriana's vision and generosity was instrumental in establishing the fund, and Adriana has remained its driving force ever since. For more than 15 years, Adriana has worked tirelessly to grow the fund, support local organisations and encourage generosity across our community. Thank you, Adriana, and to Beres as well. A real team effort.

Adriana's leadership has helped create this enduring legacy, as I mentioned, that will continue benefiting Glenorchy for many years to come. She has demonstrated what can be achieved through collaboration, persistence and a genuine commitment to improving the lives of others. Community leadership is often undertaken quietly, without expectation of recognition, but its impact is profound. Adriana exemplifies that spirit of service, and our community is undoubtedly stronger because of Adriana's dedication and generosity.

I also acknowledge the many volunteers who serve, and have served, the fund. The generous donors and sponsors who contribute each year and make the grants possible, and everyone who supports the fundraising activities. Their collective efforts have created an organisation that continues to invest in people, strengthen local networks and foster community pride.

The Glenorchy Community Fund reminds us that thriving communities are built when local people invest in one another. It demonstrates that generosity creates opportunity, partnerships create resilience, and even relatively small grants can produce lasting change. Congratulations, and thank you again, to Adriana and Beres, and to everyone involved in the Glenorchy Community Fund. Your work is truly helping to build a more connected, compassionate, and inclusive Glenorchy, and our entire community is better for it and is really grateful.

## Rural Alive & Well 2025-2026 Impact Report - Consideration and Noting

[11.51 a.m.]

**Ms ARMITAGE (Launceston)** - Mr President, I move -

> That the Rural Alive & Well 2025-2026 Impact Report be considered and noted.

Members may recall I made a special interest speech earlier in the year following the launch of the Rural Alive & Well 2025-2026 Impact Report. At the time, I was able to provide an overview of the activities and impacts RAW had in regional and rural Tasmanian communities. However, there was just not enough time to detail the exceptional work that's being done by this amazing organisation with individuals and families in our rural communities. This is the reason for my motion today.

As CEO Lee Whiteley states in his welcome:

> RAW is part of the fabric of rural and remote Tasmania.

They don't simply visit remote Tasmanian communities; they are part of them. This makes the work that RAW does so impactful and meaningful. They aren't just visitors or tourists to our regions; they are part of their fabric. As the report notes, our rural communities face uncertainties and challenges that are different to those of us who live in towns and cities. Things like extreme weather events, wildly fluctuating commodity prices, and ever-increasing financial pressures affect those living and working regionally to a greater extent than anywhere else. Added to this is the already difficult nature of the work they do. Hard physical labour, no annual sick or long-service leave, and a deeply personal stake in the work they do, and the food and products they produce. This can be a perfect storm, contributing to already challenging circumstances for people's mental health.

Rural Alive & Well is a free, confidential, non-clinical service that provides genuine one-on-one support through a person-centred, shared-goals approach. At its core RAW's mission is simple: to keep showing up, and to be there for people when life becomes overwhelming, to listen without judgement and to walk alongside them as they find a way forward.

When I made my special interest matter speech earlier this year, I outlined some of the statistics RAW keeps on their work, and they are worth repeating because they're so important. In 2025-26, the RAW outreach team worked with 438 participants, one-on-one, face-to-face. A reduction on the year before, yet the instances of one-on-one support, outbound referrals, and average months of support all increased by approximately 30 per cent. RAW's data is also revealing: 65 per cent of participants were males, 17 per cent in the 35-to-44 age group, an especially high-risk bracket for men. Almost 50 per cent of participants were over 45 years of age, with 32 per cent being over 65 years of age, a time for many when disconnection, isolation and physical health feature prominently, and approximately 80 per cent were self-referrals.

The report correctly states that Tasmania's rural and remote communities are the beating heart of our state's agriculture, seafood, forestry and transport industries. Yet for the 230,000 plus people living in these regions, geographic isolation, economic pressure and limited access to support services significantly increase vulnerability to poor mental health and suicidal ideation. The report breaks down the reality of the situation through a few key facts. In the past 10 years, more than 800 people in Tasmania have died by suicide. Nearly six in 10 Tasmanians who died by suicide lived outside Hobart, reflecting the higher impact experienced in regional and rural communities and 78 per cent of those who died by suicide were male.

RAW's frontline experience shows that situational stress, including drought, relationship breakdown, cost-of-living pressures or injury can quickly escalate and is why early, non-judgmental outreach support can help improve positive outcomes for individuals, families and communities. The report also identifies a number of gaps. Many participants say they feel flat, disconnected or burdened, not always meeting the threshold for clinical intervention, but clearly in need of support.

Additionally, RAW's well-being checked data shows that most people in these communities rarely feel relaxed or useful and many express concern about their future. The impact report rightly points out that mental health is fundamental to the strength of rural communities. It influences not only individual well-being but also workforce participation, business sustainability and the resilience of families and communities across regional Tasmania.

The mental health and well-being of our rural and regional communities has a direct flow on effect to each and every one of us. Whether that relates to produce output, including the food and drinks we buy at our shops, the economic impact on our state and our health system. When our rural and regional communities are resilient and thriving, so are the rest of us.

Another of RAW's major initiatives is the Outreach Program, which provides responsive, person centred support to individuals and communities across Tasmania. This model meets people where they are, both geographically and emotionally, providing practical assistance, early intervention and ongoing support to improve well-being, strength and resilience and reduce the impacts of mental health challenges and social isolation. Seven outreach workers supported 438 participants in the 2025-2026 year, 222 of which engaged with RAW for the first time.

Additionally, the team delivered a total of 5,052 participant interactions, which the report says reflects sustained engagement and the importance of building strong ongoing relationships rather than providing one off support.

The telephone support service also was a vital service used by participants with 808 interactions providing immediate support, information referrals and pathways to ongoing outreach services and reduces barriers for people living in areas that might have otherwise limited options to seeking support. There were 383 referrals to other services like GP and other clinical services, Rural Business Tasmania and My Aged Care amongst others were made during the year, which highlights RAW's pivotal role as a way for people to access services they need. Community outreach, engagement and visibility remain integral to RAW's ability to reach those they need to reach.

Someone who needs help can't access it if they don't know it exists. Interestingly, many people encounter RAW numerous times before ever seeking support from them. This is why becoming a familiar and trusted organisation embedded in these communities is so important. Over time, these relationships create pathways for people to access support and provide people with the opportunities they need to ask for and access help. The report notes engagement partners who provide access to sites, participate in events, and just provide a touch point for people to find help if they need it. These include organisations like TasNetworks, TAS Farm Innovation Hub, Sustainable Timber Tasmania, WIN TV media, Tas Stockfeed, Gradco and Rural Youth.

These partnerships allow the delivery of things like the Ahead of the Game program with AFL Tasmania and Movember partnership, which now being Movember, is more relevant than ever. In 2025-26 under the Ahead of the Game program, RAW delivered 59 sessions to 880 participants in sporting communities including players, families, coaches, volunteers and young people to be equipped with the skills to understand mental health, build mental fitness and foster supportive sporting communities where young people know who they can turn to when facing challenges.

Industry specific programs such as the Stay Afloat program, which is a partnership between RAW and Seafood Industry Tasmania, were also central to supporting the mental health and the wellbeing of Tasmanian fishers, aquaculture workers, processes and their families.

Additionally, the Open Road program, which supports Tasmanian truck drivers, transport workers and the broader freight industry, delivered more than 200 engagements, 52 site visits, 12 workplace barbecues and provided 64 individual support interventions and 36 workers who engaged in ongoing one-on-one support resulting in 2,539 direct interactions across Tasmania's transport sector.

At the impact report launch earlier this year, RAW CEO Lee Whiteley said: [tbc 12.01]

> While non-clinical, the work is a critical link in the system, often being pivotal in building trust and connecting people to clinical pathways that they may otherwise avoid. The real value of this piece in the system puzzle is difficult to quantify because we'll never really know what's been prevented.

Mr Whiteley is absolutely right; we can't know what's prevented, but to my mind, that makes the work that RAW does all the more essential.

We owe it to our farmers, our primary industry, forestry, seafood and transport industries, the significant number of Tasmanians who live outside of our major population centres to have access to timely, relevant and meaningful assistance for their mental health. The 2025-26 impact report is proof of that, which is why I wanted the opportunity to note it today. I'd encourage all members to take a read of it when they get the chance, to truly understand the work they do in our regions to help build and maintain communities that are connected, resilient and thriving. Mr President, I note the report.

[12.03 p.m.]

**Mr GAFFNEY** (Mersey) - Mr President, to save some time and some of the stats that the honourable member for Launceston has read out, I've crossed out in my speech. I rise to support the motion from the honourable member. I'd especially like to thank her for giving us the opportunity to acknowledge the work of Rural Alive & Well, or simply RAW, as it's better known, as it continues to deliver a vital service across rural and regional Tasmania.

For almost everyone in Tasmania, the issues raised in this report are keenly felt. They are not abstracted, meaningless numbers in yet another generic report. Over the last 10 years, we've seen an average of 80 people a year die by suicide, nearly 60 per cent of whom live outside the Hobart area. Sadly, many of us can all too often recall the names and faces behind these statistics. They are real people who have lived real lives, we remember the sound of their voice, their smile, and often snippets of conversations we shared and memories of shared experience. Then we remember the devastating news when we learned that had died by suicide.

The real tragedy is felt in the communities that have known and loved the people that have been taken by suicide. It's a disease, and one which so often takes people in the prime of their life when their full potential is fully emerging. I know in my own electorate recent losses to suicide have had devastating impacts, and from those we'd have least expected to have been taken from us.

Reports of death by suicide used to be an uncommon occurrence, but lately it is an increasing trend. Whilst our communities are becoming more familiar with yet another loss to suicide, that familiarity doesn't reduce the pain and grief felt by the people that knew and loved them - if anything, it gets worse. Social media has allowed a highly visible means of sharing communities visceral loss and grieving in a way that a newspaper article and announcement

cannot. It allows the community to celebrate everything about the person that they liked and loved. If only before they chose to end their life, the victim of suicide could get a sense of that love and respect in which they were held. Therein lies the problem and the key to RAW's work. How can we reach people that might be thinking of the world as a better place without them?

This resonates strongly in the north-west of Tasmania. Our region has long carried a disproportionate burden of suicide risk, particularly among men and young people. The statistics in Tasmania are confronting as men remain three times more likely to die by suicide than women. It's data that's highly indicative that many Tasmanians, especially men, continue to face a heightened vulnerability to suicide and suicide ideation. However, that's not to say that women are not vulnerable to suicide and ideation. It's simply that men are far more likely to act upon it.

These are not just numbers. They reflect cultural patterns, generational pressures and enduring stigma around seeking help that persists in traditional and highly stoic rural communities. The phrase 'learning to chew concrete' comes from a classical Tasmanian doggedness in masking pain and vulnerability. It's an attribute that can have its place in avoiding conflict, but it's often a precursor to bottling up issues and internal conflicts that can finally explode into tragedy.

RAW is onto it as its model directly addresses these barriers. Sixty-five per cent of RAW's participants this year were men. That alone is highly significant. It tells us that RAW is reaching the cohort most at risk and often those least likely to walk through the door of a clinical service. RAW staff meet people where they are, on farms, workplaces, at community events, and at kitchen table. They build trust slowly, respectfully and consistently with genuine care and understanding.

In the north-west, this approach matters. Many of our north-west communities are proud, highly stoic and self-reliant, and don't want to be seen as being soft or vulnerable. People often feel that they could just get on with it, and the north-west could be said to fully embody that phrase. RAW's work can gently challenge that mindset by showing that reaching out is not a weakness; it's actually a strength and the right and brave choice.

The report also highlights the ageing profile of RAW's participants. Nearly half are over 45, and 32 per cent are over 65. Older Tasmanians, especially older men, face unique risks with declining physical health, reduced mobility, loss of social networks and a transition out of the workforce. All too often, an older man's sense of identity and self-esteem comes from the work they do or have done and where that places them in the community hierarchy.

RAW's outreach program, as mentioned by the member for Launceston, whether through one-on-one support or from RAW Working as an official partner with the Tasmanian Men's Shed Association helps to create spaces where older men can reconnect, share stories and feel valued. It goes to where there's need. However, we must also consider younger people at the other end of the age spectrum. The pressures facing younger Tasmanians today, with limited job options, economic uncertainty, housing stress and the rapid pace of social change are acutely felt in regional areas.

When young people struggle, they often struggle quietly. It's perhaps one of the more difficult challenges faced by RAW, with the 18–24 and 25–34 age demographics having by far the lowest engagement with RAW. It's an ongoing challenge. The question is then, how to

make sure that regional young people know that RAW is there for them, too. RAW's presence in schools, sporting clubs and partnerships with youth networks such as Rural Youth is therefore critical. It's early intervention work, and can help young people to recognise distress, to know where they can get help and support before a crisis can spiral into something worse.

RAW operates alongside many other services in Tasmania. Its unique point of difference is one that sees its staff embedded in the very fabric of our rural and regional communities. It's a community that is often seen as being hard to reach by urban-based organisations who often have a quite different understanding of the pressure of life outside an urban centre.

As Lee Whiteley, the RAW CEO, puts it -

> We live, work and raise our families alongside the people we support, sharing both the challenges and the rewards of country life.

He goes on to state -

> At its core, our mission is simple: to keep showing up. To be there for people when life becomes overwhelming, to listen without judgement, and to walk alongside them as they find a way forward.

That's essentially RAW in a nutshell: empathic, non-judgmental and with staff that are embedded within and fully understand the communities they support. RAW's report gives a real sense of the broader and holistic nature of support services and the industries it works with. It perhaps alludes to RAW's role as an initial point of engagement, as a trusted ally and confidant. The impact report also highlights the extraordinary level of trust RAW has built within its community. As the honourable member for Launceston stated in her special interest speech on 1 September, approximately 80 per cent of participants self-refer to RAW. That's a remarkable figure. It tells us that people see RAW as approachable, safe and widely trusted as a confidential grassroots service.

In supporting this motion, we are not simply acknowledging a report. We are recognising the people who are RAW, the staff who drive thousands of kilometres across the state, the volunteers who give their time, the participants who take the brave step of reaching out, and the communities who stand behind them. We must also acknowledge our responsibility as legislators to be fully aware of the community impact of government policy. We live in a modern world of increasingly complex issues; an ageing rural population, a heightened risk among men and young people facing impossible circumstances, and an increasing demand for long-term support. It all points to the essential place for RAW's work as a trusted partner in supporting our rural and regional community. It's a first responder that can pre-empt and prevent tragedy, which must be strengthened and supported. We're now in a world where the term 'operational efficiencies' can chill even the warmest heart in government departments. However, the report gives a high-definition snapshot of the work of RAW Tasmania, which can warm the blood of the coldest Treasury analysts, and is beyond reproach.

The services and support that RAW delivers is one of the few gateways to rural wellbeing, and some of the most vulnerable members of that community. With the challenges faced by the primary industries as a sector that underpins our economy, the people within it need to know that RAW will be fully funded and beyond the scope of any operational efficiencies.

I commend the motion and commend RAW for their unwavering commitment to rural and regional Tasmania. Its work is saving lives in the north-west and west, across the state, and I fully support the motion.

[12.12 p.m.]

**Ms WEBB** (Nelson) - I rise to make a contribution to this debate, noting the Rural Alive & Well 2025-26 Impact Report, and thank the member for Launceston for providing us in the Chamber the opportunity to do so. In August, I was privileged to attend the launch of this report here at Parliament House. I very much appreciated that opportunity to talk and interact with the staff and the board members from RAW, and to hear a lot more about that work. It's a real testament, actually, when you see it documented in an impact report like this.

The report makes it really clear that for people living in rural and regional Tasmania, the challenges of maintaining good mental health are shaped by circumstances that are unique to those communities, and to the industries that exist in them and support them. There can be considerable pressures facing our rural workers, farmers and those in other primary industries, which some may not automatically consider as rural workers, like our fisheries and our viticulture industries. As we head into summer, the real threat of drought and extreme weather events, greatly effects, I'm imagining, the mental health of our farmers and primary industries workers. We know that the impacts of drought are felt the hardest for those living and working in rural areas, but we may not appreciate exactly how those impacts manifest or feel when we live safely in ensconced in our suburbs.

Drought, I understand, is particularly devastating, and it's a devastation that Tasmania is certainly not immune from. One only needs to tune into the *Country Hour* once in a while to hear that, even now, Tasmanian farmers are voicing concern over dry dams and a dry winter, with no immediate relief on the horizon. Then add cost-of-living challenges on top of that, fuel costs, biosecurity hazards, just to mention a few scenarios which are beyond anyone's immediate control, but which have such a serious impact upon the livelihoods and wellbeing of many of the 230,000 plus people living in our Tasmanian rural and regional communities. It's no wonder there are waves of loneliness, isolation, anxiety and mental health challenges experienced throughout these Tasmanian communities.

One of the things that has struck me when talking with rural workers and supporters, and when reading the impact report, is that the hard realities of isolation and other mental health challenges are not sanitised or sugar-coated when you have those conversations or read about it in the report. The impact report is not just an attractively presented glossy document; amongst the picturesque photos there are some stark statistics, details and data. The member for Launceston detailed many of those, and I'm just going to reiterate a couple that were particularly striking to me, shocking in fact. When I look at page 7 of the report under the heading of 'Context' and read:

> In the past 10 years, more than 800 people in Tasmania have died by suicide.

And further, that:

> Nearly six in ten Tasmanians who died by suicide lived outside Hobart, reflecting the higher impact experienced in regional and rural communities.

And that:

78 per cent of those who died by suicide were male.

Mr President, it's a stark thing to have brought to your attention in our state and clearly something that RAW is instrumental in trying to help us address. Particularly, I just note this week actually because on Thursday 19 November is International Men's Day when we often have a real focus around men's mental health. I think it's particularly pertinent to have our focus on the importance of organisations such as RAW in trying to work against what can be such an isolating experience in isolated communities.

We've heard those similar shocking statistics regarding the suicide levels among our rural and regional communities and particularly amongst boys and men. It's extremely solemn to contemplate what the ripple effect of that is, because of course it's not just those particular people involved; it's their families around them, it's the others in the workplace, it's their broader communities as well that are going to be impacted both by those lost lives and the mental ill health and mental challenges that go around that. It also highlights the extent to which RAW's proactive engagement and work in those communities play such a vital role. It's literally a life-saving role.

The 2025-2026 Impact Report published impact figures that illustrate the scale of the work undertaken by the RAW community engagement team and the range of programs that they offer. RAW delivered 183 workshops in the past year, running educational sessions across schools, agricultural businesses, and rural workplaces. RAW's aim is to form connection before a person has to seek help. It's a preventative model in that way. The RAW team works to travel through the state, creating opportunities to be able to meet people face to face, one on one. In the past year alone, the report tells us the outreach program supported 438 participants face to face. For 222 of these people, it was their first time engaging with RAW. This is a really fantastic proactive outreach model we're talking about here, Mr President. It's particularly pertinent because 65 per cent of the participants were men - a group recognised as being at greater risk and yet also the group less likely to seek help or assistance if we expect them to come to the help rather than the help going to them.

In short, delivering over 5,000 participant interactions in the past financial year, the dedication of RAW cannot be understated, nor can its impact for those individuals, their families, businesses, and broader communities. Another feature I note when reading the impact report is there is a key theme which runs through the RAW programs, such as the Stay Afloat program, the Open Road program, and other programs run with partner organisations such as AFL Tasmania. That theme is 'being there.' As the report states: [tbc 12.18]

RAW's mission is simple: to keep showing up.

These teams turn up at community events, they offer one-to-one and face-to-face contacts, personalised follow-ups, and try to meet people where they are geographically. The RAW teams then connect with and support. They offer referrals, whatever may be appropriate support for those experiencing, whether that's financial stress, family stress, mental health challenges, or a range of other circumstances they encounter.

It may sound simple but in fact it's a different approach to many of the other support services available which by default require people who may be suffering to travel and seek

them out, which can for some people prove to be an insurmountable obstacle. The proactive model established by RAW is breaking down those barriers and providing practical assistance to people where they are.

I'd also like to focus on the demographics of those accessing and benefiting from RAW's services. As detailed in the 2025-2026 Impact Report, over this period, nearly 50 per cent of those seeking support are over the age of 45, with almost 32 per cent being over the age of 65. The primary reasons for seeking support included isolation and health issues.

October, of course, as we know, was Seniors Month. I'd like to acknowledge our older Tasmanians who face both of those issues I just mentioned: the isolation and health issues in their own lives. We're aware the isolation many older Tasmanians face in our community - and I'm sure that it is only more prevalent for those people in rural and regional Tasmania. Sadly, we've seen accessibility to a broad range of social services - whether it's for routine medical checkups, for banking, for other matters - becoming more difficult in rural and regional areas, making the work of RAW crucial in providing support and organising referrals so these Tasmanians can be made aware of the assistance available and receive any help necessary to them. I believe that looking after rural Tasmania means looking after the people who call it home. If we want Tasmania's agricultural industries, regional businesses and rural communities to remain strong and sustainable, we must take the well-being of the people at the heart of them as a priority.

I want to acknowledge the staff, the volunteers and the community partners at the at Rural Alive and Well for the work that they do, often in challenging circumstances and for the time that they give to supporting others. Supporting people through difficult periods requires compassion and patience. It is work that may not always be visible to the wider community, but it's important. Its importance cannot be overstated. I again thank the Member for Launceston for bringing this motion before the Chamber and welcome the opportunity to recognise the contribution of Rural Alive and Well as illustrated via this report on the health and well-being of rural Tasmania. I note the Rural alive and well 2025-2026 Impact Report.

[12.21 p.m.]

**Mr EDMUNDS** (Pembroke) - I'm rising to speak about the Rural Alive and Well 2025-26 Impact Report and noting that the topic we are dealing with may cause some people distress and urge them to seek progress support, If that's the case. Rural Alive and Well as the report says, has been providing non-clinical support to rural and remote Tasmania since 2009 with the aim of presenting death by suicide in these regions, they provide individuals and communities with support to deal with life challenges unique to rural and remote living and working in agriculture and primary industries.

They also provide support, resources and connections to empower people and communities to improve and sustain their own health and well-being. RAW are effective because their team work in the same industries and live in the same regions of Tasmania, so they understand the challenges and the context in which they arise. With nearly half of the Tasmanian population living in rural and remote regions and more than 1,500 workers in the agriculture and primary industry sectors they offer a vital well-being service to significant number of Tasmania.

I think we've had some of this data run through but will just pick a couple of highlights that in in that financial year, RAW provided 438 individuals with face-to-face support and

65 per cent of those were men, which is noteworthy as we've all heard that men are less likely than women to seek help. RAW travel nearly 416,000 kilometres by land and air to deliver 5,052 faces to face sessions and 329 community engagement events across Tasmania.

This was over 1000 more instances of non-clinical face to face support than the previous year, an increase in phone support and as we've already heard, they continued their Stay Afloat and Open Road programs connecting with thousands of workers in Tasmania seafood and freight industries. As community trust and awareness of RAW continues to grow, they connected with 15,000 more Tasmanians than the year before, totalling around 56,000 through their individual support services, outreach programs and community event.

I wanted to add a couple more things, the importance of RAW's work. Data from the Tasmanian Suicide Register shows that most suicides in Tasmania occur outside Hobart in the regions, and 60 per cent of those suicides are male. As RAW addresses three of the six key recommendations, prevention and early intervention, compassionate approach by people that get it, empowering communities to respond to mental health and suicide in the Tasmanian Suicide Prevention Strategy it is essential that government continues their commitment to RAW funding so these vital support services remain accessible to remote and rural communities. A number of people have quoted this but RAW is there to keep showing up and to be there for people and it is there for younger and older participants in the different challenges that they face.

Briefly, I'd like to reflect on some recent events. I directly know of five people in the last few months who've taken their own lives. The devastating impact that has on their families, broader friendship groups and communities is unquantifiable. I commend the work of organisations like RAW. They're not alone and we acknowledge that in the work they're doing, and it's fantastic that they spell out what is being done proactively to try to challenge and lower those numbers. I take my hat off to the people who, only on Sunday, did the Point to Pinnacle to directly or indirectly support mental health and organisations like RAW, Movember, and SPEAK UP! Stay ChatTY. I also acknowledge the work, as I think the member for Mersey did, of Men's Sheds in this space. On that sombre-ish note, I note the report and I commend RAW, their staff, board and volunteers for the work that they do.

[12.25 p.m.]

**Ms FORREST** (Murchison) - Mr President, I rise to make a short contribution on this, noting that we have a lot of other matters to deal with today, but also to acknowledge and thank the member for Launceston for bringing the 2025-26 impact report of Rural Alive and Well to this House for consideration. If anyone wants to read the detail of it, they can refer to the member for Launceston's speech on that matter. As a member who represents a really large rural and regional area of the state, I see the impact that RAW makes on my community firsthand. It's an organisation that has a mandate to, and the intention of, meeting people as and where they are, in moments of need, to provide compassion and support and, hopefully, prevent death by suicide or, before it gets to that, to help people identify that they're not in a good space.

I remember some years ago going to a farm day on a rural property out the back of Wynyard and stickers had been made for it and it had a picture of a tractor bogged in mud - I've been there with my dad - and it said 'Are you bogged mate?' underneath it. So, speaking the language of the people you're trying to reach, not trying to be something other than they are, so many of them, as they are, where they are in a moment of need. We know many rural people, particularly older male farmers, are at very significant risk of poor mental health and

sadly appearing in our suicide statistics because they have the means and the knowledge to take a very lethal approach if they wish to. I acknowledge this is a difficult subject, and I note the member for Pembroke also raised that. It's really important to help those people see that they may need some assistance well before they get to that point and that's where the Rural Alive and Well are out there. They have highly visible vehicles that I think most people in our rural electorates and regions in the state would know who they are and basically what they do.

They take a shoulder-to-shoulder approach that tends to work better with men, generally, than a face-to-face. A lot of men find it easier leaning on the boot of the ute and chatting to another person who's facing the same direction, than sitting in a room face to face with someone, which can be terribly confronting and not very effective for a lot of these people. The shoulder-to-shoulder approach, whether it's in the ute together and I say the ute because it usually is one or something similar, on the farm where they can talk without having to make eye contact unless they wish to.

I commend the Rural Alive and Well team, particularly Lee Whiteley. Lee and I go back a long way. I actually delivered Lee's babies, so we go right back to the early days. I've watched Lee go through many careers or many roles in our community, always as a leader, and he's providing amazing leadership to this organisation, and I thank him for that.

I also know that in many of our regional areas, particularly in my electorate, we have an absolute shortage of mental health support and services, which makes the role of RAW even more important to be there, to go out to people so they don't have to come in and seek that help when often the helps not there. They speak their language, as the other members have said. The report notes that 438 episodes of support have been provided and 65 per cent of those were men, and we understand the reasons for that, as I've already talked about. It's not only meeting the person where they are, like the shoulder-to-shoulder chats leaning over the ute, it's also the community engagements and events that make it possible for rural people to go somewhere together and feel like, 'Actually, it's not just me; there are people here just like me, that look like me, that think like me and that live like me.' That makes a real difference. They're not going into some office in a major town or city where they may feel that this person doesn't really understand what it's like on the land.

To have someone come out onto the land with them, who's lived, often, on the land themselves or certainly understands the challenges, is really, really important. Seeing someone just like you, makes it possible because we all know, I think, that most farmers, whether they're male, female or whatever, will do everything they possibly can to save the farm and won't often admit that they're in trouble even to themselves, let alone to their families, until they're in such dire straits that it can be almost impossible to salvage. We need to support these people well before they get to that point because sometimes, very, very sadly, death seems like the best option for those people. That's the last thing we want. It's the last thing their families need. It's the last thing our community needs. So, in order to help prevent that, I commend the work of Rural Alive and Well.

[12.31 p.m.]

**Ms RATTRAY** (McIntyre - Leader for the Government in the Legislative Council) - Mr President, before I commence, I'd also like to acknowledge the member for Launceston for bringing this motion forward, and given the contributions that we've had on this, really important matter that we continue to talk about openly, particularly in this forum.

This report provides a valuable insight into the work being undertaken by Rural Alive and Well, well known as RAW, to support the mental health and wellbeing of Tasmanians living and working in our rural and regional communities. I feel, given the contributions that have already been made in this place, that members appreciate people living in rural Tasmania often face unique challenges. Geographic isolation, financial pressures, seasonal uncertainty, business demands and family responsibilities can all place significant strain on an individual's wellbeing. These pressures rarely occur in isolation; they can accumulate over time and have a profound impact on mental health.

The report demonstrates the important role RAW continues to play in helping people navigate these challenges. Behind every statistic contained in the report is a person, a farmer, a fisher, truck driver, small business owner, parent, or a young person seeking support during a difficult period in their life. During 2025-26, RAW's seven outreach workers supported 438 participants through more than 5000 interactions - really sobering figures there, but also very important figures to acknowledge. These figures reflect much more than service delivery. They represent conversations, relationships and practical support provided when people needed it most. The example that the honourable member for Murchison gave about shoulder to shoulder and leaning over the tail end of a ute, I can actually see that. I can see very clearly that that's what would be happening right around our state, particularly in those rural and regional areas.

What stands out most is the organisation's commitment to meeting people where they are. RAW outreach workers continue to engage with Tasmanians in their workplaces, homes and communities, building trust over time and ensuring support is accessible to those who may otherwise struggle to seek help. I instantly thought of a couple of examples where I've seen that work in action, and they always turn up at the local footy finals; there's always a ute parked somewhere around the ground, or they're visible at those places. That's a tangible example.

Another strong event that's held and hosted by the Lions Club of North East Tasmania, up in that corner, is Farm Feast, which features a strong presence from the RAW team, and has benefited over the journey of that community event in terms of funds. They raise funds, and then they provide it back into the community, and this is only two examples of where they show up and they support.

The report also highlights the significant effort required by RAW to reach people across the state, with more than 415,000 kilometres travelled during the year. That's a lot of kilometres just getting around our communities to provide that shoulder-to-shoulder support. That commitment speaks to the organisation's determination to ensure distance is not a barrier to support.

Importantly, the report also demonstrated that RAW is not working alone. I've already highlighted a couple of events where they have stood beside another community organisation that is also supporting our communities. Their 383 referrals to other services highlight a strong commitment to collaboration and a recognition that people often require support from multiple services to address complex and interconnected challenges. This reflects a genuine wraparound approach that places individuals, families and communities at the centre of care.

The report also showcases the value of programs such as Stay Afloat and Open Road, which engage directly with industries that are essential to Tasmania's economy and way of life. These programs recognise that effective mental health support is often achieved through trusted

relationships, early intervention, and meaningful community connections. One of the strongest messages throughout the report is the importance of connection, and connection can be the first step towards seeking help, accessing support and improving wellbeing. You know that old saying, Mr President: a problem shared is a problem halved. It's genuine, it's real, and it means something. It helps breakdown barriers and it reminds people that they do not have to face life's challenges alone. On behalf of the Tasmanian government, I acknowledge the staff, volunteers, board members, supporters and community partners who contribute to the success of RAW. While I'm recognising the importance of contributions, I also recognise the important contribution of John Jones OAM, whose vision and dedication was instrumental in establishing Rural Alive & Well.

RAW's origins date back to 2006. I was the member for the Southern Midlands area, back in 2006, and I remember well the conversations and the opportunities I had to meet with John Jones to talk about those things, the struggles that he could see. He was also, I believe, at the time, deputy mayor of Southern Midlands Council, so he had a key community involvement. Mr Jones helped bring rural communities together to address the growing need for mental health support, particularly during periods of severe drought. John Jones's efforts help lay the foundation for the vital work the organisation continues to undertake today. The dedication, compassion and commitment are making a real difference in communities across Tasmania.

Connection and compassion are at the heart of the Tasmanian government's Suicide Prevention Strategy, and they are values that RAW demonstrates everyday through its work. The Tasmanian Suicide Prevention Strategy 2023–2027 is well underway and is supported by $3.7 million in ongoing funding from the Tasmanian government. The government also values its strong partnerships with the community sector, which deliver vital mental health and wellbeing services to Tasmania, particularly to those who are most vulnerable and in need of support. In the 2026-27 State Budget, a commitment of $5.8 million to RAW provides certainty for the organisation to continue its work and its important work into the future. You're not going to be able to do 417,000 kilometres around this state without being well funded.

I also acknowledge those Tasmanians who have shared their lived experience and sought support through RAW. Those stories are available on a video shared on the RAW website if anyone would like to take that opportunity to listen to those lived experiences. Their courage not only to assist their own journey but also to help strengthen understanding and reduce stigma within our communities is really important.

This impact report is both a reflection of the work already achieved and a reminder of the ongoing importance of accessible community-based mental health support in regional and rural Tasmania. For those reasons, I commend Rural Alive & Well for its outstanding contribution and support the motion that the Rural Alive & Well 2025-2026 Impact Report be noted.

You might have noticed I went off script a few times.

[12.41 p.m.]

**Ms ARMITAGE** (Launceston) - Thank you, Mr President, and I'd just like to thank members for their comments and certainly commend the RAW team and note that the Rural Alive & Well 2025-2026 Impact Report be noted.

**Motion agreed to.**

## MOTION

### Wilkinsons Point Land Sale

[12.42 p.m.]

**Ms THOMAS** (Elwick) - Mr President, I move -

That the Legislative Council notes:

(1) The *Mercury* report of 19 August 2026 in which a government spokesperson confirming negotiations between the Tasmanian government and LK Group regarding the proposed sale and development of approximately 15 hectares of Crown land at Wilkinsons Point had recommenced, with the spokesperson describing the latest meeting as 'very productive' and confirming that, while an agreement had not yet been reached, the government continues to work closely with LK Group;

(2) That, during the Public Accounts Committee hearing on 10 April 2026, when asked whether the term sheet or proposed agreement would be publicly released before a final decision was made, the Premier stated that, subject to commercial confidentiality, the government expected to be open with the Tasmanian public and 'as transparent as possible', and confirmed that this was his stated intention;

(3) The Premier's advice, in correspondence to me, the member for Elwick, dated 22 July 2026, that:

(a) there is presently no settled timeframe for a final decision;

(b) there are no current milestones, deadlines, performance requirements, sunset provisions or defined decision points;

(c) there is no final sale or development agreement in place;

(d) the government does not consider that there is further advice requiring release at this time; and

(e) the government intends to continue the current process;

(4) That the legislated process for the sale of surplus Crown land comprises nine stages:

(a) submission of a proposal to Crown Land Services and declaration of the land as surplus land by the Minister for Parks;

(b) assessment of the proposal and preparation of any subdivision plan;

(c) referral of the proposal to the Office of the Valuer-General;

(d) valuation of the land by the Office of the Valuer-General;

(e) preparation of a minute recommending a reserve price;

(f) determination of the reserve price by the Director-General of Lands;

(g) consideration of the disposal by the minister;

(h) preparation and execution of a written contract; and

(i) settlement of the sale by the Office of the Crown Solicitor;

(5) That as of 19 August 2026, the Minister for Parks, with responsibility for Crown land, had neither declared the land proposed for sale at Wilkinsons Point to be surplus Crown land nor received a request for the land to be declared surplus;

(6) That under the *Crown Lands Act 1976*, the Director-General of Lands must fix a reserve price before Crown land is sold, having regard to the valuation of the land, and that every sale must be affected through a written contract; and

(7) That section 178 of the *Local Government Act 1993* requires a council proposing to dispose of public land to publicly advertise its intention, provide the community with 21 days in which to lodge objections, consider any objections received and provide objectors with a right of appeal.

Further, that the Legislative Council:

(8) Acknowledges that the proposed sale and development of Wilkinsons Point involves a significant publicly owned waterfront asset, substantial proposed private development and potentially significant taxpayer-funded infrastructure, and should therefore be subject to meaningful local community and parliamentary scrutiny before the state is contractually committed; and

(9) Calls on the Tasmanian government, before finalising or entering into any binding agreement for the sale of Crown land at Wilkinsons Point, to:

(a) provide to this House the proposed master plan and sufficient details of the proposed development to clearly identify its nature, scale, staging and intended community and economic benefits;

(b) disclose the proposed sale terms, including the land to be transferred, the proposed sale price, development obligations, timeframes, conditions, protections for the 1142 state and any infrastructure, site preparation, remediation, concessions, incentives or other costs to be met by the Tasmanian taxpayer;

(c) formally engage with Glenorchy City Council on the proposed sale terms and master plan; and

(d) provide parliament with a reasonable opportunity to consider and debate the proposed transaction before any sale agreement is finalised; or

(e) alternatively, abandon the current exclusive negotiations with LK Group and offer the land for sale through an open and competitive tender process to test the market.

This motion asks for something simple and reasonable: before the government enters into a binding agreement to sell what is a significant parcel of Crown land at Wilkinsons Point, the parliament and the Tasmanian people should be told what is proposed, what it will cost them, what obligations the purchaser will assume, what protections the state will receive, and what development is actually intended for this strategically important waterfront precinct.

The motion asks the government to be open and transparent about the proposed sale of land that is owned by the people of Tasmania. If the government is not prepared to provide this transparency, it should abandon the current exclusive negotiations and test the open market through an open and competitive tender process.

I want to be clear from the outset, as I've been every time I've spoken about this matter: I support the development and activation of the land at Wilkinsons Point. I support private investment, jobs, and economic activity in Glenorchy and Hobart's northern suburbs. I do not oppose LK Group being involved in that development. This is not an attack on the proponent, on the JackJumpers or on the ambition to develop the precinct.

What it is about is the standard Tasmanians are entitled to expect when their government proposes to sell land they own and enters into long-term arrangements over assets that they own. Public ownership demands public accountability.

I wish I wasn't here on the floor banging on about this once again. In fact, I'd quite like to be alongside the Premier and the developer and the Mayor of Glenorchy in photo opportunities promoting how good this is for our community. But that would be irresponsible, quite frankly, when I don't know whether what is proposed is a good deal for my community, and whether it's a good deal for Tasmania; whether it's a good deal for Tasmanians or is it a good deal for the developer. Because, when the government won't tell us the details, how can we possibly judge whether it's a fair and reasonable deal? When it's revealed that the government's lease of the arena asset on the land - also owned by Tasmanians - is certainly not a fair and reasonable deal for Tasmanians, how on earth can we be expected to just take on trust that the government is negotiating a fair and reasonable deal on the sale of this land? We can't, we shouldn't, and Tasmanians have a right to know the details before their land is sold.

Honourable members well know the history of this proposed land sale at Wilkinsons Point. I've been raising concerns about this matter since February 2025, when the government announced that it agreed to sell the land even though no binding sale agreement existed. I initiated a Public Accounts Committee Inquiry, and I brought this matter before this Chamber as a matter of public importance on 23 June this year.

The Auditor-General has investigated and reported on this matter and the Public Accounts Committee tabled its report into the matter out of session on the 5 October this year. I encourage every honourable member to read that report in full. I understand it will be brought on for a noting debate when we come to that. When members will have the opportunity to examine the 11 findings and nine recommendations of that Public Accounts Committee report in detail, so I will not attempt to repeat all of that evidence today, nor labour every step in the history that members already well know.

But I do make this observation, despite the Auditor-General's report, the parliamentary inquiry, the public hearings, questions in both Houses and the matter of public importance debate, there has been no corresponding lift in the level of public transparency. There has been scrutiny, but scrutiny initiated by others is not the same as transparency volunteered by government. Tasmanians are still being asked to wait until the negotiations are completed before they are told what has been negotiated in their name. That is not good enough. Once public land is sold, the decision cannot simply be undone. Once a long-term lease is executed, the public may be bound by it for decades.

Information released after the state has become contractually committed may explain a decision, but it cannot meaningfully inform or influence it. Tasmanians deserve better when it comes to the sale of their land and the leasing of assets they own.

I will briefly address the first eight parts of the motion before the Council before turning to the actions sought in point 9. The first part notes the *Mercury* report of 19 August 2026 confirming that negotiations between the government and LK Group had recommenced. The *Mercury* report stated that a government spokesperson described the latest meeting as very productive and said the government continued to work closely with LK Group, although no agreement had been reached. That report was telling because at the time of the Public Accounts Committee hearings in April, negotiations were described as being in abeyance.

The PAC report records that the Department of Premier and Cabinet and Building Tasmania re engaged with LK Group from May, with a more formal meeting in July concerning the master plan, site activation and possible integration with Dowsing Point. The concern is that negotiations restarted before the shortcomings identified by the Auditor-General had been demonstrably remedied and without the public being told what framework or safeguards now govern the process. The PAC report puts it plainly. Proceeding on that basis would repeat rather than remedy the failures already identified.

Part 2 of my motion asks members to note the Premier's evidence to the Public Accounts Committee on 10 April. In that hearing I asked whether the term sheet or proposed agreement would be publicly released before a final decision was made. The Premier said that, subject to commercial confidentiality, the government expected to be open with the Tasmanian public and as transparent as possible. He confirmed that this was his stated intention. I acknowledge the legitimate need to protect genuinely commercially sensitive information. This motion does not ask the government to broadcast its negotiating strategy or disclose information that would undermine the state's position, but commercial confidentiality cannot become a blanket behind which every material term, public cost, risk and obligation is concealed until the agreement is irreversible.

The Premier's own evidence recognises the public interest in disclosure before the final decision. Part 9 gives practical effect to that commitment. It asks for enough information at the point when it can still matter for parliament to understand the proposed transaction and scrutinise whether it protects the public interest.

The third part of my motion notes the Premier's written advice to me, dated 22 July 2026. The Premier confirmed there was no settled timeframe for a final decision, no current milestones, deadlines, performance requirements, sunset provisions or to find decision points, no final sale or development agreement and no further advice the government considered required release at that time. The Premier also confirmed the government intended to continue the process. These answers should trouble members. They certainly troubled me. After more than six years, there was still no deadline and no defined point at which the government would decide that enough was enough. There were no disclosed performance requirements or sunset provisions. An exclusive negotiation without a clear end point risks becoming the policy itself, rather than a temporary means of testing whether an acceptable agreement can be reached. The absence of a binding agreement means that there remains time to get this right. Evidence before the PAC confirmed there is no commitment binding either party to complete the land sale.

The fourth part of my motion sets out the legislated process for selling surplus crown land. It begins with a proposal to Crown Land Services and the declaration of land as surplus by the responsible minister, who we have, after much confusion originally, established is the minister for crown lands, who's not currently in the Chamber but has answered questions that I've asked in relation to this process. It then moves through assessment and any subdivision planning, referral to and valuation by the Valuer-General, a recommendation and determination of the reserve price, ministerial consideration, a written contract and finally settlement through the Office of the Crown Solicitor. Now, that sequence protects the public interest by ensuring the land is clearly identified, its status and its value are properly determined, and the transaction is lawfully authorised and documented.

The Auditor-General found that the process had not been followed in an orderly way. Then, State Growth, now Building Tasmania, asked the Director General of Lands to set a reserve price too soon before the master plan and subdivision were finalised. That is important because the configuration of the land, the obligations attached to it, its planning context and the public infrastructure surrounding it can materially affect the land's value.

The fifth part of my motion records that as of 19 August 2026, the minister for Parks, incorporating crown land, who had responsibility for crown land, had neither declared the proposed land surplus nor received a request to do so. In fact, on 8 September, he confirmed this was still the case. That fact sits uneasily beside the government's February 2025 declaration that it had agreed to sell surplus crown land at Wilkinsons Point.

The point is not merely semantic. Calling land 'surplus' before the responsible statutory process has occurred creates the impression that a threshold public interest decision has already been made. It risks the public announcement getting ahead of the lawful process. At a minimum, the government should use precise language and accurately describe the status of a transaction.

The sixth part of my motion notes the requirement of the *Crown Lands Act*: before crown land is sold, the Director General of Lands must fix a reserve price, having regard to the valuation, and every sale must be affected through a written contract. A reserve price is an

important protection, but it is not a complete measure of value for money. A transaction may meet a land valuation while still exposing taxpayers to substantial costs through remediation, roads, utilities, parking, site preparation, concessions or other enabling infrastructure.

The PAC heard estimates approaching $100 million from the department, while LK Group estimated roughly half that amount. That is, after years of negotiation, responsibility for these costs remain unresolved. The actual costs remain unresolved. But what the evidence heard to date suggests is that taxpayers could be up for anywhere between $50 and $100 million as an estimate to have this land ready to be developed.

That is why members should look beyond any headline sale price that is put forward by the government. We've heard in the past $6 million, $8 million. The real public value of the transaction can only be assessed when the sale price, public expenditure, retain liabilities, development obligations, timing, risk allocation and enforceable community benefits are all considered together.

The seventh part of my motion draws a deliberate comparison with local government. Under section 178 of the *Local Government Act*, a council proposing to dispose of public land must publicly advertise its intention, allow 21 days for objections, consider those objections, and provide objectors with a right of appeal. Now, I'm not suggesting that the local government process applies directly to this crown transaction - of course it doesn't. But the point is one of standards and democratic principle. Parliament has required councils by law to expose proposed disposals of public land to community scrutiny before the decision becomes final. It is difficult to explain why the state government should hold itself to a lower standard when dealing with a major parcel of Crown land with long-term consequences for a local community and for the state.

Sorry, the Minister for Local Government is not in the Chamber either, Mr President, to hear this. In fact, we've lost all our government members. I'm sure the Leader's listening carefully, but it is disappointing that our government members are not in the Chamber.

Glenorchy City Council's original process was time limited and supported by governance and probity arrangements. We've heard the government try to claim that it's just continuing on with a process that was the council's idea - what a load of rubbish, six years later. Glenorchy City Council's process was time limited, and it was supported by governance and probity arrangements. Clearly the government's process has not been, as the Auditor-General found. The open-ended process that has followed, was the state government's choice and remains the state government's responsibility.

The eighth part of my motion brings these threads together. It acknowledges that Wilkinson's Point is a significant publicly owned waterfront asset, that the proposal involves substantial private development and that it may involve substantial taxpayer-funded infrastructure. For those reasons, meaningful local community and parliamentary scrutiny should occur before the state is contractually committed - like another big asset we've been talking about and hearing about a lot this week, the stadium.

Wilkinsons Point is a valuable and strategically important site. The Public Accounts Committee found its potential could be enhanced if Wilkinsons Point and the adjacent Dowsing Point land were considered through an integrated master planning process across approximately 45 hectares. That emerging opportunity makes scrutiny even more important,

not less. Decisions made now about boundaries, roads, utilities, parking, transport connections, flood mitigation, remediation and land use, may shape that entire precinct for generations.

The need for transparency also extends beyond the land sale. Questions I've asked during budget Estimates and followed up in this place revealed details about the government's lease of MyState Bank Arena to LK Stadiums. The answers revealed that, while the lease provides for base rent of $200,000 per year adjusted for CPI, the state also pays an annual CPI-adjusted hiring fee contribution of up to $175,000 to support so-called community access. Leaving a net return to the crown of less than $30,000 per year. It's disappointing that answers to questions I have on notice weren't provided in relation to that matter today, after we've had a couple of weeks not sitting.

It also found that no performance or percentage rent had been paid since the lease commenced and that the hiring fee contribution had not been disclosed to the Public Works Committee in 2020. I do not raise this to suggest that the arena has no public value or that there's no case for subsidised community use. I raise it because the public description of a transaction can look very different once all related obligations are visible. That is precisely why there should be complete disclosure when public land and long-term rights over public assets are negotiated in the form of a lease.

Part 9 of my motion is neither radical nor anti-development. It simply establishes a choice. The government can continue negotiating with LK Group, but before it signs a binding sale agreement, it should provide the proposed master plan and development details; disclose the proposed sale terms and public costs; formally engage with Glenorchy City Council; and give parliament a reasonable opportunity to consider the transaction. Alternatively, it can abandon the exclusive negotiations and offer the land through an open and competitive tender process to test the market.

The first request is for the proposed master plan and enough detail to identify the nature, scale, staging and intended community and economic benefits of the development. A master plan is fundamental because members cannot assess the sale in the abstract. We need to know what's proposed for the land, what remains in public ownership, how the arena and foreshore will function, how transport and parking will work, and how the site will connect with Dowsing Point. Also, what is to be delivered in each stage and what happens if later stages do not proceed? What protections are there for the state and the local community.

**Sitting suspended from 1.00 p.m. to 2.30 p.m.**

## QUESTIONS

### Education - End-of-Year Events - Request for Politicians

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

Minister after the Premier's Christmas pile-on, educators have asked politicians to stay away from school assemblies and end-of-year events this year. Will you respect that request and stay away?

**ANSWER**

I thank the honourable member for the question. Any school that indicates they don't want me or any politicians to attend their events, I will absolutely be abiding by that, but if a school does reach out to me and asks me to attend an end of year event, then I will do so.

**Education - End-of-Year Events - Minister's Position**

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

Minister, we've been told that you've said you wanted to issue a statement on the Christmas saga but weren't allowed to. Is that true and, if so, who stopped you, and if you disagreed with how the Premier handled the matter, why haven't you said so publicly, and will you tell the Council now what you've wanted to say?

**ANSWER**

The way that I have chosen to respond to this situation, which has been a really distressing time for this particular school and certainly for the educators and the school association and the families involved, is that not to go out and use social media, but to actually engage genuinely with those in the school community. I've personally had numerous phone calls with the school leadership and with the educators impacted. I felt that was a more genuine and appropriate way for me to be engaging. I also spoke directly to the school, the head of the school association and have followed up with personalised messages to keep checking in on them as they've gone through this.

As Education Minister, the safety and the well-being of staff and students will always be my highest priority and certainly through my department I have ensured that this appropriate support is in place for the school community as it needs it. I do want to put on record my thanks to the department. They have been exceptional in the way that they have supported our educators and supported this particular school.

I've seen some really concerning comments that have been online, which is one of the reasons that I made a deliberate decision that I would not be engaging in online social media, but rather I would be making direct and genuine contact with the schools. I asked for some of the messages that were going to the school directly to also be sent to me so that I could have a really deep understanding of what the school was facing and the only thing I can say is that some of those messages were disgusting.

Targeted attacks on any individual on a school in this way, as we've seen, are completely unacceptable and I've attended a number of media events, including straight after this all came to light where I have expressed my sincere disappointment at the way people have responded to this and the vitriol that has faced these amazing educators and this beautiful school. Indeed, I stood with the Premier and together we condemned what's been happening.

I will be making it very clear that this is a very disappointing and a sad time, and it's a time of year when everyone should be really joyous and kids should be enjoying coming to the end of the year and teachers should be enjoying the fun that comes with the end-of-year celebrations. And it's very disappointing that this seems to be overshadowing a wonderful

period of time, certainly for this particular school. But I will continue to be genuine in my concern for the individuals involved. I will continue to be genuine in trying to support the school and the community as best as I can, but I certainly won't be doing that on social media, and I've made a number of public statements in the media to that.

## Education - End-of-Year Events - Timeline of Communications

**Ms O'CONNOR question to MINISTER for EDUCATION, Ms PALMER**

[2.35 p.m.]

Minister, in relation to the inappropriate targeting of a northern Tasmanian state school by the Premier about the issue of Christmas, the holiday season. We've had an apology of sorts, which has been, as I understand it, not particularly well received by the school or the Australian Education Union. The Premier has tabled the advice he received from the department about the school's end-of-year celebrations. I ask the minister to provide the timeline of communications between the Premier and the department. Is the minister able to tell the Council what was the time and date of the Premier's request for information from the departmental Secretary about the end-of-year event and what was the time and date of the Secretary's response?

**ANSWER**

I think it would be inappropriate for me to be, not second guessing, but you would need to ask the Premier about correspondence and timings and dates, about anything to do with the part of your question. I am very happy to talk you through my timing, the timing of what I did and with reference to my office. Anything to do with the Premier, you would need to ask that question of the Premier or the Premier's office.

I can tell you that on the 2 October I was CC'd into correspondence from a parent to the principal of a school about concerns. Now it is quite common for me to be CC'd into correspondence between families and schools, this is what our principals do. They respond appropriately. The e-mail was not addressed to me and so as per the proper process, it was for the principal to speak to that parent about.

On the 12 October, I then was CC'd in an e-mail response from the acting principal back to that parent. Again, I appreciated that. Quite common for me to be CC'd into all manners of correspondence. I then understand that an e-mail was sent directly from that parent regarding this matter to the Premier and to me and that correspondence that came to my office, I followed the normal process, which is that correspondence was forwarded to DECYP, which is the normal process in my office, and it was done the very next morning.

What I did also do is I did add to my request from the department; I wanted to know if there'd been any engagement with the school association and what their position was on this particular matter. I was then copied into a letter that the head of the department, my secretary, in response to a letter that had been sent to her by the Premier. I believe that letter is now on the public record.

**Supplementary Question**

[2.39 p.m.]

**Ms O'CONNOR** - I think that the minister does have the information that could answer the question that I asked, notwithstanding that the letter went from the Premier to the secretary and a response went from the secretary to the Premier. From listening to the minister's answer, I believe the minister does have the information that could be provided to the Council, so I will let her think on that for a moment, but my question again is to the Minister for Education. Will you provide that information, please? And did the Premier advise the minister that he was arranging for the media story or intended to make a social media post on the situation at that school before he did it?

**Ms PALMER** - The answer to the second part of your question is no, he did not, and the first part of your question I'm not going to be offering information that you should be asking of the Premier's office. I've clearly stated the timeline, the process -

**Ms O'Connor** - It's information that you are privy to.

**Ms PALMER** - The process in my office, which I am responsible for, but if you have questions about the process in the Premier's office, you need to ask the Premier.

**Ms O'CONNOR** - Point of order on the question, Mr President. I don't think that a minister of the Crown, if he or she has the information - well, the point of order is that I don't think the minister is able to refuse to provide the answer because the minister has the information that provides the answer.

**Mr PRESIDENT** - I have no way to compel the minister to answer that question.

**Education - End-of-Year Events - Request for Apology**

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

[2.41 p.m.]

Minister, noting your comments and your answer to my last question, I will make it clear that educators involved in the school have made it clear to us that they do want accountability for this situation. They would prefer this discussion to happen in parliament because of the very harmful nature of those comments on social media. They still want this conversation to be happening in a public place, but in a public place that can be somewhat respectful and controlled.

Minister, for over a month you've had every opportunity to stand up in this Council or in the media for the northern primary school caught up in this very avoidable saga. Will you finally apologise to the primary school community? Are you satisfied with the Premier's apology that he gave? Or do you think he should apologise for his post and his actions that started this whole sorry saga?

**ANSWER**

I'll just seek some advice, thank you.

Thank you very much. I'm not going to comment on the Premier's words or what he has said. That is a matter for the Premier. What I will say is that I do want to acknowledge the impact that this situation has had on this beautiful school community. If you want to pick an amazing, authentic little Australian school, you would pick this particular school. I acknowledge the impact that it had on the school association, an amazing group of parents who volunteer their time to support the school, the families, and indeed the students of the school. I am deeply sorry for the impact that this has had on them. I commend my department on the way that it has supported the school through this. I thank my team, here, who have been absolutely amazing in supporting me through this. I've done everything that I could to support the school, made every genuine attempt that I could to ensure that I was speaking to the right people. I've certainly done everything I could to keep myself off social media to ensure that there couldn't be a further pile-on, which I know is impacting this school and this school community every time something like that is put up, regardless of who puts it up. In my role as the Minister for Education, I'll always prioritise the safety and the wellbeing of our staff and our students, but the questions you are asking me to answer with regard to the Premier, they are matters for the Premier.

## Education - End-of-Year Events - Timeline of Communications

**Ms O'CONNOR question to MINISTER for EDUCATION, Ms PALMER**

[2.44 p.m.]

Thank you, Mr President. It's now been established that the minister was a recipient of the correspondence between the Premier and the Secretary of the Department of Education, Children and Young People - a recipient by virtue of the fact that she was CC'd into this correspondence. My question again to the minister is: at what date and time were you CC'd into correspondence from the Premier to the secretary of your agency? And at what date and time were you CC'd in, that is, you were a recipient of correspondence that was the Secretary's response to the Premier, given that all of you, in this instance, are public officers in positions of public trust.

**ANSWER**

I can confirm on the 14 October at 1.35 p.m., DECYP provided a response to the Premier that I was CC'd into.

## Education - End-of-Year Events - Costs Burden from Premier's Social Media Posts

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

[2.45 p.m.]

While we are on the topic, Mr President, my question is a follow-up that I believe the Minister for Education took on notice last time. I just thought I would repeat the question for the minister's benefit, while she sees if she has a response for me.

Minister, in relation to the easily foreseeable vitriol and harassment directed at the school leaders, staff and community of the northern primary school, which was a readily identifiable

subject of the Premier's reckless social media posts, incorrectly alleging it had removed all references to Christmas, triggering heightened security concerns. The question was:

(1) Please provide details of the costs to the school's resources, staffing and otherwise expended, to respond to, and manage, the actions targeted at the school as a direct result of the Premier's misleading social media post. For example, to manage abusive phone calls, emails, social media management, security communications, et cetera.

(2) Is the school expected to bear these unnecessary, and politically driven costs, with its limited resources, or will those costs be reimbursed by the department, or perhaps more appropriately by the Premier?

**ANSWER**

I can advise the Department for Education, Children and Young People has provided additional operational communications and wellbeing support to the northern school being referred to. This has included direct support to school leadership, assistance with communications and engagement with the school community, and additional support onsite. There are no costs to the school's resources. Any additional costs identified to date are being managed by the department, rather than the school's operational budget. The school has incurred no costs. Any costs that there have been are being worn by the department.

## Youth Justice Blueprint Action Plan Reporting

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

[2.47 p.m.]

Minister, last sitting I asked you a question about the Youth Justice Blueprint. Specifically, that the government released its Youth Justice Blueprint 2024–34 in December 2023, followed by an action plan for 2024-25. Then a progress report was released in July 2025. Fifteen months later, the department's Youth Justice Reform webpage still lists no subsequent progress report or action plan for 2025-26 previous financial year. However, a new action plan for 2026-27 has now appeared.

Why has the government not published a further dedicated progress report since July 2025, and was an action plan prepared for 2025-26? If so, why is it not publicly available, and if not, why not?

**ANSWER**

The Youth Justice Blueprint 2024-34 includes a commitment to monitor and evaluate progress over its 10-year life span. Information was sought from the Department of Education, Children and Young People, in relation to periodic reporting. Unfortunately, I am advised that reporting was not completed last financial year. It is my expectation that where commitments are made, they are adhered to, and obviously I am disappointed that this had not occurred in this instance. My ministerial office has asked the department to provide a forward plan of reporting timeframes for the remainder of the blueprint period and will be seeking periodic updates to ensure these are achieved moving forward.

While the reporting may not have occurred this year, I can confirm that progress was made, with key achievements finalised and commenced implementation of the statewide Youth Justice Model of Care, advance planning and design work for the new Tasmanian Youth Justice Facility, commenced implementation of prevention and diversion models, including place-based youth justice diversion initiatives and responses in Hobart's northern suburbs, and the youth justice diversionary service pilot YADS, in the south of the state. Commenced implementation of the model of care at the Ashley Youth Detention Centre, which has assisted to build workforce capability in trauma-informed, therapeutic, restorative and culturally safe practice.

There's been the development of partnerships with Aboriginal leaders and organisations to progress development of a Tasmanian Aboriginal youth justice strategy and broader Aboriginal-led youth justice reform work. Foundational actions to deliver longer-term reform initiatives including the *Youth Justice Act* review and the Youth Justice Diversionary Services framework.

As the honourable member for Elwick highlighted in her question, the 2026-27 Youth Justice Blueprint Action Plan has been published and is available on the department's website. The plan includes the following priority actions: review of the *Youth Justice Act 1997*, aligning with the broader youth justice reform agenda and setting the mandate for the direction of the youth justice system; continuation of the design, construction and operationalisation of the new Tasmanian youth justice facility, subject to approval; continuing the implementation of a range of early intervention, prevention and diversionary programs and options - that's included early intervention, prevention and diversionary programs and options, police outreach and a community engagement plan for children and young people; implementing the 24/7 youth bail support model, including supported accommodation; developing and implementing an alternative learning model for children and young people at risk in the youth justice system; enhancing the safety and wellbeing of children and young people at AYDC through strengthening child and youth empowerment; continuing to improve electronic surveillance at AYDC; reviewing and refining models and procedures relating to procedural safety; developing and implementing a youth justice workforce action plan; providing youth healthcare, youth forensic mental health and youth primary health in detention; and investigating alternative arrangements to detaining and managing children and young people in adult reception prison watch houses in collaboration with relevant Tasmanian government agencies.

Our government remains absolutely committed to the reform of our youth justice system. I thank the member for her question.

## Government's Commitment to Youth Justice Reform

**Ms THOMAS question to MINISTER for CHILDREN and YOUTH, Ms PALMER**

[2.53 p.m.]

I appreciate that response from the minister and I have a follow-up question about the youth justice blueprint. Minister, I appreciate the acknowledgement that there was no action plan or progress report published for 2025-26 and the commitment to further future reporting, schedules and publication of progress reports. However, how can Tasmanians be assured the government remains committed to reform in this space at a time when recidivism rates in youth

offending are causing more harm to their community than perhaps ever before? How can the government assure Tasmanians that it hasn't dropped the ball on this issue of youth offending when, in fact, there was no plan for 2025-26 and no reporting?

**ANSWER**

Like you, I was disappointed and frustrated that the commitments that were made were not adhered to, and I've certainly made sure by having my office ask the department to provide that forward plan of reporting timeframes. There is a huge body of work to be done here and much of it is stemming from recommendations from the commission of inquiry. We remain firmly committed to a reform of the youth justice system. We do so for a number of reasons; of course, for the safety of our communities right across Tasmania, but also because we want to see better outcomes for young people here in Tasmania. Young people who, to be fair, before you end up in the youth justice system, a lot of things have gone very wrong in your life, and a lot of people who should have been there for you perhaps haven't been there for you. We want better outcomes for those young people as well. It is a huge body of work. The team that works on this in the department is incredibly committed, as is our government, to seeing a reform to youth justice for Tasmania.

## *Youth Justice Act* Review - Release of Discussion Paper

**Ms THOMAS question to MINISTER for CHILDREN and YOUTH, Ms PALMER**

Minister, earlier in the year you committed that the government would release its discussion paper on the review of the *Youth Justice Act* by June this year. That timeframe past and in subsequent responses you committed the government to releasing its discussion paper on the review of the *Youth Justice Act* by the end of this year, which is not very far away, so I'm just seeking confirmation that that is still to occur this year, that that discussion paper will be released?

**ANSWER**

Yes, that remains my intention.

## State Service Voluntary Redundancy Program

**Ms FORREST question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY**

This is a question I asked last sitting and I was assured I would get the answer before we returned. I got it this morning just as we started to see it. The question is, with regard to the matters related to the taxation treatment of state government redundancies.

1. Did Treasury run the redundancy program and, if not, which department did?

2. Did the relevant department seek and obtain tax advice/opinion prior to progressing this process?

3. Has legal advice/opinion been sought on this matter in the last five years and if so, from whom?

4. Is the recently announced proposed top up payment legally permitted and

    a. has legal advice been sought on this proposed process, and

    b. if so, from whom?

5. Has legal and financial advice been sought regarding any potential impacts on members of the defined benefit scheme who have taken redundancies and

    a. if so, what will there be an impact and what will the impact result in? and

    b. if and if not, will advice such advice be sought?

**ANSWER**

On 1 June 2026 it was announced a targeted and negotiated voluntary redundancy, (TNVR), expression of interest (EOI) program for eligible State Service employees to operate from 1 July to 31 December 2026. The program was primarily focused on non-frontline and corporate roles and was in addition to the EOI program conducted in the Department of State Growth. The TNVR EOI program was established to support agencies in delivering the operational budget efficiencies outlined in the 2026-27 Budget. While the program framework was announced centrally, the decision to conduct an EOI process, the scope of any EOI program and participation in the program were determined by individual heads of agency.

Up to 14 October 2026, the following agencies have conducted TNVR EOI programs, the Department of Education, Children and Young People; the Department of Health; the Department of Justice; the Department of Natural Resources and Environment Tasmania; Department of Police, Fire and Emergency Management; Department of Premier and Cabinet; Department of State Growth/Building Tasmania; and Tourism Tasmania.

The TNVR program was implemented in accordance with the Managing Positions in the State Service (MPSS) arrangements and established State Service voluntary redundancy processes. MPSS is issued by the head of the State Service in accordance with section 15(1)(b) of the *State Service Act 2000*. The program was developed and administered by agencies in good faith and in line with the longstanding operation of voluntary redundancy arrangements that have been used across the Tasmanian State Service over decades.

As with previous voluntary redundancy programs, agencies relied on the established legislative, industrial and administrative frameworks that have been outlined in current and previous MPSS guidance. The government's focus was on supporting agencies to achieve workforce and budget objectives while ensuring employees were treated fairly and consistently within those established arrangements.

Question 3. Consistent with longstanding practice, the government does not release legal advice that is subject to legal professional privilege.

Questions 4 (a) and (b). The government is satisfied that the updated TVES arrangements, including the additional payment, were able to be lawfully implemented through the revised MPSS framework.

Questions 5, 5 (a) and 5(b). Discussions have occurred with the Department of Treasury and Finance in relation to any potential impacts of the changed arrangements in MPSS. The change to the Targeted Voluntary Employment Separation, TVES, arrangements does not alter the treatment of an employee's separation for Retirement Benefits Funds, RBF, Contributory Scheme purposes.

While TVES payments are treated as employment termination payments, ETP, a lot of acronyms, rather the genuine redundancy payments, the GRPs, for taxation purposes. This change does not affect the treatment of the separation as a redundancy payment under the relevant RBF Superannuation arrangements. Under the TVES arrangements approval by a head of agency requires the employee's position to be abolished. The abolition of the position, rather than the taxation treatment of the payment, is the relevant consideration for the purposes of the applicable RBF arrangement. Accordingly, the change in taxation treatment does not affect an employee's eligibility for benefits under those arrangements.

## RECOGNITION OF VISITORS

**Mr PRESIDENT** - Honourable members, before calling orders of the day, I'd like to welcome to the President's Reserve Mr Josh Rodrigues. Josh is the Procedural Support Manager in the Department of the Legislative Assembly in the Northern Territory. He is participating in the Australia and New Zealand Association of Clerks at the Table Exchange Program. This week Josh will spend time in the Legislative Council and in the other place and also with parliamentary staff in Legislature General to understand the structures and function of our bicameral parliament and will no doubt return back to the Northern Territory with a strong recommendation that they adopt a bicameral parliament system. I know that all members will join me now in making Josh welcome to the Legislative Council.

**Members** - Hear, hear.

## MOTION

### Wilkinsons Point Land Sale

Resumed from above (page xx).

**Ms THOMAS** - Before the lunch break, I was talking to part 9 of my motion, and I'm calling on honourable members to join me in calling on the government to do here in relation to the proposed sale of land at Wilkinson's Point.

More than six years after negotiations commenced, there is still no final master plan, no completed subdivision framework and no settled infrastructure obligations in relation to the proposed development of land at Wilkinsons Point. The Auditor-General found the parties had not progressed beyond the first step of the disposal process, and that is agreement on a master plan. Asking for that plan before the agreement is signed is not an unreasonable new hurdle.

Its asking the government to complete the foundational work that should already underpin such a transaction.

The second request is disclosure of the proposed sale terms, the land to be transferred, the sale price, the purchaser obligations, the timeframes, conditions, protections for the state and all infrastructure, site preparation, remediation, concessions, incentives and other costs that are to be met by taxpayers associated with the proposed sale of this land. This is the information needed in order to be able to judge value for money.

A sale price cannot be separated from the obligations attached to it. If the state receives several million dollars for land but commits tens of millions of dollars to make a private development possible, Parliament and the public are entitled to see that full equation. They should also know what the purchaser is required to deliver, by when, what security stands behind those obligations, and what remedies are available if the promised development does not occur.

The PAC's final report strongly supports this approach. Recommendation three calls for a final master plan identifying projected public costs and benefits, sale terms, purchase obligations, land boundaries, infrastructure staging, economic impacts, risks and community benefits before any binding agreement is finalised. PAC Report also recommends that the proposed binding agreement be tabled in each House at least 30 days before it is signed. That report was tabled after I lodged my motion. It's evidence and unanimous recommendations therefore provide independent confirmation that the requests in part nine of this motion are measured, practical and necessary.

The third request, as amended, is that the government formally engage with Glenorchy City Council on the proposed sale terms and master plan. The motion as first drafted called for the government to seek the council's formal endorsement, but having reflected on that wording and spoken with the council's chief executive officer, I concluded that it could place an unfair expectation on the Glenorchy City Council. The state government owns the land, the people of Tasmania in fact own the land. The state is conducting the negotiations, and it is the state who will decide whether to sell the land and on what terms.

Glenorchy City Council should not be made responsible for endorsing a commercial transaction it did not negotiate, nor should the state be able to shift responsibility for its decision back to the council. We've already seen it trying to do that. Formal engagement is a fairer and more appropriate requirement. It ensures the council is given a genuine opportunity to review and provide feedback on the proposed sale terms and the master plan before the sale agreement is finalised and before the master plan is submitted to the planning authority for formal approval.

It's important that it's not just the master plan, but the sale terms that the council is consulted or engaged with on because the last thing the Glenorchy community wants to see is a sale agreement that doesn't have protections there for land banking, for land to sit there undeveloped for years, for there not to be buyback provisions, things like that. The engagement with council should be early enough and substantive enough to make a difference. It should not consist of presenting the council with a finished deal and inviting comments after pretty much every material decision has been made.

The local council has responsibilities for local roads, public spaces, community facilities, land use planning and the long-term strategic development of the broader municipality. It understands the local infrastructure network and the community's expectations for the precinct. It is also the closest elected level of government to the residents who will live with the consequences of that development. Engagement will allow the Council to assess whether the proposed terms and master plan align with strategic objectives for the area, whether transport and service connections are workable, whether public access and amenity are protected, whether staging creates any unacceptable risks, and whether the community's voice has been properly represented.

Importantly, formal engagement does not compromise the council statutory role as a planning authority. The council should not be asked to prejudge a future planning application. Its strategic and operational feedback on a master plan and proposed transaction is different from, and must remain separate from, its later assessment of any planning application under the relevant legislation.

The fourth request in part nine of my motion is that parliament receive a reasonable opportunity to consider and debate the proposed transaction before any sale agreement is finalised. The word before is crucial. Tabling an agreement after it has been signed may provide information, but it does not provide accountability in any meaningful decision-making sense.

Parliament cannot scrutinise the risks, question the costs or identify missing protections if the government's answer is that the contract is already binding and cannot be changed. Parliament cannot work to make the deal better for Tasmanians after it has been done. We need to look no further than the government's agreement with the AFL for a reminder of how damaging and frustrating withholding this opportunity is.

This part of the motion is asking the government to allow scrutiny without giving parliament the role of negotiating the contract. It preserves executive responsibility while recognising parliament's duty to examine significant commitments involving public assets and public money. That's the theme of the week.

Members should also remember what the government told us during the June matter of public importance debate. The government acknowledged that the community was entitled to expect the site would not be disposed of lightly. The government said the potential benefits did not remove the need for proper process. It said scrutiny should continue and that the process must be sound, the public interest protected and proper value secured for Tasmanians. Part 9 of my motion simply turns those assurances into a clear and testable process.

Finally, the motion provides an alternative. If the government is unwilling or unable to disclose the proposed transaction before it binds the state, it should end the exclusive negotiations and test the open market. An open tender would allow the government to establish whether other proponents, uses, or development models could offer better value, stronger community benefits, lower public costs, or a more integrated approach with Dowsing Point. It would not prevent LK Group from participating, if it so chose. If its proposal is the strongest, it could be assessed as such through a competitive process. The Property Council told the Public Accounts Committee that a disposal of public land of this significance would ordinarily involve an open market process, expression of interest, or another competitive test of value. The PAC found that none occurred here. Senior departmental advice also recommended ceasing

negotiations and considering an open market process when projected site activation costs escalated, as we heard - over $100 million.

Competition is not an ideological preference. It is a practical mechanism for testing value and reducing the risk that the state becomes anchored to one proposal after years of sunk time and effort - almost seven years - because, after more than six years without a binding agreement, it is entirely reasonable to say that the exclusive pathway must either produce a transparent, demonstrably beneficial and properly scrutinised proposal or come to an end.

We now have a substantial body of independent and parliamentary work on this matter. The Auditor-General concluded that State Growth's processes from 2019 to 2025 were inadequate and did not support the identification and effective management of risk. He identified the absence of a business case, changing policy parameters, reactive advice, premature reserve price work, and the disclosure of the valuation report, contrary to the Valuer-General's advice. Disappointingly, the Auditor-General's examination of the matter was also limited because he could not access Cabinet documents.

The Public Accounts Committee then heard from the Premier, departments, Treasury, the Valuer-General, Glenorchy City Council, LK Group, and the Property Council. It found no binding agreement, no final master plan, no current transaction valuation, no completed subdivision framework, and no settled infrastructure obligations. It found the proposal had never been subject to an open market test and it recommended disclosure, integrated planning, formal governance, council engagement, parliamentary scrutiny, and review of both the statutory framework and the arena lease.

The committee went further and called on the government to pause negotiations until it responds to recommendations 1-3, which asked the government to table a status report in both houses by 30 November 2026. The government still has time to comply, and I strongly urge it to do so fully and constructively, but reports cannot become a substitute for action. The government cannot point to the existence of scrutiny as proof of its own transparency, while declining to release the very information that scrutiny shows are needed. Nor should negotiations simply continue on the same basis while reports are acknowledged, noted, and placed on a shelf. In June, the government told this Chamber it will consider the PAC's findings and recommendations carefully. The report has now been delivered. The government should respond and its response should be visible in the way this transaction is handled from this point forward.

In conclusion, this motion does not ask the Council to decide today whether the land should be sold to LK Group. It does not ask the Council to reject development or private investment. It does not ask parliament to negotiate what is a commercial agreement. It asks the Council to insist on the information and process necessary to know whether the proposed transaction is genuinely in the public interest before the public is bound by it. Tasmanians should know what land is proposed to be sold, specifically, what development is promised, what it will cost them, what risks they will retain, what obligations the purchaser will carry, how the local council and community have been heard, and what protections apply if the development does not proceed.

The government has had years now to negotiate, The Auditor-General has reported, as has the Public Accounts Committee. This Chamber has debated the matter now more than once, yet the public still does not have the proposed master plan, the complete sale terms, the full

public cost, or the agreement allocating infrastructure responsibilities. In fact, we don't even know if the government has all those things set out clearly.

The choice offered by this motion is fair. Bring the proposal into the light before it is signed, engage with the Glenorchy City Council and allow parliament a reasonable opportunity to consider it, or end the exclusive process and test the market.

Public land belongs to the public. The government may administer it, negotiate over it and, where justified, dispose of it, but it does so on behalf of Tasmanians and it must be accountable to them. After almost seven years, Tasmanians should not be asked for more patience and more trust without any more information. Tasmanians deserve a process that is open, defensible and demonstrably in their interests. I commend the motion to the Council.

[3.15 p.m.]

**Ms RATTRAY** (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I acknowledge the honourable member for Elwick in her continued interest in her patch, of course. Wilkinsons Point is an important public asset. Any proposal concerning its future deserves careful consideration. The government recognises its responsibility to ensure that decisions involving Crown land are made in the public interest with appropriate regard to transparency, probity, value for money and the long-term interests of the Tasmanian community.

The government believes that it's important to consider this proposal in its broader context and remains committed to partnering with private enterprise to unlock investment, create jobs and drive economic growth across our state. The proposal for a multi-use precinct at Wilkinsons Point represents a significant opportunity to do exactly that. It has the potential to create opportunities for local suppliers, support employment during construction, activate an important waterfront location and provide opportunities to support a potential expanded ferry network that could improve connectivity across Greater Hobart.

But the significance of this proposal extends beyond Wilkinsons Point itself. The redevelopment of Wilkinsons Point is also key to unlocking the potential of the adjoining land at Dowsing Point. Dowsing Point represents one of the most significant opportunities available to help address Tasmania's growing housing needs. It has the potential to accommodate up to 1000 new homes alongside open space, community infrastructure and a mix of housing options to meet the needs of our growing community. For decades, this area has been tied up in the Commonwealth Defence holdings, limiting its potential and preventing us from making full use of the well-located land that could support Tasmanian families. Unlocking this land presents an opportunity to deliver new homes, new community spaces, and new opportunities for growth. That is the broader opportunity, and it is one the government believes warrants serious consideration.

There is an important precedent worth remembering when considering the future of Wilkinsons Point: the transformation of the Derwent Entertainment Centre, now MyState Bank Arena. For years, the Derwent Entertainment Centre was losing millions of dollars, with taxpayers effectively carrying the cost year after year.

**Ms O'Connor** - Still are.

**Ms RATTRAY** - The facility needed a new direction. The government faced a difficult choice: continue to absorb significant public losses or pursue a redevelopment that carried its own risks, particularly in the middle of the COVID pandemic. There was no guarantee that redevelopment would succeed. Undertaking major renovations during COVID was a significant undertaking and the outcome was far from certain.

The then-premier, Peter Gutwein, and his team wanted to get things done. Rather than accept the status quo and continue to expose taxpayers to substantial losses, they pursued a new direction for the facility. The redevelopment and subsequent management have done a great job in turning the venue around, creating a stronger platform for its future and allowing Tasmanians to benefit from a revitalised facility.

Continuing to do what has always been done can come at a considerable cost. Equally, pursuing a new opportunity requires careful planning, proper consideration of the risks and a clear focus on the public interest.

The government is not suggesting that the outcome at Wilkinsons Point is guaranteed, nor that development should proceed regardless of the terms. It is important to be clear about where the proposal currently stands. The Crown land at Wilkinsons Point has not been sold. There is no final sale agreement. The parties have not yet agreed on a master plan for the precinct, and the process has not progressed beyond stage 1 of the land sale process. There is also no settled timeframe for a final decision.

The department of Premier and Cabinet, and Building Tasmania, have re-engaged with LK Group since May 2026. Discussions have included: the master plan, the potential development and activation of the site, the MyState Bank Arena lease, and how the precinct might integrate with the adjoining land at Dowsing Point. There remains a significant number of matters to be negotiated before the government could consider a sale agreement, or any formal offer to sell the land.

The government is undertaking a process of consideration and negotiation. That process must be allowed to establish whether a proposal can deliver an appropriate outcome for the state. Negotiations are focused on securing the best outcome for the Crown, including retaining ownership of MyState Bank Arena, and the land required to meet its current and future needs.

MyState Bank Arena is an important sporting and events facility. Any potential development must recognise the arena's operational requirements and ensure that sufficient land remains available to support its continued use and future needs. The government is also considering the requirements of future transport infrastructure, including potential ferry terminal and park-and-ride, or park-and-sail facilities, as well as the long-term widening of the Brooker Highway. Public access and amenity are also important considerations.

These are not matters that can simply be dealt with after the fact. They must be considered as part of the planning and negotiation process, so that the state's interests are protected from the outset. The objective is to unlock the potential of the precinct at the minimum reasonable and necessary cost to government, while ensuring the state is not left carrying inappropriate risks or obligations. Any proposal must be assessed against the public interest, value for money, risk allocation, probity, deliverability, and all relevant legal and commercial considerations, including the statutory process for the sale of surplus Crown land. No final decision will be made unless the government is satisfied the proposal is appropriate.

The motion raises questions about transparency, including the potential release of a master plan, proposed sale terms, and other information, before a binding agreement is entered into. The government has made clear that it intends to be as transparent as possible with the Tasmanian public, subject to commercial confidentiality. That remains the government's position. There is a legitimate public interest in understanding the nature of a proposed development, the benefits it may deliver, the obligations of the parties and the potential implications for the state. At the same time, negotiations of this nature involve commercial, and legal considerations that must be managed appropriately.

As negotiations progress, further information will be required to establish the precise land that might be subject to a potential sale, the proposed development, and the obligations that would apply. The government's approach is to continue working through these matters before reaching a decision.

The motion also refers to the Auditor-General's 2025 report, concerning the proposed land sale. Building Tasmania has implemented changes to its processes and governance arrangements in response to the findings of that report. Those changes form part of ensuring that the proposal is considered through appropriate processes and governance arrangements. The government recognises the importance of getting these matters right. The scale and significance of the opportunity make that responsibility all the more important. The motion also refers to the statutory process governing the sale of surplus crown land. That process includes the assessment of a proposal, valuation, determination of a reserve price, ministerial consideration, an execution of a written contract and settlement.

The relevant statutory requirements must be observed before any disposal can be completed. As already outlined, the current proposal has not progressed beyond stage one, the parties have not reached agreement on a master plan, and the government has not reached a final decision to sell the land. The government will consider the proposal in accordance with the applicable legal and administrative requirements.

The motion calls on the government to provide further information, formally engage with Glenorchy City Council on the proposed sale terms and master plan and provide parliament with an opportunity to debate the transaction before any agreement is finalised. Alternatively, it calls on the government to abandon the current negotiations and offer the land through an open and competitive tender process.

The government understands the importance of appropriate local and parliamentary scrutiny of significant public assets. However, it would be premature to determine the final arrangements for a transaction that has not yet been agreed and for which there is no final sale agreement. The government must first establish whether a viable proposal can be negotiated, what land might be involved, what obligations would apply and whether the overall outcome would represent value for money for the state.

Now returning to the broader opportunity, because it is an important part of this discussion. Tasmania needs investment. Tasmania needs projects that support local businesses, creates jobs and encourage economic activity. We also need to make better use of available land to help meet our housing needs and support growing communities. Wilkinsons Point has the potential to contribute to those objectives.

A well planned multi use precinct could bring new activity to the area, provide opportunities for local suppliers and support employment during construction. It could also help create the conditions for improved transport connections across Greater Hobart. The adjoining land at Dowsing Point adds another important dimension to that opportunity. The potential to accommodate up to 1000 homes supported by open space and community infrastructure, as I've already said, represents a substantial opportunity to increase housing supply in a location that has been constrained for many years.

These opportunities are connected. The planning and development of Wilkinsons Point must consider how the precinct integrates with Dowsing Point and how the two areas can contribute to a broader vision for Hobart's northern suburbs.

That does not mean the government should proceed at any cost, it means the government should undertake the necessary work to determine whether these opportunities can be realised in a way that protects public assets, delivers value for money and produces a positive outcome for the Tasmanian community. The government is considering the opportunity, negotiating the relevant matters and assessing what would be required to deliver an appropriate result. Wilkinsons point is a significant public asset, and the government accepts the responsibility that comes with considering its future. I will repeat, there is no final sale agreement, there is no agreed master plan and there is no settled time frame for a final decision. The government's focus remains on securing the best outcome for the Crown, protecting MyState Bank Arena and its future needs, maintaining public access and amenity, safeguarding transport infrastructure opportunities and minimising the necessary cost to taxpayers - at the same time recognising the potential benefits of unlocking Wilkinsons Point and the adjoining land at Dowsing Point. There is an opportunity to attract investment, support local employment and improve connectivity.

The government will continue to assess this opportunity carefully and responsibly with due regard to the public interest, value for money, probity and the applicable legal requirements.

[3.30 p.m.]

**Ms THOMAS** (Elwick) - Mr President, I don't know about other honourable members, but I don't know what I was worried about. The government's got this. All under control and saying all the right things. I don't know what I had to be worried about listening to that response, right?

**Ms Forrest** - You will sleep well tonight.

**Ms THOMAS** - They say all the right things, Mr President. They say all the right things, but doing them is a different thing to saying it, and based on the track record of this government, sadly, Tasmanians can't just take their word for it. As a member of parliament, representing my community, I can't just take their word for it. What I'm asking for in this motion was a commitment, acknowledge, as was repeated by the Leader in response numerous times, there is no final sale agreement, there is no final master plan. It's exactly what I was saying. So, we have an opportunity here. Those things aren't final, so there is opportunity.

**Ms Forrest** - After years.

**Ms THOMAS** - There is opportunity. After seven years we still have no final sale agreement, no master plan. There is opportunity and there is choice. There is choice here about do you proceed behind closed doors, do you be transparent or do you actually start again? That's the choice here. That's what the government's not being open and transparent about. There is a choice here for the government. They kept repeating that they recognise the importance of getting it right. Absolutely it is important to get it right. These things can and do take time, but also, you have to reconsider once you get to a particular point in a negotiation process, do we continue down this path? If so, why is that in the best interest of Tasmanians? They have not been able to properly answer that question.

The government has a choice here. It can be more transparent. The motion calls on the government, before any contract sale agreement is finalised, to provide this House with the proposed master plan and sufficient details of the proposed development and to disclose the proposed sale terms, provide the parliament with a reasonable opportunity to consider and debate the proposed transaction before any sale agreement is finalised. The government couldn't commit to doing that. Why not? If the government wants to earn the trust and respect of this parliament and of the people of Tasmania, it must commit to being more proactively transparent. That's the opportunity that's presented here. We're trying to help here.

We recognise the importance of getting it right. I recognise the importance of getting it right. Engage with members earlier, engage with the Tasmanian people about what you're intending to do and we're more likely to get a better outcome. We're less likely to be having these angry debates, we're less likely to be hearing concern and fear raised in the community if only you'd be more open and transparent or at least commit to doing that. That's all this motion was calling for.

It's one thing for the government to say all the right things, but still there is an opportunity to do the right thing here and to commit to doing the right thing when it comes to that time. It might not be available now, this might not be the time, but commit to doing that when that sale agreement is further progressed. Clearly there will be more to be said about this. There's an opportunity for the government to respond to the recommendations of the Public Accounts Committee, and there is a timeline on that. That's an opportunity for the government. So, I am disappointed in the government's response.

I appreciate the fact that the land has not been sold, that there is no final sale agreement despite in February 2025 the government pretty much making it look pretty clearly like it had sold the land. There still is no sale agreement. I reiterate that I support development of that land. It's a significant opportunity and it is important to get it right, but this is an opportunity here for the government to be open and transparent. The government has to remember that it is leading a minority and calls for openness and transparency on significant infrastructure and asset projects are going to continue and should continue because they belong to the people of Tasmania. It's the people of Tasmania's money and future that is at stake in any of these big infrastructure projects and the government has an opportunity to change the way it does things, to be open and transparent, and that is all this motion is asking for. So, I hope that other honourable members will support the motion.

**Motion agreed to.**

**MOTION**

## CommBank State of the States Report September 2026 - Consideration and Noting

[3.36 p.m.]

**Mr EDMUNDS** (Pembroke) - Mr President, I move -

> That the CommBank State of the States Report September 2026 be considered and noted.

I rise today to speak on the notice of motion standing in my name. I would like to seek leave to table the document.

**Document tabled.**

**Mr EDMUNDS** - Thank you, members. I'm aware that we have a crammed schedule and there are, as always, several important issues on our notice paper. I won't speak for long by Legislative Council standards, but this report flags some very concerning data about our economy, which I believe requires acknowledgement by the government and noting by this Chamber.

Returning in revised form with updated data and methodology, the quarterly CommBank State of the States index ranks the relative performance of the economies of Australia's eight states and territories across six key indicators: household consumption, business investment, dwelling investment, public demand, unemployment rate, and wage price index. Results from the six key indicators are combined into a single composite score, with the highest scoring state ranked first. The ladder now reads, for our sports fans, Queensland, South Australia, Western Australia, Northern Territory, Australian Capital Territory, Victoria, New South Wales, and coming in eighth, in last place, down from fifth last year, is Tasmania.

This report lays bare the grim economic situation Tasmania faces. We have the slowest economy in the nation and Tasmanians and Tasmanian businesses are dealing with the fallout. We have rising unemployment, dwindling essential services, and the closing of culturally and economically important businesses. The report shows how Tasmania has plummeted from best economy in the nation at the end of 2024 to last in 2026. Whilst household consumption has held up across the last quarter, a reduced rate in business investment and public demand has led to Tasmania dropping three places from fifth in the last 12 months, as I said.

It is true that several events overseas are impacting the economy, but this is also true everywhere. Having the slowest economy in the nation can only be credited to reckless spending and lacklustre oversight of government businesses for several years. While the Tasmanian economy has crashed throughout 2025-26, other states saw their economic performance improve, including Queensland, New South Wales, and Victoria. South Australia remains second and only Western Australia dropped from first to third due to wage growth ranking fourth and the unemployment rate ranking fifth. Tasmania ranked seventh and eighth, respectively.

How has the government left our economy worst in the nation? Major spending in 2025 to cover the $700 million blowout of the TT-Line ferry replacement can explain most of the relative drop in public demand this year, whereas the slowdown in business investment from 9 per cent at the start of the year to 2.9 per cent is the result of the government's response to

ballooning state debt by making cuts to essential public services and jobs. In the reporting of this, I think the government should stop clinging onto the sentiments of a handful of Tasmanian businesses informing the NAB Quarterly Business Survey at the start of the year as proof that Tasmanian business is booming and the best in the nation.

As recently as 13 October, this year, the Premier and the Treasurer put out a media release declaring, 'The latest NAB business survey shows Tasmania remains the only state with positive results for both business confidence and conditions.' Further saying,

> Tasmania stands out. We have the strongest confidence in the nation and are the only jurisdiction with positive results for both confidence and conditions.

Yes, Tasmania does stand out, but as this report shows, it's as the worst economy in the nation, captured by the comprehensive economic data informing the CommBank report.

The reality is Tasmania is in dire economic straits. If you don't believe the report, you can see the reality faced by Tasmanians and Tasmanian businesses, with media story after media story. Rising unemployment and wages not keeping up with cost of living, which continues to smash Tasmanian households. Already underfunded public health services, faced with even less funding and, as we've seen, tragically, at the expense of human lives. We've seen Boags Brewery in Launceston, the Liberty Bell Bay Smelter, and prominent hospitality businesses in Hobart shutting their doors. Manufacturers have been told they cannot access more power because no new energy capacity has been built for years. Regional industries who are promised stability are being reviewed and attempted to be shut down. And when an organisation did decide to invest in Tasmania, through the lawful sale of Rushy Lagoon, the government turned around and launched a political witch hunt. Who could invest in this state while the government is running an inquiry into why anyone would invest here? You cannot sell out Tasmania's traditional industries and stand idly as significant employers shut their doors and expect Tasmania's economy to grow.

The CommBank report also makes clear that further labour market deterioration should be a key concern for Tasmania as the unemployment rate remains the highest in the nation, having risen month to month, from 3.8 per cent in mid-2025 to 5.1 per cent today. This troubling trend is further conflated by Tasmania being the slowest growing, and oldest population, in the nation. With the RBA's objective to further increase national unemployment rates through their series of interest rate rises, the future of the Tasmanian market is not looking great. When combined with the reduction in wage growth, from 3.9 per cent at the end of 2024 to 2.9 per cent today, there is a clear risk of household spending on essentials declining, which was the only resilient economic indicator in the report for Tasmania. Add to the government's plan to fire 1700 public service workers, and the report's key concern for Tasmania, a deteriorating labour market, is all but guaranteed.

If this wasn't bad enough, the Deloitte Business Access September Report predicts ongoing economic stagnation for Tasmania in the coming years, due to worsening unemployment, negligible population growth and major curbing of government spending on public services. For 2026-27, Deloitte forecasts a gross state product growth rate of only 0.8 per cent, compared to national average growth of 1.5 per cent and only an average growth rate of 1.5 per cent over the next decade.

Tasmania's gloomy reality reported by Commbank, and grim outlook forecasted by Deloitte, are cause for particular concern following the Tasmanian government's fiscal sustainability report 2026 from Treasury, which I think we've already noted a few times in this Chamber. As we heard when noting that, the FSR forecast Tasmania's debt peaking at $10 billion dollars. A $10 billion debt for a population just over 500,000 people. We must continue to examine the government's approach to the state's fiscal mess, and how this tracks with the budget repair models recommended in the FSR 2026. As a House of Review, it is critical that we scrutinise the budget decisions of this government.

To sum up, according to the report and other evidence presented to us, Tasmania's economy is at rock bottom. The national economic climate is forecast to be stormy for the coming years. The government's sole response to budget repair through brutal cuts to public services, is not only failing, it's costing Tasmanians their lives. This House must continue to call on the government to take the state's economy and fiscal situation seriously, and we should continue to ask Treasury for further modelling based on policies and budgets, as recommended in the FSR 2026.

This report paints a grim picture of our economy. You might disagree with this, but I'm not here to overdo the politics on this, but it is crystal clear that more needs to be done and problems need to be acknowledged and we need a pathway back.

**Ms O'Connor** - Stop the stadium.

**Mr EDMUNDS** - Well, I think it's a bit more complicated than that, member for Hobart. Problems need to be acknowledged, and we need a pathway back to a stronger economy to support and provide relief for Tasmanians. Mr President, I move -

**That the report be considered and noted.**

[3.45 p.m.]

**Ms RATTRAY** (McIntyre - Leader for the Government in the Legislative Council) - Thank you very much, Mr President, and the first part of the response will be on behalf of the government and the second will be on behalf of the member for McIntyre. When you talk about my patch, expect a response.

I rise on behalf of the government in response to the honourable member for Pembroke's motion. This report provides a useful snapshot of how Australia's states and territories are performing relatively to one another across the range of economic indicators, including household consumption, business investment, dwelling investment, public demand, unemployment and wages.

While no single publication can capture the full complexity of an economy, reports such as this contribute to informed public discussion and help identify both strengths and emerging challenges. The report ranks Queensland first among the states and territories, followed by South Australia and Western Australia. Tasmania is ranked eighth. Agreed. The report notes that Tasmania has fallen three places over the past year, regrettably, the largest decline recorded by any jurisdiction. Naturally, it is the Tasmanian results that are of greatest interest to this House.

As with all reports, it is important to consider context. While the report highlights recent softening in Tasmania's labour market and investment activity, longer-term economic indicators show Tasmania's economy has strengthened significantly over the past decade, with employment up 45,035 jobs, 19 per cent since 2014, gross state product increasing from $33.6 billion to $42.8 billion. Exports rising from $2.8 billion to $5.4 billion and household spending increasing from $11.2 billion to $20.3 billion.

The report identifies household consumption as a relative area of resilience for Tasmania. Despite a challenging national environment, household consumption grew by 2.1 per cent over the year, ranking fourth nationally. On a per capita basis, the report notes that Tasmania recorded the strongest result in the country.

However, the report also highlights a number of areas of concern. Most notably, Tasmania's labour market should be considered in a longer-term context. More than 45,000 jobs have been created since March 2014. There are currently 280,135 Tasmanians in work and the unemployment rate remains 2.7 percentage points lower than the 7.9 per cent recorded during the 2013 recession. Employment has also sustained a historically strong run over the past five years despite ongoing economic pressures, including elevated interest rates and challenging national conditions.

Importantly, the report observes that some of the headline weaknesses reflect the unwinding of unusually large public investment activity, particularly the ferry-related expenditure that boosted economic activity in earlier periods. It argues that this has created a significant statistical base effect, especially in relation to public demand.

The report, therefore, serves as a reminder that economic performance should never be judged on a single measure alone. Tasmania continues to benefit from a number of strengths, including resilient household spending, relatively stable population growth and emerging opportunities associated with private sector investment.

The report specifically notes growing data centre activity in Tasmania, including major projects under development and construction. More broadly, the report highlights a national economy that is slowing, economic growth has moderated, housing markets are softening in many jurisdictions, and household budgets remain under pressure from higher interest rates and higher living cost. These challenges are being felt to varying degrees across all states and territories.

For Tasmania, the report underscores the importance of maintaining focus on the fundamentals of economic growth: supporting private investment, encouraging job creation, increasing workforce participation, facilitating housing supply and ensuring that major infrastructure investments translate into lasting economic activity and employment opportunities. These are the factors that ultimately determine economic prosperity, regardless of where a state happens to sit in a quarterly league table.

While members may differ in their interpretation of particular results, the government believes the report provides a useful contribution to understanding current economic conditions and the challenges and opportunities facing Tasmania and the nation.

In response to the honourable member who talked about the Rushy Lagoon situation, I'd just like to place on the public record that the community disappointment was not in relation

to the sale, as such, of the property - that was always going to be a given. When somebody's got something for sale then, ultimately, there will be potentially a sale down the track. Yes, there was a disappointment that it might not continue in the way that it had in the past as a grazing property, contributing significant economic growth to rearing cattle on that property. But the offence was taken by the $89 million that was provided by the federal government to purchase the property. That was where the offence was taken: $89 million of Australian taxpayer money for a purchase of an overseas investment company. That's where the offence took place.

Sadly, it will diminish our community - my community. There'll be fewer kids on the bus, there'll be fewer kids in the school, there'll be fewer kids to visit the shop and the pub, and so I'm disappointed. But to have it funded by the Australian Government: that's offensive. To boot, the federal government also gave them $8 million to buy some trees. Let's plant some trees, so here's $8 million, buy the trees. 'Oh, there'll be a lot of jobs because we'll put the trees in the ground'. Well, if anyone's been out there lately, and I think you might have been or will be coming soon, for Mannalargenna Day, it'll blow your head off and trees really struggle to grow. That's a fact.

That concludes my contribution on behalf of the government and the member for McIntyre - and yes, I am ramped up.

[3.54 p.m.]

**Ms FORREST** (Murchison) - Mr President, I rise to make a brief contribution. I did want to listen to what the Leader had to say on behalf of the government. I thank the honourable member for Pembroke for bringing this motion to the House for consideration.

Twice a year, CommSec ranks states and territories on eight indicators. It's not the final word on any economy, but it is useful. It's an independent and consistent snapshot. It measures each jurisdiction against its own 10-year average. That's why the fall is significant. So, it's a fair test of whether we are doing better or worse than our normal as well as in comparison to other jurisdictions.

The headline for Tasmania is mixed. On economic performance, we slip from fifth to sixth of eight. We're ranked last on three of the eight indicators. On annual economic momentum we will last. As the report notes, Tasmania recorded the slowest growth. The weakest performance on annual economic activity in the quarter is Tasmania down 0.2 per cent, followed by Western Australia up 0.8 per cent and Queensland up 1.7 per cent. That's what the report noted. If seasonally adjusted state final demand is used in real terms, comparing the latest result with long run averages, revealed some slight changes in the rankings with Western Australia performing better due to solid export growth, which is no surprise to anyone, I'm sure.

For Tasmania there is a glimmer of good news, or there was when this assessment was done. Tasmania ranked first on unemployment. Our trend jobless rate of 4 per cent is about a quarter below our decade average or it was when this report was done. Annual employment growth of 2.5 per cent is well above the national rate of 1.5 per cent and second only to South Australia.

This was before many of the staffing costs across the state service that would have not yet had full impact as well as many of those very disappointing and regrettable job losses in

recent business closures. Hopefully, many of those workers will be able to find alternative employment in a relatively low level of unemployment but remain to be seen how that flows through in following reports.

Housing finance is fourth. Lending grew by 19.4 per cent over the year, which is interesting. It's more than double the national rate and second only to Northern Territory, however, dwelling starts are only at 0.2 per cent. Hobart's inflation at 1.7 per cent was below the national rate of 2.1 per cent. The report also contains clear warnings that we should not ignore.

As I mentioned, Tasmania recorded the weakest annual economic growth of any jurisdiction. New vehicle sales fell by more than 9 per cent, the steepest drop in the country. Both are signs of households under pressure. It takes a while for some of those things to flow through. Wage growth of 3.1 per cent was the lowest of any state. So, real wages are rising, but slowly. Investment is softening. Equipment investment fell 3 per cent to over the year and construction work fell 3.6 per cent against a flat result nationally.

Housing supplies of particular concern, dwelling starts at more than 22 per cent below their decade average. I will just say that again, dwelling starts were more than 22 per cent below their decade average. In the last latest quarter, they fell 5.4 per cent, the largest quarterly fall in the country. I thought we were out there busy building homes for Tasmanians. Over the year starts rose just 0.2 per cent as I mentioned earlier, compared to 10.1 per cent nationally. That's why many people aren't coming here, they've got nowhere to live.

Strong growth in lending has not yet turned into homes being built. Population growth at just 0.2 per cent a year is the lowest in the country. That is barely above the 10-year low record at the end of 2023 and a fraction of the national rate at 1.6 per cent. CommSec attributes our position to - I love this term - anaemic private sector demand. It also notes that our momentum is being held back by slowing public investment and the move toward budget repair.

When we're spending public money, the private sector doesn't need to get involved as much, but now we're not, so the private sector needs to have space to come in. We're not seeing that particularly, perhaps FIRMUS being the only example, but they're in a bit of pain at the minute too. The last point needs to be considered as a point as part of our role here and ensuring budget repair does not lead to economic harms and further damage the state.

I appreciate this is a difficult balancing act that Treasury has provided advice and guidance on in the Fiscal Sustainability Report, the member for Pembroke mentioned. Much of the advice has not been taken by government in a holistic approach to this problem. For years, public spending has done a lot of work in supporting activity in the state. As the government rightly turns to repairing the budget, the private sector has to stump up or step up and, on these numbers. It is yet to do so.

That is the central challenge. Budget repairs necessary in the fiscal sustainability bidder report makes that clear, but it has to happen alongside conditions that let private investment, housing construction and exports recover. Otherwise, we risk a period where both public and private demand are soft at the same time, which is not a good position to be in. The report itself says Tasmania is waiting for a housing recovery and an export rebound, describes the outlook for private demand as modest. A low population growth needs particular-

**Sitting suspended from 4.00 p.m. to 4.30 p.m.**

## MOTION

## CommBank State of the States Report September 2026 - Consideration and Noting

**Resumed from above (page xx).**

**Ms FORREST** (Murchison) - Thank you Mr President, I'd almost completed it, and then I pointed it out to you in the break that I was actually looking at a previous CommSec report, but some of the reporting on it was from the most recent one that the member for Pembroke was referring to. So, if any of those figures are inaccurate, perhaps people go back and look at the 2025 report. That said, the reality is that we're still at the bottom of the table, and that's a concern, and that's referring to the matters that have been raised by Treasury in the Fiscal Sustainability Report, and the need to take those seriously.

Also, our population growth needs particular attention. It does affect our workforce, housing pipeline, share of national revenue and the viability of services in regional communities. A strong labour market, alongside very slow population growth, may also point to tightening workforce constraints ahead.

Rankings move from one report to the next, but from this one to that one, the one the member for Pembroke referred to, we are at the bottom. You can't actually, on overall ranking, but one addition shouldn't be read on its own without taking into context the trends and what happens before and after. The direction of travel does matter, though, in that trend, and so does honest acknowledgement of where we sit. We should take heart from our situation, but that is under pressure, and we need to be clear-eyed about the rest.

In the 2026 report, there's some reporting on it from CommSec. I know that the *Hansard* can't record tables, but there is a pretty interesting graphic there that shows that between quarter 2 2025 to quarter 2 2026, Tasmania is at the bottom of the rankings, falling behind New South Wales, Victoria and the Northern Territory, who they were ahead of, at that point. This is unlikely to pick up the cost of cost-cutting across the State Service, and we will need to remain very focused on the broader economy to ensure all Tasmanians have access to services, housing, employment and opportunities that is equitable.

Future reports do need to be considered in that light. We need to take this state of our economy seriously, and as we undertake our role here, ensure that we hold the government to account for decisions that may further harm the state's economic performance. I note the report.

[4.33 p.m.]

**Mr PRESIDENT -** Are you going to be minister or member?

**Mr VINCENT** (Prosser) - Member. Thank you, Mr President. I was getting very organised to speak on this, but I've thrown myself into chaos, if I'm allowed to admit that. I must be sitting next to our Leader, who quite often swings from being a Leader to member for McIntyre.

**Ms Rattray** - And gets a bit wound up too, occasionally.

**Mr VINCENT** - Occasionally, yes, I've heard that about that.

I thank the member for bringing this report to the Chamber, and it is part of what we need to do: look at so many different things. But so many of these reports are a snapshot in time from a different point of view. Sometimes from self-interest, sometimes from a broad economic view, but they are very concentrated views. Having grown up all my life in family businesses, with small family businesses and then multi-national family businesses, for the last 30 years owning my own family businesses that you live and die by some of the things in this report. You live and die by a lot of the pessimistic views that people peddle all the time, and we hear some people using numbers to say a glass half full, some to say half empty or just about fully empty. That can change the environment that we live in so quickly, being pessimistic and things, instead of being positive, or taking those negative numbers and actually being realistic about what they affect in life.

We're seeing an economy driven over the last umpteen years by more and more duopolies, monopolies by multinational companies that are gradually forcing all the family businesses out of business. If you look, there's hardly a news agency left, there's hardly a butcher's shop left, all the fabrics, there's hardly a milk bar left. I can't think of any real milk bars that are left around. There are not many takeaways left around. It's all multinational. It's a changing trend in business, but it's also a changing trend in employment, the family unit and everything else that makes up our communities. We can read stats until they come out of our ears; it doesn't make a lot of difference on a day-to-day basis, but it does affect a lot of those people that have their businesses reliant on parts of the economy that are directly affected. I sort of feel very lucky, now that every fortnight I have a salary; a comfortable salary goes into my bank account, and I haven't had that for 30 years. I've had to live and breathe, and my staff, on what I can affect and earn in my business and keep a profit coming through at the end of the month. So, these figures are real to me and very important to me.

What threw me into chaos the other day last week was listening to a person I respect enormously, Dr Lisa Denny, talk about population and what it is doing. I was at a council engineers' function, and it fitted so perfectly yesterday morning when I just had that printed off and she sent me details of what she'd said. I quite often look at the housing market, and I could really understand what Dr Denny was talking about with changes in population and how that was affecting.

We're seeing, and I think it was just touched on by the member for Murchison before, too much government spending. And we're seeing that Australia wide - not just in Australia, other countries as well. But nationally, and here in Tassie and most other states, where lack of private investment in the home market and the cottage market, if we can call it that, is driving a lot of people away from spending that money in the local community and it's being replaced by governments. Because the government spending on homes is so great in every state now, people are of the opinion, 'Well, we don't have to do the same thing ourselves because of the different market now.' That's sad in one aspect, that we've taken away, and we've seen the recent tax changes, how it's dramatically affected the amount of confidence in people building investment places.

The banks don't mind because they are still making their record profits year on year on year, so it's very easy for them to just run the numbers. But it's a balancing act that the member for Murchison also talked about of understanding where those numbers are that we have to

work from every day. It's very easy to be critical of a government or critical of a business or a council on what they've got to do, but the ability to take those numbers and do the very best you can, short term, medium term and long term, is something that we don't always appreciate, whether it's a small family business or a council or a state government. We are here in a small window of time, but every decision we make does affect the economy and where companies, banks and a lot of other organisations put out these reports that either show something that is totally negative or, in some cases, positive. The real estate market lives and breathes on it.

I'm sort of fortunate at the moment that my menagerie, if I could call it, of portfolios and GBEs come together into one big area that this report has some direct input into. I'm not sure where the answer is other than to understanding what we need to do to understand our community going forward. One thing we do, we all stand up and say, 'Bad, bad government,' or 'Bad, bad decision,' but we all stand up and say, 'We want.' I haven't heard too many people give out a list of how to fix things or how to do things differently. It's all very broad-brush knocking of it. But, I guess, in my muddled reply here or discussion on this, I warn everybody that I try to be as honest and as realistic as I personally can on every subject that comes before here, and I feel that in my portfolios, I need to get my headspace into a lot more of the demographics that Dr Lisa Denny has put so simply in times.

We have entered into an area where our population - and I'm not just talking about Tasmania here - Tasmania is certainly seeing these effects, but it is also nationally and most countries right around the world where hyper-ageing is starting to happen and less children into the family. I can remember when it was 2.7 and 2.4. I think it's 2.1 at the moment for the family and about to drop below 2.0. When you look at it, we've just moved, in the last year or two, into the number of children 0-18 is now 8000 fewer than at the turn of the century and the amount of people coming through in the early ages now is in decline. It's a gradual decline, but over the next hundred years it's going to have a significant effect. At the same time, we talk about hyper-ageing. and Lisa certainly goes into a lot of detail on hyper-ageing and what that means. It's a very slow drip to understand what it's doing. It will certainly have an effect on these figures for years to come. Our economy might be going in one direction, but our lack of youth coming through for lack of jobs earning to pay the taxes that will keep the aged people in a pension or a house is quite significant.

There are a lot of details that could go into around the report that the member has raised today, but I want to say it is not just scary from the point that we've dropped a little bit on it, it's also riveting to try to understand and dig into that; what it's going to mean for our grandchildren over the next 10, 20, 50, 100 years and what we may need to do. I know that I'll be up here at the lectern a little bit more, a lot more during next year, because this year is not that far to go, so I'll say next year in understanding a lot more of our planning, a lot more about roads, a lot more about infrastructure spending, about where it really needs to be, based on our population forecasts and what effects that would have so we're not wasting dollars.

In finishing I'll also say that the other thing we need to get our head around is real immigration and proper immigration, because when you look at it, yes, we haven't got the houses around. A lot of that's taken up with a lot of new Australians coming in. However, we need to make sure that that's the part of our economy that is actually adding to our communities and adding to the vibrancy of Tasmania and Australia. So, there's a lot of detail I'd certainly like to bring forward in future discussions, but I will say it is important that we understand that these reports that we see from time to time are snapshots of a given moment, and we have to

be better than just using that report to bash the government. We need to be smart enough to use that report to understand what's around us and how we can do things better for our state.

[4.44 p.m.]

**Mr EDMUNDS** (Pembroke) - Mr President, just to note the report and the fact that it is an ongoing snapshot that uses consistent metrics to measure what it is. I think also in my initial comments, I didn't make out that it was just about bashing the government, but about having an acknowledgement of the problems that we face. There's some other information there and perhaps that demographic report might be a report we can debate in the new year. Thank you.

**Motion agreed to.**

## CONVERSION PRACTICES PROHIBITION BILL 2026 (No. 45)

### Second Reading

[4.44 p.m.]

**Ms O'CONNOR** (Hobart) - Mr President, I move -

That the bill be now read a second time.

The Conversion Practices Prohibition Bill of 2026 recognises the fundamental human right of people to live as who they are, free from the harm caused by those who don't or won't accept the reality of human diversity and matters of sexual orientation and gender identity - those who believe there's something wrong with them, who seek to change them, to suppress or eradicate their fundamental nature.

It is our right as human beings to be free from discrimination, vilification, harassment and harm on the basis of a wide range of attributes, including our sexual orientation and gender identity. Tasmanian law reflects that through the *Anti-Discrimination Act 1998*. The bill we debate today seeks to strengthen that protection from the harm caused by, at best, a misunderstanding of human diversity - the very biological, emotional and psychological facts of it - and at worst, ignorance, prejudice and a faith in junk science.

Australia has recognised that love is love. Whether a consenting adult who is straight, lesbian, gay, bisexual, transgender, born with a range of sex characteristics, asexual or agendered. We have legalised marriage equality, fought as it was every step of the way by most of the churches and the reactionary right. Love won; the sky hasn't fallen in. There is equality before the law for LGBTIQA+ people, and Australia is a better place for it.

In the same way, should Tasmania follow the lead now set by other jurisdictions and prohibit conversion practices, our island will be a kinder, safer place for the significant proportion of our population who identify as LGBTIQA+. The Conversion Practices Prohibition Bill of 2026 prohibits practices and conduct aimed at changing, suppressing or eradicating the sexual orientation or gender identity of a person. The bill provides a tiered approach with an education, prevention and response scheme (EPRS) for lower-level conduct and a new criminal offences for serious conduct.

The scheme allows for a person to make a report about a conversion practice that's happened and establish a voluntary process facilitated by the Conversion Commissioner, where an agreement can be reached, the report can be referred to the tribunal for assessment. The scheme also provides for the commissioner to proactively investigate serious or systemic conversion practices and to publish findings as well as accept an undertaking or issue compliance notices to prevent conversion practices.

For serious conduct, the bill establishes criminal offences for engaging in conversion practices that cause injury and for taking a person outside Tasmania for conversion practices.

Conversion practices that aim to change, suppress or eradicate the sexual orientation or gender identity of another person often present as pseudoscientific or pseudo medical practices. These practices are based on the twin beliefs that change of a person's sexual orientation or gender identity is possible and desirable or even necessary.

Both conversion practices and the beliefs behind them are firmly rejected by medical and scientific evidence and the experience of survivors. The Australian Psychological Society position statement on conversion practices reads:

> Approaches to mental health practice, variously referred to as 'reparative', 'conversion' or 'ex-gay' therapy are based on the assumption that being lesbian, gay, bisexual, transgender or queer is indicative of a psychological dysfunction and that this can be 'cured'. No professional health organisation in Australia supports these approaches for the following reasons:
>
> 1. There is no clinical evidence demonstrating that approaches that claim to change or suppress a person's sexual orientation or gender are effective.
>
> 2. There is, however, a considerable body of evidence documenting the negative effects of stigma associated with being a member of the LGBTQ plus communities, including higher rates of depression.
>
> 3. There is also clinical evidence that change or suppression practices are harmful and can compound the challenges already faced by LGBTQ+ communities.

The Tasmanian Law Reform's 2022 report on conversion practices found the harms caused by them include isolation from and loss of trust in religious leaders or medical professionals, low self-esteem, self-hatred, anxiety, depression, trauma, substance abuse, a reluctance to seek medical treatment, suicidal ideation, suicide attempts and suicides. It also found that -

> These harms often last for many years and trauma can persist for life for survivors.

The TLRI found that conversion practices still happen in Tasmania. Forty-six submissions to the institute reported people being offered or undergoing conversion practices. Other submissions implied or directly stated that they conduct conversion practices in Tasmania. Prevalent studies have estimated between 5 and 14 per cent of Australian LGBTIQA+ people have been exposed to conversion practices.

The TLRI report contained testimonials from people who had undergone conversion practices. They showed these harmful practices are not confined to the past and highlight the risks of allowing even so-called 'consensual' conversion practices. This account is from a then-25-year-old trans person -

> My faith is a huge part of who I am. It's the foundation of me. Back when I was at

- a school that has been redacted -

> I wanted to join a social group for my faith, and since service to others in the community is a core value of my faith, I wanted to be an active member of that group. For a while it was great - I was part of the group's music crew and volunteered at events and it seemed to be a really warm, loving community dynamic.
>
> And then they found out I was trans.
>
> Suddenly, I got booted out of the music crew and got banned from volunteering. I was told by the group's leadership that I could still be a member, but only if I 'abstained' from being who I am and didn't ever mention it again. They prayed for me to be 'healed'.
>
> The sense of whiplash was incredible. Being cut off from my faith community so suddenly, it was like I couldn't breathe. They said I could rejoin the music crew on the condition that I denounced my identity publicly and went to regular 'healing' prayer sessions. For a while I tried to continue attending the group's events, pretending I was a good little cis-het girl just to be there, but I couldn't keep it up. Everyone had suddenly become so cold and knowing that my acceptance in that community was contingent on me lying about who I am - that damage was done. I couldn't be at home there anymore, and I couldn't trust any of those people. It hurt so bad, like my family had died but was somehow still standing around making small talk with each other.
>
> It totally destroyed my self-worth, I hated myself. I started drinking myself into oblivion every night, sleeping with strangers compulsively and putting myself in unsafe situations. I thought I deserved to suffer and I was going to hell anyway so I might as well get there a bit quicker.
>
> I guess I'm one of the lucky ones in that it didn't end up actually stopping me transitioning, and I made it to a better place eventually. But I lost so much.
>
> Honestly, I still don't trust any faith groups. I haven't been able to be part of any since. I don't know how to find a church community where I'll be able to feel safe, and not like they might suddenly turn on me. My faith is still the core of my identity, but trying to find other people to share that with is too much for me most of the time.

The next account is from a 28-year-old trans person.

> When I - utterly terrified - finally told my pastor I was trans and asked him if there was any hope for me, his tone didn't really change. He'd always been worried for me, and he stayed as gentle and kind as he'd always been. But gently, kindly, he told me that queerness was a kind of spiritual brokenness and I needed to be healed and it was part of his calling to help me find my way back to 'what God intended' for me.
>
> To have the main authority and parental figure in my life tell me that who I was was fundamentally wrong and corrupted by the Devil? Saying out loud all the things my anxiety and depression had been saying inside my head? I can't explain what that felt like. Multiple times a week we'd have one-on-one 'Bible studies' that were all about convincing me to change my sinful heart and let God heal me. The other emotional and material help my pastor had been giving me all stopped.
>
> My girlfriend got taken in for compulsory 'faith counselling', too. They told her she had to break up with me, that she wasn't the right person to guide me back to righteousness, and that if she wanted to stay at that church, she wasn't allowed to talk to me or sit with me during services anymore. She needed the church community, so she stopped talking to me. I don't blame her.
>
> A month into my 'rehabilitation' I tried to kill myself. I left the church after that. I actually tried to kill myself a few times over the next few years. I guess I was pretty bad at it.
>
> I'd like to say I'm all better these days, but I'm not. I'm still totally fucked up. I can't hold down a relationship. My faith is a source of constant pain. I'm scared of Christians, but I'm a Christian still so I can't practice my own faith. I feel safest around other queer people who hate Christianity because of how it's treated them, but then I end up feeling like they hate that part of me and I have to keep that secret. I can't be my whole self anywhere. Deep down, I think I still believe I deserve to suffer. I don't know if things will ever get better for me, but any laws that could stop that happening to someone else are a good thing, as far as I'm concerned. [TBC]

What these and many similar stories show us are the actual experience of people subject to conversion practices. Some have advocated for this bill to allow consensual conversion practices to occur. These stories highlight the reality of what can actually occur in sessions that are airbrushed over with the relatively benign language of 'consensual pastoral care' and 'client-identified goals.'

In psychology and health practices, the requirement for agreeing to an intervention is not consent; informed consent is what it is. Informed consent must be free from coercion, manipulation or undue influence and must involve clear communication for the reasons and the risks of a treatment or practice. All major health and psychology representative bodies in Australia and worldwide have consistently denounced conversion practices, describing them as harmful and not effective in their stated purpose. These include the Australian Medical Association, Australian Psychology Association, the Royal Australian and New Zealand

College of Psychiatrists, the Royal Australian College of General Practitioners and the Royal Australasian College of Physicians.

It's not possible for conversion practices to practically occur with informed consent because the underlying principles require agreeing that a person can and should change their sexual orientation or gender identity. These are both soundly discredited claims. They're also contrary to professional standards for relevant health professionals. It is not plausible that a person would willingly and freely agree to undergo a conversion practice if they understood it would fail to meet its stated purpose and it was likely to cause significant harm. The reality is that the coercion people often experience is systemic, with multiple people or institutions convincing people that their self is broken and unless they participate in conversion practices they won't fit in or be accepted. In these situations, conversion practices don't need to coerce people; surrounding systems and institutions are set up to do it for them.

There are a number of amendments that were passed in the Assembly. Ms Johnston, Mr George, Mr O'Byrne, Mr Jaensch and the Premier engaged with us on amendments that added clarity and addressed areas of community concern. On behalf of the Greens, I warmly thank them for their engagement, just as I thank my honourable colleagues in here who, over the past couple of weeks, have engaged very constructively and openly on this bill. I'm really thankful for the collaborative way that it's been handled across both Houses. Dr Woodruff also moved amendments based on feedback from the honourable member Ms Palmer that added value to the bill, and I thank the minister for her sincere and positive engagement on the bill. That was done, of course, in the interest of children and young people and the guardians in their lives.

Clause 3 was amended by inserting a new subparagraph (v) into paragraph (b). This subparagraph clarifies that a serious breach of the positive duty is also grounds for an investigation, as per clause 39(a)(i). This better aligns the objects with the EPRS scheme and doesn't make functional changes.

A definition of 'guardian' was inserted into clause 4 and the term 'parent' in clause 5(4)(f) was replaced with 'guardian'. This was one of the matters raised by Ms Palmer who in particular wanted to ensure foster carers are captured. To place on the *Hansard* in this place, I can advise that, in the *Children, Young Persons and Their Families Act 1997*,

> ***guardian*** means -
> (a) a parent of a child; and
> (b) a person (other than the Secretary) who is the legal guardian of a child; and
> (c) a person (other than the Secretary) -
> (d) any other person (other than the Secretary) who generally acts in the place of a parent and has done so for a significant length of time.

While legal custody is not defined, it originally mirrored the term 'legal custody' used in the Commonwealth *Family Law Act 1975*, which has subsequently changed its terminology. However, the historic definition of legal custody in that act was:

> The right to have the daily care and control of the child, and the right and responsibility to make decisions concerning the daily care and control of the child.

Which we understand, covers foster care.

This clause was also expanded to include guidance, support or advice, in respect of sexual activity or religion, in addition to discussion. This is consistent with the original intent of this paragraph, includes a more inclusive term than 'parent,' and adds clarity for those concerned that 'discussion' was too narrow.

Other amendments were made to the avoidance of doubt provisions in clause 5(4). Paragraph (b) was amended to include a sermon, religious education and pastoral care as well as prayer, in respect of an expression of a belief or principle. Prayer was originally listed as a non-exhaustive example, so these inclusions give additional clarity for the avoidance of doubt provisions, these are, and they remain, consistent with the original intent of this paragraph. These two amendments we worked through with Mr O'Byrne and the Premier.

Clause 5(4)(g) was also inserted to cover age-appropriate relationships and sexuality education. This is consistent with the kind of conduct that the bill does not capture and fits comfortably with the avoidance of doubt provisions. This was another amendment made based on discussions with the minister, Ms Palmer.

Avoidance of doubt provisions are important to appropriately balance, to ensure the intended security and comfort are provided, while avoiding the risk of undermining the bill. This has been a very careful process, and I again thank the members involved in these amendments for working through them constructively with us.

There are also a number of amendments to the principles in clause 8. Paragraph (b) was amended to change the language of 'should be welcomed, valued and respected' to 'have the right to be treated in a way that makes them feel welcomed, valued and respected.' Paragraph (c) now reflects that language of both the former paragraph (c) and (d), and paragraph (e) has been inserted, which provides that 'responses under this Act should, where appropriate, prioritise education and prevention.' All of these amendments are consistent with the purpose of the bill and the principles section. These amendments were moved by Mr George, the member for Franklin, who worked closely with us to address his concerns, while also balancing the intent of the principles and the strong views of the community and stakeholders on what these needed to cover.

The former clause 19 established employer liability for conversion practices offences. This was removed in the House of Assembly. I note that the bill is not primarily a punitive model, and vicarious liability remains in the bill in respect of the Education and Prevention Scheme. The minister, Mr Jaensch had a particular interest in removing vicarious liability and retrospectivity from the bill. I'm advised that there were constructive conversations about this during debate in the House and, as I understand it, the supportive members were all, after discussion, comfortable with the removal of vicarious liability for the criminal provisions of the bill, but the retaining of vicarious liability for the Education Prevention and Response Scheme.

There are a range of amendments aimed at providing greater clarity and clearer detail regarding the relationship between a facilitation agreement and the tribunal process. The previous language of 'finally resolve,' in respect of a facilitation agreement led to some confusion. There was some concern that determining what constitutes a 'final resolution' may

be difficult in some circumstances. The amendments, instead of providing the circumstances in which a matter can be referred to the tribunal, allow for a referral to occur, so long as a facilitation isn't active, and instead clarify that a tribunal can't make orders contrary to a facilitation agreement unless it's in the interests of justice to do so. This framework makes it clearer what can happen in circumstances where an agreement has been reached that may not fully resolve all matters. Clause 39B in respect of when an investigation may occur was amended from conduct that amounts to a possible contravention of this act to a possible material contravention of this act. It was not the intention of the bill that an investigation would occur if a breach was not a material breach, and as such this amendment does not alter the intent of the bill.

I very much thank the Premier for working through this amendment with us to ensure explicit clarity for the appropriate threshold. Clause 52A was amended to reflect the fact that an investigation may relate to a positive duty contravention and clarifies that a compliance notice must also state grounds in this respect if relevant. Clause 52A was amended to reflect the fact that an investigation may relate to a positive duty contravention and clarifies that a compliance notice must also state grounds in this respect, if relevant.

Clause 53, vicarious liability, was also amended in response to matters raised by minister Palmer. A new subsection 4 has been inserted to clarify a range of matters that regard may be had to in respect of reasonable precautions. These provisions were prepared based on section 49H(4) of the *Civil Liability Act 2002*. This is a guidepost and a non-exhaustive list and does not alter the original intention of this provision.

Amendments were made to the terms of the review of the bill under clause 74. These include assessing the operation of the act in advancing the principles and balancing rights and freedoms with specific reference to freedom of religion, beliefs and expression, parental rights, the rights of the child and freedom from harm and discrimination. In addition, the effect of the act on healthcare, therapeutic and counselling outcomes for persons in relation to their gender identity or sexual orientation is also included in matters to be canvassed by the review.

These amendments were developed in discussion with the Premier. Again, it was a constructive process that allowed for balanced terms of reference that cover a full range of rights and freedoms. An amendment was also made to include agender in the definition of gender identity under the *Anti-Discrimination Act 1998*. An amendment was also made to explicitly outline the power of the tribunal to make an order that a person cease or refrain from engaging in a conversion practice. These two were introduced by Ms Johnston, the member for Clark, and the added clarity on these particular matters was valuable.

A series of amendments to remove any retrospectivity from the bill were also made. These were the removal of conversion practices as a reportable conduct and changing the application of limitation periods to be prospective only. I note, in respect of reportable conduct, the existing definition covers conduct that causes or is likely to cause significant emotional or psychological harm to a child. On this basis, we believe a conversion practice could reasonably be captured by this already, particularly in serious circumstances. The retrospectivity provisions are also worked through with minister Jaensch.

This is a bill where a wide range of matters have been subject to considerable discussion. It's testament to the goodwill and sincerity of members that these matters were all able to be worked through largely to the satisfaction of all members who are in overall support of the bill,

but more importantly, in many ways, largely to the satisfaction of advocates for this reform. A number of whom are joining us in the Council Chamber today, and I will get to them shortly.

I believe the good faith and collaborative nature of the amendments being worked through the House has put the bill in good stead for this place.

Clause 5 of the bill provides a definition of conversion practice as well as clearly setting out circumstances that are not a conversion practice. To meet the definition of a conversion practice, a practice or conduct needs to meet all the following requirements:

- it must be directed towards a person;
- it must be a practice or conduct motivated by that person's sexual orientation or gender identity or perceived sexual orientation or gender identity;
- it must be for the purpose of changing, suppressing or eradicating a person's sexual orientation or gender identity, or to induce the same.

There's been a lot of commentary regarding this definition, but I remind members that definitions around the country where these reforms have been brought in are extremely similar. This definition, other than the inclusion of the word 'eradicate', is the same as the definition in Victoria that's been in operation for five years, and very similar to the definition in New South Wales.

This bill has more criteria that must be met than in the ACT and Queensland, which do not require conduct to be motivated by the person's sexual orientation or gender identity. It is similar to South Australia. However, South Australia is the only jurisdiction requiring the conduct to occur more than once. Survivors and advocates are clear that this is problematically restrictive. Opponents of the legislation have proffered the South Australian definition as their preferred approach, but it's important to recognise that requiring conduct to occur more than once does not fundamentally alter the kind of conduct that is captured. We cannot think of any other examples of prohibited conduct that people get a free pass to do once to any number of people. This, in our view, would be extremely problematic.

I want to point to the government's definition of conversion practice in their draft 2024 bill. That said -

> Subject to this section, for the purposes of this Division, a conversion practice is a practice that attempts to change or eradicate the sexual orientation or gender identity of the recipient of that practice.

Our bill actually has an additional requirement to the government's 2024 bill in that the conduct needs to be on the basis of a person's actual or perceived sexual orientation or gender identity. The Attorney-General's definition in 2024 didn't include suppression but is otherwise similar to the construction of definitions across the country.

While any conduct that doesn't meet the definition is not a conversion practice, clause 5 also explicitly clarifies a range of conduct that does not constitute a conversion practice. The provision of a health service is exempt if it's conducted by a registered health practitioner, if they in good faith consider it appropriate for the person, and if it complies with all relevant legal, professional and ethical requirements. Conduct is also exempt if it is genuinely

facilitating a person's coping skills, development or identity exploration to meet the person's needs.

The bill also makes it clear that a range of conduct is not of itself a conversion practice. This includes participating in a public debate, expressing belief, expression that a belief ought to be followed, providing religious teachings, relationships and sexuality education, general requirements in relation to religious orders and discussion, guidance, support or advice from guardians. A number of specific health practitioner conduct is also covered, including providing information about treatment and non-treatment options, identity exploration and detransitioning.

Some of the concerns raised by faith leaders and questions asked of us in briefings relate to clause 5.4, the avoidance of doubt provision in the bill. A lot has been made of the qualifier 'of itself', the words 'of itself'. In the other place, Mr Jaensch provided a very well-articulated explanation of these provisions. His statement was -

> What I am familiar with is, through the debate and some of the matters raised with me, raised in social media and elsewhere where there was this genuine concern from people who were saying, 'Now I can't even talk to my kids,' or, 'Now I can't even teach my religion'. 'I can't even participate in a public debate now because it will be illegal'. [tbc]

That's not true. If people are actually worried or actually led to believe that those things by themselves, in and of themselves, were conversion practices, then they're not. In the context of this document, if those things were done and directed towards a person and on the basis of their sexual orientation for the purposes of changing or inducing, et cetera, then they can be. If they're done in conjunction with other things that establish a pattern or a program or a cumulative effect of having that intention, then they're not of themselves; they're in with other things.

For the people who are saying, 'I can't believe that we won't be able to even talk to our kids anymore about gender and their bodies and those sorts of things': yes, you can. That doesn't attract this attention. If you do that as part of a pattern activity with the intent of the matters identified in 5(1), then you're in a grey area.

To add to Mr Jaensch's well-described summary, the qualifier 'of itself' is there to prevent the misuse of the clause. This means that the listed conduct does not 'itself' constitute a conversion practice or evidence of a conversion practice but may be assessed alongside other factors to determine whether or not a conversion practice has occurred. This means that if someone expresses their view that there is a moral imperative for people or a person to be a particular sexual orientation or gender identity, (4)(b) provides that saying this is not inherently a conversion practice. If someone goes on to assert that all people should live their lives by these rules, (5)(4)(c) also provides that saying this is not inherently a conversion practice. If that is the extent of the conduct, there is no conversion practice.

If, for example, a person went on to tell an individual their same sex attraction is a disorder or that they're broken or need healing and then instructed them in what they needed to do to cure this disorder, then a conversion practice has likely occurred. Alternatively, if these general statements were made in a pointed way during a session with an individual in which the individual's sexual orientation was being discussed and the context made it clear that a

person was trying to change, suppress, or eradicate that person's sexual orientation on the basis of their actual or perceived sexual orientation, then that context may also indicate a conversion practice has occurred.

A common concern raised by opponents to conversion practices legislation is the so-called 'chilling effect' on legitimate conduct. Unfortunately, opponents also incorrectly claim that this legitimate conduct is captured. One of the purposes of avoidance of doubt provisions is to mitigate this misinformation and prevent the chilling of conduct that is not a conversion practice. The provision provides clarity and assurance to the community that this bill is carefully drafted to ensure there's no impact on the right to freedom of religion and belief, on regular prayer, conversations between health professionals and their patients, and conversations between guardians and children that explore identity and sexual attraction.

'Of itself' is a term commonly used in avoidance of doubt provisions across a number of statutes; for example, section 72(4) of the *Biosecurity Act 2019*, section 16(6) of the *Farm Debt Mediation Act 2024*, section 76VC of the *Gaming Control Act 1993*, and section 57 of the *Radiation Protection Act 2005*. All of these provisions specifically use 'of itself' as a qualifier in avoidance of doubt provisions, and these are just a few relevant examples.

For more evidence of the way avoidance of doubt clauses are designed to explain and clarify matters without influencing the nature or substance of a bill as a whole, we can consider the Attorney-General's own bill to ban conversion practices. That bill did not use the term 'of itself,' but it did use an equivalent qualifier in its avoidance of doubt clause. It read:

> For the avoidance of doubt, a practice that amounts to no more than the expression of an opinion, idea or belief by a person, including a statement of religious principle or the provision of parental guidance, is not a conversion practice for the purposes of this Division.

It's similarly qualified and, in fact, lists a much narrower range of conduct. I understand an amendment will be moved to remove the words 'of itself,' as well as 'for the avoidance of doubt.' I caution members not to support those amendments. This clause was never designed to create exemptions from the ban on conversion practices, and despite what some have claimed, we've never described it as such.

Creating exemptions for conversion practices based on the conduct listed in this clause would fundamentally undermine the purpose, the intent of this bill. Removing 'of itself' and 'for the avoidance of doubt,' would create significant risk of allowing conversion practices to continue. For example, if there was a blanket exemption for prayer, a person could continue conducting conversion practices under the guise of prayer. If all of these paragraphs became outright exemptions in the bill, it would not in all likelihood ban conversion practices. It's important to recognise that if such an amendment or amendments were successful, it could turn a clause that's designed to be explanatory and clarifying and - I would argue, comforting - into one that alters and undermines the clear intent of the bill itself. Such an amendment risks either allowing conversion practices to continue legally or, at the very least, of creating ambiguity over whether they can; ambiguity that will undoubtedly embolden those who wish to continue to change, suppress or eradicate the sexual orientation or gender identity of another person.

There have been many good-faith questions and concerns raised about this clause, but the reason the strongest opponents of this legislation have expended so much effort pursuing

the removal of the term 'of itself' is they believe that, if successful, this move has real potential to undermine the principle and the purpose of the bill: to prevent conversion practice from occurring. To ensure the principle of this bill is fully and clearly upheld and to ensure the bill does have the intended effect, this clause shouldn't be altered in any way that would either allow or encourage conversion practices and the harm they cause to lawfully continue in Tasmania. That would be an egregious wrong against the human rights of our fellow Tasmanians to be safe, included, respected and treated equally under the law.

There's also been commentary regarding the term 'suppression', and its lack of definition. New South Wales, Victoria, South Australia and Queensland all include 'suppression' in their ban on conversion practices and none of them provide a definition, nor is there a definition of 'change' or 'eradicate'. The vast majority of terms used in the legislation are not defined. Where a term is not defined, the common meaning is defaulted to. 'Suppress' is a commonly used term that is not ambiguous and its meaning is well understood.

In our conversations where we've discussed suppression, it's emerged that people's understanding of the term 'suppress' is not the issue; the issue is they're interpreting the term in isolation and not in conjunction with the other elements of the bill. The context of suppression requires it to be on the basis of a person's sexual orientation or gender identity, as well as for the purpose of suppressing their sexual orientation or gender identity.

One of the issues that arises is celibacy or abstinence. Both of these things are suppression of a person's sexual activity, not their sexual orientation. Therefore, it couldn't meet the definition of a conversion practice given the matter of being celibate is not about a person's sexual orientation or for the purposes of suppressing the sexual orientation. If the question of celibacy or abstinence is based on a moral judgement about a person's sexual orientation and for the purpose of stopping them from living in accordance with that sexual orientation, that may be captured as a conversion practice.

Similar concerns have been raised in connection with the proposed new definition of 'sexual orientation'. Paragraph (a) of the proposed definition reads:

> a person's emotional, affectional, and sexual attraction to, or intimate or sexual relationship with persons of a different gender, the same gender, or more than one gender.

The concern is that the term 'intimate or sexual relationship' would open the door to abstinence or celibacy being captured. While this uses the language of intimate or sexual relationship, it doesn't use this in isolation. If we strip away the extra words for the purpose of intimate or sexual relationship, it would read 'a person's intimate or sexual relationship with persons of a different gender, the same gender, or more than one gender'. Rather than discussing a person's intimate or sexual relationships generally, it's discussing them specifically in relation to their basis in gender. In short, it describes sexual orientation as commonly understood and doesn't capture sexual activity generally. This is the definition increasingly being used around the country, and I note there's the same interaction between definitions used in Victoria sexual orientation and conversion practices.

Nonetheless, we have considered this question thoroughly and we've consulted with some very key stakeholders, and do not believe there'd be adverse consequences that may arise from removing the phrase 'intimate or sexual relationship'. On this basis, we're inclined to

support such an amendment to make it absolutely clear that the definition does not capture sexual activity generally.

Part 2 establishes a general prohibition on conversion practices as well as a positive duty for a person to take reasonable and proportionate measures to eliminate conversion practices engaged in themselves, or by a person acting on their behalf. The positive duty does not give grounds to make a report to the commissioner, but a serious breach of the positive duty may give grounds for an investigation. Clause 9 stipulates that no criminal or civil liability is created, except as expressly provided by the bill, and that compliance with this act, does not, itself, mean that requirements of other legislation have been met.

Now to offences under the act. Part 3 sets out the offences related to conversion practices. These are offences for engaging in conversion practices, taking a person outside of Tasmania for conversion practices, and advertising conversion practices. Division 1 sets out offences for conducting a conversion practice that causes injury. These offences are punishable under the Criminal Code. The bill establishes an offence for engaging in one or more conversion practices that cause injury. To prove this offence, a person must be shown to have intentionally engaged in a conversion practice, which caused injury, and they were negligent as to whether they would cause injury.

Division 2 sets out offences for taking a person outside of Tasmania for conversion practice on similar terms to the Division 1 offence. It is an aggravating factor for both these offences if the conversion practice is conducted on a child, or a vulnerable person.

Division 3 establishes an offence for advertising a conversion practice for which proceedings may be brought by the commissioner, a person authorised by the commissioner or a police officer. The bill provides that employers or principals, the person in charge, are responsible for a conversion practice of employees, contractors and volunteers, unless they could not have known of, or prevented the conversion practice. A proceeding against a Division 1 or 2 offence punishable under the *Criminal Code*, cannot occur without the written consent of the Director of Public Prosecutions.

The bill captures conduct that occurs outside of Tasmania, if a significant part of the conduct occurs in Tasmania, or the effects of the conduct occurred in full or in part in Tasmania. This is to make sure that after conversion practices are banned - and Mr President, I sure hope they are - our laws cannot be skirted by involving practitioners who are based outside of Tasmania.

Now to the Education Prevention and Response Scheme. Parts 4 through to 8 establish the office of the Conversion Practices Commissioner, as well as the elements of the Education Prevention and Response Scheme. The Anti-Discrimination Commissioner is, by virtue of that office, also the Conversion Practices Commissioner. The response scheme consists of a report process and an investigation process. Any person can make a report that a conversion practice has occurred or is occurring. The commissioner can respond to a report with targeted education, a facilitation process, by referring it to a more appropriate body, or not responding in certain circumstances. A party's participation in the facilitation process is entirely voluntary and any party may withdraw at any point. It is also entirely confidential unless both parties agree otherwise.

The matters cannot be used in civil or criminal proceedings, except for administrative proceedings relating to obstruction or the giving of false, or misleading information, during the facilitation process. If an agreement in this process is reached and the commissioner is satisfied both parties have freely entered into an agreement, it becomes an enforceable order, as if it were made by the tribunal. Either the commissioner, the respondent or the person affected by an alleged conversion practice can apply to have the commissioner's report assessed by the tribunal. This provides a de facto appeal avenue. As well as an avenue for compensation, for losses or damages.

The second element of the Education Prevention and Response Scheme is an investigation. This may be launched on the commissioner's own initiative, if they consider that a matter is of a serious or systemic nature, that it relates to a class or a group of persons, that the act may have been contravened, and if it would advance the objects of the act. Unlike the report process, in an investigation the commissioner has the power to require documents and people's attendance to answer questions. For either of these, the commissioner must provide a reasonable period or deadline to comply. A person is not excused from providing information on the grounds that it could incriminate them. However, as is the case in other acts, any information provided is exempt from evidence in civil or criminal proceedings, except for proceedings relating to the information being false or misleading. The commissioner may also order that a person's identifying information is protected if necessary to prevent victimisation or to protect their employment, privacy or other lawful interests, or that any information obtained in the investigation is not published or is restricted.

In responding to an investigation, the commissioner may take no further action, enter into an agreement with a person, accept an enforceable undertaking, issue a compliance notice and publish a report on the investigation. The subject of an investigation may enter into an enforceable undertaking as a result of the investigation. Such an undertaking may stipulate particular actions the person will do, or refrain from doing, for the purposes of complying. Undertakings may be published in a public register, and any information may be omitted if necessary for safety or privacy purposes, to avoid prejudicing an investigation or an enforcement action, or to comply with the requirement of the act or any other act. If the enforceable undertaking is not complied with, the commissioner may take the matter to the tribunal. It may issue a compliance order, discharge or vary the undertaking, or make any other order the tribunal considers appropriate.

The commissioner also has the power to issue compliance notices, a person to whom a compliance notice is issued may appeal the notice as a whole or particular terms of the notice to the tribunal. The tribunal may confirm, vary or quash the notice and may direct the commissioner to take such action as the tribunal considers appropriate. If the compliance notice is not complied with, the commissioner may take the matter to the tribunal. The tribunal may issue a compliance order, vary the notice, order the commissioner to withdraw the notice, or make any other order it considers appropriate. In the case of employees, contractors and volunteers, the employer or principal person in charge, is taken to be responsible for conversion practices unless they can establish, on the balance of probabilities, that reasonable precautions were taken to prevent the practice from occurring.

Now to consequential amendments. Amendments are made to the *Criminal Code Act 1924*, the *Limitation Act 1974* and the *Civil Liability Act 2002* to include conversion practices as a form of child abuse. The amendments to the *Civil Liability Act 2002* include conversion practices under the provisions that deal with organisational liability for child abuse. This sets

out that organisations that have a responsibility for children have a duty of care to prevent people associated with the organisation from using that position or association to conduct a conversion practice and establishes liability for the organisation if that duty of care is not met. The *Limitation Act 1974* amendments include a conversion practice as a form of child abuse that is not subject to a limitation period, as is generally the case for amendments to limitations periods, the changes to these periods apply to past conduct. However, any cause of action would be assessed under the rules as they were prior to the commencement of the bill. The *Criminal Code Act 1924* amendments include conversion practices as an offence for the purposes of failing to report the abuse of a child offence. The bill also amends the definition of sexual orientation in the *Anti-Discrimination Act 1998* to ensure asexual and aromantic are included in the definition. The bill provides for the act to be independently reviewed after five years of operation.

While the bill has been informed by the Tasmanian Law Reform Institute report, there are material changes and there are a number of reasons for this. The starting point of our drafting was the TLRI report and recommendation. Throughout the drafting process, a number of significant challenges with implementing this model became apparent. One example was the recommendation that the *Civil Liability Act 2002* be amended to clarify that a conversion practice is a civil wrong. The advice received was that this was fundamentally incompatible with the act, specifically, section 3(A)(1), which reads, 'This Act does not create or confer any cause of civil action for the recovery of damages.'

There are other amendments to other acts that, while not outright incompatible, had similar conflicts with the frameworks under those acts and the TLRI report. There were also practical concerns with the multi-regulator model that was proposed by the TLRI. We're aware from the experience of the recent commission of inquiry, that a fragmented regulatory model creates gaps, confusion and circumstances where the appropriate entity to investigate becomes uncertain. There was also significant difficulty in determining what the appropriate entity would be to investigate certain scenarios under the model. The TLRI model effectively extended the role of the Health Complaints Commissioner to the primary regulator for non-healthcare settings which would not be within that officer's expertise.

I note the Health Complaints Commissioner made a submission to this bill supporting the Anti-Discrimination Commissioner's role in performing the functions that have been allocated to them. The Anti-Discrimination Commissioner recommended the establishment of the Conversion Practices Commissioner. It's also relevant that the TLRI's report was handed down shortly after legislation to prohibit conversion practices was introduced in other jurisdictions, and subsequent to that report there's been a period of intervening time when the Victorian model in particular could be evaluated after five years of operation.

I also need to clarify and correct several matters raised by the TLRI in their submission to our draft bill. The TLRI's submission to the draft bill claimed the extraterritorial application of reforms relating to conversion practices was not addressed in the TLRI's report. Respectfully this claim is not correct. I know that page 180 of the TLRI report reads -

> The new provisions of conducting an illegal conversion practice and conducting an illegal conversion practice on a child should be included under the reference provisions in section 192A(1) of the Criminal Code so as to provide those offences with extraterritorial effect.

The TLRI's submission also states, 'the proposed bill makes it an offence to take a person from Tasmania for the purposes of conversion practice'. This is the approach in Victoria, NSW, South Australia and the ACT. This gives the proposed bill a wider application than most conduct that is criminalised under Tasmanian law. There is only one existing offence under the Criminal Code where it is an offence to remove a person from the state for the purpose of conducting behaviour that is unlawful in Tasmania. This applies in relation to female genital mutilation, where it is an offence to remove a child from Tasmania with the intention of having female genital mutilation performed on that child and that is Section 178B of the Criminal Code.

What the TLRI's submission to our draft does not acknowledge is that the TLRI report says on page 180 -

> A provision should be added to section 178B of the Criminal Code to prescribe the removal of a child from Tasmania for the purposes of performing a conversion practice on that child. In either case, the relevant wording of section 178B of the *Criminal Code Act* should be replicated.

The submission from the TLRI states -

> Under the proposed bill, amendments are proposed to the *Criminal Code Act of 1924*, *Limitations Act of 1974* and the *Civil Liability Act of 2002* to include conversion practices as a form of child abuse. This was not considered in the TLRI's 2022 report.

Again, this is objectively incorrect. The summary of the report on page 5 states -

> Complainants should have access to civil liability schemes. In addition, criminal offences should be enacted as a last resort for sexual orientation, gender identity conversion practices that cause serious harm. In both cases, conversion practices directed towards children should be categorised as a form of child abuse.

Recommendation 14 of the report reads -

**Ms Webb** - Do you need to see more time?

**Ms O'CONNOR** - I think I'm going to be okay.

**Mr PRESIDENT** - You have 5.5 minutes left.

**Ms O'CONNOR** - Thank you Mr President and thank you honourable member for Nelson. Recommendation 14 of the report reads,' the *Civil Liability Act* should be amended to include SOGI conversion practices as a form of child abuse for which organisations responsible for the care of a child are vicariously liable'.

Page 169 reads -

> The definition of child abuse in section 5C of the *Limitation Act* should be amended to mirror the definitions in 49H of the *Civil Liability Act*, namely, to include conversion practices performed on a child.

Furthermore, page 180 of the TLRI report reads -

> The new provision of conducting an illegal conversion practice on a child should be included as an abuse offence under section 105A(1) of the Criminal Code.

All of these provisions were included in the bill on the direct recommendation of the TLRI report.

This bill has been many years in the making. It brings Tasmania into line, should it pass, with the majority of other states that have already legislated to protect LGBTIQA+ people from the harms, often lifelong, of conversion practices. It's based on legislation tried and tested elsewhere. It fulfils the state's obligation to protect people, especially children and young people, from harm. At the same time, it protects free speech, faith teaching, pastoral care, conversations with children and between doctor and patient where a person's intent is not to deny someone the ability to be themselves. These would not be conversion practices under this bill.

At the heart of this bill are all those people who suffered the despair, loneliness, shame and years of life lost from such conversion practices. We recognise their trauma and the enormous courage of those who've publicly shared their story. Their truth has been the catalyst for this bill, which is carefully designed to make sure never again should others suffered as they as they have.

I want to thank all at Equality Tasmania, pay great respect to Rodney Croome, Tasmania's relentless advocate for LGBTIQA+ justice. The years-long campaign to end the torment of conversion practices has borne fruit in this bill.

I also want to thank Matt Garvin, Mission Director of the Tasmanian Baptists, for coming in to brief us this morning; the head of the Islamic Council of Tasmania and Muslim faith leader, Kazi Sabbir; Matt Sharples from the Australian Christian Churches Tasmania; Sharon Doherty from Hillsong; also the group of people who came in to speak to us afterwards, I'm very thankful; Rodney Croome from Equality Tasmania; Glen Worrall, who has lived experience, many decades, two decades or more, of being subject to conversion practice; Dr Miranda Hann, a GP who's a specialist in gender affirming care; and Reverend Liena Hoffman, from the Uniting Church. I'm very thankful.

In closing, I want to echo the voice of one survivor: 'we're okay and lovable just as we are'. Mr President, I commend the bill to the Council.

[5.42 p.m.]

**Ms FORREST** (Murchison) - Mr President, I'm pleased to speak on the Conversion Practices Prohibition Bill 2026. I acknowledge the survivors, advocates, faith leaders, clinicians and legal bodies who have contributed to the development of the bill, many at length and many at personal cost. I also acknowledge the many emails I've received expressing concern about this bill, particularly concerns related to religious practice. I respect the right of

every Tasmanian to practise their faith, and I note that most of those who wrote with concerns also spoke strongly against harmful conversion practices. On that, we agree.

The challenge, as with all forms of coercive behaviour, is that it can be subtle, occur over long periods of time and seem innocuous at the outset, even loving and caring in the early stages. I agree that the great majority of people who practise their faith do not engage in coercion or in attempts to change another person away from what they see as a preference or practice that does not align with their values and religion.

This bill will not prevent anyone practising their faith. Its purpose is to ensure people do not impose their religious or other beliefs about gender identity or sexual orientation on others in a way that seeks to change or suppress who they are. These practices have no positive effect; they cause harm. This is not a debate about whether conversion practices cause harm. That question has been answered by many, but also by the Tasmanian Law Reform Institute and by every reputable medical and psychological body in this country, and by Tasmanian survivors again and again.

The question for this House and for each of us personally, is whether this bill provides a sound legal instrument for preventing that harm and whether it draws its lines clearly enough that ordinary Tasmanians can know where they stand. Having worked through this bill as it now stands, the submissions and the correspondence, my answer is yes, with a number of questions for the member for Hobart in her reply in the Committee stage. I do acknowledge the lengthy and extensive second reading contribution that does cover off a lot of these matters, but there may be some things that the member wishes to reiterate in her response or reply to the debate.

I also want to put on the record the concerns raised with me by those who oppose the bill and seek further information from the member for Hobart in response to some of those concerns. Those who took the time to write to me deserve to see their concerns considered, and I think it's important that we do, regardless of our position on the bill.

So, why are we here? The Tasmanian Law Reform Institute's Final Report No. 32 released in April 2022 found that conversion practices were occurring in Tasmania. It seems to me, after listening to many Tasmanians, that this is still occurring - not just in 2022; it's been occurring since. The TLRI catalogued the harms: isolation from family and faith communities, loss of trust in religious leaders and health professionals, self-hatred, anxiety, depression, trauma, substance misuse, reluctance to seek medical care, and suicidal ideations, attempts, and deaths. Those harms may last for years - for some, obviously for life.

This is not new to Tasmania and in the 1970s, men convicted of homosexuality were subject to drug-based diversion therapy at the Royal Derwent Hospital. In the 1990s, public conferences promoting conversion were held in Tasmania. In 2021, research by La Trobe University and the University of Tasmania found that around one in 20 LGBTQIA+ Tasmanians have been through conversion practices and that survivors were three to four times more likely than other LGBTQIA+ people to have post-traumatic stress disorder and to attempt suicide.

New national research from La Trobe University through the Writing Themselves In and Private Lives surveys asked LGBTQIA+ Australians whether anyone had tried or discussed trying to change or suppress their sexuality or gender. Almost half of the young LGBTQIA+

people had said this had happened in their lifetime and more than one quarter in the past 12 months. More than two in five adults said it had happened in their lifetime, and one in 10 in the past year. I know that this measures exposure - it is not the same thing as having gone through conversion practices - but it shows how many people are still being told that who they are needs to change.

The government committed to act. Its consultation draft released in December 2023 was criticised from several directions and did not progress. But then New South Wales and South Australia have legislated, joining Victoria, Queensland, and the ACT.

The community's response has been substantial on both sides. More than 600 Tasmanians had written in support of the bill through Equality Tasmania, and nearly 6000 signed the House of Assembly petition. I am sure every other member in this House has also received emails from Tasmanians who are opposed and have concerns, and I will come to those points as well. It is a little bit difficult when people write emails and don't acknowledge where they're from. They may well not be even in Tasmania, so I don't tend to reply to those. I reply to those that are from Tasmania.

I also acknowledge that for many young Tasmanians growing up, it is normal to question their own sexual desires, sexual orientation, and gender identity, just as we question many aspects of our life in the world at that time. I hope most members can remember being in adolescence - it's a pretty challenging time in lots of ways. But this questioning about who you are, what life means, all those really big, important questions that are enormous as an adolescent is normal, healthy, and not in need of prevention, suppression, or discouragement.

I also acknowledge there are a number of people who have contacted me with concerns regarding experiences, either personal or of a loved one, who has had really significant challenges with feeling safe, affirmed, and comfortable living with the sex they were assigned at birth. Some have sought to retransition after determining that their birth sex was right for them after all. It is a time of often great uncertainty for these people, and they need to be supported, not told they're broken and need to be fixed. These are enormously difficult decisions and times for individuals, and what is needed most during these processes and decision-making is support, acceptance and understanding, to try and avoid any shame and adverse mental and/or physical health outcomes. Any form of coercion during these times is wrong.

Shame is a terrible thing. Shame is what drives so many people to the edge of despair, and shame is exactly what these people, who are being told they're not right, in the body, or the way they are, is exactly the intention of those comments: to create shame.

It is right that we listen to what survivors have told us. I know we've received many emails describing experiences and the trauma that followed from too many Australians and Tasmanians. I just want to relay a small number, and I know the member for Hobart referred to a couple. I will use the names of these people who have been public about their story.

Bronwyn was born and raised in Tasmania. At 16, after her mother saw a tender moment between Bronwyn and a girl from her class at a birthday party, she was taken to a hypnotherapist in Hobart. She cannot tell you what was said in those sessions. She remembers climbing the metal stairs to the rooms, waking in the chair, and feeling sick and drained. Her Year 9 school reports record that she was absent too often to be assessed. A fog settled over

her that did not lift until she was 30. At 30, when she fell in love with a woman, her church removed her from teaching Sunday school, and said that she might harm children, and offered her conversion therapy again. She refused. She's now 48, and still in therapy for what was done to her at the age of 16.

Glenn is Christian and gay. For more than 20 years he followed conversion programs, many of them here in Tasmania. He describes nine hours in prayer ministry, including an exorcism in a house in South Hobart, five more hours at a church in St Leonards, and a session at a camp in Ulverstone. All in the hope of being healed of his attraction. He saw a Christian councillor at Kingston Beach who used prayer and talk therapy to address what she called 'the underlying issues.' Congregations helped pay for him to attend programs interstate. At 50, after a lifetime of celibacy, Glenn admitted to himself that nothing had changed. He described the loneliness and despair as having nearly killed him.

Glenn has written to members about how prayer can be used as a conversion practice and I want to relay some of his words, and I thank him for being so brave, and for being here, as well as for writing his words to us. He said:

> I am writing as a survivor of conversion practice in Tasmania. I understand some MPs have expressed concern that prayer may come within the scope of the Conversion Practices Prohibition Bill 2026. Some may wish to remove prayer altogether. In response, I want to give you a personal insight into the issue of conversion practices and prayer.
>
> During my 21 years of suppressing my sexuality through conversion practices, I found prayer practices to be the most harrowing and damaging of all conversion practices. I was repeatedly advised to pray to God to heal me. I cried rivers pleading with Him. Prayer was also an integral part of the exorcism I was subject to. I had people praying over me, sometimes for hours on end. These practices were intimidating and frightening. I felt very vulnerable, and there is a deep power imbalance, but there is an even deeper level of risk. Prayer is the closest a Christian can come to the divine; it is a personal communication with God.

He went on:

> But when prayer fails, there is nowhere left to go. When it failed for me, I felt like I would always be unworthy of God, and that he had abandoned me. For too many people undertaking conversion practices, this is the point at which they are most vulnerable, where suicide is seen as the only option. Fortunately, I did not go down that path. After prayer failed, I chose to accept who I am, but I know others are not so lucky.

I thank Glenn for being willing to talk about how prayer was used in this circumstance, and also to reference that power imbalance. I know that matter was raised by a Uniting Church pastor in our briefing today. Any position of power can be used in such a way.

To be very clear about prayer, which I accept is an important part of Christian life, only prayer which is intended as a conversion practice should be prohibited by the Conversion

Practices Prohibition Bill, and the bill already makes this clear. Glen implores us: please do not exempt prayer from the bill entirely. He said:

> Prayer based conversion practices is where the greatest damage is done and where the law must focus if it is to be effective. It needs to be a boundary in place that allows a person to feel free to be who they are.

This is what suppression can look like when it's carried out through prayer and pressure to change or conform. None of what Glenn referred to took place in a formal clinic.

Anthony, a former Pentecostal preacher who entered a church residential program in 1972, also has an important story. He involuntarily, he says, 'voluntarily needs to be taken in and considered in context'. He said that when you have been taught that part of you is sinful and broken, seeking to change it feels like the only option. He has since supported more than 4000 survivors. One of them told him that of 40 friends he made in conversion therapy, only six are still alive.

Nathan Despot, the co-founder of Brave Network and SOGICE Survivors, that sexual orientation and gender identity change efforts makes an important point. He said that practises that do the most damage are rarely formal programs. They are carried through prayer groups, mentoring, counselling and referrals in softer language, healing, purity, celibacy, exploring causes. A law that only captures overt programs will miss most of what is actually happening.

And from my own electorate, Father Greg Rowlands, an Anglican priest in Burnie for 38 years, wrote of a vulnerable man who, in a mental health crisis, confided in the cleric that he was gay. He was offered contact with people who would help him suppress his orientation. Father Rowlands calls conversion practice is not therapy but psychological assault.

As I've stated, people of faith have written to me on both sides of this bill in all good conscience. I've received detail analysis signed by Leslie, Anglican Diocese of Tasmania, the Australian National Imams Council, the Shia Muslim Council, the Coptic Orthodox Church and the Seventh Day Adventist Church, the Presbyterian Church of Tasmania, the Salvation Army, Tasmanian Baptist, Christian schools and others. They support laws against coercive and genuinely harmful practices, and they raise specific concerns about where the bill draws its lines. I take those concerns seriously and will address them. As I said, I'll ask the member for Hobart to address some of these.

We have also heard from the Uniting Church Synod of Victoria and Tasmania, whose National Assembly resolved in 2022 that sexual orientation and gender identity change efforts are harmful, and that prayer and pastoral care should never be used to harm or condemn anyone. Closer to home, the Reverend Dr Cornelia Hoffman, who's with us here today, minister of the Cradle Coast cluster of Uniting Church congregations from Devonport to Wynyard and herself a Doctor of Law, has studied the bill as well. She describes it as fair and pragmatic, built on the Law Reform Institute's educational and preventative approach. She sent 37 letters of support from members of her congregation, many of them my constituents.

I've also heard from people of faith in my electorate who remain deeply concerned about aspects of the bill and I've also heard from the Anglican priest in Burnie who supports the bill while his own diocese has concerns about it. There are very mixed views amongst the religious people. The important distinction between genuine pastoral care and a practice directed at

changing or suppressing who someone is needs to be clear to all. Bishop Richard Condi of the Anglican Diocese of Tasmania has raised a specific concern. I know the member for Hobart did refer to this in part. The diocese code of conduct for church workers requires faithfulness in marriage and chastity in singleness. Regardless of their sexual orientation, he informed me that he does have gay members of the clergy, but the code of conduct requires faithfulness in marriage and chastity and singleness.

The bill amends the Anti-Discrimination Act definition for sexual orientation to include intimate and sexual relationship with, and the bill adopts that definition so the diocese and Bishop Condi fears that, combined with the prohibition on suppression, its code could become unlawful. I've discussed with the Bishop Condie, and I know others have as well. Looking at the bill in its entirety, it does remain unclear to me, and there are sections of the member for Hobart's second reading speech that didn't actually clarify it particularly for me.
So, I ask the member for Hobart to be very clear about this in the contribution, and there will no doubt be further discussion, probably in the Committee stage, on this as well.

I also spoke directly with the Anti-Discrimination Commissioner about this definition because it is amending the act under which the Anti-Discrimination Commissioner operates, who was clear to me that the need to ensure the language in the bill, including amendments to the *Anti-Discrimination Act*, are contemporary and reflect contemporary understandings. I've pulled in two ways here, so it is a bit of a challenge.

I do appreciate the concerns of Bishop Condie, and I believe, when read in context, it does remain unclear if he will be able to fully apply the code of conduct to members of his clergy as he requires. As I read the bill:

> A conversion practice must be directed toward a person on the basis of their actual or perceived sexual orientation for the purpose of changing, suppressing or eradicating it. [tbc]

Bishop Condie's concern is that in enforcing the code of conduct for clergy, asking them not to act on a desire for a sexual relationship outside of marriage, or to remain celibate if they're not married, the Church could fall foul of this provision. It is the intimate or sexual relationship that is the issue for the church, not the sexual orientation itself - going back to the code of conduct requiring faithfulness in marriage and celibacy in singleness.

I know that clause 5(4)(e) expressly provides that the making application or communication of general requirements for membership or leadership of a religious community is not of itself a conversion practice, and I initially thought that may be the adequate cover. There's still a question that remains, and I would ask the member for Hobart to address it. A code applied equally to all clergy could be read as exactly that.

Clause 5(4)(b) also now protects the expression of relief and discernment of religious education, pastoral care or prayer. What the bill could appear to do is prevent the use of the code or anything else as a tool to target an individual in order to change or suppress acting on that sexual desire in a way that is contrary to the code of conduct. If a member of the clergy is asked to suppress the desire for an extramarital relationship or an unmarried member of the clergy is expected to remain celibate and suppress the desire to engage in an intimate or sexual relationship as the code requires, I can see how this could possibly be problematic. This is the distinction that requires a clear response.

Equality Tasmania's view is that the phrase is included only as an indicator of sexual orientation, not to change the purpose of the bill, and that removing it could be seen as desexualising same-sex relationships. That was a similar concern that the Anti-Discrimination Commissioner raised with me when I spoke with her.

I think it's important that we understand how clause 5(4)(e) applies to a generally applicable code of conduct and to explain how the amended definition of 'sexual orientation' interacts with the definition of a 'conversion practice'. I appreciate a similar provision exists in Victoria's *Equal Opportunity Act* in terms of their definition, and a similar definition has been included more recently in the Northern Territory's relevant legislation. That was a point the Anti-Discrimination Commissioner was making too, that while we're reviewing these acts we should try to look for the most contemporary definition. So, I see where it's come from and ask the member for Hobart to respond to that.

Members of religious groups have raised clause 5(4) and in particular the words 'of itself' as ill defined and potentially problematic. A number of religious leaders wrote to me regarding this matter, and I'll refer to one, as I think it reflects the sincerity of many who wrote. One pastor wrote:

> Christians have a good reason to take great care with their words. We follow a God who speaks in love, who cares about how people are trusted when they are vulnerable. That is why the bill matters to us and why I want the law to be clear for the people it affects, including people like me, who may be asked for help.
>
> In some conversations, people come to me genuinely wanting to talk, pray or think through their struggles with gender and sexuality. I want to care for them well and I want to know whether where the law stands when I do. [tbc]

A number raised concern regarding, as I said, the words 'of itself'. I did respond to some; I haven't managed to get to all the emails. I don't know if anyone else has, either, but there have been a few too many to respond to all of them, but I did respond to some on this particular point. As I read 'of itself' means the activity on its own is never a convergent practice. It's not a blanket exemption. It's not intended to be a blanket exemption. It's referring to that particular matter just of itself is not a conversion practice. However, if the same activity was used as part of conduct aimed at changing or suppressing or eradicating a particular person's orientation or sexual identity, the protection would not cover it, and neither should it.

Clause 5 deals with legitimate activity in two ways. Clause 5(3) says a conversion practice does not include good-faith healthcare or genuinely supporting a person's coping development or identity exploration. This is not a carve-out conduct that means it is outside the act entirely.

Clause 5(4) says -

> for the avoidance of doubt, the listed conduct does not of itself constitute a conversion practice.

I read this as a clarification, making it clear rather not an exemption, and the member for Hobart's been clear about that. For the avoidance of doubt, suggests that activities listed in clause 5(4) would never be caught by definition in the first place. That is because, done in the ordinary way, they lack the elements in clause 5(1), which states a conversion practice must be directed towards a particular person done on the basis of that person's sexual orientation or gender identity, and done for the purpose of changing, suppressing or eradicating or inducing the person to do so.

A sermon, a statement of church teaching, or a code of conduct applied towards clergy in general, to me seems it's not directed at an individual because of their orientation or for the purpose of changing them. So, I do believe that clause 5(4) says so expressly as a reassurance. 'Of itself' ensures the door to misuse is not left open. The listed activity cannot be used as a shield if it forms part of conduct that does that does not meet those three elements.

I went back and looked at the consultation draft and read some of the information that informed some amendments made before it even landed in the House of Assembly, and the consultation draft used the words 'provided the conduct is not engaged in as part of a conversion practice', and this was criticised in that consultation as circular. Therefore, the words 'of itself' were used to replace it, to make it simple and clean.

Some suggested we should delete clause 5(4) altogether. In my view, deleting clause 5(4) would remove the very reassurance many faith leaders have asked for. The list is long, longer than any other state, largely because of concerns raised during the consultation. Removing 'of itself' would turn each item into an absolute exemption, which to me is just absolutely not on.

Conversion practices often borrow the form of legitimate activity - prayer, pastoral care, counselling - to actually gain legitimacy. An absolute exemption from prayer would make Glenn's nine hours of prayer ministry and exorcism lawful simply because it was delivered as prayer. Equality Tasmania has told members that they would find it hard to support the bill without those words. 'Of itself' is the balance point between those two outcomes.

To the person who wrote to me, and like many of them, if someone comes to you wanting to talk, pray or think through their struggles and you care for them without steering them towards a predetermined outcome of changing or suppressing who they are, that is not a conversion practice. I do note if there were concerns when enacted, courts could look at the second reading speech and the committee debate when a provision may be seen as ambiguous. I don't believe it is overly ambiguous, but if that was the case, and we know that the *Acts Interpretation Act 1931* makes that provision.

Secondly, clause 2(5) allows the commissioner to issue practice guidelines and require consultation with people representing those who guidelines will affect. I know there will be a lot more work to do on this, and I encourage the commissioner to develop guidelines with worked examples to help people understand what it might look like in consultation with faith communities as well as members of the LGBTQIA+ community and ideally before the act commences. I know there is a delay to the commencements, which should allow that work to happen.

A question I have for the government, and I don't know who can respond on behalf of the government, but hopefully someone can, many of whom have supported this bill: will the Office of the Anti-Discrimination Commission and the commissioner be provided with the

necessary funding and resources to undertake this critical educative role? I don't know who can respond to that because it's not really a matter for the member for Hobart who's in charge of this bill, but I will come back to that.

I asked the member for Hobart to confirm that 'of itself' means illicit activity can only form part of the conversion practice where it is directed at a particular person on the basis of their sexual orientation or gender identity for the purposes of changing or suppressing it.

I also wish to briefly outline what I understand the bill actually does, for context to my decision to support the bill. As I understand it - and I'm sure the member for Hobart will correct me if I'm wrong at any point - the bill defines a conversion practice as conduct directed towards a person on the basis of their sexual orientation or gender identity for the purpose of changing, suppressing or eradicating it or inducing them to do so. It excludes good-faith healthcare by any registered health practitioner that complies with legal, professional, ethical requirements and conduct that genuinely supports a person's coping, development or identity exploration.

It provides for the avoidance of doubt that the following do not of themselves constitute a conversion practice: public debate, expressing a belief or principle, including a religious belief or principle, in a sermon, religious education, pastoral care, or prayer, including that a religious teaching ought to be followed or applied and/or an expression that a belief or principle ought to be followed or applied. It states that relevant religious teachings are, or what a religion says about a specific topic, applies general religious membership or leadership requirements such as abiding with codes of conduct for clergy.[tbc 6.12.30]

The bill includes, now, as amended downstairs, as the member for Hobart alluded to, guardians discussing or providing guidance, support or advice to their children on sexual orientation, gender identity, sexual activity or religion. I know there were a number of emails where parents raised concerns around that.

It also applies to approved relationships and sexuality education, the avoidance of doubt, health practitioners providing in-good-faith health information about treatment and non-treatment options, including their potential benefits, risks, limitations, and uncertainties, helping a person explore their identity without directing or predetermining or seeking to influence the person toward a particular outcome, and discussing with a person the person's desire or intention to detransition, desist, reverse, continue, or modify a social or medical transition.

The bill also creates an Education, Prevention and Response Scheme administered by the Conversion Practices Commissioner built around education, voluntary facilitation and referral. The bill reserves investigation and coercive pastoral matters that meet all four tests in clause 39, a serious issue, a possible material contravention, an effect on a class or group of people, and advancing the act's objectives. It provides a tribunal pathway for compensation and for a respondent to clear their name, and it creates criminal offences only for conduct that is intentional and causes injury and is negligent as to that injury, with the Director of Public Prosecution's written consent required before any prosecution.

The structure and framework for this bill is prevention first. The criminal law is the backstop. It's not the front door, as it would seem some people fear. The bill is materially better than the draft released in July, and better again after its passage through the other place. Many

of the changes respond directly to the Law Reform Institute and to those who actually oppose the bill, but also those who wish to make it better.

I acknowledge the willingness of the bill's proponents to be willing to accept those amendments and work collaboratively to do so. After public consultation, the child-specific offence that required no proof of injury was removed. The offence now requires both injury and negligence [6.15.03] Victoria. The health exemption now uses the institute's preferred good faith test and covers every registered practitioner, including nurses and psychologists and all those in between. As someone who trained as a nurse and midwife, I will say this, good clinical practice starts with the person in front of you. Not a conclusion reached before they walk in the door.

The bill prescribes no clinical pathway. What it rules out is care that begins from the premise that a person's sexual orientation or gender identity is a defect that needs to be explained away. In the House of Assembly, further amendments were made, including the parental protection now covers guardians discussing or providing guidance, support, or advice to their children - the wording used in New South Wales and South Australia, and I welcome this change. It was a genuine area of concern.

The religious protection now names sermons, religious education, and pastoral care alongside prayer. Age-appropriate relationships and sexual education under improved curriculum is expressly protected. I must say, as a former sex educator, this is important. Children really do want to discuss these matters. I've been in sessions with young people - primary school kids - who ask the most open and honest questions about all things. All things. What they want is a straight, honest answer. It's quite enlightening and really beautiful. I do miss that - being in the schools with those kids. What they need and what we need is to be open, honest and non-judgmental in our approach. Just give them the facts, tell them the truth.

Another amendment that was made - the provision deeming employers can be liable for offences by employers, contractors, and volunteers has been removed. Vicarious liability is now civil only, limited to the course of employment where the reasonable precaution is defence.

The *Limitation Act* and *Civil Liability Act* changes are now prospective only and carry a qualifier that an unlawful act at the time is not child abuse. There is no retrospective exposure. I know that was a concern from a number.

Then the inclusion of a review every five years, especially including its effect on freedom of religion, belief and expression, parental rights, children's rights, and health outcomes. The commencement is up to 12 months after royal assent and the civil liability changes up to 24 months, giving organisations time to prepare, including the Anti-Discrimination Commissioner.

I do want to be fair to the faith leaders whose analysis I've referred to. Their comparison in some of the emails they sent with other states and comments they made - and many of them - particularly early on were based on the bill that was introduced. We do know that there's been many changes made in the other House and that has perhaps dealt with some of their concerns, though there will still be those who oppose the bill. I accept that, but the more challenging matters have been addressed.

I do just want to go briefly through the concerns raised by church leaders who opposed the bill and give my response to some of those. With regard to parents, it had been claimed that this bill will jail parents who do not immediately affirm a child's gender identity or sexual orientation. It will not. Guardians discussing, guiding, supporting, advising their children on these matters are expressly protected. To be prosecuted, a person must intentionally engage in a conversion practice that causes harm or injury, be negligent as to that injury, and have all of it proved beyond reasonable doubt, and the DPP must consent. Parental uncertainty, questions, and taking time to understand a child are not conversion practices. Anyone who's raised kids knows this. They want honest answers to questions. You can express your belief, but you can't tell them they're wrong.

With regards to prayer, pastoral care, and applying religious teaching, sermons, and religious education, pastoral care and prayer are protected as expressions of belief. What is not protected is prayer used as a means of trying to change or suppress someone who may be struggling with gender identity or sexual orientation that doesn't align with the church's view. As I said, Glenn's nine hours of prayer, ministry, and exorcism and the circle of elders praying over Bronwyn and her partner at a friend's funeral are why a wholesale exemption for prayer would exempt much of what the bill exists to prevent.

Faith leaders have asked about two specific situations: praying with someone at their request for strength to live according to their own beliefs and helping someone work out how religious teaching applies in their own circumstances. Neither is, of itself, a conversion practice, as I understand it. Clause 54(b) protects expressions of belief in pastoral care and prayer, and clause 54(c) protects expressing that belief ought to be followed or applied. The question is always purpose. If their purpose is to try and change someone, or suppress their gender identity or sexual orientation, that's where the problem lies. Not just the fact that you - they can express what they personally believe, but not that a person needs to change, or be healed, or fixed.

With regard to consent, it is said that adults who freely choose these practice should be left alone. I understand that instinct to say that, but there are many accounts of people who went in willingly after years of being told that the alternative, the only alternative, was losing God, their family and community. Social isolation is indeed a great penalty to pay. Whilst they might consent, is it a fully informed consent? Is it really of their own free will, when the options are ostracisation from that community? I would say not. Agreement given under such pressure is not informed consent, and we wouldn't accept it anywhere else in healthcare, and Victoria takes the same approach.

With regard to questions around celibacy and personal choice, some have asked whether supporting an adult who chooses celibacy for their own faith reasons is now unlawful? It's not, of itself. The person's own choice about how they live is theirs to make. What the bill targets is conduct whose purpose is to change, or suppress, a person's sexual orientation. The decades Glenn spent being told his affection was a wound to be healed, are examples.

A number of those opposed to the bill also raised concerns around the definitions of 'suppression', including 'single acts' and 'purpose.' Critics say: 'suppression' or 'inducing' are undefined and too broad, that a singular interaction can be a conversion practice and that the bill does not say whether a prohibited practice must be the main purpose of the division, and the definition requires no coercion or harm. The suppression, or inducing, are consistent with other legislation, particularly the references in Victoria, which has operated since 2021. But

suppression has a normal dictionary meaning, and once we start trying to define things, you often get yourself tied up in knots. So, suppression is a genuine concern, in its natural use of the word, and practices that do not promise change, but aim to make a person conceal, or deny who they are, cause just as much harm. In my view, the definition focused on purpose, and deliberately so. This is because the same conversation, prayer, or counselling session, can be supportive, or harmful, depending on what it's for.

A single act can be a conversion practice under Victorian law too. I know it's different in South Australia. The bill requires the Commission to consider whether conduct was isolated, or part of the pattern, and the nature and extent of that harm. The Commissioner may decline a report that lacks substance where the conduct is not a conversion practice, and may investigate only serious or systemic matters. Harm is an element of every criminal offence.

Some critics of the bill also raised several concerns around reporting mechanisms, the role, powers and functions of the Commissioner. It's important to note that a Commissioner can decline, as I said, frivolous or vexatious reports, and investigations require all four clause 39 tests. Individual breaches go toward education, as I said, education is the front door facilitation, or to the tribunal. The Commissioner must have regard to natural justice and an allegation alone is never enough for enforcement. The Commissioner must be satisfied a conversion practice occurred before accepting an undertaking, or issuing a compliance notice. A compliance notice can be reviewed by the tribunal.

Some of these provisions are the same as Victoria's, and some have taken a slightly different approach. I know that some, including the LGB Alliance, and other parents groups, argue that gender identity should be excluded from the bill, raising concern that the bill will entrench a particular model of care for young people. The TLRI dealt with both sexual orientation, and gender identity, because conversion ideology treats them alike, and the harm is similar. Excluding gender identity would leave trans, and gender diverse Tasmanian exposed, and making Tasmania a haven for such practices.

The bill does not prescribe a clinical pathway. It protects good-faith care that complies with professional requirements, information about treatment and non-treatment options, identity exploration without a predetermined outcome and discussion of detransition. It does not change clinical guidelines.

There have been a number calling for further inquiry, including the bill to be referred to a committee. I don't support the need for further committee inquiries. I note the TLRI's extensive review, the government's 2023 consultation, two rounds of consultation on this bill and the independent review required after five years and the willingness of proponents to take on feedback and amend the bill in the ways it has been.

As I mentioned earlier, I'm conscious that legislation of this kind is only as effective as its resourcing. The bill rests on education and prevention, and the commissioner's role is given to the Anti-Discrimination Commissioner. I ask whether cost has been estimated and whether the government intends to fund it, noting that we have other inadequately funded commissioners in this state. The cost of not acting is also real: survivors' lifelong mental health needs, lost productivity and lost lives.

To close, I just want to share the words of a community leader who captured my views on this matter, just in part. She wrote:

> Growing up has never been easy, but today's young people often find themselves caught between competing messages. On one hand, there is a growing understanding and acceptance of diversity in all its forms. On the other hand, there remain attitudes and beliefs rooted in earlier generations that can leave young people feeling judged and misunderstood or pressure to conform to expectations that do not reflect who they are.
>
> As a mother, I believe every child deserves to know they are loved and accepted unconditionally. Young people should be encouraged to develop confidence in themselves, not taught that an intrinsic part of their identity is something to be hidden, shamed, suppressed or changed. The adolescent years are often marked by uncertainty, loneliness and vulnerability. As a parent, my heart ached, witnessing my own child's distress, but I often found myself thinking about the even greater burden carried by those who are made to feel ashamed of who they are.
>
> Researcher and author Brene Brown described shame as 'the intensely painful belief that we are fundamentally flawed and therefore unworthy of love, belonging, and connection.' For a young person still developing their sense of self, that burden can be devastating. Instead of seeing themselves as facing a challenge or difference, they come to believe that they themselves are bad. No child should carry the weight of feeling unworthy of love, acceptance, or belonging simply because of who they are.
>
> Our responsibility as parents, leaders and communities is to replace shame with understanding, fear with compassion and rejection with genuine support. Conversion practice can undermine that sense of self-worth by sending a message that a person's sexual orientation or gender identity is somehow flawed and in need of correction. Such practices cause lasting emotional and psychological harm at a time when young people need affirmation, guidance and care. The impacts of shame and rejection can extend well beyond adolescence, affecting relationships, self-esteem, and a person's ability to live authentically throughout their life, including as parents, partners and members of future generations.

She closed off with:

> Supporting this legislation is, in my view, an expression of those values. It reflects a commitment to ensuring that every Tasmanian, regardless of their sexual orientation or gender identity, can live free from practices that seek to change or deny who they are. It sent a message that every person is worthy of respect and acceptance and there is a place for them in our communities exactly as they are. [TBC]

I couldn't have put it better. The bill does not ask anyone to give up sincerely held beliefs. It asks us to protect the dignity, safety and wellbeing of every Tasmanian, particularly the young and the vulnerable.

Every member of this place has received correspondence on this bill from people of goodwill. I have heard from survivors carrying damage decades later, from a priest and a minister from the north-west coast, from 37 members of a north-west congregation, from a mayor writing as a mother and from faith leaders who share the goal of protecting people from harm but worry about where the line falls. I acknowledge them all.

I know that people who are gay, lesbian, bisexual, transgender, non-binary, queer and asexual are not ill or damaged or sinful or broken; but they can be harmed, broken, made ill and damaged by conversion practices. The people this bill seeks to protect are our family members and our friends. They are loved members of our families and community. They are mothers, fathers, sisters, brothers, sons, daughters and other relatives and friends. They are us. They must be able to live their lives safe from conversion and harm that would seek to correct or heal an ailment they do not have. Being gay, lesbian, bisexual, transgender, non-binary, gender diverse, queer or asexual is not abnormal and is not in need of treatment. Members of the LGBTIQA+ community must be safe and free to live their lives free from coercion or conversion practices, just as heterosexual and cisgender people are.

I know the harm conversion practices do. I think back to the 16-year-old girl climbing the metal stairs to the hypnotherapist rooms in Hobart; to a man driving from Launceston to South Hobart, St Leonards and Ulverstone year after year, hoping to be healed of something that was never an illness. I know we need to act. Sadly, this bill cannot undo what was done to them. I'm sorry that it happened to them. I hope you feel some benefit from seeing this practice recognised as wrong and truly harmful, and from knowing that you have been seen and heard.

What this bill can do is to make it far less likely that another Tasmanian goes through the same. It does so through prevention education first and criminal law only for intentional injurious conduct and real protections are there for religious expression, parental guidance, and proper healthcare. Tasmania was the last state to decriminalise homosexuality. We do not need to be the last to protect LGBTIQA+ Tasmanians from practices that tell them they are broken when they are not.

To all Tasmanians and any Australians or anyone for that matter, who may be questioning their own sexual orientation or gender, I say this, just be yourself. I see you, you are special, I care about you, and you're absolutely fine just as you are.

[6.32 p.m.]

**Ms LOVELL** (Rumney) - Mr President, I rise to speak in vehement support of this bill and in doing so, I want to acknowledge that this isn't an easy debate to hear for many of the people that we represent, including people in this very building who are surrounded by this debate and were surrounded by the debate in the other place while they just go about doing their jobs, people in this building, people in other places around Hobart and around Tasmania. I know there will be people listening to this debate today that find it very difficult. Even when we're saying positive things, encouraging things and things in support of the bill, the very fact that we're debating it is a reminder of the practices that have been carried out, the shame that has been imposed on people and the trauma that they've lived with all their lives. Despite the fact that we are debating a bill that, should it pass the parliament, or dare I say when it passes the parliament, will have an enormously positive effect on many people's lives, the debate is not easy and I think it's important that we acknowledge that and I just encourage people to be mindful of that as they go about their day and as they go about this debate.

We make a lot of important decisions in this place. Every decision we make has an impact on the lives of Tasmanians, but sometimes the decisions we make feel really monumental. Decisions that come down to the very core of someone's being, their heart and their soul, and that's what today feels like. I'm so pleased to be able to support this bill. It's been a longstanding Labor Party position, and I want to thank the member for Hobart and the Greens in the other place for bringing this bill before the parliament and before us today. I also want to acknowledge, as the member for Hobart did in her contribution, the amendments and the members that put forward amendments and the really constructive and collaborative way that most people have approached this bill. I think this is a good bill; it's a bill that's been strengthened and improved and worked through in a really constructive way and demonstrates the goodwill and the desire that is there for most people to want to do a good thing with this bill and support it.

But change like this doesn't usually happen just because someone has a sudden realisation that what's been happening is very wrong. It happens because people make us realise. Remarkable people who have suffered so deeply from practices that this bill will prohibit and who have been so courageous, so vulnerable and so determined, sharing their stories, opening themselves up to debate about their sexual orientation or their gender identity, something that is so deeply personal and something that most of us will never have to have scrutinised like this, not just by parliamentarians debating a bill, but by colleagues, friends, family members, members of shared faith communities, members of faith communities that they don't share, not to mention every person and their dog on social media. It's not fair, it shouldn't happen, and it shouldn't be necessary.

To those brave, remarkable people, thank you. Thank you to those who have spoken publicly. Thank you to those who have met with members to help us understand just why this is so important. Thank you to those who have emailed privately; those stories make a difference, and it is down to that dogged pursuit of fairness and justice and kindness and the sharing of those stories in the interests of making sure nobody else suffers that same harm, that we are here debating this bill.

I have a few observations about conversion practices and the bill itself, especially in relation to the concerns that have been raised about the bill and how it will operate. First, I think it's important to recognise that conversion practices are real and they are still happening today. They are not something that has been consigned to our sometimes-shameful history with other abhorrent practices that no longer take place.

Research from La Trobe University and the University of Tasmania shows that one in 20 Tasmanians have been through conversion practices in the last few years alone. I was shocked by that research, I'll admit, and I think many Tasmanians would be. This is why five other states have already implemented a ban: Queensland, NSW, Victoria, South Australia and the ACT. We will be the sixth state to act if this bill passes.

I know there have been concerns raised about the criminal sanctions in the bill, that people are worried they face being thrown in jail for having a conversation with a patient, a member of their faith community, a student or even their own child, but one of the strengths of this bill, I believe, is the focus on education and prevention. Education and prevention mean a reduction in harm, and that's what this bill is about, not punishment. We want to prevent the harm from ever taking place.

There are criminal sanctions, yes, but the bill is clear that these would be a last resort - and, you know what, I'm okay with that. We have lots of laws in this state and this country that say, 'If you cause harm to another person, there should be a penalty for that,' and this is no different, but it is a last resort.

I do recognise the concerns raised by leaders and members of various faith communities that the bill will prevent prayer and pastoral care. That if someone comes to a faith leader seeking guidance and support about their sexuality or gender identity, that this bill prevents that pastoral care being provided or puts people at risk of criminal sanctions. But I've looked in detail at the bill, I've heard the explanations from the member for Hobart and others who have worked so hard to ensure that this is not the case, and I am very comfortable that it is not the case.

To be considered a conversion practice, something must meet all three of the following requirements. It must be directed towards a person, it must be a practice motivated by that person's sexual orientation or gender identity, and it must be for the purpose of changing, suppressing or eradicating a person's sexual orientation or gender identity.

There are clear exemptions in the bill for parents to be able to talk to their children. Nobody is trying to prevent that. Healthcare workers are protected when providing registered health services within clinical practice guidelines. Conversations about gender identity or sexuality are not attempting to change, suppress or eradicate someone's identity. The bill is clear. I am confident that there is nothing to be fearful of, and I want to acknowledge the work of the movers of this bill and those who have advocated for it to make sure that that is not the case.

I do want to briefly comment on some of the misinformation I've seen shared about this bill. I understand the concerns that many people have with the bill, and I believe that many of them, most of them, are genuine and come from a place of goodwill, of wanting to do the right thing but being a bit worried about how to do that. But what's been incredibly difficult to see - and frankly difficult to understand - has been the misinformation that has been peddled by people who should know better, by members of this parliament, and I will say not in this place, people who have access to the resources they need to understand the bill in its entirety.

Much of what has been shared has not only been wrong, it has been hurtful and it has been cruel. We have a responsibility, not just in this place, but in everything we say and do to be truthful, and to be conscious of the consequences of what we say. We can have different views on things, but we can hold those views without causing unnecessary, unavoidable hurt and harm.

I'll conclude my remarks on a brighter note. I said, at the start of my contribution, that this feels like one of those rare special times we have in this place, where we are on the cusp of doing something really monumental, something genuinely good, with kindness, love and hope. It's a real privilege to be part of it. So, thank you to those who have worked so hard on this for so long, for being willing to bear the most personal, vulnerable parts of your lives, and your souls, and your hearts. This great change is due to you. It is my genuine pleasure to support this bill.

[6.41 p.m.]

**Mr HISCUTT** (Montgomery) - Mr President, let me start this speech by acknowledging those who have been affected by harmful conversion practices. Those who have survived, some of whom have told their tales, and some of whom are not yet ready, and recognising those who have not survived such practices. I do not intend to speak long on this bill, as others have, and will, give much more informed views on the actual practices of those affected, and it is hard for me to even comprehend enough of this situation to empathise, or sympathise, but I have tried very hard.

I will note that I certainly intend to support this bill into the committee, and I will consider all evidence presented on any amendments that may, or may not, eventuate. There are no 'must haves', or 'must not haves' that are weighing on me, and it is likely that I'll support this bill in its entirety. I will ask only a few questions that I hope that the member for Hobart can provide answers for. I have one major conflict that I will discuss in length, and then a few minor administrative issues that I would like answers to.

I think my and many others' concerns with this bill stem from the start at clause 5: what exactly is a conversion practice? I do not think that this clause defines it particularly well, but I think that that is because it is not necessarily something that can be defined well. You could never write an exhaustive list of all of the forms of conversion practices, and you could also never write an exhaustive list of all the things that are not. This bill does try to do the latter, a little bit, to provide a list of the things that it's not, and although I think that it is good that it has done so, it does present its own challenges. By having an 'avoidance of doubt' clause, it does give a feeling that things that are not on the 'avoidance of doubt' clause, or list, might inherently therefore be conversion practices. This is obviously not the case, but I can see how confusion could be spread because of this.

What can be done about clause 5? I would not think that there will ever be a definition of conversion practices that would be agreeable to all parties. Although all parties agree that harmful conversion practices should not exist or continue. So, for me, the reply I would like to receive is about intent. What is the intent of clause 5? What are we trying to achieve that cannot really be written into legislation?

We all received many pieces of correspondence on the issue, but there was one piece that stuck out to me. It was sent to me from a concerned parent who would prefer not to be named. They are the mother of an adult child who has commenced medical transition. I'll read a few passages from their email now:

> I am concerned that this legislation could discourage, or penalise, open non-directive exploration by professionals, parents, and others, who wish to discuss different perspectives, or possible contributing factors. In my child's experience, adverse childhood experiences, and their potential relationship to gender dysphoria, were not adequately explored. I believe young people deserve comprehensive, individualised cares that considers their psychology, development, and family circumstances, rather than a narrow or predominantly medical approach.
>
> People experiencing gender dysphoria must be protected from coercion, but they must also have access to genuine exploratory counselling and holistic assessment. Parents, families, friends, and professionals should retain the

> freedom to ask questions, express concerns, and discuss all relevant factors without fear of legal consequence.

This person feels that their ability to openly discuss this issue would be hampered by the passage of the bill, and I'm hoping that the member for Hobart can reply to this email as to how the intention this bill would react to those words. I believe that this bill can prevent harmful practices, but it should not come at the expense of genuine conversations and genuine attempts to help - and I don't believe that it does.

I recognise concerns raised by many in the community and raised with us this morning in briefings to members. An example was given. A parent says to their daughter, 'I don't think that you should be sleeping with your boyfriend'. If you take clause 5 of the bill and strip it down, it can be reasonably interpreted and read as follows: In this act, conversion practice means a conduct directed to a person, with or without their consent, on the basis of a person's intimate or sexual relationship with persons of a different gender for the purposes of suppression. I can understand how this can relate to that phrase 'I don't think you should be sleeping with your boyfriend'. A conduct - a conversation - directed at a person - the daughter - with or without consent, on the basis of a person's sexual relationship with a person of a different gender - sleeping with their boyfriend - for the purposes of suppression - telling them not to.

I've received a response from the member via email today that satisfies my views, but I ask that the member provide an answer to that for the purposes of *Hansard* as to why the quote, 'I don't think you should be sleeping with your boyfriend' is not covered by the above definition? It is important for people to know and understand that this bill will not affect that situation. I do note that the member did a pretty good job of that in her opening speech but would like to hear it again in the context of this particular remark. I also note that there are amendments that have been floated that may affect this and I am looking to see how that debate goes as well.

The bill is obviously much broader than just clause 5, but as I said at the onset, I do not intend to take too much time on this bill with an overly verbose speech explaining what the bill does, as others have done that much better. I would just ask the member to confirm the following two points. Has the party modelled what, if any, costs this will bring? This question recognises that there are obvious cost benefits from the bill passing, but I would like to know what the expected cost would be. Would you expect to see an increase in staff levels for the Commissioner? If Victoria is anything to go by, we should only see one to two reports a year. What does this look like? I would appreciate any answers that can be given.

I have also had concerns raised with me about the powers given to the Commissioner to set the rules and report on the rules, and questioning that. Is this too much power given to one body and do the Greens think that this is an appropriate form of oversight? I would appreciate clarifying views on this.

A lot more could be said, but I would just like to end by thanking all those who have shared an opinion with me, those who would like to see this bill pass, and those who would wish the opposite. The engagements have generally been genuine, and I appreciate that a difficult topic can, and should, have the people involved treated with respect, and I look forward to further debate.

[6.48 p.m.]

**Ms GLADE-WRIGHT** (Huon) - I rise to support this bill, which has been a long time coming. Tasmania has spent years discussing whether conversion practises should remain lawful. During that time, we've heard a great deal about definitions, religious freedom, parental rights and the proper limits of government, and those considerations are of course important. But in a debate like this it is very easy to become focused on the wording of the law, and we lose sight of the people that the law is intended to protect, and I want to begin with them.

Bronwyn was 16 when her mother sent her to hypnotherapy in an attempt to change her sexuality. She has described leaving those sessions feeling sick, drained, and exhausted. She felt that there was something wrong with her and that she was somehow broken or less than other people, and with that came shame and guilt. The effects disrupted her schooling and damaged both her physical and mental health. Decades later, she has said that she is still living with what happened to her.

Another survivor that I've spoken with has shared his account of spending 21 years trying to become somebody else. He was told that he was deeply flawed because of his sexual orientation and needed to be fixed, and that if he did not change, he faced the threat of hell. He was given the false promise that if he prayed hard enough, he would change, and if God had not answered by making that change, he was told it was his own fault because God never gets it wrong.

He was also subjected to exorcisms in which there is an inherent power imbalance between those conducting the practise and the person being prayed for. He has described the powerlessness, the hopelessness, and the despair that came from repeatedly trying and inevitably failing to change a fundamental part of himself. Those stories are very difficult to hear, but we must hear them. I thank those survivors for sharing their stories and speaking up about the darker parts of their lives. That does take courage, and I have huge respect for their advocacy. These survivor stories remind us that conversion practices are not an abstract legal concept. They happen to real people often when they are young and vulnerable and trying to find acceptance from the people and institutions they most trust.

For me, the most compelling argument in support of this bill is actually quite simple, and that is that the harm is real; there is no credible evidence that they work; and there is plenty of evidence that they are harmful. Research referred to during the lower House debate found that about one in 20 LGBTIQA+ Tasmanians had experienced a conversion practice. It also found substantially higher rates of post-traumatic stress disorder and attempted suicide among survivors. Those figures should give every member of this place pause because they mean that doing nothing has consequences.

I was personally moved by Cecily Rosol's speech in the other place, who spoke from her own Christian perspective about a faith grounded in radical acceptance rather than judgement. Her contribution was important because it challenged the suggestion that this debate is a contest between religious people and LGBTIQA+ people. It is not. There are people of faith who have serious reservations about this bill. There are many people of faith who strongly support it because they do not believe religion should ever be used to make another person feel broken or unworthy of love. Faith does not speak with one voice on this issue, and some people of faith have told me that the sin is not who you are; the sin is in trying to change you. Faith should not be discredited by these harmful practices.

I acknowledge the numerous residents of the Huon who have reached out to me expressing their concerns and to those leaders of faith who I have been able to go and have discussions with and I've made a point in going down to meet with lots of those people as well. People have worried that a broadly drafted law might reach into sermons, religious education, prayer, or pastoral care. Religious leaders have asked whether they could be punished for explaining the teachings of their faith, and parents have had some worries that ordinary guidance might be mistaken for conversion. Religious organisations have questioned whether they might have been held responsible for every action of an employee or volunteer. I've made a point of hearing those concerns, which I do believe deserve to be heard. For example, many submissions supported the legislation against harmful and coercive practices, while seeking greater clarity around the definitions and stronger protections for ordinary religious practices. I felt the proper response was not to abandon the bill but was to examine whether its boundaries could be made clearer without weakening its fundamental purpose.

I had a number of amendments which I was considering, which ultimately were moved and passed in the other place. The bill was amended to expressly recognise that sermons, religious education, prayer, and pastoral care are not, of themselves, conversion practices. The provisions relating to families were clarified. Parents and guardians remain able to discuss these issues with the child, including offering guidance, support, and advice. Age-appropriate relationships and sexuality education delivered through an approved curriculum is now expressly protected in the bill.

There is also to be a five-year review examining the operation of the legislation, including its effects on religious freedom, parental rights, and rights of children, and healthcare and counselling outcomes. Those, I believe, are meaningful changes. They should provide reassurance to people of faith that the ordinary and genuine practice of religion is not the target of this bill. A priest, pastor, minister, imam, or rabbi will not commit an offence simply by teaching their religion. A person will not commit an offence by praying with someone, and religious communities will not be required to abandon their theology, but we also need to be clear about the other side of that protection. Calling something a prayer or pastoral care cannot place it completely beyond the reach of the law. We must consider what is actually happening, why it is happening, and what effect it is intended to have on the person concerned. That is why the words 'of itself' are important. They protect genuine religious activity, but they do not create a blanket exemption allowing a targeted conversion practice to continue merely because it has been given a religious description.

The same balance applies within families. Parents and guardians can continue to talk with their children. They can listen, ask questions, give advice and discuss their values of faith. They can encourage a young person not to rush into a decision. They can support a child who is uncertain and help them work through that uncertainty. Nothing in this bill requires a parent to abandon their responsibilities. But parental love and guidance are different from subjecting a young person to a practice intended to change or suppress their sexual orientation or gender identity.

There is also no requirement for healthcare professionals to follow an affirmation-only approach. The bill protects healthcare providers in good faith and in accordance with legal, professional and ethical standards. Health professionals can discuss treatment and non-treatment options. They can explain the risks, benefits, limitations, and uncertainties involved. They can support open-ended exploration of identity. They can discuss detransition, desistance, reversal or modification of a social or medical transition. Cautious healthcare is not

conversion practice. Evidence-based healthcare is not a conversion practice. A doctor asking careful questions is not a conversion practice. The focus remains on the purpose of the conduct.

It is also worth remembering that this bill is not built primarily around punishment. Its broader architecture is about prevention, education, early intervention and proportionate civil responses. Criminal liability is reserved for intentional conduct that causes the level of injury required by the offence. That matters because the aim should not be to punish people after the harm has occurred, the aim should be to prevent the harm wherever possible.

Much of the opposition to the bill has been framed as a conflict between safety and liberty, and I don't personally accept that we must choose one or the other. Religious freedom is important, so is the right to be protected from psychological harm. Parental rights are important, so are the rights and safety of children. Clinical independence is important and so is the obligation to provide ethical and evidence-based care. The challenge for parliament is to protect those freedoms while drawing a clear line against practices that seek to change or suppress a person's sexual orientation or gender identity. In my view, the amended bill makes a serious and genuine effort to do that. At the same time, the other place rejected proposals that would have allowed conversion practices to continue whenever an adult had consented or whenever the conduct was described as prayer, private conversation or healthcare. I believe that was the correct approach. Consent is important, but it cannot be considered in isolation from the circumstances in which it is given. A person may agree to take part in a conversion practice because they believe their family will reject them if they do not change. They may believe they will lose their faith, their community, their relationships, or their sense of belonging. They may genuinely fear that their salvation depends upon becoming somebody else. In those circumstances, the word consent can hide a great deal of pressure.

What happened to the survivors that I spoke to was presented as help. It was not experienced as help. It left shame, disrupted education, damaged health and years spent trying to become somebody else. The harm did not end when the sessions or programs ended. It followed them into their adult lives. Tasmania can protect religious freedom while also protecting people from conversion practices. Those two things are not incompatible. To people of faith, the message should be reassuring. Your worship, your teaching, your prayer, your genuine pastoral care remain protected. To survivors, the message must be just as clear. We have heard you. We accept that the harm you experienced was real and we do not believe that what happened to you should be inflicted on anyone else. LGBTIQA+ Tasmanians are not broken. They do not need to be fixed. They deserve what every Tasmanian should be able to expect, the freedom to live with dignity, the freedom to practise their faith and the freedom to be safe from harmful practices.

I thank all the people who have advocated on this matter over many long years, including Rodney Croome and Equality Tasmania, all of those who have shared their stories, the Tasmanian Greens for their hard work and dedication and I commend the bill.

Mr President, I also move -

That the debate do stand adjourned.

**Debate adjourned.**

## SUSPENSION OF SITTING

[7.00 p.m.]

**Ms RATTRAY** (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

That the sitting be suspended until the ringing of the bells.

This is for the purpose of a dinner break.

**Sitting suspended from 7.00 p.m. to 8.xx p.m.**

## CONVERSION PRACTICES PROHIBITION BILL 2026 (No. 45)

### Second Reading

**Resumed from above (page xx).**

**Ms GLADE-WRIGHT** (Huon) - Mr President, I have finished my contribution.

[8.16 p.m.]

**Ms PALMER** (Rosevears) - Thank you, Mr President. I rise today to make a contribution on the Conversion Practices Prohibition Bill of 2026. I would like to begin by thanking Premier Jeremy Rockliff for enabling a conscience vote on this piece of legislation. It's often said that the Liberal Party is a broad church, and I certainly agree with that. I have great respect for the opinions, on numerous matters, around our Liberal Party table, as I do the opinions in this place. We all come to this profession, and to this place, with the stories, the journeys, and the experiences that have shaped our lives and indeed shape our opinions. I think that's the whole point of having elected members to parliament, that we each bring a different perspective that represents the different opinions that we see right across our society. Each to be respected, and each worthy of our consideration.

I would like to thank the staff, and the team, who have worked on this legislation. They have listened, and they have responded to all perspectives, and all opinions, with respect and with kindness. It's certainly been a pleasure to work with them, especially around some of the amendments that they moved in the other place, which I very much appreciated. I've also appreciated how they've answered questions, my questions, during briefings and discussions. I want to thank the member for Hobart for stepping us through the amendments, and for her very informative second reading speech, and I've certainly enjoyed the contribution of others in the Chamber.

As I said, our life journey shapes who we are, so my contribution today might be a little bit different. It's to share a story that I have played a small role in, but primarily, it's the story of another Tasmanian. But it's his story which has indeed shaped how I will be responding to this legislation before us, and I have asked his permission to share this.

I was six years old when I made a new friend. We actually met in Sunday school. The significance of this meeting has become more important and treasured to me the older I've become. Having lost my father at the age of 19, I actually have very few friends who met my

dad, who remember what he looked like, who remembered his big armchair, or his wheelchair, but my beautiful childhood friend does; so, for me, that gives us such a deeper connection.

My lovely friend remembers our above-ground swimming pool in our old backyard in Trevallyn. It had a hoist on the side, and it had been made by some volunteers from the church. We would strap my dad in and we'd lift him over the side of the pool into the water. That hoist would not meet any safety requirements today. Of course, we all had to jump in the pool because if we just hoisted him in, he'd sink straight to the bottom. So, my brother and I would grab him and we'd take him around the water. It was one of the few times in his life where his body was not his burden, and my friend was there to witness all of that.

As teenagers, we attended Riverside High School. He was one of the coolest kids in the year group. He was so naughty, so mischievous, but even the teachers loved him. As for me, I was not so cool. I tended to hang out in the library reading or I'd be in the music room. Some of our best years together were actually as flatmates, sharing everything from our great love affairs to great heartbreaks, to marriage, to having babies. Our adventures were hilarious and wonderful, and always safe.

I'll never forget the day my dear friend said he had something really important to tell me. Actually, what he said is 'I have something really important to tell you, but you have to guess what it is'. And I remember thinking this could go really badly if I don't guess correctly. I knew in that moment it was pretty significant because he was never serious. I refused to guess and eventually he told me he was gay.

It was a sheer relief for both of us, really. I guess I'd always known, but I'd never really thought about it because it just didn't matter. We loved each other like brother and sister. We loved each other like best friends, but over the coming months, it was a time of many, many questions for my friend trying to work out how did all this work? There was also the question around how did he tell his family? His beautiful parents had always been exceptionally great supports to him, but he was scared about how they might react. And then there was his grandfather, an older man that he loved, but he was from a different time. How would he react?

My friend decided to write a letter to his parents and leave it on their kitchen bench while they were out. It contained one sentence. It pretty much said 'I'm gay'. When he told me, I was absolutely horrified. Being the dramatic and emotional person that I am, I snuck back into his parent's house. I retrieved the letter from the kitchen bench and together my friend and I penned a different version.

My darling friend's father passed away at the age of 94 just a few months ago, and in a box containing his most precious possessions was that letter written to him by his son. What a beautiful moment.

Mr President, all this happened 35 years ago. Coming out was hard, it was scary, it was confusing, and we were just a couple of kids trying to navigate life together. For me, I'd grown up in a Christian family with parents who were missionaries, my dad a Baptist preacher, and both my parents were senior members of our local church. As I saw my beautiful friend's fears and anxieties, I suggested to him that he come to church with me. Church is the place that I've always run to when things are really hard - churches from all denominations, actually. I find them peaceful. I find them reassuring.

Having spent my entire childhood and much of my adulthood in church environments can you imagine my distress when my beautiful friend looked me in the eye and said church was the last place on earth he could go. I remember feeling so gutted. I think Christians and churches are the places where people should run to for safety, for support, to find peace, and also a place where they won't be judged, where they'll be accepted the way they are without any judgment.

Some of this debate has felt like a battle of religion. I must say I don't consider myself particularly religious, but I do consider myself a Christian. And I think it's really important to put on the record that support for this legislation has come from across many different parts of communities, including our church communities. There's also been those against this legislation who, again, have come from right across our communities, including our church communities. We've appreciated all of those opinions and I respect them.

But there is one comment that does seem to connect us all, and that is the agreement that conversion practices have no place in our society. While there still remains, perhaps, a little fear about what might happen if this legislation passes, we do all seem to be in agreement that trying to change a person to make them fit themselves into a round hole when indeed they are a beautiful oval, or a magnificent oblong isn't okay.

Like all members, I have been inundated with correspondence on this matter and to be honest, I think it's wonderful to see our community engaging in this discussion. I do want to pay tribute to those who have shared their personal stories. It's never easy, especially in these times where there's a free-for-all via social media. To share the most personal parts of your life, is a big call, yet many have so freely - parents, kids, families. It's been overwhelming. I do want to indicate my support for the Conversion Practices Prohibition Bill of 2026. I will listen to the debate moving forward and any amendments that might be put forward, but can I finish by sharing with the House that my darling friend went on to live a wonderful life, a great husband and hilarious godfather to one of my children, a loyal friend to many, a beloved son and brother. He's travelled, he's laughed, he's cried and he's contributed to many and varied aspects of life in Australia. He's loved greatly and he has been greatly loved. A full life of a wonderful man and I can't bear to think of who or what he may have become if someone had told him he couldn't be who he was, he couldn't be who he is.

As a Christian, I believe we are created by God, and I don't believe my God makes mistakes. My God loves all shapes just as I do. Beautiful ovals, magnificent oblongs and perfect circles. I support the bill.

[8.26 p.m.]

**Ms ARMITAGE** (Launceston) - I thank the honourable member for Hobart for bringing this bill forward. I'm aware that it's come about as the result of a great deal of consultation, reflection and thought, and that many people in the community have a stake in the passage of the bill.

This bill contains many significant measures and will likely have very real consequences for people in the community if it's passed. Amongst other things, this bill prohibits practices and conduct aimed at changing, suppressing or eradicating the sexual orientation or gender identity of a person. These are known as conversion practices. It establishes a Conversion Practices Commissioner who will administer an education, prevention and response scheme.

The statutory office will be held by the Anti-Discrimination Commissioner. The Commissioner will further establish a reference body to provide advice and issued practice guidelines on conversion practices.

The bill establishes a number of offences, including engaging in conversion practices that cause injury, taking a person outside Tasmania for conversion practices and the lesser offence for advertising conversion practices. It establishes an aggravating factor if a conversion practice is conducted on a child or on a person with impaired decision-making ability.

The bill establishes a scheme whereby a person may make a report to the Commissioner alleging the occurrence of conversion practices. The Commissioner can undertake an investigation if there's been a potential contravention of the act and would possess the power to require documents and attendance for answering questions as part of an investigation. Voluntary facilitation can occur between parties and reports can be referred to the Tasmanian Civil and Administrative Tribunal for assessment which can dismiss a report, order financial compensation, or make any other order they consider appropriate.

Like other members here, I've received a great deal of correspondence, submissions and representations regarding this bill, many who want to see it passed as it is, and many who believe that it might have unintended consequences in its current form. Many people have an emotional connection to this legislation and it's up to us to handle every person's view with compassion and fairness.

Like with all legislation that we're required to consider, I've done my best here to consider all sides of the arguments being presented over this bill and understand that no matter what decision is made here today, there'll be those who will be pleased and there'll be those who will be disappointed. To this end, I've considered all pieces of correspondence that have been sent to me, and I've done my best to develop a balanced understanding of the bill, its objectives and the wider community sentiment regarding them.

What every representation to me had in common was the condemnation of abuse, coercion and harm of any person. All representations to me additionally contain kindness and care towards people who might struggle with their sexual orientation or gender identity, and their families and loved ones. While I can't speak for every representation received by every member here, I'm confident when I say that all those who wrote to me did so with good intentions and compassion in their hearts.

To this end, I'd like these representatives to speak for themselves and I'll take some time to summarise the views and positions expressed to me regarding this bill, both for those who would like to see it passed as it is and those who want changes made to it or see it defeated - and their reasons for doing so.

Statistics provided by La Trobe University indicate that attendance at conversion practices is related to individuals being at least one and a half times as likely to have a mental health diagnosis, including almost three and a half times as likely to have been diagnosed with PTSD. Individuals who had attended a conversion practice were over two and half times more likely to think about or plan suicide, and almost four times more likely to attempt suicide than individuals who'd not attended a conversion practice.

In favour of the bill, a representation I received indicated that it was based on the commitments of the Uniting Church, that every person is precious and entitled to live with dignity because they are God's children and that Christian practices should not be used to harm or condemn any people regardless of their sexual orientation or gender identity, including LGBTIQA+ people. It goes on to state that there has been a lot of misinformation circulating regarding the bill, especially relating to the fear that, if the bill is passed, it would become illegal for ministers and religious leaders to offer advice or prayers for LGBTIQA+ people who go to them for counsel. The minister who wrote to me stated that they were confident that the bill as tabled will provide them and any ministry colleagues with the freedom to legally talk and or pray with any people who may come seeking a pastoral ear or advice about their sexuality or gender identity.

An email from a volunteer at Equality Tasmania urged passing the bill as it is for several reasons, including amongst others: that the bill will save lives, with 1 in 20 LGBTIQA+ Tasmanians being conversion survivors and have high levels of PTSD and attempted suicide; that the bill will bring Tasmania in line with other jurisdictions; that it will send a clear message that LGBTIQA+ people are not broken and do not need to be fixed - I think we all agree with that; that conversion practices labelled as therapies are often undertaken by people who do not possess recognised qualifications, are based on pseudoscience, don't work, and cause harm; and the bill provides for education and prevention.

Working It Out provided a comprehensive submission, which I'll briefly summarise. That conversion practices are degrading, humiliating, and abusive methods, physical and non-physical, used to attempt to erase a person's identity and that these practices occur under the guise of counselling, educational courses, training retreats and camps, which require significant financial investment. Working It Out's support of this bill is based on the assertion that conversion practices are a threat to the health and wellbeing of LGBTQA+ people. They further state that there's no disputing that conversion practices happen in Tasmania and legislative action is required to protect vulnerable LGBTQA+ people from harm.

The submission provided by Working It Out helpfully provides an interpretation of what is and is not a conversion practice. They state,

> ... the Bill is not designed to restrict the rights of religious people, groups or doctrine. It does not aim to stop religious or spiritual practices, rituals, sermons, or alter or advocate against religious principles. *It is not* a conversion practice for people in religious settings to offer spiritual guidance, counsel and support.

They further advise

> It *is* a conversion practice to offer a service that is pseudoscientific, dressed in religious doctrine which aims to reinforce strict social norms around gender roles and sexuality.

There are likely to be borderline and arguable cases, and it would be helpful to know more about the policy and principles driving this bill to help us determine what is and is not a conversion practice for the purposes of the bill. Working It Out also provided qualitative evidence from people who had experienced conversion practices. One was provided by a woman who was made to undertake hypnotherapy by her parents as a teenager, and she

describes feeling sick, tired, and emotionally drained while wanting to continue attending church and working as a Sunday school teacher in her adult years. This person's romantic relationship with another woman meant that she was no longer allowed to teach and that she undertook conversion therapy. She states she is now 48 years old, still receiving therapy for the conversion practice she experienced as a 16 year old.

Another person describes growing up as a girl attracted to other girls but through the church environment she was involved with, was made to believe her love for another girl was rooted in evil. This person describes her time in a Christian women's home in Queensland for nine months as a Jesus boot camp for young women and was a cross between the army, a psych ward and a convent. While she states this was a voluntary program, her attendance came about as a result of being led to believe it was where she needed to go in order to be cured, and that it may be her last resort to be normal. During this time, this person describes her mental health as failing, and ultimately wishing she would fall asleep and not wake up. She says that the hard truth is that conversion practices very nearly killed her, having lost her joy, her peace and her will to live. These are very sad circumstances.

Hearing from people who have directly undergone conversion practices is powerful. However, I believe it's important to understand the wider implications, and significant changes, the bill makes. These changes are quite significant, and the creation of new criminal offences means that we need to be sure that this bill will have the intended effect on preventing abusive, coercive and injurious practices, especially in circumstances where there are power imbalances, or where children and young people could be harmed.

To this end, I want to take some time to consider the representations made to me by people and organisations who believe there may be issues with the bill in its current form. With many helpfully providing suggested changes. The LGB Alliance has raised concerns about the bill in its current form. I'll quote from their correspondence to me, highlighting the issues, and perhaps the honourable member could provide a response:

> In recent weeks we have heard from distressed parents across Australia. A boy who considers himself a girl, is not yet 18 and cannot wait to undergo genital surgery. A same-sex-attracted girl went to a rainbow group to make new friends and came home from her visit fitted with a binder. A young woman is on her fifth identity in 12-months and a 17-year-old girl who had already started testosterone, began talking through her distress with a counsellor. She desisted.

Are these parents guilty of conversion practices if they do not affirm? Are other adults in these young people's lives, including anyone who advises the parents, at risk if they do not support them unquestionably? Is it unreasonable to want to stop your son from having his sexual organs removed, or your daughters from binding her breasts in a way that may cause physical harm? Is the intent that Tasmania operates an affirmation-only model of healthcare for gender distressed children? Does the bill treat adults differently to children?

The LGB Alliance further differentiates sexual orientation from gender identity, and they've described the bill as being at risk of a bait and switch. A law presented as protecting gay people from coercion that also discourages legitimate questioning and exploration of gender identity. Additionally, the LGB Alliance emphasises that character traits which can be associated with homosexuality, things in common parlance known as tomboys, or gentle boys,

to use the Alliances language, are at risk of being diverted into a medical pathway. The Alliance quotes the case of Re Devin, a Family Court case whereby the Family Court accepted expert evidence that gender dysphoria in young people may sometimes be a precursor to later homosexual orientation, and that there was potential for children who may be growing up gay or lesbian, as a result of potentially possessing some of these traits, could be misidentified as transgender.

Furthermore, the Alliance describes this as potentially erasing same-sex attraction, and describes New South Wales law as being better constructed, by containing an express protection for people with no sexual attraction, while keeping a sex-based definition. Keeping same-sex attraction in the law. Ultimately, the Alliance wishes for the bill to be referred to a committee to more deeply examine the matters, which they, and others, have raised about the bill in its current form.

Similarly, Women Speak Tasmania's position is such that they support a targeted prohibition on conversion practices directed at sexual orientation. They strongly oppose the inclusion of gender identity within the same legislative framework. In their paper, Women Speak Tasmania states that gender identity is not equivalent to sexual orientation, but that the bill treats the two concepts as interchangeable. It applies the same purpose test, the same consent or relevance rule, the same child protection offences and the same principles to both. Describing this as a category error with serious practical consequences, they further note that a substantial proportion of young people presenting with gender dysphoria are same-sex attracted. Rapid onset cases, particularly among adolescent fames, have risen sharply. Exploratory therapy that examines the interaction of same-sex attraction, trauma, autism, social influence and distress is precisely the kind of care most at risk under a broad gender identity conversion ban. The result can be the medicalisation of same-sex-attracted youth under the guise of gender affirmation. They describe it as a form of conversion that the bill does not address and may facilitate.

I've received correspondence from people who support the broad policy intentions of the bill, to prevent and denounce any practices which involve coercion, intimidation, abuse, and degrading treatment of any person, no matter their sexual orientation or gender identity. However, many raised concerns that it's unclear exactly how far exactly this bill is intended to go and how it might be applied in practice.

One person who wrote to me stated that:

> Despite the bill's stated intention to preserve freedom of discussion and religion, the legislation may unintentionally discourage ordinary conversations between young people and those who care for them.

They go on to say:

> It's vitally important that every opportunity remains open for a young person to receive good counsel when they're deliberating on such a hugely life-impacting issue.

They conclude:

> If the draft bill creates uncertainty about whether such exploratory conversations may expose professionals, pastors, or volunteers to investigation, many may simply choose not to engage. If this occurs, then a young person is failed by our society. Unsupported in a time of great need and at risk of making a decision that may, in later years, cause them much heartache and pain.

One person wrote to me regarding any express protection for those practicing religions and freedoms more generally. Specifically, they asked:

1. Have the rights of people of different faiths to teach their faith communities - including their children on these issues in accordance with those faiths - been protected in the legislation?

2. Have the rights of individual adults to freely choose conversion or freely choose to reverse conversion been protected in the legislation?

3. Have the rights of trusted confidantes and friends to provide invited support during important life-decision-making processes been protected in this legislation?

4. Have children been protected from parents, guardians, or health practitioners making irrevocable decisions? For example, medical interventions that the child might wish they could change once they reached adulthood?

5. Have parents or guardians been protected from health practitioners making decisions about their children without parent or guardian involvement?

6. Does the legislation ensure that each individual is accountable for their own behaviour but not accountable for the illegal behaviour of other individuals?

7. Does the legislation provide clear selection guidelines for the commissioner to ensure the reference body includes people with diverse relevant perspectives and expertise?

Further correspondence highlighted the risks some believe this bill posed to existing rights and freedoms, particularly as they relate to freedom of speech and expression, as well as religious freedom. Additional concerns relate to the notion that there's no demonstrable need for this legislation, with coercive and abusive conduct already addressed by existing legislation.

One person was concerned that our freedoms could depend on the views of one single person - the commissioner - adding that basic rights should clearly be spelled out in legislation and protected by the courts, not left as shifting interpretations or administrative opinion.

Others have written regarding the lack of definition, and the potential for trusted friends and loved ones to provide honest and good faith advice to their loved ones for fear of facing legal reprisal. One person stated that the safeguards for parents, grandparents, religious leaders,

and health practitioners, are heavily qualified with the words 'does not of itself constitute a conversion practice'. It's impossible to know now what these words will mean in practice.

A parent of a young person experiencing what they describe as gender-related distress described the process of seeking assistance from medical professionals, psychiatric services, counselling services, eating disorder services, schools and educators, and community support as already extremely difficult, particularly when their child experienced a significant number of medical issues. Their concern is that the bill's definition, principles, and complaint mechanisms will further discourage the open, clinical engagement families already struggle to obtain and urges that we listen to parents whose questions have been dismissed, families unable to find psychotherapy, people harmed by hormonal or surgical interventions, and professionals concerned about their ability to practice thoughtfully.

Another parent describes the turmoil of having their adolescent child transition and then detransition, and the toll this took on their child and their whole family, loved ones and friends. They state that they strongly believe parents and counsellors should be supported to adopt a comprehensive exploration therapy approach for a young person's gender dysphoria distress. There could be many reasons for this distress, and it would be negligent to not offer this therapy as a starting point.

One person raised the concern that options for people they described as trans-identified to have access to the same medical treatment options as those who are not are difficult citing concerns around doctors and therapists potentially not wanting to expose themselves to any legal risks. They stated that parents, families, friends and professionals should retain the freedom to ask questions, express concerns and discuss all relevant factors without fear of legal consequences.

While it's been spoken to at length, I'd like to hear the honourable member's response to some of the concerns raised by the Anglican Diocese of Tasmania. In the analysis paper provided by the Rt Rev Dr Richard Condie, there's a claim that this bill does not recommend the model which was recommended by the Tasmanian Law Reform Institute. The paper states -

> The TLRI recommended a narrower, health-lead and harm-focused model with criminal law as a last resort and existing legal systems adapted to deal with conversion practices. The Greens' bill, instead, adopts a broader definition, lower criminal threshold, wider institutional liability and new coercive regulatory framework.

It further claims -

> The overall structure in many of the bill's most significant provisions go substantially beyond the model the TLRI proposed while other TLRI proposals are ignored.

I wonder if the honourable member would please be able to provide a response to this. This bill has been analysed at length by many different people who have made distinctions between it and legislation and other jurisdictions, so I'd like to understand a bit better how and why this bill might differ from legislation that's elsewhere and how it differs from the model developed by the TLRI.

Correspondence and analysis from the Australian Christian Lobby supports laws against genuine coercion, abuse and harm, but believes this bill goes far beyond that, warning that it could capture parental conversations, health practitioners, everyday religious practices even when consensual and harmless. The ACL further contends that the bill uses unclear definitions, circular safeguards, reverse onus defences, criminal liability without having to demonstrate injury, extensive investigative powers, and extraordinary expansion of the legal meaning of child abuse. The ACL further states that Tasmania already has criminal, civil, child protection and professional laws dealing with assault, coercion and abuse, yet the bill sets a much lower threshold for conversion practices. The ACL is seeking clear, stand-alone protections for parents written into the legislation. Specifically -

1. Parents must remain free to guide their children on questions of sex, sexuality, gender, relationships, faith and morality.

2. The bill allows parents to discuss these matters, but only if it's not seen as a conversion practice, a term the bill does not define.

3. The bill protects parents merely discussing these matters, while the South Australian law expressly protects parents providing guidance as well. Parent includes advice, values and expectations, not simply neutral discussions.

While the ACL submission is far more detailed, raises additional objections and requests for the changes, I felt that these were important to highlight as it dovetails with some of the other concerns raised by some parents with regard to the bill, and they would be interested to hear how these concerns could be addressed by the honourable member.

I thank everyone who took the time to brief the Council, provide feedback on their experiences and beliefs, and analysed the policy and law which has informed this bill. One thing that every submission had in common was the utter rejection and condemnation of any practice against any person which is coercive, abusive or otherwise harmful, and I'm sure we all agree on that. Thank you.

[8.49 p.m.]

**Ms RATTRAY** (McIntyre - Leader for the Government in the Legislative Council) - Thank you, Mr President, and before I commence my contribution, I acknowledge every person, every organisation that has shared a story, their journey, their concerns and also their support. I think, as we do well in this place, it always is a fairly respectful way that we go about that. I know that that was acknowledged a couple of times during the course of contributions, and I've certainly appreciated that opportunity to listen and always learn.

I rise to contribute to the Conversion Practices Prohibition Bill of 2026 debate and would like to make a position clear at the outset: everyone, regardless of their sexual orientation or gender identity, is entitled to dignity, respect, compassion, and protection from abuse. I do not support bullying, intimidation, coercion, or attempts to force somebody to live their life in a manner that is contrary to their genuine feelings or identity. Nor do I support the sort of practices that have caused genuine suffering to people who have been subjected to them. I acknowledge there are people who have experienced considerable distress because of conversion practices and their experiences deserve to be heard. It goes without saying, parliament has a responsibility to consider them seriously.

However, recognising the importance of protecting people from harmful practices does not mean we should automatically accept every provision of legislation introduced in pursuit of that objective. I believe we have a responsibility to examine the legislation carefully, particularly when it concerns children, medical treatment, parental responsibilities, and the ability of professionals to provide independent advice. My concern is not about denying anybody their identity. My concern is about making certain that, particularly where children are involved, we do not create a legislative environment in which responsible advice, legitimate medical questioning, or a difference of professional opinion could be misunderstood or treated as unlawful conduct.

A child's welfare must come before political ideology, social pressures, or the desire to achieve a particular legislative outcome. That should be the starting point of this debate, and I'm not suggesting that children should be denied support. Quite the opposite. I'm suggesting that children deserve every possible form of support, including the opportunity to receive independent medical advice, psychological assessment, parental guidance, and, where appropriate, advice that encourages them to take more time before making decisions with potentially significant lifelong consequences. We should not be legislating in such a way that people become frightened to give that advice. I believe the most important aspect of this legislation is its potential application to children and young people. Children are developing physically, emotionally, and psychologically. Their understanding of themselves, their relationships, their bodies, and their future can change as they mature. Adolescence can be a particularly complicated period - I was one once, and I'm also a parent and a grandparent and a great grandparent.

Young people may experience uncertainty about their identity, their sexuality, their appearance, their relationship, and their place in society. For some, those feelings may be enduring. For others, they may be part of a period of exploration, uncertainty, or personal development. There should be no shame attached to either circumstance. I feel sure we can all agree on one fundamental principle: a young person who is experiencing uncertainty should be entitled to explore that uncertainty without being pushed towards a predetermined conclusion. This means they should not be pressured into rejecting their feelings, but equally they should not be pressured into accepting a particular course of action before they've had the opportunity to understand all the relevant information.

I would be concerned if any legislation, through uncertainty or an overly broad interpretation, discourages that sort of responsible conduct. I'm going to share with honourable members a story from somebody who reached out to me over the over the last couple of weeks. I'm not going to name this person, but I'm going to say that this person is a Tasmanian citizen since birth.

> I'm writing to express my profound concern regarding the Conversion Practices Prohibition Bill 2026 as it is being presented to the Legislative Council for debate. This bill imposes restrictions such that, if legislated, could make law-abiding citizens like me into lawbreakers, liable for criminal charges, prison terms, and financial penalties. It puts at risk, even could deny, the most basic and fundamental freedoms of parliamentary democracy: the freedom of thought, worship, speech and association.

> I'm a Bible believing Christian, a parent and grandparent, and this bill, if enacted, will deny me the right to express my beliefs openly and freely to any family member considering gender transition. It is contrary to affirmation.
>
> My right to pray, council and care for my family members, in accordance with my Christian convictions, could be deemed a conversion practice. A criminal offence and terrifying, legislated as child abuse. [TBC]

This person writes on.

> My personal experience, when in my early teens gives an example of the danger of activist-driven views that inform gender preference in contradiction of biological truth, which will be enforced legislation in this bill.
>
> I don't want to be a girl; I want to be a boy. This was my desperate plea to my parents when, as a 13-year-old girl, I was facing the realities of puberty. Again, I don't want to be a girl, I want to be a boy. This was my wishful narrative, as the third child in a family of seven, and the eldest daughter, when I watched my brothers having outside chores, when I was assigned to the safe inside chores, like minding and feeding younger siblings, ironing and the never-ending pile of clean washing. Helping with the meal preparation and housekeeping routines. I don't want to be a girl; I want to be a boy.
>
> This was my plaintive call when comment, 'you should have been a boy' was made in the reference to my physical appearance. The dressmaking trials associated with having such wide boyish shoulders, the hairdressing challenges with my straight, unyieldy hair. The doleful desire to be away from domestic duties, to perhaps tinker with real interesting mechanical projects, like my brothers' impressive motorbike restoration. My preference to go with the boys to do what the boys were allowed to do, which was not an option for this girl, under the prevailing circumstances of this large family living in a middle-class urban Tasmanian municipality in the 1950s.

She goes on.

> This was not a call for gender transition. This was not gender dysphoria. This was a young teenage girl's transitioning ponderings, on the vagaries of family life, as she perceived it at that time. This bill's activist-driven views on the affirmation model of treating vulnerable people inculcated in today's government health and education services, for minors, rather than acknowledgement of biological reality, will be devastating for children, parents and families. Gender transition therapy, sadly aligned with harmful drugs and treatment, provides no protection for children. It will affect family conversations, counselling and family guidance. It has the potential to criminalise expressions of faith and opinion, about sex and gender.

Finally, she says:

> I would not be the happily married woman that I am, the blessed mother of three sons and seven grandchildren if my personal experiences were played out today. The coercive Conversion Practice Prohibition Bill of 2026 is alarmingly shaped by an ideological approach that creates a new form of gender conversion practice, accepting only the affirmation of gender transition. [TBC]

It goes on:

> I'm asking you, as members of the Legislative Council -

And there's some dot points under that, Mr President.

There are some real concerns in our community, from people who have an also lived experience. Now it might have been in the 1950s, but it's also somebody who has reached out and shared their journey. I thought it was important, as we've heard a lot from people who have shared their story, and as we've also heard from a Tasmanian conversion survivor who has been brave enough to share their story, and I sincerely thank them for that.

This brings me to what I believe is one of the most important questions the Legislative Council must consider: what exactly is the distinction between an unlawful conversion practice and legitimate advice that questions whether a particular course of action is appropriate? The distinction is essential. The bill defines a conversion practice by reference to conduct intended to change, suppress or eradicate a person's sexual orientation or gender identity. However, the legislation also contains exemptions, and I acknowledge those exemptions. In particular, clause 5(3) excludes appropriate health services provided in good faith by registered health professionals and genuine assistance with coping, development and identity exploration. Clause 5(4) also expressly protects guardians providing guidance and advice to children as well as health practitioners discussing treatment and non-treatment options, including potential benefits, risks, limitations and uncertainties.

There are important provisions and I do not want to misrepresent what the bill actually says, but I believe there are some questions about how these protections will operate in practice, and I look forward to the honourable member for Hobart's response to these. For example, what happens when a doctor believes a particular treatment is inappropriate, but a patient or family member believes the doctor's advice is discouraging their gender identity? What happens when two qualified medical practitioners reach different conclusions? What happens when a psychologist recommends further assessment, but that recommendation is interpreted as an attempt to influence the young person's identity? What happens when a counsellor believes that a young person needs more time to understand their feelings before making decisions about medical intervention?

These, I believe, are not unreasonable questions. They are precisely the questions that legislators should ask before passing legislation that may affect professional practice. I accept that the bill provides protections for registered medical practitioners, but I would like the honourable members to consider whether those protections are sufficiently clear, sufficiently broad and sufficiently practical. We should not leave professionals wondering whether a legitimate clinical opinion could expose them to a complaint or investigation. A medical professional should never be required to provide advice they do not believe is in the best interest of their patient simply because they are concerned about the possible interpretation of

legislation. Nor should a professional be discouraged from explaining the potential disadvantages, uncertainties, or limitations of a proposed treatment. Medical advice must be independent, it must be honest, and it must be able to reach a conclusion that does not necessarily agree with the wishes of the patient or the expectations of others. That is fundamental to good medical practice. In view of these concerns, I have circulated a number of proposed amendments that will be further discussed during the committee stage, and I'm expecting that the bill will reach that part of the process.

There is another matter that I believe deserves particular attention. We often discuss medical treatment in terms of the treatment that might be undertaken, but there is another option that deserves equal consideration, and that option is to wait. Sometimes the best medical advice is to undertake further investigations. Sometimes it is to seek a second opinion, sometimes it is to provide psychological support and allow more time for a person to develop a clearer understanding of themselves. Sometimes the appropriate recommendation may not be to proceed with a particular intervention. This does not mean the young person is being rejected. It does not mean their feelings are being dismissed. It means that the medical profession is considering the whole person and the circumstances surrounding the proposed treatment. I believe we should be particularly careful not to create an environment in which the recommendation to wait is automatically viewed with suspicion.

There should be no presumption that a doctor who recommends further assessment is acting improperly, nor should there be a presumption that a parent who seeks a second medical opinion is attempting to suppress their child. Further, there should be no presumption that a young person who ultimately decides not to proceed with a transition or any other intervention, has been subjected to unlawful influence. The right to proceed must be accompanied by the right not to proceed. The right to explore must include the right to change one's mind. And the right to receive support must include the right to receive advice that is independent, balanced, and sometimes challenging. I ask honourable members to consider that carefully

I also note that the bill specifically provides that guardians may discuss gender identity, sexuality, and related matters with children and may provide guidance, support, and advice. That is welcome. However, I would ask whether the protection is sufficiently clear in relation to the range of difficult conversations that can take place within a family. Parents don't always agree with their children. They may have concerns about a child's emotional wellbeing, and they may be worried about the child's mental health. They may believe the child is making a decision too quickly and may wish to obtain further medical advice. They may simply wish for their child to wait until they're older and better able to understand the consequences of a decision. These are normal parental concerns, and we should not create a situation where parents feel that expressing those concerns could be interpreted as an attempt to change or suppress their child's gender identity.

Consider a mother or a father who says 'I love you and I accept you, but I'm concerned about the medical decisions you are considering. I want us to speak to another specialist before proceeding.' Surely, that is not conversion. Surely, that is not abuse. Surely, that is not something that should expose a parent to a legal complaint. I believe the legislation should make the distinction unmistakably clear. Parents should be encouraged to maintain open and honest relationships with their children. They should be encouraged to ask questions. They should be encouraged to seek professional advice. They should be encouraged to participate in decisions affecting the health and welfare of their children, subject to the children's rights and the applicable medical and legal requirements. A law intended to protect children should not

inadvertently undermine one of the most important sources of support available to them: a caring and responsible family.

I would also like to consider the position of schools and those who work with young people. Teachers, school counsellors, welfare officers, and other education professionals are often among the first people who a young person turns to when experiencing difficulties. They may be asked questions about gender identity. They may be asked for advice. They may be approached by a student who is confused, distressed, or uncertain about what they are experiencing. Those professionals have a responsibility to listen, to provide appropriate support and, where necessary, refer the young person to suitably qualified medical or psychological professionals. Although, what happens when a teacher believes a young person needs further help before making a significant decision? What happens when a school counsellor believes the young person's difficulties may involve other emotional, social or psychological issues that should be explored? What happens when a teacher encourages a student to speak with their parents or guardians before taking further steps? You would think these are legitimate questions. I note the bill protects age-appropriate relationships and sexuality education delivered under an approved curriculum. However, I would like greater clarification around conversations outside the formal curriculum.

A teacher shouldn't be expected to avoid asking sensible questions for fear of being accused of influencing a student's identity, nor should a school counsellor be prevented from encouraging a young person to seek independent professional assistance. We should be encouraging responsible adults to help young people obtain appropriate support. We shouldn't be creating uncertainty that makes these adults reluctant to become involved. The legislation should provide clear guidelines to schools and educational institutions so that teachers can fulfil their responsibilities without fear of inadvertently breaching the law.

If I can now focus on the position of religious organisations, and I appreciate the bill contains express protections for religious expression, including sermons, religious education, pastoral care and prayer, I also acknowledge the protection given to statements about religious beliefs and principles. Those protections are important. However, I believe the Council should be considering the distinction between expressing a religious belief and providing personal guidance to an individual who may be experiencing uncertainty about their identity. Religious organisations frequently provide pastoral care and counselling. People can seek their help because they want to discuss personal matters in an environment where they feel comfortable. That assistance may involve listening, discussing personal beliefs, providing emotional support, and helping people consider difficult questions.

In my view, there must be a clear distinction between coercive practices intended to force somebody to change their identity, and a genuine pastoral conversation in which an individual is free to express their concerns and receive support. I don't believe a person should be subjected to coercion in the name of religion, but equally people should not be prevented from seeking advice from a religious organisation simply because that organisation holds views that differ from those of another person, or institution. Freedom of conscience, and freedom of expression, are important features of a democratic society. The legislation should protect those freedoms, while continuing to prohibit genuine coercion and abuse.

I want to divert a little bit off my prepared speech, to just ask some questions around the Victoria example. I understand that both New South Wales and South Australia have moved away from the Victorian model, and with the New South Wales Premier, Chris Minns, publicly

stating that the Victoria model was too broad. My information tells me that Victoria provides an important example of the chilling effect that can arise from broadly drafted conversion practices legislation. In 2026, submissions to the Victorian Law Reform Commission from senior Christian, Jewish, Muslim, Hindu and Sikh leaders, reported that uncertainty about the scope of Victoria's law had produced a chilling effect. Particularly on religious leaders, many of whom feel constrained, or unable to provide appropriate pastoral care to those seeking guidance, for fear of breaching the law. They said the result was a reluctance among religious leaders, parents, and caregivers, to engage in these conversations at all, meaning that people seeking care could miss out on the support from those closest to them.

I'm really interested in the honourable member for Hobart's view on that particular advice, that there is a move against that. That was just something that was raised with me.

I now want to turn to the possibility of complaints, and the consequences for individuals. It is one thing to say that the law will not prevent legitimate medical advice, parental guidance or appropriate counselling, it is another thing to consider how that law will operate when a complaint is actually made. It's also important to remember that people can disagree about what has been said, why it was said, and what was intended. A young person may believe a doctor has been discouraging them, parent may believe that the school has encouraged their child towards a particular course of action, and a professional may believe they are simply exercising their duty of care. The question then becomes: how will those competing accounts be assessed? The bill establishes a Conversion Practices Commissioner, and provides for a process involving reports, facilitation, investigations and compliance measures.

I'll be interested in understanding some costs associated with that, and I know the question was asked at an earlier time, from memory, from the honourable member for Murchison, around the government's position on that. I'm not in a position to provide any of that, but there may have been a conversation between the proponents of the bill and the government at a time that I'm not aware of.

It needs to be clearly articulated why the bill states the office of Conversion Practices Commissioner is to be established. Obviously, the Anti-Discrimination Commissioner is to be appointed as the Conversion Practices Commissioner, so is it just relating to the education that's going to be rolled out with the passage of this bill? Having some understanding of how that works in practice would be very useful.

There are also criminal offences involving intentional conversion practices that cause injury with additional seriousness where a child is involved. I accept that not every complaint will lead to a criminal prosecution, but the existence of a complaints process can, in itself, have consequences. A complaint may be distressing; any investigation may be time-consuming; a person's professional reputation may be affected; and an organisation may feel obliged to seek local advice and spend considerable resources responding to allegations. Even if the complaint is ultimately dismissed, the process may have a chilling effect on the willingness of people to offer advice.

There are also some concerns about the possibility that professionals may become excessively cautious. They may avoid difficult conversations, and they may avoid expressing a clinical opinion. They may refer every matter elsewhere, even where they are qualified and capable of providing appropriate advice. This would not be a good outcome for children and families. Shouldn't we therefore consider whether there are sufficient safeguards against

complaints arising simply because somebody has expressed a legitimate medical, psychological, or parental opinion? I would also ask whether the commissioner will be provided with clear statutory guidance on distinguishing general conversion practices from legitimate healthcare, identity exploration, pastoral support, and family discussions.

I believe we need to continue to consider what we want from our health system. We want doctors who will listen to their patients. We want psychologists who will explore the circumstances surrounding a person's concern, and we want specialists who will explain treatment options. We certainly want professionals who will discuss both the benefits and the risks of proposed interventions. We want them to be able to say, when appropriate, that they do not believe a particular course of treatment is suitable. That is not discrimination, that is professional independence and I'd be very concerned if a doctor felt obliged to agree with a proposed course of action because expressing reservations might be interpreted as an attempt to change somebody's identity. The medical profession must be able to operate according to evidence, professional standards, and individual circumstances of every patient. It must also be able to acknowledge uncertainty and there will be cases where the evidence is clear, there will be cases where more information is required, and there will be cases where a number of different approaches may be considered, and there will be cases where professionals reasonably disagree.

We should not attempt to resolve every one of those questions through legislation designed primarily to prohibit coercive conduct. The appropriate response is to ensure medical practitioners are governed by proper professional standards and patients receive comprehensive and independent advice. The bill already recognises the importance of health practitioners providing information about treatment and non-treatment options, including benefits, risks, limitations, and uncertainties. I welcome that provision. My concern is whether it provides adequate protection in every practical circumstance, particularly when a young person is involved and the advice is not what the young person or their family hope to hear.

There is another principle I believe should be central to this debate and that is the importance of time. We live in a society where there is often an expectation that difficult questions must be answered immediately, but not every important decision needs to be made immediately, and certainly not every decision involving a young person's health and future should be rushed. A child who is uncertain should have the opportunity to explore those feelings. A child who is distressed should have access to appropriate support. A child who is considering medical intervention should have access to accurate information about the potential benefits, risks and uncertainties, and a child who is advised to wait should not feel that they have been abandoned or rejected. There should be no stigma attached to taking time, seeking a second opinion or deciding that a particular intervention is not appropriate. Equally, there should be no stigma attached to a young person who, after proper assessment and support, reaches a different conclusion, what matters is the process is genuine, informed and free of coercion.

I recognise that there has been considerable public discussion and many people have strong feelings about the subject. However, I ask the Chamber to consider a number of safeguards. Firstly, the legislation should expressly protect parents and guardians who, acting responsibly and in good faith, seek independent medical advice for their children, including advice that recommends further assessment, delaying treatment or not proceeding with a particular intervention.

Second, registered medical practitioners and appropriately qualified mental health professionals should have clear protection when they provide honest, evidence-based advice, including advice that questions the suitability of a proposed treatment.

Thirdly, the legislation should make it absolutely clear that recommending further assessment, a second opinion, psychological support or a period of reflection does not by itself constitute a conversion practice.

Fourth, schools and educational institutions should receive clear guidance about the circumstances in which teachers, counsellors and welfare staff may discuss gender identity and recommend further assistance.

Fifth, genuine pastoral care and individual religious counselling should be clearly distinguished from coercive practices.

Sixth, the commissioner should be required to distinguish carefully between conduct intended to suppress or change an identity and conduct undertaken in good faith to support a person in understanding their circumstances. This is where I'll flag that I will be moving an amendment to include a definition of 'suppress' and there will be an opportunity to further explore the importance of having a clear definition.

Seventh, the implementation of the legislation should be independently reviewed to establish whether it is having an unintended impact on access to medical advice, family support, counselling or professional judgement. There are no requests to weaken protections against abuse; they are requests to make sure those protections are properly targeted.

I believe we can protect people from genuine conversion practices without making parents, doctors and other responsible adults fearful of having honest conversations. We can respect the rights of transgender people without removing the right of medical practitioners to exercise independent professional judgement and we can support children without assuming that every concern expressed by a parent or medical professional is motivated by prejudice. This is the balance I believe parliament should seek.

I want to finish by returning to the principle with which I began. This debate should not be about whether people deserve respect, they do. It should be about whether people should be protected from abuse, intimidation or coercion. They should and it should not be about whether young people experiencing difficulties with their identity deserve compassion and support. They absolutely do.

The question before us is whether this particular legislation in its present form provides the right balance, and I'm not convinced that it does, and I am concerned that there remains insufficient certainty about how the legislation will operate in some of the most sensitive circumstances involving children, families, medical practitioners and professional advisors. I'm concerned that people who are acting responsibly and in good faith could find themselves exposed to complaints or investigations because their advice is misunderstood or interpreted differently by someone else. I'm concerned that professionals might become reluctant to offer independent opinions, particularly when those opinions involve recommending caution, further assessment or a decision not to proceed with a proposed intervention. I'm concerned that parents may feel less confident about having difficult but necessary conversations with their children. These are not imaginary issues that should be brushed aside. They're matters that

deserve proper consideration and we should not have to choose between protecting transgender people from harmful conversion practices and protecting children through independent medical advice; we should be capable of doing both. We should not have to choose between respecting a young person's identity and allowing a doctor to express a professional opinion; we should be capable of doing both. We should not have to choose between protecting a child from coercion and allowing a parent to exercise responsible parental judgement; again, we should be capable of doing both.

My position, therefore, is this bill should not be passed in its present form and without further clarification and appropriate safeguards. I encourage honourable members of the Legislative Council to examine provisions carefully, particularly those concerning the rights of parents and guardians, the independence of medical practitioners, the position of schools and counsellors, and the potential consequences of complaints being made against people who are acting in good faith. If those concerns cannot be adequately addressed through amendments, then I believe the bill should be opposed.

There is one final thought, when we are dealing with children, we must be careful not to confuse protecting their rights with making decisions on their behalf before they have had the opportunity to understand all the relevant information. Children deserve compassion, they deserve respect and they deserve protection. They also deserve time, proper medical advice, responsible parental guidance, and the freedom to make informed decisions as they mature. This is not an unreasonable expectation. It is surely the minimum standard that we should demand of ourselves as legislators.

One of my constituents shared these thoughts with myself, and to the Bass members, and I felt it was worth sharing as I conclude my contribution:

> Genuine coercion and abuse are wrong and should be punished, and Tasmania already has laws for that, but this bill goes much further. Right now, our children need our love, care and support, and I believe this bill promotes the opposite. It halts careful discussions and stops true care from happening.
>
> The UK, Finland, Sweden, and other health systems have moved away from an affirmation-only approach because of evidence of harm.
>
> The broad scope and lack of clarity also worry me. The bill hands enormous power to a new commissioner to decide what is right and wrong for each family. The primary responsibility for caring for children must remain with parents, not government authorities.

I therefore urge honourable members to give these concerns serious consideration before deciding whether this legislation in its present form, unamended, is suitable to become law in our state.

[9.28 p.m.]

**Ms WEBB** (Nelson) - Mr President, I'm so very pleased to rise and speak on this Conversion Practises Prohibition Bill, which I regard as well overdue, and an important protection to provide to valued and loved members of our Tasmanian community and families. Thank you to the Tasmanian Greens and the member for Hobart for the extensive and careful

work done to develop this bill and bring it to the parliament for debate. It is a power of work, and it has been undertaken in a consultative, collaborative and respectful way.

I also acknowledge the long-standing tenacious advocacy from community advocates and organisations who have brought forward this reform and brought it to fruition here today. Many, many people have been part of that effort and often at significant personal exposure and personal cost.

I would single out for mention the steadfast advocacy of Rodney Croome and Equality Tasmania.

**Ms O'Connor** - Hear, hear.

**Ms WEBB** - As well as Working It Out.

**Ms O'Connor** - Hear, hear.

**Ms WEBB** - I also particularly mention some of the lived experience advocates who have been at the forefront of this reform, sharing for the greater good, personal experiences that are harrowing. I particularly would like to extend my thanks, deep-felt thanks to Glenn Morel, who's here with us today. To Bron Larkins and Rena Hiras [tbc 9.30] who have shared and been at the forefront of this too. I would also like to honour the courage and strength, generosity and leadership of those three and all others who have brought lived experience to this and been champions.

I'd also acknowledge here today young leaders and advocates in the in the LGBTIQA+ community, such as Amilie Courtney, who's with us here today, and I will mention a short paragraph from Amilie's correspondence to us that I think sets the scene appropriately for our debate on this bill and it's this, I quote -

> I know that legislation is often discussed in terms of clauses, definitions, exemptions, criminal offences and regulatory powers. Those things matter enormously, but behind every clause in legislation about conversion practices is a person. Sometimes that person is a child who is frightened to tell somebody who they are. Sometimes it is a young person who has spent years believing that there is something fundamentally wrong with them. Sometimes it is an adult who has lost relationships, community, faith, or trust because they were taught that acceptance was conditional upon being somebody else. [tbc 9.30]

This is about people and about the profound harm caused by attitudes and actions of others which fundamentally reject who they are. As humans, there is surely nothing more painful than that, but today in this place we can do something about that. It is a rare day in this place that we have the opportunity to make a change to the laws of our state which so deeply improve the lives of Tasmanians who are so vulnerable to stigma, discrimination, exclusion and harm. I hope that these days in this place as we address this bill are very good days work that we do here.

The origins of this bill go back a long way. Other states have moved on this reform a number of years ago and provide plenty to learn from and draw on. The TLRI published a

report on conversion practices in 2022 which found that conversion practices were occurring in Tasmania, are occurring and Tasmanians are being harmed by them, and it recommended a prohibition of such practices.

The bill that we have before us has been informed by the TLRI report, by the experiences in other states and has been through two consultation periods. On that basis, I regard it as an expert, informed and sound piece of legislation. I would particularly like to thank all those in the community who have been participants in those official processes of development of the bill, but I would also like to say thank you to those members of the community who have been contacting us about the bill. Who have put forward their views, their thoughts, their experiences, their concerns, their questions, and particularly also to those who have come to brief us either in our official briefings here in the parliament or the meetings and conversations and phone calls that we may have had along the way to inform our thinking.

Fundamentally, conversion practices always cause deep harm. The TLRI report made it clear that these harms were often significant, life long lasting and shaping of lives. It's past time for Tasmania to come into line with other states and ensure Tasmanians are provided with the same protections afforded to other Australians from the harms of conversion practices. To allow conversion practices to continue in any form would legitimise and perpetuate the harm that they cause.

One of the benefits of Tasmania lagging the rest of the country on this matter is that we have the benefit of observing the impact of similar laws brought in elsewhere. What is clear from the experiences interstate is that the sky has not fallen in. In many of the scenarios which were warned about when those jurisdictions were legislating their reforms have never eventuated, so when we hear some of those same warnings raised in the context of our debate here, it's important to consider what outcome is being sought by the raising of those concerns?

Essentially, some of those advocating for any diminishment of the protections provided by this bill are advocating for allowing this continuation of conversion practices, in some form, in some form, in some circumstances. We know that conversion practices, in any form, and in every circumstance, cause harm. Deep harm. It is impossible not to cause harm when you tell a person that an inherent, deeply personal characteristic of who they are, as a human, is wrong and broken, and should change. That's what a conversion practise does.

It's my observation that many of the warnings being raised about this bill are for the purpose of distraction. Often straw man arguments, so many straw man arguments. Largely, concerns are being raised through fear mongering, and obfuscation, with the ultimate aim of assisting conversion practices to still happen. There are some people very opposed to this bill because they want to provide the opportunity for conversion practices, in some forms, to keep occurring. They want to be able to continue to tell people of diverse sexual orientations, and gender identities, that they are wrong, that they are broken, and that they should seek to change immutable, fundamental characteristics of who they are.

Also, some people out there are raising concerns because they are genuinely wondering about how this will work in practice. They are genuinely trying to understand what their responsibilities and roles will be under this, should it become law, and they are genuinely trying to understand what the impact of this bill will be on their work. I recognise that they are genuine concerns, and questions, being raised in that context.

It's been put to us that this is about the jeopardy of freedom of religious expression, and religious practice. I find that difficult to accept, as something that we should be prioritising, above the freedom of Tasmanian children and adults, to be free from harm, caused by what we know to be harmful practices, that are conversion practices. There is no absolute right to freedom of religious expression and practice. In fact, none of our rights are absolute rights. They all must be balanced against other rights. Here, yes, we are balancing rights, potentially, to some extent, because we are putting some constraints around things that have been done in a religious context to date. Those things that will fall under the definition in this bill of conversion practices will need to be curbed. A whole range of other religious practices and activities, and expressions, will not be curbed by this bill, will not be touched by this bill. But then there may well be some, if those things in fact, fit the definition in this bill of conversion practice.

Nothing in this bill says a person cannot practice their religion, or state their religious beliefs, or teach those religious beliefs to their children, or within the context of their church. They are unfounded concerns, that this bill is an infringement on religious freedoms. I don't believe those concerns stack up. We have not seen that, necessarily, eventuate in other states, I don't believe, people are still free to practice their religions, to teach their religions, to preach about their religions, and to offer that to their communities. That is not something which this bill infringes upon. I do find it problematic to suggest that, in some sense, freedom to practice religion, or freedom of religious expression, trump's the safety, the wellbeing, and the lifelong risk of harm, to Tasmanians, that we know conversion practices represents.

While I am a cisgender, heterosexual woman, I have many people amongst my close family and loved ones, who are LGBTIQA+, and it is utterly clear to me, just as it has been determined by medical experts globally, that it is entirely normal, and natural, for our community to include a diversity of sexual orientations and gender identities. These variations all exist as normal expressions of the human experience, just as my cisgender, heterosexuality does. When I try to imagine what it must be like to be told that such an inherent aspect of who I am as a human is wrong or that I should try to change it, I can only through empathy get a small sense, probably a mere echo, of how painful and terrifying and devastatingly damaging that experience must be. Echo is all I can imagine.

That is why this bill is so important. We should all be able to put ourselves with empathy in that situation and imagine if we were told as cisgender, heterosexual people, that that aspect of us was wrong and we should try to change it, and in fact, our eternal salvation depended on it, I think we would all get a glimmer, a glimpse of understanding about why every single conversion practice does damage.

When I think of the pathway this bill has travelled, I think of the patterns we can observe in past reform efforts. Every single time we have confronted matters of legislative reform to provide protection, recognition, equality, access to rights for LGBTIQA+ people in our community, it has been fought tooth and nail by people who are entrenched in discriminatory, outdated, unscientific, and often hateful and fear-based attitudes and beliefs. And for each of those reforms, I note that we had people who provided beautiful supportive allyship, and often they were from faith-based communities. However, at every single one of those reform efforts over the many decades, there were also particularly vociferous opposition to each of them that came from certain faith-based groups in our community. Yet, despite this, our community every single time, eventually has landed on love, on acceptance, on celebration, and on solidarity, and has triumphed, and we have seen positive, healthy reform win through.

Just this last weekend, on 15 November, we celebrated the 9-year anniversary of the marriage equality vote in Australia. This is one of the things we look to and think what a wonderful moment in our nation's history. But that is also an example of a reform that faced vociferous opposition, raising unfounded and fearmongering concerns and warnings about terrible things that would happen and would occur as a result of that reform, none of which have eventuated. None of them.

You know what did eventuate? Loving, happy marriages, enriching our community, recognised for what they are, that love is love, and that all people deserve access to those rights, just as most of us have had access to them for time immemorial. Thinking of that history of reform - fought tooth and nail at every turn by opposition and fearmongering, I have no doubt that today, even though that's what we are also seeing here to some extent, we will also be eventually taking another step with this bill, another step forward in that same loving and positive direction for our community. I am proud and delighted to be part of that.

I appreciate the thorough second reading speech on this bill that was brought here by the member for Hobart, for the Greens. That was the second reading speech which presented plenty of detail for us on each aspect of the bill and addressed a range of matters and questions and concerns that have been brought to our attention in relation to the bill. I'm not intending to be addressing these exhaustively in my own contribution in a way that's repetitive, but there are a few key matters I did want to touch on as part of my contribution on the bill.

Firstly, I want to speak briefly about the matter of consent and coercion. A lot of correspondence that we have been receiving on this bill, particularly from faith-based groups I would say, focuses on saying that they agree that coercion, abuse, and lack of consent in relation to conversion practices is bad and should not be allowed. It's fine that we agree on that. However, the argument seems to be that people should be able to voluntarily, with consent, participate in some activities which may be considered conversion practices under this bill.

This would render the bill basically useless because almost all adults undertake conversion practices voluntarily, but they are then harmed by those practices deeply, profoundly, and in lifelong ways. Genuine consent is not possible under these circumstances. Genuine consent requires a person to be fully informed. A person would need to be fully informed that conversion practices don't work, informed about the harm that such practices are demonstrated to cause and informed about the pseudoscience on which they are based. Without those full disclosures of information on those areas, it's impossible for informed consent to be given in these circumstances. When it comes to a faith-based circumstance where a person is told their eternal salvation is contingent on denying or eradicating who they are fundamentally, it is a nonsense to pretend that voluntary or consensual participation in conversion practices is possible, or that there isn't coercion at play.

There are also matters raised around the fact that somehow conversion practices can't be objected to unless there's repetition of them, or some sort of pattern of conduct that demonstrates they are occurring. All the other states, apart from South Australia, have not gone down that path, and I'm very pleased that we haven't either because, quite clearly, one instance of a conversion practice can cause significant harm. Why should there have to be more than one instance? Why should there have to be somebody subjected to a damaging practice more than once for there to be an opportunity to object to it? Also, for example, if it's one person continuously conducting that particular practice in single instances with a multitude of people,

that person is consistently causing harm. It doesn't matter that each person only experienced it once; that person is damaging, across our community. a whole range of people and should be pulled up on it, and it should not be allowed. I don't believe repetition or courses of conduct are required. We are talking about an action that, in and of itself, is harmful, so any number of instances, including one instance of that action, should be prohibited. We don't say, well, in terms of family violence, perhaps there can be physical violence once, but when there's a pattern of behaviour, we'll pull it up. We don't say that with other things that are banned, or prohibited, or criminal conduct in our state. Why would we do it with this one?

Another area that was raised as a matter of concern by some community members, particularly some of the faith-based groups who have been contacting us, relates to the definition of conversion practices provided for in clause 5 of the bill. The criticism made is that it is lacking clarity and with the potential to capture unintended actions or practices. However, I regard clause 5 as providing a nuanced but clear definition, and I think a lot of trouble has been gone to to ensure that it does, to ensure there is clarity where there needs to be and also acknowledgement that we need to provide for certain actions not to be captured by this definition. The Greens member for Hobart, in her second reading speech on the bill, went into a lot of detail about the meaning here in clause 5. I appreciate the careful thought in presenting and addressing a range of criticisms and concerns put forward around it.

I'm not going to go into too much detail myself, other than to say that I think the aspects involved in clause 5(1) about what a conversion practice is have clarity: that it has to be a practice directed towards a person in the first instance, it has to be on the basis of the person's sexual orientation or gender identity and it has to be for the purpose of changing, suppressing or eradicating the sexual orientation or gender identity of the person, including inducing them to do those things. I believe that in providing for a very limited number of sensible and reasonable exemptions around health services provided by registered health practitioners and genuinely facilitating a person's coping skills, development or identity exploration to meet the person's needs, including by providing acceptance, support or understanding, are really important exemptions to be put in the bill to provide that clarity.

I have absolutely no problem with clause 5(4), which is the avoidance of doubt part of this definitional area around conversion practice. The fact that a lot of trouble has been gone into to make this list quite comprehensive under clause 5(4) is important and shows a lot of care to try to give people guidance on what's captured here. I believe the 'of itself', some say controversial words, are not controversial. They're quite clear. We just read them as plain English and it's clear that each of the things listed in 5(4) by themselves, in isolation, will not be considered a conversion practice. But if they are being undertaken in a manner that also fits with the definition of 'conversion practice' in 5(1), with those three clear elements to it, then it could readily be captured as a conversion practice. I don't believe there is a lack of clarity there. I think it does provide plenty of opportunity to understand that, and I don't think a court or any other determinator would have any issue arriving at the clarity of that definition. I think it's very understandable that if you are, in a fundamental way, opposed to this bill, that's where you would start muddying the waters, though, that's where you'd start throwing your straw man arguments into the mix. And we did see a little bit about that, lots of people writing to us to make a lot of fairly wild claims about what will be captured, in their view by, this bill under this definition. Just a tiny quote from one piece of correspondence that came through my inbox was the claim that:

> Prayers, conversations, sharing one's views are afforded little or no protection under this.

That's absolutely untrue. All of those things are provided with protection under this. None of them, in and of themselves, are captured by this definition unless they fit with clause 5(1) where somebody is directing a particular action at a person because of their sexual orientation or gender identity with the intent of trying to change that, eradicate or suppress it, et cetera. There are quite explicit protections afforded to prayers, conversations and sharing of views.

I also think it's interesting to see the obfuscation around this definitional issue. We saw it certainly with the briefings we received today, with a lot of conflating of sexual orientation with sexual activity. It's very clear, I think, in the way definitions in schedule 1 around sexual orientation, where we are adjusting some definitions there, intersect with the definitions around conversion practice, and do not arrive at the outcome that we were told was at risk here. Just for clarity, I'm going to spell it out. It did come up and I think the member for Hobart is going to address this in answer to another member's contribution. But in my probably more stumbling way, I will put my understanding of it on the record. It's around the fact that there's a suggestion that sexual orientation equates to any sexual activity; whereas what we have in the bill, under Schedule 1, is to put a new definition of 'sexual orientation' into the *Anti-Discrimination Act* which relates to:

> a person's emotional, affectional and sexual attraction to, or intimate or sexual relationship with persons of a different gender, the same gender or more than one gender.

There is also a part (b), but the issue here is because we're adding in words about 'intimate or sexual relationship', that's now been conflated in some people's minds with sexual activity. In fact, what the 'sexual orientation' definition in Schedule 1 means is that we are to take sexual orientation to mean a person's intimate or sexual relationship with persons of a different gender or the same gender or more than one gender. It's to do with your orientation, whether you are heterosexual, whether you are other than heterosexual, amongst the other varieties that we might see. It's not about your sexual relationship with one other person. It's about your orientation, not your activity.

So, when it was suggested to us that a parent having a conversation with a teenage daughter about the fact they think she shouldn't be having sex with her boyfriend, and whether that could be captured as a conversion practice, that does not fit the definitions here. Her sexual activity is not relevant. If they had a conversation with her about her heterosexuality, then that would be relevant; if what they were trying to tell her to do was to stop being heterosexual, then yes, that would be a conversion practice. But if what they're saying is, 'We recognise you're heterosexual with your boyfriend there. We'd prefer you weren't sexually active with him right now', and had that parental conversation, which some of us may well have had with our own children, that's not captured as a conversion practice because it's not: it's about her sexual activity, not her sexual orientation. I'm sure the member for Hobart will come back with a really tidy answer to wrap that up with a bow, but sexual activity is not the same thing as sexual orientation. So, asking, or suggesting, to your daughter, or even trying to demand that your daughter stop having relations with her boyfriend, is not asking her to suppress her sexual orientation; it's asking her to stop her sexual activity.

Moving on from that, I support the new definition of 'sexual orientation'. I know we may have conversations about it in relation to potential amendments brought in the committee stage, and that's well and good. We will have those at the appropriate time. I do recognise that the new elements in the definition of 'sexual orientation' are strongly supported by a whole range of people, and it's to bring us into line with a national approach. It's my understanding that it's not included to change the purpose or the terms of the conversion bill itself, or what we're trying to capture with the conversion bill. It's just to bring us up to date and in line with a more contemporary understanding of how we would define sexual orientation. We will have that conversation when we get to it in the committee stage.

Another area that's raised as potentially of concern to some community members - and this is one where, my goodness, we have to fight our way through the scarecrows, so many straw men in the room. This is around any suggestion that this bill will entrench gender-affirming care for young people in some inappropriate or forced way. I think it's clear that the raising of this matter in this context is a blatant attempt to distract and fearmonger. This is leveraging the moral panic issue of the moment, which is targeting trans people, who must be amongst the most vulnerable and stigmatised members of our community and yet are copying an absolute hiding in the moral panic stakes at the moment.

Health care for trans and gender-diverse people is regulated under our health system, under our policies, guidelines and regulations relating to our health system. It is not the task of this bill to encroach into that area. This bill does not usurp the role of our healthcare regulatory system in any way, shape or form. If people have questions, issues or concerns about matters to do with the way we currently regulate gender-affirming care in our community under our health system, then that is an area that could pursue with advocacy and with campaigns, and with efforts to reform that. Good luck to them, I say, because actually - and I'm probably one of only a couple of people in the room who can speak with direct personal experience on this matter. Our gender care system in this state, and in this country, is exemplary. It's highly regulated. There is nothing that is easy about it.

**Ms O'Connor** - Or quick.

**Ms WEBB** - Or quick or forced. There is nothing about it that says, 'You only get to have one opinion, and one person's going to force you straight into it and start messing about with your bits'. Nothing like that at all. There is absolutely an expectation that people get referred for second opinions, that people get access to a whole range of care, insights and supports that they may need. There is absolutely an expectation and a reality that people go through so many processes when they are being supported and being cared for in our health system on matters to do with gender. Absolutely. I would suggest that anyone who thinks that there aren't appropriate referrals to a whole range of professionals and experts in the healthcare system that all provide insights into, and care around, a young person in that context haven't educated themselves sufficiently about it. I'd invite them to do so. They could certainly do so by speaking with people who have direct experience of it - at least a couple of which are in this room right now.

It's not the 1950s. Stories from the 1950s are not relevant to today when reflecting on gender-affirming care and the way it's dealt with in our healthcare system. Somebody from the 1950s who felt that they'd prefer to be a boy because her brothers had more fun than her and didn't have to cook the dinner or make the tea would not be defined or diagnosed as having gender dysphoria today. It just wouldn't happen. That could not happen in the current system

we have. It's as simple as that. I think it's really important to clearly identify that people who are trans and children who are trans are constantly being used by advocates at the moment in a moral panic in our country. It's cruel, it's wrong, and it's ill informed. It's dangerous and life threatening. I would encourage anyone inclined to do it to instead have conversations with people who are directly experiencing it.

There is always an option for people in that circumstance to get independent health care and advice. There is always an option to get referrals to other sorts of care. There is always an option to decide not to proceed at any point in time with any of the actions or care or services you are receiving.

I would also suggest that teachers right now in our school systems are absolutely, on a daily basis, dealing with all sorts of complex and interesting situations when they're engaging with children on these sorts of issues. And of course, they're perfectly free to make referrals to a whole range of services and supports which are out there for children. I wish there were more services and supports -we never fund enough of them, quite frankly. That's another discussion, though it's not dealt with by this bill. This bill won't stop teachers referring students for services and supports that are available to them; it won't stop them referring them into healthcare supports, into counselling supports, into whatever is identified as their need - mental healthcare supports.

Again, as someone with direct experience of a whole range of supports that are available to young people facing a whole range of challenges in terms of mental health and other healthcare issues coming through teenage years, those services are there. Teachers and those in the education environment make appropriate referrals as needed. This bill absolutely does not stop them from doing that - it does not. Let's face it, once this bill passes - because I know it will, it absolutely is going to, my heart is full for that outcome - I know that once it does, and we have with its focus on education and prevention, we will see a whole range of further materials and information become available to help people in all kinds of environments better understand and have clarity around what their role is under this bill, if any.

I won't put it on the Minister for Education to confirm it now - but I'm sure the Minister for Education would be immediately talking to her department should this bill pass once there's a commission in place, once there's education materials available and we begin going down that path with that very good focus on education and prevention, I'm sure our education department will step right up to the mark the way they have on a whole range of other complex issues to do with young people to equip the staff working in schools in all kinds of ways to understand their responsibilities, to understand the parameters of their role, and to understand where appropriate referrals and supports can be found. That is not something that I have a jot of concern about.

Mr President, I'm mindful of time passing. The other areas I wanted to touch on, very briefly, is prayer. I recognise prayer is an important aspect of faith practice for many people, and I note many critics of this bill want prayer to have an absolute exemption from being regarded as a conversion practice. However, that would be utterly wrong to do that, because prayer is commonly an aspect of conversion practices, so it must be considered in that context. That doesn't mean that all prayer is captured, but it does mean that if prayer, in conjunction with meeting the definition of conversion practice, is the activity being undertaken, it is captured. That's what the bill provides for with clause 5(4).

We heard testimony from Tasmanian conversion survivor Glenn Worrell, who's here with us, which reminded us that prayer can be key to some of the most traumatic conversion practices. Conversion in the form of prayer ministry, repeatedly inflicted on Glenn, for many hours, was harrowing. If an absolute exemption was given to the activity of prayer, it would not only allow conversion to continue, but it would then risk becoming even more central to conversion practices down the track. In fact, conversion practice would begin to coalesce in the areas that have been provided with an exemption, like prayer. That is the opposite of what we want to see.

I observed, in correspondence we received on this bill, from many community members that there were numerous misunderstandings asserted about it. Claims made about what it would do, or would risk, or would cause. I found this quite sad, because what it told me was that there are many groups in our community who have been encouraged to be fearful of this bill, based on a lack of clear understanding of it. I hope, should this bill pass, that the leaders of those same groups in our community, who have stoked those fears and misunderstandings of the bill, will take the time, once it's passed, and the care, to properly and accurately inform their members about the true facts. About the requirements, and the features, of this legislation, and about their real impact on them, if any.

I don't intend to exhaustively address many of the misunderstandings put to us, but I'm just going to mention a couple as illustration, as I move towards concluding. One of the things that was in a piece of correspondence to us, and I will just quote it briefly:

> We believe that the bill's definition of conversion practice is so broad that it may include conversations between parents, and their children, counsellors and their clients, medical practitioners and their patients, and anyone who voluntarily seeks guidance from a pastor. [TBC 10.07]

Well, it will, if you meet the definition in clause 5(1), that you're going to undertake those actions, on the basis of somebody's sexual orientation or gender identity, and you're going to do it for the purposes of trying to change it. If that's the crux of it, any of those things could be captured, potentially. However, the medical practitioners one is probably the one that could be exempted. But again, medical practitioners have to comply with a whole range of regulations and requirements in their context. So, it would be difficult to see them ethically undertaking their medical duties, while also undertaking a conversion practice.

Another piece of correspondence talked to us about the fact that: [TBC 10.08

> A person could be charged with a criminal offence, and imprisoned, without injury even being proven wrong.

Clause 12 of this bill, on page 20, to be brought to the level of a criminal offence, there has to be injury involved, and proven, in it. So, that's a wild claim. One of the things I like best about this bill is how staged and nuanced it is. It's so focused in the first instance on education and prevention, on bringing people together to resolve matters that may have occurred. There's a whole range of responses, and actions, which come into play if a complaint is made about a potential conversion practice, and a whole range of things before you get to a level where any criminality is considered, and there's very clear outlines around what is required to meet the level of criminality.

Another one that I had noted, plucked out of one of the pieces of correspondence, was the statement that: [TBC 10.10]

> The bill is intrinsically ambiguous and appoints as the sole arbiter in interpreting how it is to be applied, an unelected AD commissioner.

We appoint unelected commissioners in a whole range of circumstances. We have our Anti-Discrimination Commissioner, in fact, who is suggested to be the Conversion Practices Commissioner as well. This is not anything unusual. We set up those roles; we put a whole range of proper processes around them. We get suitably qualified and accountable people to undertake them - and that is not a scary model. There is nothing ambiguous about it. There's nothing unusual about it or inappropriate about it.

I could go on, but I'm mindful that we're reaching toward the end of our probable time this evening. In concluding my remarks on the bill, I just want to underline categorically that being LGBTIQA+, having diverse sexual orientation or gender identity, is not indicative of psychological dysfunction or moral failing or spiritual dysfunction or brokenness or wrongness. It is inherent. It cannot be cured or eradicated or changed through any medical, psychological, or spiritual means or practice. Suppressing or attempting to change this fundamental aspect of a person cannot do other than cause profound and lifelong harm.

This bill is sensible, it is moderate and it is proportionate in its response to the problem of conversion practices, which we know exist in Tasmania, and to the devastating harm that we know has been caused by those practices to our fellow Tasmanians who we love and cherish as members of our community. Given that, I'm so pleased we are considering this bill in this place and it's with an incredibly full heart that I support the bill.

Mr President, before I resume my seat, I move -

> To adjourn the debate.

**Debate adjourned.**

## PUBLIC HEALTH AMENDMENT (EMERGENCY POWERS) BILL 2026 (No. 31)

### First Reading

**Bill received from the House of Assembly and read the first time.**

[10.13 p.m.]

**Ms RATTRAY** (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

> That the bill be made an order of the day for tomorrow.

**Motion agreed to.**

## ADJOURNMENT

**Ms RATTRAY** (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

> That the Council at its rising adjourn until 11.00 a.m. Wednesday 18 November 2026.

**Motion agreed to.**

**Ms RATTRAY** (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

> That the Council do now adjourn.

**The Council adjourned at 10.13 p.m.**