

FACT SHEET

Commission of Inquiry (Miscellaneous Amendments) Bill 2026

The Bill includes amendments to implement several recommendations of two reports:

- Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings Final Report (Commission of Inquiry) recommendations 17.7, 20.1(1), 20.2(6) and 20.3; and
- Independent Review into the actions taken in response to the information and concerns raised by the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (the Woolcott Review) Strategic Recommendations 4.1, 6.1 and 6.3.

The Bill amends the *Child Safety Reform Implementation Monitor Act 2024* to:

- Change the reporting period to 31 October each calendar year, or a later date agreed by the Implementation Monitor and the Minister and require that any later agreed date be tabled in Parliament. This is to better align reporting processes. These provisions commence on Royal Assent.
- Replace the reference in Schedule 1 to the existing *Commissioner for Children and Young People Act 2016*, with the new *Commission for Children and Young People Act 2025*, once proclaimed.

The Bill amends the *Child and Youth Safe Organisations Act 2023* to:

- Amend the definition of 'head' of an entity by adding an entry confirming the Commissioner of Police is head of the entity that is the Police Service.
- Include the Police Service as an entity subject to the Reportable Conduct Scheme and the Child and Youth Safe Standards. The Bill repeals the interim regulation made to resolve this inadvertent drafting issue in the original Act.
- Ensure that any reportable conduct or reportable conviction not reported since the Scheme commenced on 1 January 2024 is reported as soon as practicable and no later than three months after commencement.
- These provisions commence on Royal Assent.

The Bill amends the *Personal Information Protection Act 2004* to:

- Amend Personal Information Protection Principle 2 – Use and Disclosure. This will clarify and extend capacity for information sharing to lessen or prevent, or report, the kind of behaviour that is reportable under the *Registration to Work with Vulnerable People Act 2013*; or is reportable conduct under the *Child and Youth Safe Organisations Act 2023*.
- Amend Personal Information Protection Principle 2 to clearly permit all agencies and state authorities to share information reasonably necessary for listed reasons, including preventing, detecting, investigating, prosecuting or punishing

criminal offences or breaches of a law. Prior to this amendment, this information sharing provision only applies to law enforcement agencies.

- These provisions commence on Royal Assent.

The Bill amends the *State Service Act 2000* to:

- Update the State Service Principles (in section 7) to include references to the State Service being apolitical, efficient and effective in serving the Government, the Parliament and the community, performing its functions in an impartial, ethical and professional manner.
- Amend the State Service Code of Conduct in section 9 to:
 - Change the words ‘in the course of’ to ‘in connection with’ State Service employment in subsections (1), (2), (3), (4), (7), (12) and (13), to broaden the extent of relevant conduct requirements;
 - Add a new subsection (5) to more clearly articulate what ‘Australian law’ includes and to explicitly state that the test around employee compliance with an Australian law is determined on the balance of probabilities;
 - Add a new subsection (5A) to state that an employee must not, at any time, commit reportable conduct, within the meaning of the *Child and Youth Safe Organisations Act 2023* (defined in section 7 of that Act; it includes relevant offences, sexual misconduct, violence against or grooming of a child, significant neglect, emotional or psychological harm to a child and other prescribed conduct);
 - Add a new subsection (5B) to state that an employee must never engage in conduct that they know, or reasonably ought to know, poses a foreseeable and unreasonable risk to the safety or wellbeing of a child or young person, who is accessing a service operated by, or on behalf of, a Government Agency;
 - Add a new subsection (6A) to state that a lawful and reasonable direction may specify an employee’s professional conduct obligations;
 - Make subsection (7) regarding employee confidentiality and information acquired through employment, apply at all times;
 - Add a new subsection (11A) barring employees from ever engaging in conduct that adversely affects the honest and proper performance of a function, or exercise of a power, by a public officer (as defined by the *Integrity Commission Act 2009*), or attempting to do so; and
 - Add to subsection (15) the phrase ‘in connection with State Service employment’ regarding complying with conduct prescribed by regulations, to clarify the scope of the regulations is not limited to conduct in the course of employment.
- The amendments apply prospectively, meaning the Bill does not apply to conduct occurring before its commencement. For prior conduct, the Code as it existed at the time of the alleged relevant conduct would apply. This is set out in new section 10A.
- The amendments to the State Service Act commence on proclamation.

The Bill amends the *Tasmanian Civil and Administrative Tribunal Act 2020* and the *Victims of Crime Assistance Act 1976* to:

- Provide for Tribunal merits review of Victims of Crime Commissioner decisions, for all victims of crime through a de novo hearing (that is, a fresh hearing) in its Protective Division's Community, Children and Families Stream. These provisions commence on proclamation.
- Procedural matters including timeframes for lodging an application for review, fees and costs will be governed by existing provisions in the *Tasmanian Civil and Administrative Tribunal Act 2020*.