

Legislative Council
Hansard
Tuesday 19 May 2026

[excerpt...]

The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

MOTION

Consideration and Noting - Second Interim Report (Part One) of the Joint Sessional Committee on Recommendations of Commission of Inquiry

Ms WEBB (Nelson) - Mr President, I move -

That the Second Interim Report (Part One) of the Joint Sessional Committee inquiring into matters related to the recommendations made in the final report of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings be considered and noted.

I rise to speak on this motion, noting the second interim report, Part 1, made the report of the Joint Sessional Committee on recommendations made in the final report of the Commission of Inquiry into Child Sexual Abuse and Institutional Settings.

Before I begin the contribution, I want to mention, as we have done before in this place and as we have during proceedings of the committee at the topic of the commission of inquiry, its findings and recommendations may be difficult for some people here today.

Members of the community may be watching online or others may engage with the *Hansard* or the video at a later date and, so, I encourage anyone who is impacted by the content matter in this contribution and in this debate to make contact with support services as required, and those would include the statewide Sexual Assault Support line, which is a 24-hour support from local specialist counsellors, and Sexual Assault Support Service or Laurel House. And that can be reached on 1800 697 877 or 1800 MYSUPPORT. There is also the Lifeline 24-hour crisis support on 131 114, or Tasmanian Lifeline from 8:00a.m to 8:00 p.m. every day on 1800 984 434. There is also 13YARN, a 24-hour crisis support for Aboriginal and Torres Strait Islander people on 139 276, or Relationships Australia from 9:00 a.m. to 5:00 p.m., Monday to Friday on 1300 364 277.

I speak to this report as the current Chair of the committee, and at the outset I would like to thank committee secretary Jenny Mannering and support Allison Scott for their hard work to assist the committee.

I would also like to thank the current members of the committee who have been involved in producing this report, including in this Chamber the member for Hobart and member for Rumney, and, from the other place, Cecily Rosol MP, Jess Greene MP and Marcus Vermey MP.

We have all had something of a journey in this committee, and I would like to thank all previous members of the committee, including the member for Murchison from this place, who

was the initial chair of the committee until June last year, and the member for Prosser, who was on the committee for its first few months in 2024 before he was elevated and shifted on to bigger and better things.

Previous committee members from the other place also include Rebekah Pentland MP, Ella Haddad MP, Jacquie Petrusma MP, Rebecca White MP, Miriam Beswick MP and Roger Jaensch MP. It has been quite the cast of thousands.

Given that it is probably useful to provide some background explanation to that, and the journey of this committee, as a backdrop to this second interim report, this joint sessional committee was formed in June 2024 with the terms of reference. I will just outline that so members here, particularly new members, understand what the intention is for the committee.

The terms of reference are to inquire into and report upon matters related to the recommendations made in the final report of the commission of inquiry, and they include the following things:

- The Tasmanian Government's response and plan to implement the recommendations; the Tasmanian Government's progress in implementing the recommendations;
- The outcomes related to the implementation of the recommendations, both partially and fully implemented;
- The monitoring of the progress reports provided to parliament as provided for by recommendation 22.1 by the independent Child Safety Reform Implementation Monitor, when appointed;
- Overseeing the performance and proper execution of functions of the Commission for Children and Young People, as provided for by recommendation 18.9; and
- Any other relevant matters that either House may refer to the sessional committee, and any other matters incidental thereto.

Then further, number two in that term of reference is the number of members to serve on the committee was on the part of each of the chambers was to be four originally.

So, it was a very big job. In fact, there were 191 recommendations from the final report of the commission of inquiry, just to remind members, 191, and many of those are very comprehensive and complex recommendations in and of themselves, with many parts.

Originally the scrutiny of those involved having to scrutinise ministers across portfolio areas that were the responsibility of five separate ministers. Now that's four separate ministers. The committee took evidence during the second half of 2024 via hearings with each of the relevant ministers at the time and in written updates from the government that focused on scrutinising the early work of implementation of the recommendations, and then the committee took further evidence from non-government stakeholders in the early part of 2025 and was also focused around submissions and hearings.

As with so many things in this place, work on preparing the report then was interrupted in June 2025 by the unexpected prorogation of parliament for the very early state election that was called, and that delayed work quite significantly for some months. That election not only delayed things, but it resulted in some significant changes to the committee's membership and a reduction of that membership from eight to six when the committee was reformed couple of months after the election.

So, the committee on reforming in October 2025 was mindful of the delay of the work and the fact that the evidence that we had taken during 2024 was now somewhat dated and didn't represent a current picture of the progress of implementation. However, it was important to report on that evidence and, as a matter of public record, to have that reported to this place in the form of a report. Certainly, while some of the evidence was not necessarily an up-to-date reflection of where things were at, it did highlight some very important matters raised, and they are matters in many instances that would continue to be relevant, so, important to make public and report on here.

Mindful of that delay in reporting on its work, the committee considered that to expedite things, given 191 recommendations to report on, it's a very big body of work, that it would be expeditious to present this second interim report of the committee in two parts, so that we could progress one and have it tabled, and then continue to progress the other, because there was such a length and such a bulk of evidence to deal with. And that's how things have worked out. We tabled the report that we're noting today in an earlier session of sitting, and then just today we've tabled Part 2 of this second interim report. So, now the entirety of that body of work is now tabled in this place. It is not to be regarded as a current picture of where things are at as of today with implementing commission of inquiry recommendations. It is a matter of historic record about the evidence we took during the time frame laid out from June 2024 to June 2025.

To explain the two parts: Part 1, which is the one we're noting today of the second interim report, includes consideration of evidence relating to recommendations from the commission of inquiry reports chapter 6, which is education; chapter 9, which is out-of-home care; chapter 12, which is youth detention.

This represents approximately half the recommendations in total from the final report of the commission of inquiry. The Part 2 report, which we tabled earlier today, of the second interim report we completed, and that covers the other half of the recommendations and the relevant chapters from the commission report are chapter 15, which is health; chapter 16, criminal justice responses; chapter 17, redress civil litigation and support; chapter 18, overseeing child safe organisations; chapter 19, a coordinated approach; chapter 20, state services disciplinary processes; chapter 21, therapeutic services; and chapter 22, monitoring reforms. Just for clarity and to have on the record, that's the way we've divvied up part 1 and part 2.

Another thing to mention, that certainly intersects with the work of this committee, is that during 2025, the Office of the Independent Implementation Monitor was established and began its work. The evidence that was taken by the committee across that June 2024 to June 2025 period became a body of material not only for the committee to report on itself, but also became available because it was in the public domain to the monitor to inform his work as well. It certainly was potentially quite useful, as an early part of his work needed to be the development of an evaluation framework that would underpin his work going forward as he does that job of independent monitoring of the implementation of recommendations. It's good to have had a dual purpose, in a sense, of the information and the evidence collected from the committee being able to inform that that work, too.

For those who may be seeking to stay up to date in a current sense on progress of the implementation of commission of inquiry recommendations, I would refer people to the annual report from the implementation monitor, which was released in the second half of last year, in October. He will be expecting to do his next annual report, which will be based on his evaluation framework, later this year, hopefully to be released in September or October. Again,

that will become the primary vehicle for assessing how implementation is going as we go forward.

The other way to stay up to date in a current sense with implementation is to look to the government's periodic progress updates which are published online. Again, that's the government-reported progress, so that people can make their own assessments as to how well that represents the reality. Again, I think one of the things that jumps out from the report of the committee is that, yes, on the one hand we have what the government reports to be progress against recommendations and that's well and good, but also when we hear from others, particularly non-government external stakeholders, there's sometimes a gap between the perception of something that's been implemented or the extent to which it's been implemented successfully, and that which is the observation of others in the space. So, take the government progress reports as an indication, but it's not necessarily something that has been independently verified until the implementation monitor makes his assessment.

Having said that, what we can also observe is that since the time the committee took that evidence from June 2024 to June 2025, there will be instances in the report here, as we report on that, that people need to be aware of changes that have subsequently come to pass. I'm just going to mention a few of those now for reference, because while in the report it might be noted that something has yet to be done, because here we are, a year later, almost; then the evidence-taking period, we now have seen some more progress. Listed in the early stages of our part 1 report of the second interim report are some of the things that have occurred, and that includes: the passage of various pieces of legislation; it includes tabling in parliament of some independent reports, like the Tatarka Report and the Woolcott Review; it includes annual reports being provided from some of the entities that have been established based on recommendations, like the implementation monitor, like the Office of the Independent Regulator; it includes progress being made on certain frameworks or policies or procedures and documents and such things that relate to various recommendations; and certain outlines for the way forward on some of the recommendations. There's been progress and people can refer in the report to a list of things there. We did want to acknowledge that, knowing that people may read the report and think that we're still a way back from where we'd like to be; progress has continued to be made.

It's probably a good moment to make a broad observation, and as many would appreciate here, I'm often going to be someone who's pretty much on the front foot when it comes to scrutinising and to being potentially critical of the government around progress on things; that's fine. That's part of our job in this place as non-government members and as independent members representing the community but it's also, I believe, important - and as I do so in the report, and I will do so here as part of my contribution - it is important to recognise, as a broad observation, that we are making good progress on many things connected to the recommendations from the commission of inquiry final report.

That progress is being made in many instances in very good faith, with good intent by people who are genuinely doing their best to bring things forward for the ultimate goal of not just ticking off a set of recommendations, but genuinely delivering greater safety for children in this state, and I believe it's very important to recognise all that strong work that is being made even as we, at times, are noting things that perhaps could be done better, or things that aren't quite there yet, or highlighting observations or criticisms from others that may be relevant. All of those things, of course, are also well-intentioned and looking towards the ultimate outcomes that we are all deeply committed to seeing, which is improved safety for children in this state and assurance that we, to the greatest extent we possibly can, don't see any institutional failures around protecting children from abuse in this state.

On both sides of that equation, there is important, significant work being done to make progress. There's diligent work being undertaken by many in the public service to deliver progress across, as I said, such a broad range of portfolio areas and therefore also departments, from the Department of Justice, the departments of Health; Education, Children and Young People; from Police, Fire and Emergency Management and from the Department of Premier and Cabinet.

It's such a plethora of work across whole of government, really. It's complex work and I believe, no doubt, it's presenting many challenges in progressing some particular recommendations. While much of that work is structural and process related, alongside that, there's the less tangible, but I believe probably more significant task of cultural change that has to be delivered on, because progress on structural and process tasks can be readily, I guess, reported on and ticked off in that sense of auditing, but it's the progress on cultural change that's much more challenging to be monitoring, to be measuring, to be demonstrating, as in progress and as in potentially arriving somewhere that's improved.

That's something I think that is an area that's commented on in the committee's report in a number of instances, that while we might be able to tick off on something as having been put in place - and just as an example, there might be training now being offered to certain staff in certain areas on certain child safety matters, and that's fine. That's good. We can tick that off as technically being offered but, of course, the ultimate outcome is to be able to understand or to measure or monitor or demonstrate that that training has resulted in a culture change within that particular agency, and a change in the level of accountability and standard of behaviour amongst the staff there. That's something that readers of this report would encounter throughout, that we wait to see how we may best understand progress on culture change.

To explain to people the structure of the report if they come to read it, because it's not necessarily the way some other committee reports have been presented, certainly in my experience - and again, with 191 recommendations, some of which take a page or more to write out in the report - we felt it was important to be as clear as we could be in presenting our assessment of how things were going but some evidence that was illustrative of matters we might raise and also be something of a complete record or representation of those 191 recommendations across the two parts.

So, what we've done through the reports - in part one, but also part two, which was tabled today - we have laid out each recommendation in full so any reader of this can get a full sense of what the recommendation is, not just a little overview statement or something along those lines. We have noted whether it was a phase one, two or three recommendation at the time we took evidence on it and to explain the commission of inquiry's final report to people, particularly those who are new to this. In that, when the commissioners made their recommendations, they each allocated either a phase one, which meant it should be completed by mid-2024, or phase two, which at the time meant it should be completed by mid-2026, or phase three, which meant it should be completed by 2029.

So, those phases were initially allocated by the commissioners themselves when they presented their final report and the government, I think in good faith, attempted to maintain recommendations in those phases and deliver on them, implement them according to those phases. What's probably and naturally, I think, happened is that there has needed to be some adjustment, sometimes because things have taken longer than expected, sometimes because there might have been something that needed to occur before something else could come into play. So, without anything being untoward, at times things needed to be adjusted. So, if anyone was to go and look at the update, the current update on progress, they would see that some

things have shifted in their timeframes or shifted from one phase to perhaps the next. I don't criticise the fact that that has needed to occur and sensibly has needed to occur. People would though, on reading this report, see times that the committee has chosen to note where, in the committee's view, something should be happening quicker or something should be prioritised in particular and that's presenting the view of the committee in terms of those things and the government can take that view of the committee and do with it as it will, knowing that, at the end of the day, we are expecting, because the government has, certainly laudably, always stated a commitment to delivering on all 191 recommendations. So, that's where we're headed.

In the report, each recommendation is presented and it's specified whether, at that stage we took evidence, it was a phase one, two or three. We also note the government's reported status at that time of taking evidence where that was available to us. Often that was an extract from the government's implementation report of August 2024, so at that early stage of taking evidence. What we do in the report then, is immediately provide some statements about the committee's assessment of how things were being implemented at that stage of taking evidence for that recommendation and then after that include some extracts from evidence that illustrate that or help readers to understand the assessment statements that the committee has made in relation there, against what we heard in evidence.

Hopefully, as readers go through the report, they will get that sense of what we were trying to convey and that we were trying to ensure that we presented something that faithfully showed what we heard in evidence and also was able to express the committee's view on what we were observing and hearing about. So, mindful of time, and - really - because of how extensive this report is, I'm not going to go through each of the recommendations in any level of granular detail or specific assessments made. Members, if they were to look at the Chair's forward in our report, would see that there are some general observations that pick up on perhaps some common or highlighted themes coming out of the material covered in the report. I am going to mention those here just in brief, as a matter of record.

Some of those things included that, while some recommendations have been deemed completed, for example, a particular policy or procedure or training module has been developed or there has been a new position established to meet one of the recommendations, the key intent of the recommendation is behaviour and cultural change, as I mentioned before, and perhaps we have yet to have the degree to which cultural change has been is being achieved, or whether it has been achieved, demonstrated. On that basis, the committee regularly notes that ongoing monitoring and evaluation of the implemented recommendations will be required to determine whether it has successfully delivered on that ultimate intent. That will be the body of work ongoing for the independent monitor and also the committee.

Another broad comment to make, is that full implementation of some recommendations will require the government to commit to increased and ongoing funding to ensure that new models of working, or new workforce requirements, some of which would include increased staffing or increased training, and appropriately funded non-government organisations being involved in the delivery of services as intended by the commission of inquiry in their recommendations. Many of those things will require a commitment to an increase in ongoing funding and such a commitment, as we would all be well aware, is a challenging one for the government to make in the context of our budgetary situation. We are going to have that brought well and truly to the forefront of our minds when the state budget comes down later in the week. The committee is at pains to note, though, that without a commitment to appropriate funding of the implementation of those recommendations, we risk curtailing the ultimate benefits and outcomes that we want to see. That is something that has been clearly noted in many instances throughout the report.

Another broad area is that there appear to be issues with some of the planned sequencing of some recommendations. An area that that seemed particularly present in was that of the out-of-home care related recommendations. Many of which are interrelated and there are some questions around the sequencing of the implementation that we felt should be reviewed and adjusted where needed to ensure it occurs in a logical order. One of the biggest centrepieces of reform in the out-of-home care area that comes through the recommendations is the pretty much wholesale shift of out-of-home care out of the government sector into the non-government sector. That was a phase two recommendation, which means it was originally intended to have been done by the middle of 2026. But, other recommendations related to a workforce strategy or a strategic plan for out-of-home care were in phase three. It seemed a bit odd to make a wholesale shift without having a workforce plan or strategy done first. So, when I talk about sequencing, that is just an example of one area where we observed perhaps there could be benefit from a different sequencing. Of course, we are noting that this is on evidence taken some time ago now, so my understanding is it is likely some of those things have been reviewed and adjusted since then.

Another broad area that is picked up on throughout the report is that workforce recruitment and development is central to the delivery and implementation of many recommendations, especially in child safety, out-of-home care and youth detention areas. Achieving the full intended outcomes of the recommendations will rely on establishing, maintaining, training and effectively managing a skilled workforce. Given the current challenges faced by the government in each of those areas, that may be a significant barrier to successfully implementing commission recommendations, and it is an area we will have to carefully monitor, assess and report on, as we go forward.

Another broad comment was that there is a notable disconnect between the government's reported progress on implementation of many recommendations and the observations made by key external non-government stakeholders in evidence that they gave to the committee. It was also clear that, for those non-government external stakeholders, consultation and engagement with local expert stakeholders has not always been undertaken in a way that they would have wished to see, or felt needed to be done, to get the most effective outcomes. So there's clear opportunities for potential improvement in those areas having been highlighted in the evidence that we're presenting, and we certainly, as a committee, appreciated the effort gone to by those non-government external stakeholders in providing us with evidence through submissions and then also in hearings. There is so much good work, goodwill and good intention from non-government stakeholders involved here toward the outcomes we want to see, and getting the best result from implementation of these recommendations from the commission.

One of the particular things that the committee wanted to note and highlight in the report is the deep concern around the delay and the apparent inertia that was experienced for periods of time on the part of the government in closing Ashley Youth Detention Centre, and strongly urging the government to prioritise implementation of every recommendation required to expedite its closure. The committee noted a number of things on that front, which can be looked at in more detail in the report, but essentially can be boiled down to the closure of a AYDC as one of the most urgent and sensitive of all 191 recommendations made in the commission's report.

Indeed, it was the testimony of whistleblowers and victim survivors of abuse at AYDC that led in significant part to the establishment of the commission of inquiry in the first place, certainly for them to make their recommendation that, as soon as possible, it should be closed down. It is a matter of concern and frustration that it remains in place, noting work being done,

but it's a significant matter of concern. While the government does indicate it's progressing the closure of AYDC as soon as possible, there has been, as far as we can see, no real firm commitment to a timeline for that closure, and unwillingness, certainly in the evidence we took, an unwillingness or inability to provide a definitive list of actions that need to be taken to facilitate the closure.

I must say the evidence we took on in that period of time was with the minister who was previously responsible for AYDC, not the current minister responsible for AYDC, I'm just noting that here on the record today, so some of the comments on evidence taken are historical comments in that sense. The committee noted on the evidence taken that there was a high concern around the increase in the number of children being detained at AYDC, the majority of them unsentenced, and a concern by reports of a lack of therapeutic supports available, reports about the use of force and the ongoing impacts of practices such as lockdowns and extended periods of isolation on the safety and wellbeing of children detained, and also on the safety of staff and the support required for staff. It's a matter of ongoing deep concern for many in the community that AYDC remains open, even given everything that was in the commission of inquiry evidence and in the final report, and stated so clearly in the recommendations about the need for urgent closure. I won't say more about that in the interest of time today, but it is an area that's of acute interest to me, and I know to others in this place, and one that we continue to monitor and be cognisant of in a fairly close way.

Other things that we as a committee have highlighted in terms of prioritisation relate to progressing the recommendation to raise the age of criminal responsibility. That is fundamental. That's linked also across to what's needed to be done in order to close AYDC as soon as possible, there's a lot of nexus there between the two. We also have highlighted some concerns about the way certain funding has been allocated, in one instance via an election commitment, rather than through an appropriate, department-led tender process for such a sensitive area of service delivery to an incredibly vulnerable cohort of children, again an area that I'm particularly concerned about, but I'm not going to go into detail about in this place today in relation to this report. It will be something that continues to be looked at, I think, through other scrutiny mechanisms, though, and through this committee in an ongoing way.

To wrap things up, it's also a matter of where to from here for this committee, because its job changes and evolves, particularly given the establishment of the Office of the Independent Monitor and, in this 2025-26 year, that independent monitor now has an evaluation framework in place and will be fully undertaking his role and reporting in his annual report later in the second half of the year on the government's progress and the assessments he has made of it. In a sense, the committee, at that point, steps back slightly from the role of having to closely monitor progress on every recommendation.

What will then become the focus of scrutiny for the committee will be the implementation monitor's report to parliament, and that will become a prompt for the committee to then scrutinise the government, the ministers and the departments responsible on matters that are highlighted or raised or drawn to our attention via the monitor's reporting processes, so a slight adjustment. In some ways that is going to be a more realistic task for the committee, because in an ongoing sense it would be well-nigh impossible in an up-to-date, contemporary way, through our committee system, for the committee to be providing a very contemporary, up-to-date report on progress of implementation of these recommendations in an effective, timely way going forward.

So, now looking ahead from the next part of our work onwards, I think that process of the Implementation Monitor's assessment and reporting, and then the committee on the basis of that providing an additional layer of scrutiny of government and government ministers

becomes a workable work plan. Of course, we will also continue to, in a similar way, monitor the ongoing activities and reporting of some of the other entities that are being established under the recommendations, since that would include the new Commission for Children and Young People, which will come into play in the near future, and also the Office of the Independent Regulator as it exists now as a separate entity and then, ultimately, when it becomes subsumed into the new Commission for Children and Young People as well. The committee will continue an oversight role in relation to those entities and will draw on the work that they do to further scrutinise the government on implementation of commission of inquiry recommendations.

With that, that's really barely scratched the surface of the actual bulk of material and comments and assessments in our second interim report, part 1. However, in the interests of it being a public record of the work that the committee's done, I commend it to members here. Part 2, as I said, tabled today, will also now be available in the public domain. They will become part of the parliamentary record. The committee, as with so many people working on this across government and in the non-government sector, remains absolutely, fully behind the outcomes we wish to see here, which is greater safety for Tasmanian children, particularly vulnerable children who are part of our institutional settings in this state and under the responsibility of the state, and are committed to continuing the work of scrutiny and oversight as we go forward. I commend the reports to members and hope that we will see, as we report next time, even greater progress on many of these things.

[9.47 p.m.]

Ms WEBB - Thank you, Mr President. Just briefly, I appreciate the government's contribution on the report and note that ongoing work and the commitment to continuing to work with the committee going forward. We certainly were intending to do our diligent work scrutinising going ahead. Thank you particularly to the member for Rumney for her contribution as a fellow member of the committee. Very generous comments you made. It is very positive to hear that committee, I agree, has a very good sense of working together towards a common goal, and I have appreciated the input and support from all members in putting this work forward. Thank you to everybody and I commend the report.

Motion agreed to.