

BUDGET ESTIMATES BRIEF

Subject:	Red Tape Reduction Submissions
Election Commitment:	N/A
Key Department Spokesperson:	Kristy Bourne, Secretary

KEY MESSAGES

- The Government is committed to cutting red tape and, in March this year, launched a new red tape reduction portal encouraging Tasmanians to have their say on what red tape is holding Tasmanian businesses and industry back from success.
- Red tape includes excessive or unnecessary regulations, processes and bureaucracy.
- Examples of recent red tape reforms completed by the Department of Justice include:
 - The removal of barriers for farmers that restrict the ability of primary producers to provide housing options for workers under the *Residential Tenancy Act 1997*, allowing them to offer on-farm residence as part of an employment contract.
 - The introduction of a new service to allow couples to register a relationship online and upload supporting documents electronically, at a time that suits them. This new service removes the need for members of the community to fill in paper forms and mail them to BDM or lodge them in person, and the need the manual processing of the forms.
- The Department is also progressing other reforms such as:
 - Reforms to allow a plumber to install 'deemed to satisfy' plumbing work in a standard house without council approval. This simple change will mean that homes can be completed and ready for move in weeks earlier, saving families and the industry time and money.

- A new system that will facilitate compliance activities and allow electrical and gas practitioners to lodge compliance certificates online, replacing processes that are largely manual and rely on hard copy paper forms sent by post.
- To provide a timelier assessment of notifiable and permit building work, the Director of Building Control will draft and provide for consultation a new Determination. This Determination will set out what work is considered minor in nature and therefore will not need to be referred to reporting authorities. This reform may reduce administrative burden and time delays for notifiable and permit building work that includes minor work relating to reporting authorities.
- While regulation must exist to address legitimate community expectations to protect people, places and property for example, regulation can become a form of red tape if it is inadequate or disproportionate to those community expectations.
- The red tape reduction portal managed by the Red Tape Reduction Coordinator has received a number of submissions that have been referred to the Department of Justice.
- By mid-September, the Department had received 43 submissions, with the vast majority of those falling within the Consumer, Building and Occupational Services portfolio.
- While many of the submissions received are not typical red tape issues, the Department has been carefully considering submissions to see where improvements might be made or issues addressed.

KEY FIGURES

- Of the submissions referred to the Department of Justice:
 - 33 relate to Consumer, Building and Occupational Services, with the vast majority of those concerned with building matters
 - 3 are WorkSafe issues
 - 2 relate to the administration of Justices of the Peace
 - 2 were referred to the Department's Strategic Legislation and Policy area as they raised issues relating to legislation and regulations
 - 1 relates to the Tasmanian Civil and Administrative Tribunal
 - 1 relates to Supreme Court administrative practices
 - 1 was referred to Tasmania Police for consideration
 - 1 was referred to the State Planning Office for consideration
 - 1 relates to the *Anti-Discrimination Act 1998* and exemptions for small business.

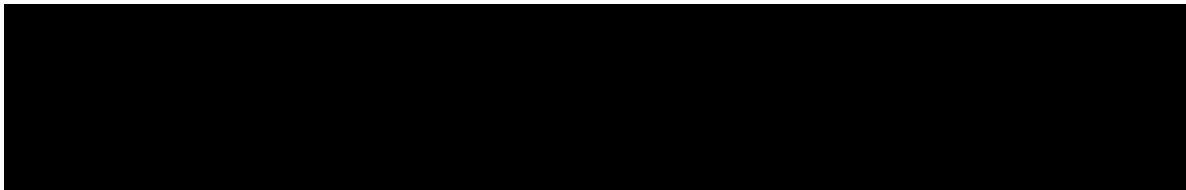
(Note: some submissions related to multiple areas).

BACKGROUND

- Most of the submissions received have related to reducing the number of approval forms/permits required to build a new house and/or to reduce the duplication across the forms. The Secretary, Department of Justice has determined these submissions are not red tape reduction matters, due to the following reasons:
 - The planning, building and plumbing applications processes result in separate approvals being provided, which in turn relate to each other, but are separate approval processes, required under different pieces of legislation.
 - Different forms from different persons (owners, practitioners, etc.) are required throughout the approvals process. These forms relate to different sections of the *Building Act 2016*. Combining these would add confusion to the existing process.
 - The PlanBuild system that is currently being rolled out by the Government will provide a streamlined process for the planning, building and plumbing application processes. Forms will be pre-populated with information, meaning that while there will still be multiple forms to be completed, the process for completing the forms will be much quicker and easier for the user. The option to use the PlanBuild system will be available to all councils by the end of 2027.
- Examples of other submissions received, but not deemed red tape reduction matters, include:
 - reducing the requirements to build certain structures, such a backyard shed and container homes
 - reducing or removing the continuing professional development (CPD) requirements for tradespeople
 - reducing requirements for testing and tagging of non-fixed electrical cables.
- **Exempt under s 27** 
- 2 submissions have been received in relation to the administration of Justices of the Peace (JPs):
 - 1 submission raised issues in relation to the cost to potential JPs for a National Police check, the delivery of introductory training for JPs and the Department's 'Find a JP' website. This submission has resulted in a change to the website, and

the Department is also reviewing its approach to applications from potential JPs who may be experiencing financial difficulty.

- 1 submission has raised issues in relation to the execution of affidavits and instructions provided by the Department to JPs. As a result of this submission, the Department undertook consultation with the Supreme Court to clarify the requirements for affidavit execution and will ensure that the guidance in the JP Handbook provides clear, accurate, and consistent information to support JPs in their important role.



BUDGET ESTIMATES BRIEF

Subject:	Reform of Tasmanian Industrial Commission Functions
Election Commitment:	N/A
Key Department Spokesperson:	Ross Smith, Deputy Secretary, Regulation and Service Delivery

KEY MESSAGES

- As part of the Government's commitment to rebuilding fiscal buffers, I have worked with my Department on identifying ways we can realise budget efficiencies that do not impact on front line services. One such way is through reform of the functions of the Tasmanian Industrial Commission (the TIC).
- The functions of the TIC are contained across various pieces of legislation and broadly relate to four key areas:
 - to hear and determine matters arising from, or relating to, industrial matters under the *Industrial Relations Act 1984*
 - to review applications under the *State Service Act 2000* by Tasmanian State Service employees, relating to selection and other actions involving their employment
 - to inquire into and report to Parliament on the amount of salary and allowances to be paid to each Member of Parliament pursuant to the *Parliamentary Salaries, Superannuation and Allowances Act 2012*
 - to undertake such other inquiries and references that may be referred to the TIC or its members from time to time.
- Since the Industrial Relations Act was introduced in 1984 over 40 years ago, there have been changes within the employment landscape, including the introduction of key legislation such as the *State Service Act 2000*, the *Fair Work Act 2009* and the *Work Health and Safety Act 2012*.

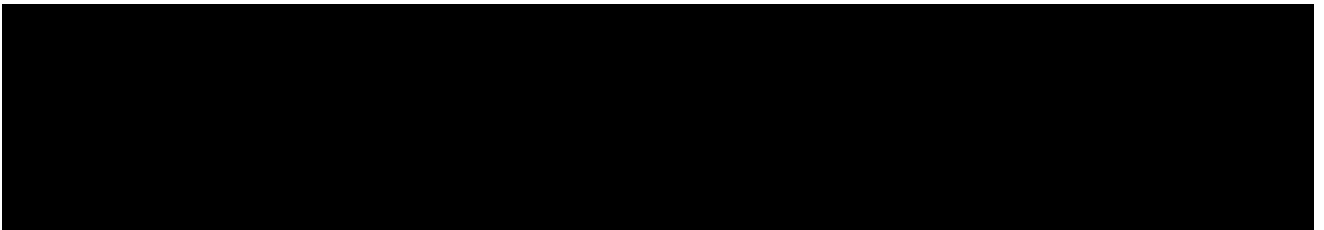
- More recently, there has been the Tasmanian State Service Independent Review (the Watt Review), which was released with 77 recommendations and a 'Roadmap to Reform' for the State Service.
- This review has resulted in a suite of changes across the State Service including building shared capability for serious code of conduct investigations and revising State Service employment directions.
- Through employment directions, improvements in recruitment policies and processes, greater transparency and improvements in information disclosure, the State Service has achieved a number of protections to mitigate the risk of improper selections.
- It is timely to consider the role and functions of the TIC to ensure that they continue to be required and equitable within the broader employment framework that the State Service now operates.
- Coupled with the changes in the employment framework, the establishment of the Tasmanian Civil and Administrative Tribunal (TASCAT) has shown the great benefits and efficiencies that can be achieved providing consistency in decision-making and increasing transparency and accessibility, bringing together nine separate boards and tribunals.
- This Government has been committed to expanding the jurisdiction of TASCAT and this reform presents another opportunity to achieve these benefits.
- The objective of this overarching reform is to achieve budget savings that do not impact on front-line services and continues to deliver key essential services.
- Transferring industrial functions of the TIC to TASCAT will allow for the abolishment of the TIC in its current form, whilst achieving economies of scale through shared accommodation and resourcing.
- The Department of Justice will lead this reform and will liaise closely with TASCAT and the State Service Management Office. The Department also intends to consult with public sector unions as part of this process.

KEY FIGURES

- As at 30 June 2025, the TIC has 5 staff equating to 4.8 FTE, including a president and deputy president.
- It occupies its own accommodation.
- The TIC's operating services budget over the last three years has been:
 - 2022-23 - \$1,366,000
 - 2023-24 - \$1,435,000
 - 2024-25 - \$1,416,000.
- The transfer of functions from the TIC to TASCAT is estimated to result in a potential ongoing annual budget saving of up to \$535,000 from 2026-27.

BACKGROUND

- The TIC is established under the *Industrial Relations Act 1984* replacing previous industry-based wages boards with the main function of hearing and determining industrial matters, including the settlement of disputes, and making of awards and agreements.
- While the TIC originally had jurisdiction for all private and public sector industrial matters in Tasmania (except those where there was a constitutional argument for them to be subject to the Commonwealth industrial relations system), private and local government sector industrial relations powers were referred to the Commonwealth in 2009.
- In 2013, the independent State Service Commissioner established under the *State Service Act 2000* was abolished and the review functions were transferred to the TIC.



BUDGET ESTIMATES BRIEF

Subject:	Right to Information Performance
Election Commitment:	N/A
Key Department Spokesperson:	Acting Deputy Secretary, Strategy, Governance and Major Projects

KEY MESSAGES

- Our Government is committed to improving openness and transparency.
- In recent years, significant efforts have been made to improve government transparency and accountability.

Department of Justice Right to Information

- In the 2024-25 financial year, the Department of Justice received 277 applications under the *Right to Information Act 2009* (the RTI Act) and determined 266 applications. This is an increase on 2023-24 when 267 applications were received, and 256 applications were determined.
- In 2024-25, 204 of the 266 applications determined by the Department were dealt with within the 20 working days statutory timeframe. A further 52 applications involved an extension negotiated with the applicant and 3 involved consultations with third parties.
- Timeliness of responses may be impacted by a variety of factors including the volume of applications, the complexity of requests, (particularly where there is overlap with other public authorities) and the need to consult with third parties.
- All portfolio Ministers have delegated their powers to departmental officers. The Department handled 6 applications under delegation from a Minister for the financial year 2024-25.
- Applications to the Department of Justice are regularly made by lawyers seeking prisoner records on behalf of clients.

- My Department also receives regular applications from employees or employers (or from lawyers, insurers, or loss adjusters on their behalf) seeking copies of WorkSafe Tasmania's accident investigation reports. WorkSafe Tasmania's investigation reports are generally released in full, except where regulatory action is ongoing, or the matter has been referred to the Director of Public Prosecutions for prosecution.

Incorrect Release of Unredacted Documents to the ABC

- On 11 June 2025, following a right to information request from an ABC journalist, a Department of Justice decision was sent to the ABC mistakenly attaching unredacted documents in relation to children and young people in watch houses.
- I understand that the RTI delegate immediately attempted to recall the information mistakenly provided and a new decision document was issued soon after.
- RTI delegated officers are responsible for independent decision-making under the RTI Act, including the application of exemptions.
- Although the Department has in place a quality assurance process relating to RTI applications which may involve feedback to a delegated officer, under section 50 of the RTI Act a delegate must not be unduly influenced in the exercise of the power to make decisions in accordance with the Act.
- In this case feedback was provided to the delegate questioning the application of section 36 of the Act to 2 dots points within the information as part of the Department's internal quality assurance process.
- However, as with any quality assurance feedback relating to RTI applications, the delegated officer will consider any feedback, whether it be administrative, typographical or interpretive, and then release their independent decision in accordance with the RTI Act.
- While information released via a second follow up RTI request from the ABC journalist shows that questions may be asked of RTI delegates in relation to draft decisions, RTI delegates are not pressured into changing draft decisions or making a particular decision.

- This remains the case despite the level of seniority of the person providing feedback and is in line with the requirements of the Act.

Right to Information Annual Report 2023-24

- The 2023-24 RTI Annual Report was tabled on 10 April 2025. The report provides an overview of the RTI process across all state and local government entities and public authorities.
- Except for information about reviews conducted by the Ombudsman, the report is collated from figures provided by each authority. The Office of the Ombudsman provides data in relation to the outcomes of reviews conducted by that office.
- The report is compiled by the Department from the information provided to it. The Department does not validate or audit the data. However, where necessary, discussions are held with public authorities to ensure a consistent approach to the data provided.
- The report indicates that the number of applications received across all entities has increased from previous years: from 1,957 in the 2021-22 financial year, 2,165 in the 2022-23 financial year and 2,301 in the 2023-24 financial year.
- The number of applications determined has also increased from 1,615 in the 2021-22 financial year, 2,050 in the 2022-23 financial year and 2,151 in the 2023-24 financial year.
- 1,414 applications out of 2,151 determined, were fully dealt with within the 20-working day statutory timeframe, with a further 378 involving negotiated extensions or consultation with third parties.
- Preparation of the 2024-25 Annual Report is now well underway.

Why are so many applications refused or only granted in part?

- The RTI Report shows that most exemptions relate to section 36 of the Act (personal information of a person other than the person making an application).
- Because documents containing information requested by an applicant often include information that relates to third parties, the names and

other identifying or personal information of third parties may be redacted from the released documents.

- Examples of where this exemption is regularly used by the Department of Justice include requests for access to WorkSafe Tasmania files containing the personal information of witnesses or Tasmania Prison Service files that contain the personal information of other prisoners.
- The RTI Report shows that most refusals in 2023-24 related to information that may be purchased at a reasonable cost in accordance with arrangements made by a public authority (section 9(b)) and information that is otherwise available (section 12).
- There are several other reasons why the RTI Report may show no information was released in response to an RTI application. For example, a public authority may have no information relevant to the application in its possession, the application may have been transferred in full to another authority, the information requested may relate to an excluded person or body under the *Right to Information Act 2009* (the Act) or the application may be withdrawn in full.

Transparency – Steps the Government has taken to improve

- The Government is committed to improving openness and transparency. The Government continues to regularly release information on ministerial and parliamentary support expenses and departmental information via the Routine Disclosure Log on the DPAC website.
- This has the added benefit of reducing the expenditure related to RTI requests given there is a substantial associated cost due to the time and effort it takes to undertake an assessment.
- These efforts to expand on our transparency agenda will continue.
- The Government also committed \$500,000 over 2 years to support the significant uplift of RTI capability and practice in the Tasmanian State Service. The RTI Uplift Project has finalised and rolled out centralised training to build skilled RTI practitioners and reduce key person dependencies in agencies. It will also promote supported and

consistent practice and deliver enhanced processes and systems for right to information.

Commission of Inquiry

- The Commission of Inquiry has made recommendations relating to access to information and records, including a recommendation to review and reform the operation of the *Right to Information Act 2009* and *Personal Information Protection Act 2004* to ensure victim-survivors of child sexual abuse in institutional contexts can obtain information relating to that abuse.
- The Government remains committed to implementing the recommendations of the Commission of Inquiry and ensuring that appropriate resources are allocated.
- Work has commenced examining the major suite of legislative recommendations made by the Commission and I look forward to this important work progressing. The Commission's suggested timeline for this recommendation was medium term, by 1 July 2026.

RTI Independent Review

- Associate Professor Rick Snell and Professor Tim McCormack were appointed by the Premier to carry out a review of Tasmania's right to information framework.
- In September 2025, the final report of the Independent Review was released. The Review highlights several areas of strength across the State Service. It acknowledges the professionalism and dedication of RTI delegates, the commitment to public service values, and successful examples of proactive disclosure and improvement in our RTI processes, including the recently delivered RTI Uplift Project. These efforts demonstrate the collective commitment to openness and responsiveness and provide a strong foundation for further improvement.
- The Review also identifies opportunities to enhance the RTI system to better serve the Tasmanian community. These include establishing greater consistency in RTI practices across agencies, strengthening support for RTI delegated officers and expanding proactive disclosure practices to increase public access to information.

- The Department of Premier and Cabinet is leading a coordinated process to review the report and its recommendations in collaboration with all agencies.

Funding – Resourcing of the Ombudsman

Backlog of RTI external reviews. What is the Government doing to address that?

- In 2021-22, the Government provided the Office of the Ombudsman with \$500,000 in additional resourcing, increasing to \$750,000 in 2022-23 and \$1 million in 2023-24.
- The previous Ombudsman noted in his 2021-22 annual report that there had been a material and welcome increase to the recurrent funding allocated to his office. The funding provided allowed the Ombudsman to recruit additional officers in all jurisdictions, including the appointment of a deputy Ombudsman.
- In the previous Ombudsman's 2022-23 annual report, it is noted that 'the additional staff have made a significant difference to the way we do our work and have made it possible to do a little more than our core work'.
- The previous Ombudsman noted in his 2023-24 annual report that the historical backlog of external review applications awaiting finalisation was significantly reduced, with 97 external reviews finalised.
- He further noted that the overall numbers of external reviews were at the lowest point since the 2018-19 reporting year and that the length of wait times for finalisation of external review applications lowered dramatically, with a 49% decrease in average days open over the financial year. This was the lowest average since the 2016-17 financial year.
- In the 2024-25 Budget, our Government provided an additional \$700,000 over four years to the Office of the Ombudsman to speed up the Right to Information investigation, review and education processes.
- The most recent annual report from the Ombudsman tabled on 4 November 2025, notes that 'we have made substantial progress to clear this backlog over the 2024-25 period and delays have been

markedly reduced. Open external reviews at the end of the financial year were at their lowest numbers since the 2015-16 financial year and average days open were 41% lower at the end of this financial year than at the end of the last. This illustrates a major reduction in delays to applicants.'

KEY FIGURES

- The table below provides a snapshot of the activity under the Act for the year 2023-24. A comparison for the same information is provided for years 2021-22 and 2022-23.
- The number of applications received and determined does not reconcile from year to year. Some of the applications that were received and accepted in the previous year were determined in 2023-24. Likewise, some applications received in 2023-24 will be determined during the 2024-25 financial year.
- When an application is received and accepted, it may be determined for release or part release, transferred to another agency, refused or withdrawn by the applicant. Some applications may only be partially transferred to other agencies, with some aspects of the application accepted by the original receiving agency for determination.

Total Number (all entities)	2021-22	2022-23	2023-24
Applications received ¹	1957	2165	2301
Applications determined ²	1615	2050	2151
Applications where information granted in full	672	586	603
Applications where information granted in part	566	990	1213
Applications refused ³	105	112	143
Applications for which exemptions were used ⁴	692	1167	1318
Applications that took less than 20 working days to be determined	1021	1252	1414
Applications that took more than 20 working days to be determined	594	798	737
Internal reviews determined	49	73	71
External (Ombudsman) reviews determined	46	79	97

1 Application means an application made under Part 2 of the Act.

2 An application may be determined by an authority making a decision to provide the information requested in full or part; to not provide the information because it is exempt; or that no information relevant to the application is in the possession of the authority; or the application is transferred, deferred or refused for another reason permitted under the Act.

3 Refused under sections 9, 10, 12, 19 or 20 of the Act.

4 The number of applications in which one or more exemptions were claimed has been counted.

BACKGROUND

Integrity Commission Reports

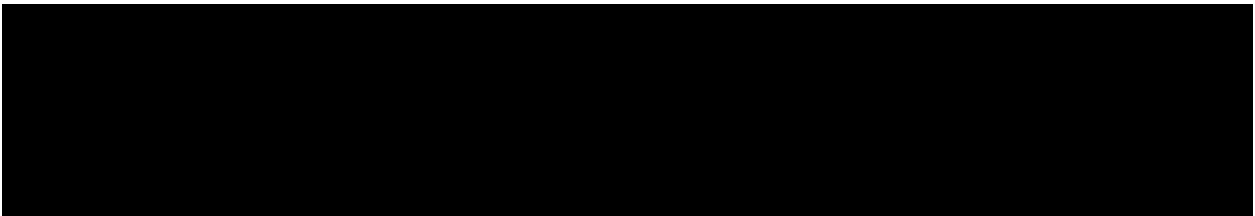
An investigation into the management of a right to information request in the Department of Health

- In its investigation report the Commission made three recommendations:
 1. The Secretary undertake a formal disciplinary process into the conduct of the Employee based on the findings of fact about the Employee's conduct as set out in the Investigator's Report.
 2. The Secretary disband the Department's 'Right to Information Panel', as it is currently constituted and operating, due to the associated serious misconduct risks and its capacity to subvert compliance with the Right to Information Act 2009 (Tas) in terms of time frames and decision-making.
 3. The Ombudsman consider whether educational or other measures are needed to ameliorate the risks posed by 'right to information panels' in case they exist in other Tasmanian public sector organisations.
- Recommendations 1 and 2 are the responsibility of the Department of Health, and I note that the Department of Health published a response to the Integrity Commission investigation, noting that it was accepting the recommendations and committing to improve processes.
- In relation to recommendation 3, I understand that the Ombudsman supports the recommendation that his office considers whether educational or other measures are needed to address the risks posed by right to information panels.
- I note for the information of the Committee that the Department of Justice does not have an RTI panel in place.

Misconduct risks in Tasmania's right to information regime

- The Integrity Commission's research report takes a wider view considering how deficiencies in the administration of Tasmania's RTI regime may give rise to misconduct risks. The report offers 5 recommendations to address these risks:
 1. The Tasmanian Government adequately resource the Ombudsman to provide comprehensive and ongoing training, model templates and guidance to right to information decision-makers, particularly concerning the use of exemption provisions.
 2. The Attorney-General amend section 53(1) of the *Right to Information Act 2009* (Tas) to include a provision that all responsible ministers and principal officers be listed by name and title, and that all right to information delegates be listed by position title only, in the annual report on the administration of the *Right to Information Act 2009* (Tas). The following information should be recorded for each listed person:

- a. the number of that person's decisions in which access to information was granted in full, in part or denied, and
 - b. the number of that person's decisions that were referred for external review, and the number of reviewed decisions that were affirmed, varied or overturned. The responsible minister and principal officer for each public authority should always be listed, even if they did not make any RTI decisions in that financial year.
 3. The Premier include standardised qualitative and quantitative right to information – related key performance indicators in the performance agreements of principal officers to support the appropriate resourcing and effective operation of public authorities' right to information functions.
 4. The Ombudsman issue a guideline under section 49(1) of the *Right to Information Act 2009* (Tas) on undue influence and regulating communication between right to information decision-makers and ministers, principal officers and other relevant officers, such as communications personnel.
 5. The Attorney-General amend the *Right to Information Act 2009* (Tas) to specifically provide that an officer who prepared the statement of reasons for the original decision-maker is precluded from conducting an internal review of that decision.
- The research paper and its recommendations are under consideration.



BUDGET ESTIMATES BRIEF

Subject:	Accommodation
Election Commitment:	N/A
Key Department Spokesperson:	Gavin Wailes, Director Finance

KEY MESSAGES

- The Department of Justice is a wide and varied organisation delivering a diverse range of services.
- In order to ensure it is able to effectively deliver these necessary services to the community, the Department has accommodation at a number of sites around the state, including:
 - Hobart
 - Launceston
 - Burnie
 - Devonport
 - Risdon Vale
 - Rosny
 - Bellerive
 - Glenorchy
 - Moonah.
- The Department also utilises temporary accommodation in other parts of the state for court circuits, including St Helens, Queenstown, Currie, Whitemark and Scottsdale.
- The Department's accommodation portfolio is made up of both leased and owned buildings, with the specialised court and prison buildings being owned and all other buildings being leased.

- The Department has developed a long-term Strategic Accommodation Plan. As part of this work, it has reviewed immediate accommodation options in relation to consolidating lease arrangements with the aim to reduce the number of small leases and tenancies into larger floor plates which have the potential to accommodate more than one output.
- To ensure this portfolio is as efficient as possible, the Department is continuing the process of strategically reviewing its leased and owned accommodation, with the aim of bringing similar outputs together, reducing costs and improving service delivery.
- A significant outcome of this review has been the establishment of new leases for accommodation at 89 Cambridge Park and 199 Collins Street, following the decision to relinquish the leases at Rosny Park and Victoria Street. Outputs from these locations will be gradually moved to this new accommodation from mid-2026 (a separate Budget Estimates Brief has been prepared for this project).
- The Department has also established a new lease at 22 Wilmot Street Burnie for Community Corrections. This move will provide Community Corrections with stand-alone, modern accommodation which is fit for purpose.
- The Department recently completed refurbishment of its accommodation on Level 3 Henty House, Launceston. This work provides staff with a new contemporary office with increased staffing capacity, encompassing additional meeting rooms and quiet rooms, new kitchen facilities and purpose-built interview rooms for Justice Support Services and WorkSafe Tasmania.
- In May, the Department finalised work to establish a new permanent, fit-for-purpose facility for TASCAT in Launceston. This progresses the Tribunals' commitment to facilitate access to its services throughout the state.
- The Department is in lease negotiations for the new State Litigation Office proposed to be located on Level 1 NAB House, 27 Elizabeth Street Hobart. This will enable the consolidation of all State Litigation Office staff at a single location.

- The Department has completed fit out work on new accommodation for the Office of the Independent Monitor, located on Level 2, 85 Collins Street, Hobart.
- The Department is working with the Tasmanian Electoral Commission to develop a new long-term fit-for-purpose office and election delivery facility in the South. A new site has been identified in the northern suburbs and a lease is currently being negotiated.
- The Burnie Courts Complex Relocation Project has progressed to detailed Design Phase. A separate Budget Estimates Brief has been prepared for this project.

KEY FIGURES

If Required - Additional speaking points

- The Department of Treasury and Finance (Treasury) oversees and manages the Government's leased accommodation portfolio. All accommodation changes need to be approved by Treasury.
- The Department owns and occupies the following buildings:

Building	Location
Risdon Prison Complex (including Mary Hutchinson Women's Prison and Ron Barwick Minimum Security Prison)	East Derwent Highway, Risdon Vale
Hobart Reception Prison	27 Liverpool Street, Hobart
Hobart Magistrates Court	23-25 Liverpool Street, Hobart
Launceston Magistrates Court	73 Charles Street, Launceston
Devonport Magistrates Court	8 Griffith Street, Devonport
Hobart Supreme Court	5 Salamanca Place, Hobart
Launceston Supreme Court	116 Cameron Street, Launceston
Burnie Combined Supreme and Magistrates Court	38 Alexander Street, Burnie

- The Department leases the following premises:

Building	Output
Hobart	
54 Victoria Street	Office of the Anti-Discrimination Commissioner and Justice Support Services (Office of the Public Guardian and Victims Support)
75 Liverpool Street	Community Corrections
Executive Building, 15 Murray Street	Office of the Director of Public Prosecutions, Office of the Solicitor-General and State Litigation Office
111 Macquarie Street	Office of the Crown Solicitor
85 Collins Street (Level 1)	Corporate Support (Finance, Human Resources, Strategic Communications, and Change Management Office), Office of the Secretary, Strategic Legislation and Policy and Justice Connect
85 Collins Street (Level 2)	Office of the Implementation Monitor
85 Collins Street (Level 3)	Justice Support Services (Victims of Crime and Redress and Safe at Home)
144 Macquarie Street	Tasmanian Planning Commission, State Litigation Office and the Office of the Independent Regulator
38 Barrack Street	Tasmanian Civil and Administrative Tribunal
27 Elizabeth Street	Tasmanian Industrial Commission
Rosny	
30 Gordons Hill Road	Consumer Building and Occupational Services, WorkSafe Tasmania, WorkCover Tasmania Board, Registry of Births Deaths and Marriages, Corporate Services (Office of the Chief Information Officer, Web Services, Project Management Office, Strategic Infrastructure Projects), Monetary Penalties Enforcement Service and Justice Support Services (Working with Vulnerable People).
Greater Hobart	
31 Cambridge Road (Bellerive)	Wellbeing Support Unit
3 Terry Street (Glenorchy)	Community Corrections
163-169 Main Road (Moonah)	Tasmanian Electoral Commission
Launceston	
111 Cameron Street	Community Corrections
Henty House, 1 Civic Square	WorkSafe Tasmania, Consumer Building and Occupational Services and Justice Support Services (Office of the Public Guardian, Victims Support Services and Safe at Home)
67-69 Brisbane Street	Tasmanian Civil and Administrative Tribunal (new lease)
182 Cimitiere Street	Office of the Director of Public Prosecutions
12 Goodman Court	Tasmanian Electoral Commission

Burnie	
Reece House, 46 Mount Street	Community Corrections (transitioning out)
22 Wilmot Street	Community Corrections (new lease)
54-56 Mount Street	Justice Support Services (Victims Support Services) and WorkSafe Tasmania
Harris Building, 49-51 Cattley Street	Office of the Director of Public Prosecutions
Devonport	
1-3 Rooke Street	Consumer Building and Occupational Services and Strategic Infrastructure Projects
57-59 Oldaker Street	Community Corrections

- Additionally, the Department utilises the Launceston Reception Prison, which is part of the Launceston Police Station complex owned by the Department of Police, Fire and Emergency Management.

BACKGROUND

Consolidation of Departmental Lease Accommodation

- The Department of Justice is continuing to explore opportunities to consolidate lease arrangements into contemporary fit-for-purpose accommodation that brings similar services together. Leases are being managed to support this objective in 2025-26 and beyond.



BUDGET ESTIMATES BRIEF

Subject:	Budget Efficiency Dividend
Election Commitment:	N/A
Key Department Spokesperson:	Deputy Secretary, Strategy, Governance and Major Projects

KEY MESSAGES & FIGURES

- As part of the 2024-25 State Budget, the Department was allocated an annual Budget Efficiency Dividend (BED) across all portfolios commencing at 1.12% of appropriation in 2024-25 and rising to 3.39% in 2026-27. This equates to budget efficiencies of \$25.7 million in 2024-25 and across the forward estimates:
 - \$2.9 million in 2024-25
 - \$5.7 million in 2025-26
 - \$8.6 million in 2026-27 and ongoing.
- Further BEDs were allocated to the Department in the 2025-26 Budget to reduce expenditure on agency marketing, communications, office and leasing costs and generate cost reductions through improved procurement processes. The additional BEDs require further savings of:
 - \$346,000 in 2025-26
 - \$692,000 in 2026-27 and ongoing.
- This takes the Department's total required BEDs to \$9.3 million per annum from 2026-27.
- The Department has developed and implemented a number of BEDs that will impact all outputs and ministerial portfolios. These strategies were proposed on the basis that they have the least effect on service delivery to the Tasmanian community, rather than being calculated and allocated evenly across various ministerial portfolios.

- The Department's BEDs aim to reduce costs while maintaining service delivery (noting more information on each specific BED is available below):

BEDs continuing in 2025-26 (commenced in 2024-25)

- IT End User Agreement Licensing - \$159,000
- MS Teams phone implementation program - **Exempt under s 27** (\$50,000 in 2024-25)
- PC fleet leasing and licensing efficiencies - **Exempt under s 27** (\$50,000 in 2024-25)
- Vehicle fleet reduction - **Exempt under s 27** (\$25,000 in 2024-25)
- Tasmanian Industrial Commission savings - \$50,000
- Tasmanian Planning Commission savings - \$100,000
- Enforcement of Monetary Penalties (MPES) savings - \$100,000
- Mobile phone utilisation efficiencies - \$40,000
- Office of the Anti-Discrimination Commissioner training revenue - \$100,000
- Burnie Police out of Courts - Magistrates Court - \$100,000
- Long Leave Funding reduction - \$100,000
- Safe at Home - **Exempt under s 27** (\$44,000 in 2024-25)
- Tasmania Legal Aid - **Exempt under s 27** (\$104,000 in 2024-25)
- A blanket 2% reduction for all outputs - **Exempt under s 27** (\$1.8 million in 2024-25). This involves a number of strategies undertaken across all outputs such as delayed recruitment for vacancies, review and consolidation of contracts to get the best value, centralisation of tasks and operating at a reduced capacity.

BEDs commencing in 2025-26

- Retained revenue utilisation - \$500,000. The Department is able to retain revenues collected in accordance with a number of pieces of legislation. These funds will be used to support broader functions, thereby facilitating a reduction in appropriation required.

BEDs to commence in 2026-27

- Exempt under s 27

[REDACTED]

[REDACTED]

- The Department will continue to be flexible and adaptable about other BED opportunities that present in the future, whereby alternate savings can be achieved, while still maintaining minimal impact on services provided to the Tasmanian community.
- The Department achieved its BEDs overall in 2024-25, however, continuing increasing demand pressures and complexities resulted in requests for additional funds for several outputs in 2024-25, primarily related to ongoing Tasmania Prison Service cost pressures and redress and civil claims related to child sexual abuse in state care (refer to the Public Account - Budget Outcome 2024-25 BEB).

Delivery of 2024-25 BEDs

- As of 30 June 2025, the Department had completed the majority of its 2024-25 BEDs, with incomplete strategies being balanced out by additional vacancy control across the Department.

PROGRESS OF INDIVIDUAL 2024-25 BEDs

Budget Efficiency Strategies	2024-25 \$'000	Status
IT End User Agreement Licensing	159	Achieved
MS Teams phone implementation program	50	Delayed
PC fleet leasing and licencing efficiencies	50	Achieved
Vehicle fleet reduction	25	Delayed
Tasmanian Industrial Commission Savings	50	Achieved
Tasmania Planning Commission savings	100	Achieved
Enforcement of Monetary Penalties (MPES) savings	100	Achieved
Mobile phone utilisation efficiencies	40	Delayed
Office of the Anti-Discrimination Commissioner Training Revenue	100	Delayed
Burnie Police out of Courts - Magistrates Court	100	Achieved
Long Leave Funding reduction	100	Achieved
Safe at Home	44	Achieved
Tasmania Legal Aid	104	Achieved
Blanket 2% reduction for all outputs	1,833	Achieved
Total	2,855	

Delayed BEDs

- Four BEDs were delayed for the following reasons:

- Exempt under s 27

[REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- Exempt under s 27

Vacancy control management

- As at 30 June 2025, the Department had:
 - approved FTE positions of 1,846.6
 - these include 500 FTE positions for correctional staff
 - FTE allocated to those positions of 1,587.2
 - resulting in 259.4 vacant FTE positions (including 39.3 correctional officers)
- The Department knows that it will have vacancies throughout each year due to natural attrition and has robust processes in place for the recruitment of all positions, including requiring HR, finance and executive approvals before any position can be advertised.
- The Department's approved positions change regularly as a result of new funding, the completion of funding, the commencement and completion of projects, restructuring, and reacting to changes in demand for services by the Tasmanian community.

BACKGROUND:

- As part of his Budget Speech to deliver the 2023-24 State Budget, the Hon Michael Ferguson, former Treasurer, outlined that the Government was reintroducing an efficiency dividend, to commence in 2024-25, starting at 0.6% of total government expenditure and increasing over the forward estimates to 1.8% in 2026-27.
- Treasury issued the following principles for Department savings measures:
 - must be achievable in both the short and long term
 - must be allocated to activities and costs within the control or influence of the Department
 - must consider operational impacts
 - must not negatively impact on the outcomes of frontline services
 - must be able to be reliably reported to the Budget Committee.
- The Department delivers a number of services to the Tasmanian public across all of its outputs which will make ensuring there is no negative impact on the outcomes of frontline services very challenging.
- Strategies were developed to have the least impact on service delivery to the Tasmanian community.
- The Department's BEDs approved by Ministers are summarised in the following table:

Budget Efficiency Strategies	Portfolio	Efficiencies Generated			
		2024-25 \$'000	2025-26 \$'000	2026-27 \$'000	2027-28 \$'000
IT End User Agreement Licensing	All portfolios	159	 Efficiency under s 27		
MS Teams phone implementation program	All portfolios	50	 Efficiency under s 27		
PC fleet leasing and licencing efficiencies	All portfolios	50	 Efficiency under s 27		
Vehicle fleet reduction	All portfolios	25	 Efficiency under s 27		
Tasmanian Industrial Commission Savings	Justice	50	 Efficiency under s 27		
Tasmania Planning Commission savings	Housing and Planning	100	 Efficiency under s 27		

Budget Efficiency Strategies	Portfolio	Efficiencies Generated			
		2024-25 \$'000	2025-26 \$'000	2026-27 \$'000	2027-28 \$'000
Enforcement of Monetary Penalties (MPES) savings	Justice	100	Exempt under s 27		
Mobile phone utilisation efficiencies	All portfolios	40	Exempt under s 27		
Office of the Anti-Discrimination Commissioner Training Revenue	Justice	100	Exempt under s 27		
Burnie Police out of Courts - Magistrates Court	Justice	100	Exempt under s 27		
Long Leave Funding reduction	All portfolios	100	Exempt under s 27		
Safe at Home ¹	Justice	44	Exempt under s 27		
Tasmania Legal Aid ¹	Justice	104	Exempt under s 27		
Blanket 2% reduction for all outputs	All portfolios	1,833	Exempt under s 27		
Exempt under s 27	Exempt under s 27	-	Exempt under s 27		
Exempt under s 27		-	-	Exempt under s 27	
Exempt under s 27		-	-	Exempt under s 27	
Total		2,855	Exempt under s 27		

Notes:

1. The Safe at Home and Tasmania Legal Aid strategies are exempt from the up to 2% reduction for all outputs to ensure there is no 'double dipping'.

IT End User Agreement Licensing

- The Department has invested in a new service management system for our ICT, among other service delivery benefits, which will enable the Department to better manage licences for various software systems, including Microsoft licences, leading to a reduction in costs.
- Achievement of this measure will not affect service delivery.
- Estimated savings of \$159,000 per annum.
- This BED has been **achieved**.

MS Teams Phone Implementation Program

- With the whole-of-government contract for desk phones used within the Department due to end, the Department will now be able to utilise MS Teams for phone calls at a lower cost than the rental of desk phones. Treasury and DPAC have already undertaken this transition successfully and the Department expects to be able to convert a high percentage of desk phones to MS Teams.
- A number of outputs across the Department have commenced utilising MS Teams for phone calls during 2024-25. The Department will continue to transition individual outputs to MS Teams for the remainder of 2024-25 and into 2026-27.
- Achievement of this measure will not affect service delivery.
- Estimated savings of \$50,000 in 2024-25, **Exempt under s 27**
- This BED has been **delayed** due to **Exempt under s 27**

PC Fleet Leasing and Licensing Efficiencies

- The Department's new Service Management System is assisting ICT with the management of PCs and associated hardware. Minor rationalisations of equipment leasing in 2024-25 are expected to increase into 2025-26.
- Achievement of this measure will not affect service delivery.
- Estimated savings of \$50,000 in 2024-25, **Exempt under s 27**
- This BED has been **achieved**.

Vehicle Fleet Reduction

- The Department is continuing to review its vehicle fleet, reducing the number of vehicles.
- Achievement of this measure will not affect service delivery.
- Estimated savings of \$25,000 in 2024-25, **Exempt under s 27**
- This BED has been **delayed** due to **Exempt under s 27**

Tasmanian Industrial Commission

- The Tasmanian Industrial Commission regularly operates within its annual appropriation allocation. Funding allocated was reduced in 2024-25.

- Achievement of this measure will not affect service delivery.
- Estimated savings of \$50,000 per annum from 2024-25.
- This BED has been **achieved**.

Tasmanian Planning Commission

- The Tasmanian Planning Commission regularly operates within its annual appropriation allocation, resulting in a reduction of funding allocated.
- Achievement of this measure will not affect service delivery.
- Estimated savings of \$100,000 per annum in 2024-25, **Exempt under s 27**
[REDACTED]
- This BED has been **achieved**.

Enforcement of Monetary Penalties Savings

- MPES regularly operates within its budget, while achieving a collection rate of greater than 100% of debt referrals for collection.
- Achievement of this measure will not affect service delivery.
- Estimated savings of \$100,000 per annum from 2024-25.
- This BED has been **achieved**.

Mobile Phone Utilisation Efficiencies

- The Department has achieved minor cost savings through improved mobile phone management practices, exercising greater rigour around the allocation of mobile phones to staff who need them, and the actual model of phone permitted to be purchased.
- Achievement of this measure will not affect service delivery.
- Estimated savings of \$40,000 per annum from 2024-25.
- This BED has been **delayed** due to **Exempt under s 27**
[REDACTED]

Office of the Anti-Discrimination Commissioner Training Revenue

- The Office of the Anti-Discrimination Commissioner (OADC) has the ability to charge fees for training. By refocussing part of its business, OADC should be able to partly self-fund its operations with only minimal impacts.
- Achievement of this measure will only have a minor effect on service delivery.
- Estimated savings of \$100,000 per annum from 2024-25.

- This BED has been **delayed** due to **Exempt under s 27**

Burnie Police out of Courts – Magistrates Court

- The Department's funding allocation for the Burnie Police out of Courts initiative included funding for court security in both the Supreme and Magistrates Courts. The Department has identified some minor savings in the direct court security costs included within this funding that has been reduced from the Department's funding allocation for this initiative.
- Achievement of this measure will not affect service delivery.
- Estimated savings of \$100,000 per annum from 2024-25.
- This BED has been **achieved**.

Long Leave Funding Reduction

- The Department holds funds centrally (through a Long Leave Fund) to enable outputs to backfill staff taking long periods of leave, both planned and unplanned. Reduction in this funding has reduced the Department's ability to backfill positions that are vacant due to long leave, with outputs being encouraged to manage long leave proactively.
- Achievement of this measure will only have a minor effect on service delivery.
- Estimated savings of \$100,000 per annum.
- This BED has been **achieved**.

Safe at Home

- The Department holds funding to deliver the Safe at Home Family Violence Service System for Justice and external agencies. These grant payments will be reduced in line with the savings rate allocated for the rest of the Department.
- Achievement of this measure will impact on the services provided to the Tasmanian community.
- Estimated savings of \$44,000 in 2024-25, **Exempt under s 27**
- This BED has been **achieved**.

Tasmania Legal Aid

- The Department makes grant payments to Tasmania Legal Aid to fund its operations. Grant payments have been reduced in line with the savings rate allocated for the rest of the Department.

- Achievement of this measure will impact on the services provided to the Tasmanian Community.
- Estimated savings of \$104,000 in 2024-25, **Exempt under s 27**
- This BED has been **achieved**.

Blanket 2% Reduction for all Outputs

- This measure involves a number of strategies undertaken across all outputs such as delayed recruitment for vacancies, review and consolidation of contracts to get the best value, centralisation of tasks and operating at a reduced capacity. The Government's current hiring freeze is working in conjunction with this initiative.
- Achievement of this measure will impact on the services provided to the Tasmanian community.
- Estimated savings of \$1.8 million in 2024-25, **Exempt under s 27**
- This BED has been **achieved for 2024-25.**

Exempt under s 27

[illegible]

[REDACTED]

- Exempt under s 27

I [REDACTED]

[REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

[REDACTED]

BUDGET ESTIMATES BRIEF

Subject:	Consultants
Election Commitment:	N/A
Key Department Spokesperson:	Gavin Wailes, Director Finance

KEY MESSAGES

- Consultants are engaged by the Department of Justice for specialised advice or services which cannot be provided by staff within the agency.
- Consultancies are classified as either building and construction related, or goods and services related.
- Building and construction related consultants include: architects, mechanical engineers, electrical engineers and strategic asset managers. It also includes relevant consultancies for building and construction related projects.
- Goods and services related consultants include: actuarial services, probity advice, specialist research, independent reviews, specialist legislation advice and specialist IT advice and services.
- All goods and services related consultants are required to be approved by the Secretary, a Deputy Secretary, or equivalent, prior to engagement.
- Interstate consultants are only used in cases where the specialist service is not available in Tasmania.
- The figures below also include legal services, engaged through Crown Law in accordance with Treasurer's Instruction FC-17 - Engagement of Legal Practitioners. These services include commercial advice outsourced by the Office of the Crown Solicitor and legal counsel outsourced by the State Litigation Office, primarily for child sexual Abuse in State Care (AIC) related matters. Additionally, independent medical advice costs in relation to AIC matters are included below.

KEY FIGURES

- The Department paid consultants (over \$10,000) a total of \$7.814 million from 1 July 2025 to 30 June 2025, made up as follows:
 - Tasmanian consultants: \$6,432,707 (82.3%)
 - Non-Tasmanian consultants: \$1,381,559 (17.7%)
- The split between building and construction related consultants and goods and services related consultants is as follows:
 - Building and construction: \$4,001,916 (51.2%)
 - Goods and services: \$3,812,350 (48.8%)
- The Office of the Implementation Monitor incurred costs of \$46,130 and the Office of the Independent Regulator incurred costs of \$40,000 relating to consultancies over \$10,000 between 1 July 2024 and 30 June 2025.
- Outsourced legal and associated independent medical and other services costs totalled \$2,766,035 for the period between 1 July 2024 and 30 June 2025. With \$2,142,751, or 77.5% of this due to child sexual abuse in state care related matters.

If Required - Additional Speaking Points

- Below is a list of building and construction related consultant costs paid by the Department between 1 July 2024 and 30 June 2025.

Output	Project	Consultancy	\$	Tasmanian
Corporate Services	Asset Management	Exempt under s 27		No
	State Litigation Office Relocation	Exempt under s 27		Yes
	TASCAT Launceston	Exempt under s 27		Yes
	Henty House Renovations	Exempt under s 27		Yes
	TPS Car Park	Exempt under s 27		Yes
	Cambridge Park Relocation	Exempt under s 27		Yes
	TASCAT Launceston	S Group	Exempt under s 27	Yes
	Comprehensive Maintenance	Exempt under s 27		No
	199 Collins St Relocation	Exempt under s 27		Yes
	Community Corrections Burnie	Xsquared Architects	Exempt under s 27	Yes
Corporate Services (Major Projects)	Swale Drain / Carpark	Exempt under s 27		Yes
	Burnie Court	Exempt under s 27		Yes
	New Kitchen	Exempt under s 27		Yes
	Burnie Court	Exempt under s 27		Yes
	Electronic Security Upgrade	Exempt under s 27		Yes
	Electronic Security Upgrade	Exempt under s 27		No
	New Kitchen	Exempt under s 27		No
	Burnie Court	Xsquared Architects	Exempt under s 27	Yes
	New Kitchen	Xsquared Architects	Exempt under s 27	Yes
	Correa Unit	Xsquared Architects	Exempt under s 27	Yes
	Electronic Security Upgrade	Xsquared Architects	Exempt under s 27	Yes
Tasmania Prison Service	SRC Fire Evacuation Plans	Xsquared Architects	Exempt under s 27	Yes
			4,001,916	

- Below is a list of goods and services related consultants' costs paid by the Department between 1 July 2024 and 30 June 2025.

Output	Project	Consultancy	\$	Tasmanian
Consumer, Building and Occupational Services	CBOS Organisational Development	Exempt under s 27		Yes
Corporate Support	Review of <i>Neighbourhood Disputes about Plants Act 2017</i>	Exempt under s 27		Yes Yes
	Investigation Services	Exempt under s 27		Yes Yes No Yes Yes
	TPS Site Survey	Exempt under s 27		No
	Ergonomic Assessments (multiple projects)	Exempt under s 27		Yes
	High Risk Offender Evaluations	Exempt under s 27		No
	Review of Wellbeing Support Program	Exempt under s 27		No
	ED16 (Tatarka) Review	Exempt under s 27		No
	Geotechnical Assessment of TPS Site	Exempt under s 27		Yes
	Actuarial Review of Redress and Civil Claims Liability	GM Actuaries	42,756	Yes
	ICT Cloud Infrastructure	Exempt under s 27		Yes
	Microsoft Fabric Requirements	Exempt under s 27		Yes
	Recruit Judge and Chief Justice	Mahlab	52,500	No
	Recruitment of Ombudsman	Exempt under s 27		Yes
	Interagency Collaboration Regarding High-Risk Violent Extremists Project	Exempt under s 27		No

Output	Project	Consultancy	\$	Tasmanian
	Review of Workplace Behaviour Policies	Exempt under s 27		Yes
	FIND Development Estimates	Exempt under s 27		No
	Review of Safe at Home Program	Exempt under s 27		Yes
Crown Law	Project Management – Visualfiles	Exempt under s 27		Yes
Justice Connect	Change management services	Exempt under s 27		Yes
	Test analyst services	Exempt under s 27		Yes
	Senior Project Manager	Exempt under s 27		Yes
	Business analysis services	Exempt under s 27		Yes
	Data Analysis	Exempt under s 27		Yes
	Business analysis services	Exempt under s 27		Yes
	Enterprise Architect	Ignite Project Services	230,850	Yes
	Data Engineer	Exempt under s 27		Yes
	Test Analyst	Exempt under s 27		Yes
	Project oversight and quality assurance services	Exempt under s 27		Yes
Justice Support Services	Evaluation of WIS Pilot	Exempt under s 27		No
	Review of CYSO	Exempt under s 27		No
	Business Analysis Services – RWVP	Exempt under s 27		Yes
	Project manager services – RWVP	Ossa IT	91,744	Yes
Magistrates Court of Tasmania	Magistrates Courts Screening Review	Exempt under s 27		Yes
Office of the Anti-Discrimination Commissioner	Equal Opportunity Disposal Authority Development Project	Exempt under s 27		No
TASCAT	Review of External Site Security	Exempt under s 27		Yes
Tasmanian Electoral Commission	Funding and Disclosure development	Exempt under s 27		No

Output	Project	Consultancy	\$	Tasmanian
	Funding and Disclosure development	Exempt under s 27		No
Tasmanian Planning Commission	State of the Environment Report	Exempt under s 27	00	Yes No Yes
	Stadium Due Diligence	Exempt under s 27		Yes No No No
Tasmania Prison Service	Review of Innovative Perpetrator Program	Exempt under s 27		No
	Correctional Recruitment	Exempt under s 27		Yes
	Beyond the Wire Evaluation	Exempt under s 27		Yes
	Use of Force Review	Exempt under s 27		Yes
WorkSafe Tasmania	Hillcrest	Exempt under s 27		No
	Psychosocial Risk Assessment	Exempt under s 27		Yes
	Cadmium Cementate Classification	Exempt under s 27		Yes
			3,726,040	

- Below is a list of costs for consultants engaged for the Office of the Implementation Monitor, between 1 July 2024 and 30 June 2025.

Organisation	Project	Consultancy	\$	Tasmanian
Office of the Implementation Monitor	M&E Framework	First Person Consulting	46,130	No
			46,130	

- Below is a list of costs for consultants engaged for the Office of the Independent Regulator, either by the Department as part of the setup of the Office, or the Office itself, between 1 July 2024 and 30 June 2025.

Organisation	Project	Consultancy	\$	Tasmanian
Office of the Independent Regulator	Capability Building Strategy	Exempt under s 27		No
			Exempt under s 27	

- Below is a list of legal services and independent medical and other related advice costs incurred by the Department between 1 July 2024 and 30 June 2025.

Output	Project	Provider	\$	Tasmanian
CBOS	Home Warranty Insurance Scheme	Exempt under s 27		No
Corporate Services	Justice Connect	Exempt under s 27		No
	Anti-Discrimination matter	Exempt under s 27		No
Crown Law	AIC related legal matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		No
	AIC related legal matters	Exempt under s 27		Yes
	Abuse in Care related medical matters	Exempt under s 27		No
	Abuse in Care related medical matters	Exempt under s 27		No
	AIC related medical matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		Yes
	AIC related matters	Exempt under s 27		Yes

Output	Project	Provider	\$	Tasmanian
	AIC related matters	Exempt under s 27		No
	AIC related medical matters	Exempt under s 27		No
	AIC related legal matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		Yes
	AIC related matters	Exempt under s 27		No
	AIC related medical matters	Exempt under s 27		No
	AIC related matters	Exempt under s 27		No
	AIC related legal matters	Exempt under s 27		Yes
	AIC related legal matters	Exempt under s 27		Yes
	Salmon Farming	Exempt under s 27		No
	Development of construction documentation	Exempt under s 27		Yes
Justice Support Services	RWVP IT solution	Exempt under s 27		No
Magistrates Court	Counsel Assisting the Coroner	Exempt under s 27		Yes
Office of the Anti-Discrimination Commissioner	Anti-Discrimination matter	Exempt under s 27		Yes
Tasmanian Electoral Commission	TEC legal matter	Exempt under s 27		Yes
Tasmanian Planning Commission	Stadium Due Diligence	Exempt under s 27		Yes
	Stadium Due Diligence	Exempt under s 27		Yes
			2,766,035	

BACKGROUND

- Consultants engaged by the WorkCover Board Tasmania or the Asbestos Compensation Commissioner are not included in this Brief.
- Further details on each consultancy are provided below.

Non-Tasmanian consultants are marked with an asterisk ().*

Building and Construction Related Consultancies

Corporate Support

- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- S Group Architectural - Architectural and superintendent services for the new **TASCAT Launceston accommodation**.
- Security Consulting Group* – provision of electronic security specification detail as part of the development of the TPS' ongoing **electronic security maintenance** contract documentation.
- Exempt under s 27 [REDACTED]
- Xsquared Architects - Architectural and superintendent services for the **Community Corrections Burnie accommodation relocation** project.

Corporate Support – Major Construction Projects

- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Matrix Management Group – Quantity surveying services for the **New Kitchen** facility at the Risdon Prison site.
- Exempt under s 27 [REDACTED]

- **Exempt under s 27** [REDACTED].
- Security Consulting Group* – Security design specifications for the **Electronic Security System and Mobile Duress System Upgrades**.
- Security Consulting Group* – Security design specifications as part of the overall design of the **New Kitchen**.
- Xsquared Architects – Architectural services for the **Burnie Court Complex**.
- Xsquared Architects – Architectural services for the **New Kitchen**.
- Xsquared Architects – Architectural services for the **Correa Unit (Maximum security unit)**.
- Xsquared Architects – Architectural services for the **Electronic Security System and Mobile Duress System Upgrades** in Mary Hutchinson Women's Prison.

Tasmania Prison Service

- Xsquared Architects – Follow up work to develop detailed **SRC fire evacuation** plans for staff and prisoners.

Goods and Services Related Consultancies

Consumer, Building and Occupational Services

- **Exempt under s 27** [REDACTED]

Corporate Support

- **Exempt under s 27** [REDACTED]

- **Exempt under s 27** [REDACTED]

- **Exempt under s 27** [REDACTED]

- **Exempt under s 27** [REDACTED]

- **Exempt under s 27** [REDACTED]

- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- GM Actuaries - Actuarial Review of the Redress and Civil Claims Liability for the State of Tasmania.
- Exempt under s 27 [REDACTED]
- Mahlab – professional search and recruitment services for a new Judge and new Chief Justice.
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]

Crown Law

- 2PM Services – Business analysis services as part of the upgrade of the VisualFiles system for the Office of the Crown Solicitor, State Litigation Office and Office of the DPP.

Justice Connect

- 2PM Services – Provision of change management services.
- 2PM Services – Provision of test analyst services.
- 2PM Services – Provision of project management services.
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Ignite Project Services - Provision of business analysis services.
- Ignite Project Services - Provision of enterprise architectural services.
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]

Justice Support Services

- Exempt under s 27 [REDACTED].
- First Person Consulting* - Supply of monitoring and evaluation services as part of the review and evaluation of the Child and Youth Safe Organisations Framework.
- 2PM Services – Provision of business analysis services for the replacement of the Registration to Work with Vulnerable People system.
- Ossa IT – Provision of project management services for the replacement of the Registration to Work with Vulnerable People system.

Magistrates Court

- Exempt under s 27 [REDACTED]

Office of the Anti-Discrimination Commissioner

- Exempt under s 27 [REDACTED]

TASCAT

- Exempt under s 27 [REDACTED]

Tasmanian Electoral Commission

- Exempt under s 27 [REDACTED]

- Exempt under s 27 [REDACTED]

Tasmanian Planning Commission

- Exempt under s 27 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- Exempt under s 27 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tasmania Prison Service

- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]

WorkSafe Tasmania

- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED] nt.
- Exempt under s 27 [REDACTED]

Office of the Implementation Monitor

- First Person Consulting* – Development of Methodology and Evaluation Framework for reporting on COI recommendation progress.

Office of the Independent Regulator

- Exempt under s 27 [REDACTED]

Legal Services

CBOS

- Exempt under s 31 [REDACTED]

Corporate Services

- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]

Crown Law

- Exempt under s 31 [REDACTED].
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]

- Exempt under s 27 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 27 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]
- Exempt under s 31 [REDACTED]

Justice Support Services

- Exempt under s 31 [REDACTED]

Magistrates Court

- Exempt under s 27 [REDACTED]

Office of the Anti-Discrimination Commissioner

- Exempt under s 31 [REDACTED]

Tasmanian Electoral Commission

- Exempt under s 31 [REDACTED]

Tasmanian Planning Commission

- Exempt under s 31

- Exempt under s 31

BUDGET ESTIMATES BRIEF

Subject:	Recruitment - Sustainable Resizing of the State Service
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**Election
Commitment:**

Key Department Spokesperson:	Deputy Secretary Strategy, Governance and Major Projects
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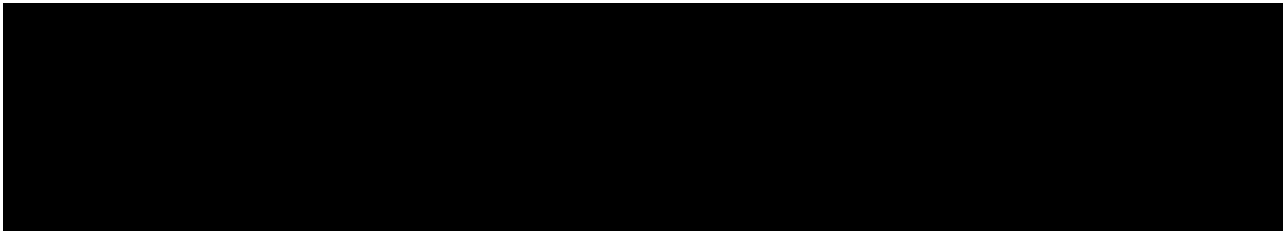
KEY MESSAGES

- The Department of Justice has responded to the recruitment freeze for non-essential roles in a measured manner, imposing greater scrutiny on recruitment decision making whilst continuing to deliver vital community services.
- Immediately after the announcement of the recruitment freeze, my Department put on hold all vacancies, essential and non-essential. Doing so allowed the Department time to analyse and assess its current resourcing requirements.
- The Agency Executive is responsible for clearing roles to be advertised.
- My Department has always encouraged managers to carefully evaluate vacancies and think critically before deciding to fill a role. Nevertheless, following the implementation of the recruitment freeze, each approved role was reassessed to determine if it should be approved to fill or not.
- My Department is working with managers to review their organisational structures and service delivery models to start to consider how it might reprofile the agency. This includes discussions concerning workforce planning, future skill needs, succession planning and technological improvements.

- The Department will continue to use the tools available through Managing Positions in the State Service in a methodical manner where it is appropriate and in the best interests of the community and State Service.

KEY FIGURES

- With employee turnover of 14-15% across the Department, there is a fundamental need to continue to recruit to maintain services.
- As of 30 June 2025, my Department had 210 roles to which it was actively recruiting.



BUDGET ESTIMATES BRIEF

Subject:	Supreme Court Budget and Performance
Election Commitment:	N/A
Key Department Spokesperson:	Penelope Ikedife, Registrar Supreme Court of Tasmania

KEY MESSAGES

- The Supreme Court exercises criminal, civil, probate and appellate jurisdictions.
- The Court's services are delivered efficiently and effectively in an environment where an increase in lodgements in all the Court's jurisdictions means the Court's workload has increased.
- In the 2024-25 reporting year the Supreme Court of Tasmania reported:
 - a 4.3% increase in lodgements in non-appeal criminal cases (from 742 to 774)
 - a 5.9% decrease in civil lodgements (from 724 to 681)
 - a 3.1% increase in the non-appeal criminal pending caseload (912 cases pending compared with 885 at the end of the previous financial year)
 - an improvement of 28.8% in the clearance rate for all criminal cases from 69% in 2023-24 to 97.8% in 2024-25
 - the clearance rate for civil cases increased from 98.5% in 2023-24 to 118.1% in 2024-25.

KEY FIGURES

Budget

- The Court has been allocated appropriation revenue of \$10.97 million for 2025-26 including overheads, and \$4.98 million for Reserved by Law for judges' remuneration. The Court also supplements its budget with

additional revenue raised from Court filing fees which are retained and used for the operations of the Court.

- Additional funding of \$600,000 for acting judges has been continued for a further two years in the 2025-26 Budget (2025-26 and 2026-27). This funding includes \$380,000 for Tasmania Legal Aid, \$170,000 for the Court to provide operational support to the acting judges and manage additional court costs, in addition to \$50,000 Reserved by Law funding to cover the acting judges' salaries.

Performance

Lodgements

- The number of lodgements received by courts per financial year is a measure of the demand experienced by the courts for their services.
- The number of new criminal cases lodged with the Supreme Court increased a further 4.3% in the 2024-25 reporting year from 742 to 774. This increase follows a 36% cent increase in lodgements in the 2022-23 year and a 21% increase in 2023-24. In the five years from 2020-21 there has been a 32.3% increase in criminal lodgements.
- Civil lodgements decreased by 5.9% from 724 in 2023-24 to 681 in 2024-25. However, in the five years since 2020-21 there has been a 56.9% increase in civil lodgements.
- Probate applications decreased slightly by 1.7% from 2,842 in 2023-24 to 2,795 in 2024-25.
- Bail applications increased 28% from 296 in 2022-23 to 380 in 2023-24 followed by a further 15.3% increase to 438 in 2024-25.
- Bail matters are usually a preliminary step and are dealt with quickly by the Court (usually within days of filing) but impose additional work at short notice on the Supreme Court, Magistrates Court, DPP and Tasmania Police.

Clearance Rates

- The clearance rate indicator is a measure that shows whether the Court is keeping up with its workload. The indicator denotes the number of finalisations in the reporting period expressed as a percentage of the number of lodgements for the same period. This indicator does not include cases commenced prior to the reporting period.
- In 2024-25 the civil jurisdiction of the Supreme Court reported a clearance rate of 118.1%, significantly higher than the previous year's rate of 98.5%. This result indicates that more cases were finalised than were lodged. There are some delays in listing civil cases for trial.
- The 2024-25 clearance rate for the criminal jurisdiction of the Supreme Court improved to 97.8% from the 2023-24 rate of 69%.

Pending

- The number of criminal cases awaiting finalisation (pending caseload) has grown over the past 5 years with an increase of 3.1% from 885 at 30 June 2024 to 912 at 30 June 2025.

Date	Cases Pending
30 June 2020	688
30 June 2021	711
30 June 2022	652
30 June 2023	743
30 June 2024	885
30 June 2025	912

Backlog

- See also the BEB Supreme Court - Backlogs (Criminal and Civil).

(a) Criminal

- The 'backlog' indicator is a measure of case processing timeliness. It is defined as the number of cases in the nominated age category (i.e. pending for more than 12 months) as a proportion of the total pending caseload.

- The age of the caseload that has been pending in the Supreme Court for more than 12 months is 46.5%:

Date	Number of Cases Pending for more than 12 months	Percentage of Cases Pending for more than 12 months
30 June 2020	267	39%
30 June 2021	313	44%
31 June 2022	351	54%
30 June 2023	287	39%
30 June 2024	352	40%
30 June 2025	424	47%

- The Court's performance target for the criminal backlog in 2024-25 is to have no more than 40% of cases older than 12 months.
- The aim is to bring the criminal backlog of cases older than 12 months closer to the national Report on Government Services target of 10%. However, such a target appears unrealistic because, since 2016-17 no Australian jurisdiction has achieved this 10% target. However, the Supreme Court of Tasmania will continue to strive to bring the pending caseload within manageable limits with the assistance of additional judicial resources and rigorous case management.
- The recent years' backlog figures in the Supreme Court have been affected by a variety of factors, including:
 - increased lodgements in both the criminal and civil jurisdictions
 - whether cases are ready for trial, including prosecution preparation time
 - delays in the disclosure/completion of files by police
 - availability of defence counsel and witnesses
 - longer and more complex criminal trials
 - more applications made during the course of trials, such as applications to have a witness declared unfavourable under s 38

Evidence Act 2001 and applications for leave to adduce coincidence and tendency evidence

- the introduction of special hearings to pre-record evidence of witnesses declared as special witnesses under the *Evidence (Children and Special Witnesses) Act 2001*
 - more surveillance device evidence, and voluminous financial records
 - evidentiary rules relating to consent in sexual offence matters, with the requirement to seek leave to cross-examine on certain issues.
- To manage the caseload, the Court has been allocating additional judicial time to reduce the criminal backlog, adopting more active case management and focussing on older cases.
 - In 2024-25, three acting judges held appointments. Acting Justice Porter's appointment for the period of July 2023 to June 2025 continued. From February 2024 his appointment was revised from part-time to full-time to June 2025. He has been appointed for a further period from 1 July 2025 to 31 December 2025 on a part-time basis.
 - Acting Justice Martin was appointed for a further period from 12 August 2024 until 30 June 2025 as a part-time acting judge.
 - Acting Justice Marshall was appointed as a full-time acting judge from 12 August 2024 to 31 March 2025. From 1 April to 30 September 2025, he has been appointed as a part-time acting judge.
 - These appointments enable the acting judges to sit during fixed periods in both trials and appeals to facilitate the administration of justice in Tasmania.
 - See also the BEB Appointments (Acting Judges and New Judges).

(b) Civil

- The civil (non-appeal) pending caseload decreased by 0.9% from 935 in 2023-24 to 927 in 2024-25. This caseload includes personal injury compensation claims, professional negligence claims, contractual disputes, testator's family maintenance claims, and other civil disputes.

- The pending civil caseload reflects the fact that the pace of civil litigation is driven by the parties and their lawyers, not by the Supreme Court. There may be many reasons why civil disputes take longer to finalise, such as the time needed for personal injuries to stabilise, the need to obtain expert reports, and allowing time for the parties to negotiate a possible settlement.
- The Supreme Court is experiencing delays in listing civil cases that are ready for trial. Civil matters now await a listing for hearing before a judge for 6 to 8 months after being certified ready for trial, whereas in previous years most matters could be listed within 3 months.
- The delays in listing civil matters are in part due to an increase in matters and in the length of trials. The availability of counsel, including increasing numbers of interstate counsel, makes listing matters difficult, as does the number of long trials (of 7 days or more).

Number of Judicial Officers

- The number of 'judicial officers per 100,000 population' is an indicator of the Government's aim to provide access to justice services in an equitable and efficient manner. In 2023-24, which is the most current available data, Tasmania's rate of 1.5 Supreme Court judicial officers per 100,000 population. This is lower than the other two-tier court jurisdictions, the ACT (1.6), and the NT (4.1), which requires more judges to cover a more geographically dispersed population.
- During 2024-25, the Supreme Court had seven permanent judges, one associate judge, and three acting judges.
- See also the BEB Appointments (Acting Judges).

Probate Staffing

- The Court has a small team which reviews probate applications and produces grants of probate. The probate registry is led by the Deputy Registrar, a highly experienced probate lawyer, and is staffed with a Band 4 Team Leader and a Band 3 Registry Administration Officer.
- The administrative staff are responsible for data entry and producing grants, as well as providing procedural advice and assistance to applicants, including legal practitioners.

- There was a turnover in probate registry administrative staff during 2023-24 and 2024-25, both of whom have been replaced. Contract staff have assisted in covering gaps while recruitment processes are being run and new staff are trained in this complex and specialised area. The probate registry has operated without interruption.

Cost Per Case Finalisation

- In 2023-24 Tasmania reported the fourth lowest cost per finalisation nationally for the civil and criminal divisions of the Supreme Court at \$9,375 in a national comparison with other states and territories. This indicator reflects the rate of finalisations against the level of funding.
- For the 2024-25 year Tasmania's net cost per finalisation for criminal and civil divisions was \$8,825. National figures for comparison are not currently available.

Court Fees Paid by Litigants (Access to Justice)

- Court fees paid by litigants are a partial indicator of the direct cost of civil litigation. Court fees reflect only a small part of the total expense faced by litigants, the largest being lawyers' costs. While defendants in criminal cases are not expected to pay any court fees in prosecutions brought by the State, it is accepted that civil litigants should make a contribution to the cost of court services.
- The average civil court fees collected in the Supreme Court of Tasmania in 2024-25 was \$513 per lodgement and amounted to 6.6% of cost recovery. The 2023-24 national average was 26.7% for Supreme and Federal Courts.
- The Supreme Court also allows a waiver, postponement or discount on civil court fees to ensure that fees are not a barrier to access to justice. In 2024-25, the Court waived 2.8% of its total fee revenue on that basis.

Attendance Indicator/Listings

- The attendance indicator is a measure in relation to the efficiency of the court process. Fewer attendances of the parties in court may reflect a potentially more efficient process. Alternatively, a higher attendance indicator may reflect more active case management that leads to faster finalisation of a matter.

- The attendance indicator in the Supreme Court for criminal matters decreased to 14.3 attendances per finalisation in 2024-25 from 16.7 in 2023-24, the highest on record.
- Particular challenges in 2024-25 included continued high lodgements, delays by both prosecution and defence counsel in preparing matters for trial, and delays in the production of reports to inform sentencing decisions. Delays can lead to more attendances as more appearances are required to ensure matters progress.
- The attendance indicator for civil matters in the Supreme Court in 2024-25 was 2.5 attendances per finalisation.

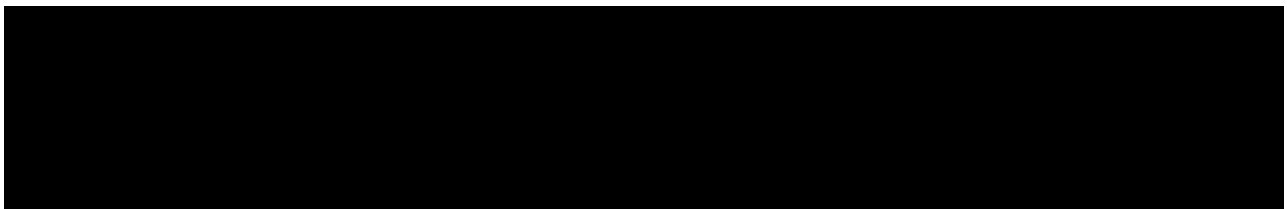
Staff

- The Supreme Court is comprised of judges and staff located at registries in Hobart, Launceston and Burnie. At 30 June 2025, the Court had:
 - seven permanent full-time judges, one associate judge, and three acting judges
 - 83 staff (including full-time judges)
(A number of staff work part-time, so the full-time equivalent staff number is 70.3).
- Staff are subject to performance management; and undertake training in relevant areas such as induction, ethics and behaviour, workplace health and safety, mental health and wellbeing, family violence, and procurement of goods and services.

BACKGROUND

Court Projects and Initiatives

- In addition to the quantitative performance measures reported above, the Supreme Court is involved in a variety of projects and initiatives that will improve the quality of the services delivered by the Court for the benefit of the Tasmanian community. For example:
 - review and refining criminal case management processes following the expansion of the Associate Judge's jurisdiction to include criminal matters
 - continual refinement of the Court's procedural rules for its civil, criminal and probate jurisdictions
 - documenting all business processes within the Court to ensure high quality services are delivered consistently around the State, and to train and encourage multi-skilling amongst staff
 - refinement of in-court technology (such as videoconferencing, digital audio-recording etc.) to enable parties and witnesses to give evidence from remote locations at less cost and more conveniently, and to ensure that the Court has a reliable, accurate record of proceedings
 - a range of building improvements including improvements to juror management and an additional remote witness room in Hobart
 - improvement of the Court's communication and information systems for clients, staff and judges such as website and intranet resources, and Wi-Fi connections for lawyers and parties
 - community engagement programs including special events to celebrate the retirement and appointments of judges, Law Week, Open House Hobart, delivering court information sessions, and sentencing workshops to educate the general public, community and school groups about the role of the Court, its purposes, and the principles of sentencing.



BUDGET ESTIMATES BRIEF

Subject:	Supreme Court Backlogs (Criminal and Civil)
Election Commitment:	N/A
Key Department Spokesperson:	Penelope Ikedife, Registrar Supreme Court of Tasmania

KEY MESSAGES

- Our Government is committed to ensuring that all Tasmanians have access to an efficient and effective criminal and civil justice system in which court proceedings are able to be finalised in a timely manner.
- Our Government has implemented a range of strategies in order to assist the Courts to overcome the backlog in criminal cases, including the expansion of the Associate Judge to include criminal as well as civil matters, and the allocation of additional TasPol employees over the past few months, to assist with the timeliness of disclosure.
- I understand that the Chief Justice is actively monitoring the backlog, analysing its various causes, and pursuing strategies designed to reduce it. However, it is proving to be a difficult problem to solve due to the complexity of the factors influencing it.
- The Government acknowledges the impact of delays in the criminal justice system, particularly on victim-survivors and will continue to work closely with the Court to identify strategies to continue to reduce the backlog.
- The Tasmanian Government has committed to support the Tasmanian Supreme and Magistrates Courts to review their case management and listing procedures with the aim of reducing decision and finalisation times and to ensure the efficient use of court resources.
- I have expressed my support for the transfer of Criminal Listings from the Director of Public Prosecutions to the Supreme Court of Tasmania to enhance case management of criminal matters.

- Furthermore, I have established a Justice Forum to gather insights from justice sector leaders on practical reforms to improve court efficiency, reduce decision and finalisation times, and ensure the best use of court resources. The most recent meeting was held in early September, which focused on Bail and judicial reform. The Justice Forum will continue to meet to discuss measures that can be implemented across our courts to promote efficiency and improve timelines.
- The Forum has brought together key stakeholders from across the justice system including the Chief Justice, Deputy Chief Magistrate, President of TASCAT, representatives from the Department of Police, Fire and Emergency Management, the Solicitor-General, the Presidents of both the Tasmanian Bar and Law Society of Tasmania, a representative from Tasmania Legal Aid and the Director of Public Prosecutions.
- In addition to the action above, I have as Attorney-General and Minister for Justice, prioritised several significant legislative changes.
- In late 2023 the jurisdiction of the Associate Judge was expanded to cover criminal as well as civil matters. This allows the Associate Judge to provide additional assistance to the judges in the areas of criminal case management and the determination of bail appeals. These changes will allow judges to focus on determining criminal matters.
- As part of this Budget, funding for acting judges has been extended to 30 June 2027, as part of the Government's plan to provide access to justice and reduce court backlogs.
- The acting judges have been appointed to assist with throughput and reduce backlogs in criminal, civil and appeal cases; to preside when other judges may have a conflict of interest in a particular case; and/or to enable other judges to attend to writing reserved judgments.
- I intend to continue actively engaging in discussions on these issues with the Chief Justice, at an appropriate arm's length that respects the separation of the judicial arm of government. The views of the Law Society of Tasmania, Tasmanian Bar and prosecution and defence counsel also continue to be taken into account.

- In the past full reporting year (2024-25), the Supreme Court has reported that:
 - the number of pending criminal (non-appeal) cases continues to grow
 - these increases are occurring despite a number of strategies being implemented by the Court and Government
 - there are many factors that contribute to court backlogs, some of which are beyond the control of the Court such as the availability of counsel and the readiness of parties to proceed.

Pending Case and Backlog Overview

- The 'backlog' indicator is a measure of case processing timeliness. It is defined as the number of cases in the nominated age category as a proportion of the total pending caseload. For national reporting purposes the 'backlog' is the number of cases that have been pending for more than 12 months.
- The number of new criminal cases lodged with the Court has increased a further 4.3% in the past reporting year to an all-time high. Lodgements increased from 742 to 774. There has been an increase of 32.3% in criminal lodgements since 2020-21.
- The number of criminal cases finalised by the Court has increased by 47.9% in the past reporting year from 512 to 757. A significant factor in this increase is the jump in withdrawn or dismissed matters, from 135 in 2023-24 to 347 in 2024-25. The high number of matters that were withdrawn or dismissed is due to a focus by the Office of the Director of Public Prosecutions on reviewing existing matters and considering whether they should continue to be prosecuted in the Supreme Court.
- The number of criminal cases awaiting finalisation (pending cases) has steadily increased in recent years with an increase of 3.1% from 30 June 2024 to 30 June 2025 (885 to 912).
- The proportion of the criminal caseload that has been pending in the Supreme Court for more than 12 months as at 30 June 2025 is 424, or 46.5% of the pending caseload. This is higher than last year, when 352 or 40% of cases were pending for more than 12 months.

- In 2023-24 Tasmania had the fourth highest percentage of non-appeal criminal cases older than 12 months, at 39.8%, compared with other Australian jurisdictions (very similar to NSW, Victoria and WA). The highest percentage of cases older than 12 months was in South Australia, which had 61.6%, and the lowest was Queensland with 17.5%. Figures for 2024-25 are not yet available.
- The 2023-24 clearance rate decreased to a 10 year low of 69% but the clearance rate for 2024-25 has improved significantly to 97.8%. The increase in matters that were withdrawn or dismissed has contributed to the improvement.

Causes of Backlog

- It is important to note that there are many factors that contribute to court backlogs, some of which are beyond the control of the Court. They include:
 - changes to the case mix can lead to a higher volume of longer and more complex criminal trials due to:
 - greater reliance by the Crown on coincidence and tendency evidence resulting in lengthy disputes as to the admissibility of such evidence
 - an increased amount of surveillance device evidence, body-worn camera footage, forensic accountant analysis of financial records and telephone intercept evidence.
 - evidentiary rules relating to consent in sexual offence matters, with the requirement to seek leave to cross-examine on certain issues
 - more applications made during the course of trials, e.g. applications to have a witness declared unfavourable under s.38 of the *Evidence Act 2001*, or applications to pre-record a witness's evidence under the *Evidence (Children and Special Witnesses) Act 2001*
 - the availability of witnesses
 - the availability of Crown resources to prepare cases for trial

- delays in the completion of files by police, and disclosure of relevant materials to the defence
- the availability of prosecution and defence counsel. The pool of senior lawyers who practise in criminal law in the Supreme Court has diminished over recent years. Trial listings need to accommodate the availability of counsel and
- the availability of Legal Aid funding to the private defence bar can also restrict the ability of counsel to prepare matters for trial.

Court Strategies to Address Backlog

- To manage the caseload, the Court took steps to allocate additional judicial time to reduce the criminal backlog, adopting more active case management, and focussing on older cases.
- The expansion of the Associate Judge's jurisdiction to include crime will permit more consistent case management of matters, allowing the judges to focus on the disposition of criminal trials with less of their time taken up by case management.
- The following steps have been taken to address the problem of the workload in the criminal jurisdiction:
 - The re-appointment of three acting judges during the 2024-25 year to supplement the Court's permanent judges. Acting Justice Porter's appointment as a part-time acting judge was altered in February 2024 to a full-time acting judge until June 2025. He has been re-appointed from July 2025 to December 2025 as a part-time acting judge. Acting Justice Marshall's full-time appointment ended on 31 March 2025 and he was re-appointed on a part-time basis from April to September 2025. I am working with the Chief Justice and my Department to identify suitable new candidates for appointment as Acting Justices.
 - During the 2024 calendar year a third criminal court sat to deal with pleas of guilty, directions hearings, bail applications, and bail appeals while criminal trial proceed in two other criminal courts.
 - The Court has a policy of conducting directions hearings at regular intervals in relation to pending matters as a matter of routine case management of criminal cases, with a view to ensuring the parties are

ready for trial as soon as possible and expediting the finalisation of cases.

- A more rigorous management of the appeal process has also been introduced to ensure that the Court of Criminal Appeal is able to hear and determine appeals within a shorter timeframe. This has been reinforced by additional practice directions.

Government Strategies to Address Backlog

- The Government has implemented a range of strategies in order to assist the Court to overcome the backlog in criminal cases, and return the Court to a situation where cases are finalised in a timely manner:

(a) Judicial & Related Resources

- Three acting judges were re-appointed to sit as needed in both trials and appeals. The availability of acting judges has allowed the Court to respond to fluctuations in its workflow in a flexible and cost-effective manner.
- The additional funding for the acting judges has been supported with additional funding to the Office of the DPP and Tasmania Legal Aid in previous years. The Department of Justice maintains regular communication with the DPP and Tasmania Legal Aid about resource levels to ensure the timely preparation and presentation of cases before the Court.

(b) Legislative Changes

- On 7 November 2023 an amendment to the *Criminal Code Act 1924* came into effect that gave the Associate Judge powers to exercise some of the powers of the Supreme Court in the criminal jurisdiction. This will assist with the efficient case management of criminal matters, and the disposition of bail applications.
- The Government has enacted legislative changes to reduce the number of bail matters coming before the Court, and to redistribute the criminal caseload appropriately between the Supreme Court and the Magistrates Court by adjusting jurisdictional boundaries. The changes were implemented by the *Justice Miscellaneous (Court Backlog and Related Matters) Act 2020* (the Act) that commenced on 1 July 2021.

(i) Jurisdictional Boundaries

- The jurisdictional boundaries between the Supreme and Magistrates Courts have been adjusted to ensure that cases are dealt with in the appropriate level of court reflecting the seriousness of each case. Criminal proceedings constitute roughly 80 per cent of the work of the judges, but only about 20 per cent of the sentences imposed by the judges are sentences of imprisonment that are beyond the sentencing powers of a magistrate i.e., for two years or longer (sentences of two years imprisonment or less are within the Magistrates Court's current sentencing range).
- The Act also creates a number of summary offences that mirror a number of less serious indictable offences that can be dealt with by magistrates; and confers a higher sentencing limit for magistrates dealing with crimes triable summarily.

(ii) Procedural Changes

- The Act also delivers other efficiencies in the criminal justice system, including:
 - relocating the decision-making on preliminary proceedings applications from judges back to magistrates
 - an expansion of the categories of crimes triable summarily which defendants may elect to have dealt with in the Magistrates Court and
 - amendments to bail legislation to restrict the circumstances in which appeals or applications to the Supreme Court may be lodged.
- The Department is also sponsoring a project that will see the introduction of a shared case management database (called Astria), which will be used by various parts of the criminal justice system to exchange data and information. This forms part of the Justice Connect project. *See also BEB on Justice Connect Program.*

Civil Caseload

- The number of civil (non-appeal) cases lodged with the Court has decreased by 5.9% during the reporting year, from 724 in 2023-24 to 681 in 2024-25.
- Civil (non-appeal) case finalisations increased by 12.2% from 713 to 804 during the reporting year. The figure includes 'deemed finalised' matters, some of which may change status during the course of the year to pending matters if a further event occurs on them.
- The clearance rate increased significantly 98.5% in 2023-24 to 118.1% in 2024-25.
- The civil (non-appeal) pending caseload decreased by 0.9%, from 935 in 2023-24 to 927 in 2024-25. The percentage of cases that have been pending for more than 12 months has increased from 40% in 2023-24 to 48.2% in 2024-25.
- The pending civil caseload partly reflects the fact that the pace of civil litigation is driven by the parties and their lawyers, not by the Supreme Court. There may be many reasons why civil disputes take longer to finalise, such as the time needed for personal injuries to stabilise, the need to obtain expert reports, and allowing time for the parties to negotiate a possible settlement. Anecdotally, there are increasing numbers of self-represented litigants, who require more time and guidance to progress their matters.
- When cases are certified ready for hearing, the Supreme Court is experiencing some delays in civil cases awaiting trial. Some civil matters now take six to eight months before they can be listed for trial. This is partly due to the availability of counsel and parties, and also because there are more longer trials requiring listings (7-10 days). The availability of court resources such as courtrooms also affects listing dates.
- Some factors that assist with managing the backlog of civil cases are the effectiveness of mediations in facilitating negotiated settlements (in 2024-25 48% of mediated civil cases settled at or within 30 days of mediation) and the pre-trial management of cases by the associate judge to ensure that matters are prepared for trial efficiently.

Conclusion

- I understand that the Chief Justice continues to monitor the backlog, analyse its various causes, and implement strategies designed to reduce it. It is proving to be a difficult problem to solve due to the complexity of its causes.
- As well as the Supreme Court itself implementing a number of strategies to reduce its backlog, the Government is giving consideration to a range of measures through which it can support the Supreme Court in its performance and delivery of the administration of justice in Tasmania.
- I intend to continue actively engaging in discussions on these issues with the Chief Justice, at an appropriate arms' length that respects the separation of the judicial arm of government. The views of the Law Society of Tasmania, Tasmanian Bar, and prosecution and defence counsel also continue to be taken into account.

KEY FIGURES

- The profile of the Supreme Court (**Criminal**) caseload is in the following tables:

Lodgements	2020-21	2021-22	2022-23	2023-24	2024-25
Burnie	162	77	152	190	203
Hobart	271	243	320	358	369
Launceston	146	129	140	194	202
Total	579	449	612	742	774

Finalisations	2020-21	2021-22	2022-23	2023-24	2024-25
Burnie	96	148	141	151	181
Hobart	267	255	269	249	378
Launceston	160	117	141	112	198
Total	523	520	551	512	524

Criminal Pending	2020-21	2021-22	2022-23	2023-24	2024-25
<=12 months old	398	301	456	533	488
>12 and <= 24 months old	197	225	130	247	265
>24 months old	116	126	157	105	159
Total	711	652	743	885	912

Date	Number of Cases Pending for more than 12 months	Percentage of Cases Pending for more than 12 months
30 June 2020	267	39%
30 June 2021	313	44%
31 June 2022	351	54%
30 June 2023	287	39%
30 June 2024	352	40%
30 June 2025	424	46.5%

Clearance Rate	2020-21	2021-22	2022-23	2023-24	2024-25
Criminal	89.6%	116.3%	90.0%	69.0%	97.8%

- For the 2023-24 financial year the percentage of non-appeal criminal cases older than 12 months was:

NSW	Vic	Qld	WA	SA	Tas	ACT	NT
43.8%	39.7%	17.5%	41.9%	61.6%	39.8%	30.2%	33.4%

- Bail applications have increased further in 2024-25:

Bail Applications	2020-21	2021-22	2022-23	2023-24	2024-25
Criminal	333	223	296	380	438

- The profile of the Supreme Court (**Civil**) caseload is in the following tables:

Lodgements	2020-21	2021-22	2022-23	2023-24	2024-25
Total	460	539	652	724	446

Finalisations	2020-21	2021-22	2022-23	2023-24	2024-25
Total	612	570	646	713	804

Civil Pending	2020-21	2021-22	2022-23	2023-24	2024-25
<=12 months old	378	441	544	558	480
>12 and <= 24 months old	124	144	129	184	204
>24 months old	171	192	203	193	243
Total	673	777	876	935	927

Clearance Rate	2020-21	2021-22	2022-23	2023-24	2024-25
Civil	133%	106%	99.1%	98.5%	118.1%

BACKGROUND

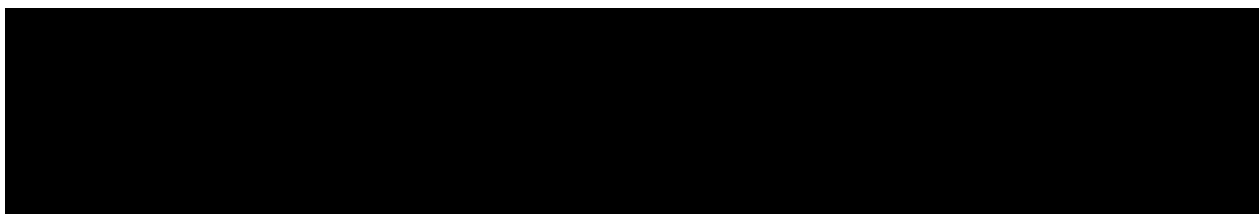
- Data on lodgements, finalisations, clearance rates and the pending caseload are all inter-related; and the backlog indicator is derived from the pending caseload.

Criminal Cases

- It is important to note that all courts have a pending caseload that varies from month to month because cases cannot be heard immediately. Time must be allowed for such things as disclosure, plea negotiations, and preparation for trial. “Backlog” is a measure of the age of a court’s active pending caseload at 30 June, against nominated time benchmarks.
- The ‘backlog’ indicator is a measure of the timeliness of case processing. It is defined as the number of cases in the nominated age category as a proportion of the total pending caseload. The national benchmarks for Supreme Courts are that no more than 10% of pending matters are to be more than 12 months old, and no lodgements pending completion are to be more than 24 months old.
- The criminal case backlog is challenging. The performance target for the criminal backlog in 2024-25 is to have no more than 40% of cases older than 12 months. Currently 48.5% of pending cases are more than 12 months old.

Civil Cases

- The Supreme Court has some delays in civil cases awaiting trial. Civil matters can usually be listed for hearing before a judge within six to eight months of being certified ready for trial.
- In previous years civil matters have been able to be listed within three months of being certified ready for trial. Judicial resources, courtroom availability, and an increase in the number of longer trials have all contributed to longer waits for trial dates.



BUDGET ESTIMATES BRIEF

Subject:	Magistrates Court Budget and Performance
Election Commitment:	N/A
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary, Justice and Reform

KEY MESSAGES

- The Government is committed to ensuring that all Tasmanians have access to an efficient and effective criminal and civil justice system in which court proceedings can be finalised in a timely manner.
- The Magistrates Court is the highest volume court in Tasmania, dealing with over 32,000 matters and more than 191,000 individual listings for the 2024-25 year across a range of jurisdictions including criminal, civil, youth justice, child protection, family violence and coronial.
- The Court has four (4) registries located in Hobart, Launceston, Devonport and Burnie. It conducts sittings regularly, or as required, in regional locations at Queenstown, St Helens, Scottsdale, Currie and Whitemark.
- The Court has seen a continued growth in workload due to increased lodgements, legislative changes resulting in more complex sentencing options which require multiple appearances, availability of defence counsel and timely disclosure.
- In recognition of the increasing demand pressures on the Magistrates Court, in 2023-24, the Government provided additional, ongoing operational funding of \$500,000 per annum to the Magistrates Court for additional resources as it continues to experience growth in both demand for services and complexity of cases, resulting in delays in cases being heard and increased backlog.

- This has been supplemented in the 2025-26 Budget with further funding of \$800,000 per year for 2 years in 2025-26 and 2026-27 to address continued growth in demand for services and complexity of cases.
- The Government has also funded strategic improvement projects in recent years which will benefit the operations of the Magistrates Court (in addition to other outputs) in the long term, including providing funding of \$1.4 million over 2 years for Improvements to Audiovisual Equipment in Courts and \$7 million per year (from 2025-26) for the Justice Connect (Astria) System Support. These initiatives will improve access to justice for the Tasmanian community.
- In February 2025, the Magistrates Court commenced upgrades to audio visual conferencing systems in the Courts statewide. Upgrades have now been completed in Devonport, Burnie and Launceston Courts with Hobart Courts remaining. These upgrades provide improved functionality in the court rooms for effective and efficient justice services.
- During the reporting period the Magistrates Court planned and coordinated the replacement of their statewide digital recording systems across all 17 courtrooms, plus two country court solutions with Justice ICT Operations team leading the project. The replacement forms part of the Commission of Inquiry Recommendation 16.12 project stream, supporting the Department's broader commitment to safe, reliable and accountable justice services.

Budget

- Several components of the Magistrates Court budget are subject to fluctuations that are outside the Court's control. These include the cost of the mortuary ambulance which is used to transport bodies for the purposes of the Coronial Division; the cost of engaging counsel assisting the coroner both from the Office of the Director of Public Prosecutions (ODPP) and private counsel if necessary; witness expenses; interpreters; security costs; and transcribing services.
- Costs associated with maintaining and improving facilities across 4 Courts are also a significant part of the Court's budget.
- Expenses associated with the operation of the Coronial Division also vary from year to year according to the type of matters that are being

investigated and the need for external legal counsel or specialist evidence. Extensive use is made of ODPP counsel, with external legal counsel usually only being used when the ODPP is unable to provide counsel due to workload, conflict or other reasons. Expert witnesses are also required from time to time to assist the investigation of a death. These expenses are payable by the Court and can be significant, particularly where specialist opinion and evidence is required. The expenses are outside the Court administration's power to control or limit as they are directly connected with the operation of the independent judicial functions of the Court.

- Costs related to contracted Court Security have increased due the requirement for additional staff to meet increases in court sittings and increasing risks of violence and court disruption, in addition to changes in the employee classifications for Security Officers from levels 2/3 to 4/5 rates under the Security Services Industry Award 2020 in order to attract better qualified security officers. As at 30 June 2025, the total expenditure for statewide contracted security services for the Magistrates Court total \$3.3 million, which is a \$1.1 million increase on the \$2.2 million paid for the 2023-24 financial year. This increase is a result of the need for additional security positions within the Courts to ensure safety and security of magistrates, staff, police, lawyers and other court users. An increased presence of security ensures timely assistance and thorough screening is undertaken to mitigate incidents and risks.
- The Magistrates Court contracts out the provision of security services, and on 1 June 2024 the Court transitioned to a new security provider, MSS Security. With the new contract comes additional costs including additional security staff and equipment, as well as additional safety requirements identified through site risk assessments. (see BEB - Court Security).
- Notable building expenses include a refit and upgrade of the Launceston registry, which had to be refurbished due to the presence of asbestos and other work health and safety issues.

Fees and Other Income

- The Court collects fees in the form of filing fees for civil claims, various applications, mediation fees, and in some cases, fees for filing complaints. If a person is convicted of an offence, a magistrate may order the payment of court costs (\$33.00). A portion of the fees may be retained by the Court.
- Court registrars have the power to waive fees on receipt of an application from a party. This process enables the impecunious to access justice without first having to overcome the hurdle of paying a fee.
- Civil fees have been gradually increasing since 2021-22. In 2023-24, the Court received a total of \$520,000 and in 2024-25, civil fees collected totalled \$534,000, an increase of 2.7%.
- 2024-25 saw a third year of continued increase in civil lodgements (by 6.6% increase) following a decrease over the COVID-19 period.
- In late 2023, the monetary threshold for minor civil claims that can be lodged with the Court increased from \$5,000 to \$15,000. The threshold for civil claims remained at \$50,000. This was the first increase in the minor civil threshold for many years.

Performance

- Full details about the Magistrates Court's 2024-25 and historical performance against a number of national benchmarks are available in the Annual Report on Government Services (RoGS) published in January 2025 by the Australian Productivity Commission.
- Effectiveness measures in the RoGS report are shown in 'backlog' indicators. While backlogs and timeliness are important, it is imperative that the quality of decisions is not compromised.

Staffing

- At 30 June 2025, the Magistrates Court had 94 staff, representing 89.4 FTEs, including 17 magistrates.

Criminal

Magistrates Court (excluding youth justice)

- As at 30 June 2025, the Magistrates Court had seen the following lodgements:
 - 17,339 adult criminal complaints (14.8% increase)
 - 1,844 youth justice criminal complaints (0.7% increase)
 - 2,711 civil claims (0% change)
 - 2,236 family violence order applications (22.7% increase)
 - 1,655 restraint order applications (-0.7% decrease)
 - 555 applications in the Children's Court
 - 14 administrative appeals
 - 960 deaths reported to the Coronial Division.
- As at 30 June 2025 the Magistrates Court pending caseload (cases lodged awaiting finalisation. This number includes matters lodged in previous financial year/s):
 - 13,452 adult criminal matters
 - 1,670 Youth Justice matters
 - 6,608 civil division matters (includes restraint orders, family violence order applications and civil claims)
 - 573 Children's Court applications
 - 964 reported deaths to the Coronial Division awaiting finalisation (see BEB: Coronial Division budget and performance).
- The **'backlog' indicator** measures the age structure of the Court's pending caseload. The cases pending as at 30 June each year are divided into those less than 6 months old, between 6 and 12 months old, and over 12 months old. The indicator is the percentage of the pending cases over 6 months or over 12 months old. However, it does not reflect the size of the pending caseload.

For further information and comment see BEB Backlogs (Criminal & General).

- It is anticipated that when commenced, the *Magistrates Court (Criminal and General Division) Act 2019* will have a positive effect on the future performance of the Court as it will introduce a number of new initiatives including:
 - a new way of commencing criminal proceedings by a ‘court attendance notice’ or a ‘charge sheet’ instead of a complaint
 - a new prosecution and defence disclosure framework for earlier disclosure of prosecution evidence and some defences
 - new case management procedures, standards, and formalised sentence indication powers designed to promote the just and efficient determination of matters.
- The Justices Miscellaneous Amendment (Court Backlog and Related Matters) Bill 2020 commenced some measures provided for in the *Magistrates Court (Criminal and General Division) Act 2019* early. The provisions of that Act which commenced early include the increase to the jurisdictional threshold which shifts cases from the Supreme Court to the Magistrates Court. The Magistrates Court will also retain carriage of indictable matters for longer as the Bill provides for preliminary proceedings applications to be dealt with in the Magistrates Court rather than the Supreme Court.
- Implementation of the changes brought by the *Magistrates Court (Criminal and General Division) Act 2019* will require improved ICT infrastructure in the Court. The Government’s Digital Transformation Priority Expenditure Program is funding the Justice Connect project, which will provide a comprehensive case management system for the Court, to be known as Astria, while also ensuring the supply of accurate and timely data between all criminal justice agencies in Tasmania, including Police, the Prison Service, Community Corrections, Monetary Penalties Enforcement Service, etc.

BACKGROUND

- The Magistrates Court fully expended its allocated budget in the past few financial years and in recent times has required additional funding to cover operating costs.
- The Court's normal sources of income have been decreasing over time. Issues around delayed disclosure, availability of counsel and witnesses, time taken for preparation of expert reports, more complex sentencing options requiring multiple appearances and court resourcing pressures, are all contributing to delays in finalising matters.
- Further, the Court continues to deal with a range of challenges, including high staff attrition rates, inadequate and outdated facilities, technology, systems and other key infrastructure and increased security requirements.

Magistrates

Hobart: Chief Magistrate C J Geason Magistrate O McTaggart Magistrate C P Webster Magistrate R J Marron Magistrate S J Cooper Magistrate A R McKee Magistrate R B Webster Magistrate J G Hartnett Magistrate M Duvnjak Magistrate L Mackey	Launceston: Deputy Chief Magistrate K J Stanton Magistrate S J Brown Magistrate S E Cure Magistrate E Hughes Devonport: Magistrate D R Fairley Burnie: Magistrate L S Topfer Magistrate K Edwards
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BUDGET ESTIMATES BRIEF

Subject:	Children in After Hours Court (Legal Representation)
Election Commitment:	N/A
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary, Justice and Reform

KEY MESSAGES

- The Government is committed to ensuring that children and young people are appropriately represented through the justice system.
- At the 2021 state election, we made a clear commitment to ensure legal services are available to our children and young people across the state, by providing access to legal representation for children and young people in the North and North-West, who are appearing in courts after hours on weekends (Friday to Sunday).
- This complements the service provided in Hobart where young people appearing before after-hours courts are represented by a lawyer from Friday night until Sunday night.
- In the south of the state, a partnership between the Hobart Community Legal Service (HCLS) and Tasmania Legal Aid (TLA) provides a lawyer from HCLS to appear for people, including young people, before after-hours courts in Hobart.
- This service operates only from Friday night to Sunday night; there is no legal representation available for individuals arrested after hours between Monday and Thursday.
- The expansion of this service to the North and North-West of the state commenced on 2 December 2022 to see the after-hours service provided by HCLS to young people in Hobart expanded, so that they also appear on behalf of a young person in custody in Launceston, Devonport and Burnie, from Friday to Sunday. The lawyer appears by telephone.

- There are also numerous existing legal and procedural safeguards in place when young people are taken into custody.
- These safeguards are predominantly the province of Tasmania Police in the form of procedures for the investigation of a youth. These procedures include the review of any decision to detain a youth in custody by senior officers.
- If a youth is remanded in custody in an out-of-hours sitting, the matter is adjourned to the next business day in the Magistrates Court (Youth Justice Division). At that time, the issue of bail is revisited, and legal representation is arranged through a private legal representative, TLA or the Tasmanian Aboriginal Legal Service.
- I remain committed to improving support for our young people who come into contact with the criminal justice system.

KEY FIGURES

- The State Government has committed an additional \$2 million per year for 2 years to continue to support services delivered by Tasmania Legal Aid, including services to children and young people.
- TLA has also received \$167,859 through the 2024 Solicitors' Guarantee Fund (SGF) grant round to fund Youth Justice Lawyers in the Youth Justice Division of the Magistrate's Court.
- From 1 July 2024 to 30 June 2025 the following representation services were provided to youth after-hours:
 - 23 in Launceston
 - 14 in the North-West
 - 60 in Hobart.

If required:

- Due to various funding pressures, it is anticipated that after hours legal services may be discontinued by TLA in the near future. The Government is working with TLA and the Department of Justice to explore options for this service to be continued.

BACKGROUND

- After hours courts ordinarily commence their sittings at 7pm during the week and hold both a morning and evening sitting on weekends. Out-of-hours courts do not convene as a matter of course but only when notified by Tasmania Police that there is a need for the court to sit. If matters arise after these times, they are ordinarily held over to the next business day in the Magistrates Court.
 - Exempt under s 27 
 - Any expansion of the service to seven days per week is subject to funding and any significant changes in the longer term will be subject to extensive consultation with the court to ensure the mode of appearance maintains a focus on the best approach for the young person.
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BUDGET ESTIMATES BRIEF

Subject:	Tasmanian Civil and Administrative Tribunal – Significant Increase Mental Health Stream
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Election Commitment:	N/A
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Key Department Spokesperson:	Jarrold Bryan, Principal Registrar TASCAT
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KEY MESSAGES

- The Government is committed to improving access to justice for all Tasmanians.
- The establishment of the Tasmanian Civil and Administrative Tribunal (TASCAT) on 5 November 2021 was a significant step forward in serving the needs of the community by enabling efficient and low-cost dispute resolution under a broad range of legislative provisions where required by law.
- TASCAT has a broad range of jurisdictions conferred upon it ranging from guardianship and mental health matters under the Protective Division to personal compensation, planning and resources, anti-discrimination, forestry and health practitioners' matters under the General Division.
- New jurisdictions have been conferred on TASCAT since establishment and the transfer of further jurisdictions is imminent.
- The Tribunal has received a significant increase in applications for Treatment Orders in the Mental Health Stream. From 1 July 2024 to 30 June 2025 the Tribunal has received a 30.25% increase in filings from the previous financial year. (874 applications for 2024-25).
- The Tribunal has noted that the increase in applications has been identified as commencing in the fourth quarter of 2023-24 from March 2024 to June 2024. For example, for January and February 2025, the monthly increase in filings for applications for Treatment Orders were 91% and 55% respectively compared to the same months in 2024.

- Due to the significant increase in applications for Treatment Orders, the Tribunal has had to prioritise the hearing of matters that would lapse if they were not heard in the required statutory timeframes.
- This has required the Tribunal to change the method for hearing matters that are due for 60- and 180-day reviews of existing Treatment Orders. Parties for those matters are advised the Tribunal will proceed to determine a review in chambers and without an in-person hearing which is permitted by Section 181(1)(f) of the *Mental Health Act 2013*.
- The parties are given an opportunity to request an in-person hearing before the Tribunal proceedings to hear the matter in chambers. If any party requests the review be held by an in-person hearing, it is automatically granted and a hearing date made.
- From 6 March 2025 to 30 June 2025, 157 reviews were heard in chambers. 20 of those matters were adjourned due to insufficient materials having been provided. 8 reviews were conducted by an in-person hearing at the request of a party. 25 matters did not proceed to an in chambers hearing as the treatment order was discharged by an approved medical practitioner prior to the hearing date.

KEY FIGURES

Mental Health Stream

- From 1 July 2024 to 30 June 2025, there were 1,430 applications filed which is an overall 22.2% increase on the previous year. These applications cover a range of application types under the legislation managed in the Mental Health Stream. Importantly, there was a significant increase in applications for Treatment Orders (874 which is a 30.25% increase on the previous year) and an increase in renewal applications for treatment orders (453 which is a 14.97% increase from the previous year).
- The Tribunal is required under the *Mental Health Act 2013* to undertake reviews of existing civil and forensic orders. These are now being counted as lodgements to properly reflect the scope of work undertaken. There was a total of 993 reviews of civil orders (938) and forensic orders (55). A small number of own motion reviews required a

hearing. There were 13 own motion review hearings of the Tribunal during 2024-25.

- There were:
 - 492 hearing sessions (which include 4-5 individual hearings/matters per session)
 - 316 hearing sessions were for south based matters
 - 102 hearing sessions were for north based matters
 - 74 hearing sessions were for north-west based matters.
- These listings include the hearings of new matters and existing matters that are subject to ongoing review by TASCAT. There were 2,110 matters listed for hearing by 3 member panels and 863 single member hearings.
- TASCAT issued 2,641 finalisations which include decisions of single members and 3 member panels.
- A substantial number of persons who appear before the Mental Health Stream are unrepresented (1,561 persons or 81.39% of matters). Of those who were represented; 2155 persons were represented by Tasmania Legal Aid (11.21% of matters) and 8 by private legal representatives (0.42% of matters). 28 persons were represented by Advocacy Tasmania (1.46% of matters). TASCAT appointed 106 separate representatives in this stream (5.53% of matters).
- TASCAT has seen a slight decrease in the number of people not attending their hearings from the same time last year. From 1 July 2024 to 30 June 2025, 915 persons did not attend their hearings (47.98% compared to 50.4% last year).
- Of the 992 persons who did attend, 179 attended in person (9.39%), 177 persons attended by telephone (9.28%) and 636 persons attended by video conference (33.35%).

BUDGET ESTIMATES BRIEF

Subject:	Tasmania Legal Aid Budget & Performance
Election Commitment:	\$166,000 p/a for AYDC duty lawyer program
Key Department Spokesperson:	Kristen Wylie, Director TLA

KEY MESSAGES

- Tasmania Legal Aid (TLA) receives core and specific purpose funding from State and Commonwealth Governments to provide legal advice, representation, family dispute resolution services and legal education to the Tasmanian community. It also receives a small sum from client contributions. TLA is the largest legal assistance provider in Tasmania. The 2025-26 State Budget sees TLA receive funding of \$11.351 million.
- In 2025-26, the State Budget allocated \$8.6 million in permanent funding (inc budget efficiency and indexation) to TLA. The State Budget also allocated fixed term funding of \$2.8 million which included funding for Ashley Youth Detention Centre Duty Lawyer Program, Acting Judges, and additional funding as a result of budget decisions.
- TLA has experienced significant increases not only in demand for services, particularly in criminal matters, but also the cost of providing those services. The expenditure on criminal law grants (including private practitioners and in-house grants) increased 18% between 2023-24 and 2024-25. TLA has also experienced an increase of 21% in criminal lodgements between 2022-23 and 2023-24.
- The Tasmanian Government supports the critical work of TLA and acknowledges the increased demand for services.
- The Tasmanian Government has therefore committed additional funding to TLA of \$2 million per annum for two years (2025-26 and 2026-27) to assist in meeting these increases in demand.
- The Government has also extended the additional funding to TLA of \$380,000 per annum for two years to support the extension of the acting judges.

- Furthermore, I have approved additional grant funding to TLA of \$2.721 million from the Solicitors' Guarantee Fund for:
 - Criminal Law Duty Lawyer services in the Magistrates Court and Mental Health Lawyer services in TASCAT for 2025-26 and 2026-27 - \$2.553 million
 - Youth Justice Lawyers in Magistrates Court Youth Justice Division in 2025-26 - \$167,859.
- TLA's Commonwealth baseline funding falls under the National Access to Justice Partnership 2025-2030 (NAJP), which replaced the National Legal Assistance Partnership (NLAP). TLA will receive \$11.054 million under the NAJP in 2025-26.
- Unfortunately, the NAJP does not include additional funding to reflect the increased costs of case management in the Federal Circuit and Family Court of Australia (FCFCOA) incurred by TLA following changes in court operational processes since 2022.
- TLA's family law workload and the consequential costs of family law files have increased significantly since the merger of the FCFCOA. Between 2022 and 2025, the average cost of an assigned family law file has increased by 48%, while the average cost of an Independent Children's Lawyer (ICL) file has increased by 40%. In the context of underfunding, these cost increases were unsustainable and resulted in service cuts from 1 January 2025.
- In 2025-26, TLA will be \$795,000 short in revenue from Commonwealth funding.
- TLA expects to be able to operate within its Commonwealth budget allocation, provided the service cuts to Commonwealth matters remain in place.

- In response to funding challenges, TLA's board implemented the following service cuts from 1 January 2025:
 - family: reduce funding of ICL appointments to *only* those cases with allegations of sexual, physical, emotional or psychological abuse of children
 - limit family law litigation grants for parties in parenting matters to:
 - victims of family violence or
 - people in receipt of a disability support pension/NDIS plan or assisted under the National Disability Advocacy Program or similar
 - crime: strict application of the current guidelines and fee scales for grants of aid.

KEY FIGURES

- TLA provides grants of aid to private practitioners to undertake work at significantly lower rates than they can charge privately. TLA pays private lawyers \$160.78 per hour and Counsel \$180.18 per hour, having applied a 2% increase on 1 July 2025.

BACKGROUND

- TLA is experiencing budgetary and resourcing challenges caused by a range of factors including increasing demand for and cost of delivery of TLA services, state budget efficiencies and inflationary pressures, continued previous underfunding of essential services (e.g. duty lawyers) and Commonwealth funding cuts.
- TLA receives funding from State and Commonwealth Governments as well as other minor revenues. TLA's Commonwealth baseline funding falls under the National Access to Justice Partnership (NAJP) and in 2025-26 allocated TLA \$11.054 million. As part of the recent Commonwealth Budget, this has been indexed at 2%.
- TLA has allocated the State funding to the following programs:
 - Safe at Home (family violence response)
 - criminal law
 - child safety
 - civil law
 - acting judges funding
 - dedicated funding to the Commission of Inquiry recommendation responses.
- TLA has been experiencing an unprecedented increase in demand for services that has exceeded our ability to provide legal assistance to those who need it. This is particularly acute in our Criminal Law Duty Lawyer program, and our Youth Justice program.
- Expenditure on criminal law grants (including private practitioners and in-house grants) increased 18% between 2023-24 and 2024-25. TLA's 2024-25 criminal law private practitioner grants of aid budget, as at 30 June 2025, was \$809,833 over budget.
- In 2022-23, the average cost of a Supreme Court criminal file to TLA was \$3,802. In 2023-24 the average cost had increased to \$4,925. In the last financial year, average costs of a Supreme Court file were \$4,226, meaning that between 2022-23 and 2024-25, the average cost of a Supreme Court criminal matter has increased 11%.
- Total grants of aid expenditure for criminal law services were \$5,164,747 in 2023-24 and in 2024-25 were \$6,081,024 - an increase of \$916,277.
- Grants of aid paid to private practitioners by TLA for criminal defence work was \$4,468,029 from 1 July 2024 to 30 June 2025. For the same period, \$1,612,995 was allocated to in-house practitioners, bringing the total value of crime grants of aid claimed for 2024-25 to \$6,081,024.

Performance

- TLA provides a range of high-quality legal assistance services to the Tasmanian community.
- From 1 July 2024 to 30 June 2025, TLA delivered 54,432 services to Tasmanians including:
 - 39,752 telephone advice and referrals
 - 2,947 face to face legal clinic services
 - 6,251 duty lawyer services
 - 5,451 new approved grants of legal aid for representation, with 67% paid to private practitioners
 - 25,512 approved extensions of legal aid
 - paid \$9,042,318 to private practitioners - an increase of \$883,490 on the previous year
 - 467 new grants of aid to mental health representation, made up of:
 - 226 grants of legal assistance to people before the Mental Health Tribunal and Guardianship and Administration Board
 - 241 grants of legal assistance for separate representation in the Mental Health Tribunal
 - 979 services to victims of family violence through the Safe at Home program
 - 174 family dispute resolution (FDR) conferences held between 1 July 2024 and 30 June 2025, and 439 FDR grants of aid for conferences
 - 246,574 estimated page views of TLA's website and 113,245 estimated unique users.
- The number of grants of legal aid decreased by 0.2% between 2023-24 and 2024-25. This decrease is reflective of the service cuts implemented throughout the last financial year. Applications for extensions of aid increased slightly by 1% over the same period.
- Five decisions to refuse legal aid were referred to the Review Committee.

Staffing Profile

- At 30 June 2025, TLA had 108 staff representing 85.79 FTE.
- For the 2024-25 financial year, the total number of employee exits was 29, broken down as follows:
 - 17 were fixed term (59%)
 - 12 were permanent (41%).



BUDGET ESTIMATES BRIEF

Subject:	Youth Justice – Tasmania Legal Aid
Election Commitment:	\$166,000 p/a for 4 years for AYDC duty lawyer (COI funding)
Key Department Spokesperson:	Kristen Wylie, Director Tasmania Legal Aid

KEY MESSAGES

- Tasmania Legal Aid (TLA) are responsible for the majority of legal services to children and young people in Tasmania.
- From 1 July 2024 to 30 June 2025, TLA had provided 276 grants of aid for youth matters in the Magistrates and Supreme Court. TLA's duty lawyer service in Ashley Youth Detention Centre (AYDC) commenced in November 2024 and has already had a significant impact for children and young people at the centre.
- TLA also provides an after-hours representation service for children and young people in the north and north-west when appearing in courts after hours from Friday to Sunday. This funding is currently continued under interim appropriation arrangements.
- TLA also provides after-hours representation service for children in the south.
- As part of the Solicitors' Guarantee Fund, TLA received \$167,859 for a Youth Justice Lawyer in the Magistrates Court Youth Justice Division (one level 2 lawyer).

KEY FIGURES

- The number of youth justice criminal complaints lodged in 2023-24 increased by 18% from 2022-23 and has increased more than 60% in five years.
- Between 2020-21 and 2023-24, there has been an increase of lodgements in the Children's Court from 1,112 to 1,832 - an increase of 720.

- The youth justice backlog increased 18.5% in 2022-23, resulting in prolonged contact with the criminal justice system for some of the state's most vulnerable youths.
- In 2023-24, Tasmania had the second highest rate of criminal lodgements in the nation (per 100,000 people) in children's courts, after the Northern Territory. Tasmania had 319 compared to 188 for the nation.
- Tasmania has had higher criminal lodgements in Children's Court than the national average since 2020-2021.
- In 2023-24, TLA assisted close to 80 youth defendants in Hobart through the after-hours duty lawyer service (and 15 in Launceston, 7 in Devonport and 4 in Burnie).

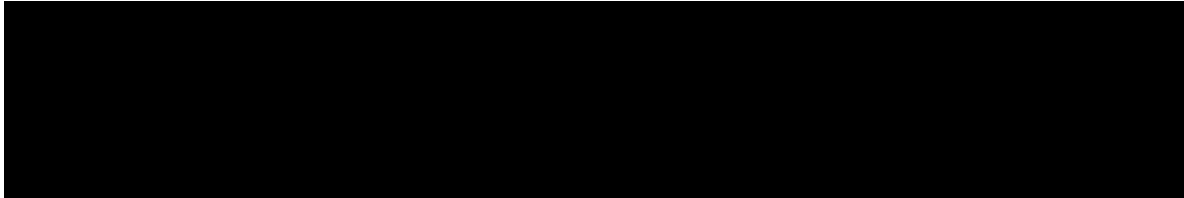
If required:

- Due to various funding pressures, it is anticipated that after hours legal services may be discontinued in the near future. The government is working with TLA and the Department of Justice to explore options for this service to be continued.

BACKGROUND

- TLA represents legally aided young people in the courts, as well as providing a duty lawyer service for those who are unrepresented or whose lawyers are unavailable.
- Young people who are appearing in court are frequently experiencing significant challenges including trauma, poverty and systemic barriers to mental health and disability support. Many are victim-survivors of violence or childhood abuse. Some have been part of the child safety system – or ‘cross-over children’. Additionally, many TLA youth clients experience cognitive disabilities, poor language skills and lower levels of education that compound their challenges in navigating the youth justice system.
- The complexity of matters listed in the youth justice division has significantly increased recently due to a range of factors including an increase in the number of indictable offences that can be heard in the Magistrates Court as well as the number of indictments that are remitted to the Youth Justice Division pursuant to s. 308 of the Criminal Code.
- To successfully navigate the intricacies of the Youth Justice Division, legal practitioners with specialised knowledge are required, given the division has its own specific Act with its own sentencing regime, its own principles and provisions that replace parole. Notably, TLA’s youth justice services are not limited to the Magistrates Court given that some charges must proceed to the Supreme Court.
- It is essential that all young people are able to receive the assistance of a suitably skilled lawyer to explain court processes to them and subject to receiving a grant of aid, benefit from ongoing representation from a lawyer.
- The Hobart Magistrates Court has referred to the weekend duty service as ‘critical’. The Chief Magistrate said the representation of defendants in after hours (AH) courts is a valued service and would be content to express this view in writing.
- Without the weekend service, custody numbers on Monday mornings would increase significantly. Currently there may be between 12 and 25 defendants appearing in weekend sittings, some of whom are bailed after being represented by the AH lawyer. Without that representation, JPs may err on the side of caution and remand more people in custody over to the Monday morning court. This will cause court time for custodies and caseloads for TLA duty lawyers to significantly increase on a Monday morning. Furthermore, it places greater demand on corrections.
- The Legislative Council’s Sessional Committee Inquiry into Adult Imprisonment and Youth Detention Report makes several recommendations for youth justice and detention:

- Rec 36: Establish a bail support program for Tasmanian children and young people.
- Rec 46: Ensure Tasmania Legal Aid is adequately funded to provide representation to those within the justice system.



BUDGET ESTIMATES BRIEF

Subject:	Aboriginal Legal Services
Election Commitment:	N/A
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary, Justice and Reform

KEY MESSAGES

- I acknowledge the exceptional work done by the legal assistance sector in Tasmania providing free or low-cost legal services to keep the justice system within reach for vulnerable Tasmanians.
- The National Access to Justice Partnership 2025-2030 (NAJP) agreement (the National Legal Assistance Partnership 2020-2025 (NLAP) successor agreement) provides a significant funding increase for Aboriginal and Torres Strait Islander Legal Services (ATSILS) and Family Violence Prevention Legal Services (FVPLS) provided by TALS.
- Under the NLAP, the allocation for ATSILS funding over five years was \$15.839 million. Under the NAJP, the total amount of funding allocated for ATSILS over five years is \$26.157 million.
- This represents a total increase of \$10.318 million over five years under the new agreement.
- Under the NAJP, an additional \$5.448 million over five years has been allocated to TALS for FVPLS which was not previously administered under the NLAP.
- With this funding, TALS will continue the SiS program (Support, Information, Strength) which is the only dedicated FVPLS for Aboriginal and Torres Strait Islander people in Tasmania. SiS provides holistic legal and non-legal supports to clients for improved legal and non-legal outcomes.

Why were TALS not provided with funding from the recent Solicitors' Guarantee Fund round for the Bail Support Program

- Applications for the Solicitors' Guarantee Fund (SGF) grant round closed on 13 December 2024, with 35 applications received totalling \$9.3 million in requests.
- After reviewing all applications, I approved grants in the amount of \$4,495,216.96.
- The Tasmanian Aboriginal Legal Service made an application for funding through the Solicitor's Guarantee Fund.
- The Assessment Panel did not recommend application for approval due to the lack of budget information and other details included in the submission.
- It was a highly competitive grant round, and unfortunately on that occasion the application from TALS was not successful.
- Another SGF grant round is currently underway and I have invited TALS and other organisations from Tasmania's legal sector to submit applications.

Decision to allocate ATSILS and FVPLS funding to TALS under the NAJP

- TALS is committed to providing high-quality, culturally safe legal assistance to individuals who identify as Aboriginal, in accordance with its long-standing policies and practices. The eligibility criteria applied by TALS is designed to ensure access to justice for Aboriginal people, consistent with its role as an Aboriginal Community Controlled Organisation.
- TALS meets both definitions of an ATSILS and a FVPLS provider under the NAJP. It meets the criteria as an Aboriginal and/or Torres Strait Islander community entity as well as a culturally safe service provider for family violence prevention and legal support.
- Any changes to the service provider must ensure continuity of care, cultural safety, and the capacity to manage the complex needs of Aboriginal clients.

Transition from TACLS to TALS

- The ATSILS program remains a Commonwealth program, previously under the NLAP and now under the NAJP, requiring states and territories to provide ATSILS funding to all existing and currently funded ATSILS for the 5-year duration of the agreements.
- Until July 2020, services under this program were provided in Tasmania by the Tasmanian Aboriginal Community Legal Service (TACLS), which was auspiced by the Victorian Aboriginal Legal Service.
- In consultation with the Commonwealth, TACLS completed the process to create an incorporated Tasmanian-based association, to be known as the Tasmanian Aboriginal Legal Service, or TALS, from 1 July 2020.
- This was a process that was instigated independently of the Tasmanian state government and involved discussions between TACLS and the Commonwealth.
- The Tasmanian Government played an administrative role only and was not involved in these discussions.
- Pursuant to the requirements of the NAJP, TALS continues to receive ATSILS funding.
- Importantly, the transfer to a Tasmanian-based organisation did not impact service delivery.
- The entire TALS team are to be commended for their extraordinary work in setting themselves up and continuing to deliver much needed services to the Tasmanian community. It is fantastic to have this service being operated locally again.

Nukara Strategy and Action Plan

- In July 2025, the Tasmanian Aboriginal Centre (TAC) released the Nukara Strategy and Action Plan, outlining the transfer of responsibility for Aboriginal child safety to the TAC.

- I understand that the plan includes a proposal to transition statewide legal supports and advocacy services to the TAC.
- The Government has funded TALS for the next five years under the NAJP and will continue to work with the legal assistance sector to support effective community-controlled Aboriginal legal services.

KEY FIGURES

TALS funding under the NAJP

Funding \$'000	2025-26	2026-27	2027-28	2028-29	2029-30	Total Funding \$'000
ATSILS	\$5,018	\$5,129	\$5,231	\$5,336	\$5,443	\$26,157
Family Violence Prevention Legal Service	\$1,045	\$1,068	\$1,090	\$1,111	\$1,134	\$5,448
TOTAL:	\$6,063	\$6,197	\$6,321	\$6,447	\$6,577	\$31,605

State funding

- In recognition of the critical role that the legal assistance sector plays in supporting Tasmanians in need, the 2021-22 State Budget committed an additional \$2.2 million per year over four years to the legal assistance sector.
- Of the \$2.2 million committed for 2021-22, \$202,750 was allocated to TALS to establish a Community Legal Education Program.
- Due to unspent funds, TALS will continue the CLE Program until 30 June 2026.
- The Government has also provided TALS with \$498,515 over 2 years across 2023-24 and 2024-25 for an Aboriginal Wellbeing Officer to facilitate support to Aboriginal and Torres Strait Islander people in custody in Tasmania. An additional \$290,901 in funding has been allocated to extend this program until 30 September 2026.

BUDGET ESTIMATES BRIEF

Subject:	Women's Legal Service Tasmania
Election Commitment:	\$1.2 million to expand the Just Healthy Families Program
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary, Justice and Reform

KEY MESSAGES

- I acknowledge the exceptional work undertaken by the legal assistance sector in Tasmania in providing free or low-cost legal services ensuring our justice system remains accessible to vulnerable Tasmanians.
- Women's Legal Service Tasmania (WLST) does an outstanding job in supporting women and I am pleased to work with them.
- The service provided by WLST, in providing legal advice and representing Tasmanian women in legal proceedings is important for ensuring access to justice for Tasmanian women, particularly those experiencing or at risk of family violence.
- The Government funds a range of organisations to provide legal assistance services to women. Having a range of Tasmanian providers ensures flexibility and choice, which is especially important in situations where one provider may face a conflict of interest, resource constraints or require specific expertise.
- I am conscious of the demand for services provided by WLST and the legal assistance sector generally. In recognition of this, WLST receives funding from the Tasmanian and Australian Governments. This funding ensures that WLST can continue to deliver essential and specialist legal services to Tasmanian women.

- Under the *National Legal Assistance Partnership 2020-2025* (NLAP), the allocation for WLST over the five years was \$9.555 million. Under the successor agreement, the *National Access to Justice Partnership 2025-30* (NAJP), the total amount of funding for Women's Legal Services is quarantined to \$16.542 million over five years.
- As per the terms of the NAJP, WLST is the only eligible service provider under this quarantined stream and will receive all of this funding.
- This represents a total increase of \$6.986 million over five years under the new agreement.

Just Healthy Families

- The Just Healthy Families Program is Tasmania's first Health Justice Partnership operated by WLST and Tasmania Legal Aid (TLA), in partnership, and has been funded since 2022 through both the State and Commonwealth Government.
- At the Tasmanian state election, the Government committed additional funding of \$1.2 million over two years to expand the Just Healthy Families Program. I was pleased to announce the allocation of this record amount of additional state funding to expand this valuable program.

KEY FIGURES

NAJP funding

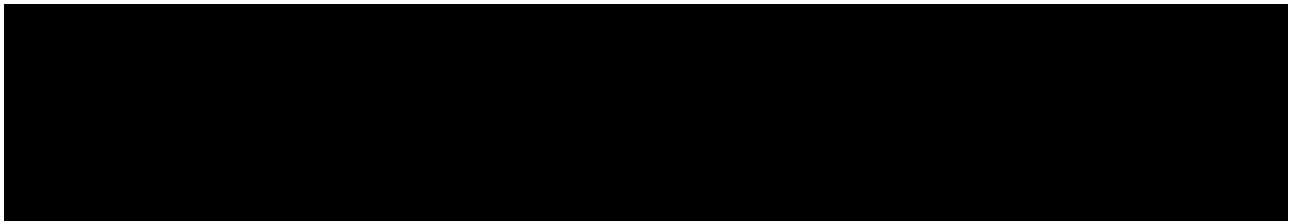
Funding Purpose	2025-26	2026-27	2027-28	2028-29	2029-30	Total Funding
Baseline Funding	\$3,171,000	\$3,242,000	\$3,308,000	\$3,376,000	\$3,445,000	\$16,542,000
State Top Up	\$153,327	\$183,079	\$196,225	\$202,768	\$155,229	\$890,628
Less CLASS Contribution	-\$6,999	-	-	-	-	-\$6,999
Total	\$3,317,327	\$3,425,079	\$3,504,225	\$3,578,768	\$3,600,229	\$17,425,629

Other Commonwealth funding

Funding Purpose	2023-2024	2024-2025	2025-2026	Total Funding
Financial counselling and literacy assistance to victim-survivors of FDSV	\$250,000	-	-	\$250,000
Increase capacity to provide FDSV services through employing one FTE Lawyer	\$232,000	\$241,000	\$250,000	\$723,000
Total	\$482,000	\$241,000	\$250,000	\$973,000

State funding

Funding Purpose	2024-2025	2025-2026	2026-2027	Total Funding
Legal assistance services	\$147,038	\$150,341	-	\$297,379
Surplus funding to support service delivery (election commitment)	\$50,000	-	-	\$50,000
Just Healthy Families Program	\$300,000	\$600,000	\$300,000	\$1,200,000
Indexation Commitment	\$1,221	\$2,100	-	\$3,321
Total	\$498,259	\$752,441	\$300,000	\$1,203,321



BUDGET ESTIMATES BRIEF

Subject:	Office of the Implementation Monitor - Budget and Performance
Election Commitment:	N/A
Key Department Spokesperson:	Kristy Bourne, Secretary

KEY MESSAGES

- The recommendations of the Commission of Inquiry into Child Sexual Abuse included reform to provide significant oversight and increased accountability.
- A key oversight reform was recommendation 22.1, to establish an Implementation Monitor, to report publicly on the progress, and effectiveness, of the implementation of the Commission of Inquiry recommendations.
- The *Child Safety Reform Implementation Monitor Act 2024* commenced on 6 November 2024 (the Act) and the Implementation Monitor was appointed on 3 December 2024.
- The Act establishes the role, functions and powers of the Implementation Monitor and sets out requirements under the Act to deliver an annual report by 30 September each year and establish and publish an Evaluation and Monitoring Framework by 2 December 2025.
- The Monitor will help safeguard children in our care by providing independent oversight, monitoring and evaluating the effectiveness of measures taken in response to the Commission of Inquiry's Final Report, the Independent Inquiry into the Tasmanian Department of Education's Responses to Child Sexual Abuse; Health's Child Safe Governance Review, the Weiss Independent Inquiry into Paul Reynolds; and recommendations of the Royal Commission into Child Sexual Abuse that were accepted but not implemented.

- There are provisions in the Act (Section 13) stating that new matters relating to child safety and wellbeing may be referred to the Monitor by the responsible Minister or following a resolution approved by both Houses of Parliament.
- Two full time employees were initially appointed to support the establishment of the Office of the Implementation Monitor (OIM) and support the ongoing functions and activities of the Monitor himself.
- As at 22 September 2025, a total of 6 full-time employees (excluding the Implementation Monitor) have now been recruited to the OIM to support the ongoing operations of the office and most importantly to develop the implementation framework and deliver the first annual report.
- The Monitor's first annual report was delivered to the Minister on 24 September 2025 and will be published on the OIM's website in late October 2025, prior to it being tabled in Parliament.
- Expenses for the office include a high proportion of fixed costs, such as salaries.
- The OIM is considering software solutions to properly support its business processes and to ensure the Implementation Monitor is set up to effectively and efficiently monitor, report and evaluate recommendations of the in-scope inquiries.
- Corporate support for the OIM is provided by the Department of Justice.

KEY FIGURES

- In 2025-26, the OIM Budget includes appropriation of \$1.125 million and Reserved by Law funding of \$359,000 for the Implementation Monitor's salary and allowances.

Staff

- At 22 September 2025, the OIM consists of 7 full time employees (including the Implementation Monitor). These staff provide a range of skills, knowledge and expertise in policy, law, evaluation, monitoring,

communications and administration to support the Implementation Monitor fulfill his statutory obligations under the Act.

- The Implementation Monitor is an independent statutory role established under the Act and funding for the position is Reserved by Law.

BACKGROUND

- The Commission of Inquiry's Final Report made it clear that independent monitoring and public reporting on the implementation of reforms is vital for making real progress on preventing abuse in government settings, improving institutional responses to abuse, and improving outcomes for children and young people who have been abused.
- This is why the Commission recommended a Child Sexual Abuse Reform Implementation Monitor (**Recommendation 22.1**) be established in legislation by June 2024, which would be independent, report directly to, and be accountable to, the Tasmanian Parliament.
- The COI recommended the Monitor be established to hold the Tasmanian Government to account for the implementation of its recommendations, and notes the overall objective of the Monitor should be to ensure those recommendations result in:
 - sustained systemic improvements towards preventing child sexual abuse in institutions
 - improved institutional responses to such abuse and
 - victim-survivors receiving the supports they need.
- More specifically, the role of the Monitor as recommended by the COI is to monitor and report to Parliament annually on the implementation of:
 - recommendations of the Commission of Inquiry
 - recommendations of the Independent Inquiry into the Tasmanian Department of Education's Responses to Child Sexual Abuse
 - recommendations of the Department of Health's Child Safe Governance Review into Launceston General Hospital and Human Resources
 - any recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse that were accepted by the Tasmanian Government and have not been implemented
 - recommendations of the Weiss Independent Inquiry into Paul Reynolds
 - other inquiries or reviews referred to the Monitor that relate to child safety and wellbeing in Institutions operated by or on behalf of the State.
- The Monitor will undertake independent evaluations of the effectiveness of the measures and actions taken in response to the recommendations identified, especially the impact on the safety and wellbeing of children in government and

government funded institutions and victim-survivors of child sexual abuse in institutional contexts.

- A key part of the Monitor's role will also be to track the Government's progress against the COI's recommendations and other in-scope reviews, reporting to Parliament by 30 September each year.
- The *Child Safety Reform Implementation Monitor Act 2024* commenced on 6 November 2024 and the Implementation Monitor appointed on 3 December 2024.
- A Director OIM was appointed to lead the work to establish the new office and support the Implementation Monitor. This has included management of accommodation refurbishment, corporate support arrangements, recruitment and establishing systems and processes.



BUDGET ESTIMATES BRIEF

Subject:	Abuse in Care Matters (inc Ashley Youth Detention Centre)
Election Commitment:	N/A
Key Department Spokesperson:	Kristy Bourne, Secretary

KEY MESSAGES

- On 11 August 2022, Angela Sdrinis Lawyers (ASL) commenced the Ashley Youth Detention Centre Class Action (the class action).
- The class action was lodged on behalf of claimants who were alleged to have been abused while being detained at the Ashley Youth Detention Centre (AYDC) between 1960 and 2023.
- This Government took the allegations contained within the class action seriously and sought to resolve the matter quickly in a trauma informed manner to avoid the expense, delay and risk of re-traumatising the individuals involved.
- Mediation of the matter took place between 11 and 21 June 2024 and an agreement reflected in a Deed of Settlement was reached between the parties to settle the matter.
- The matter was settled for \$75 million inclusive of costs and disbursements. The court approved the settlement.
- There are individuals, who for various reasons did not take part in the class action or have other abuse in care matters that have made claims against this State, including historical child abuse claims while being in the care of the State.
- In August 2025, the Department received an actuarial assessment of the Tasmanian Government's outstanding claim liabilities in respect of child sexual abuse in institutional settings. This assessment included estimated costs in relation to a second AYDC related class action.

- The State Litigation Office and its precursor has developed a specialist team to deal with abuse in care claims with staff who have had trauma informed training and expertise in the area.

KEY FIGURES

- As at 30 June 2025 there were 267 abuse in care claim matters open.
- As at 30 June 2025, the actuarial assessment of the estimated outstanding claim liabilities for Child Sexual Abuse in Institutional Settings for the Tasmanian Government is \$578.867 million. This includes:
 - Civil Claims (\$472.658 million) including a Second Class Action (\$32.3 million)
 - National Redress Scheme Applications (\$106.209 million).
- These liabilities relate to abuse in various institutions including AYDC and Ashley Home for Boys, Schools, Out of Home Care and Hospitals.
- As at 30 June 2025, the State has paid compensation of \$169.0 million to 312 claimants, including:
 - \$76.751 million to 129 claimants through the AYDC Class Action - (due to the time taken to finalise this matter through the courts following its negotiation, the State was required to pay interest of \$1.751 million)
 - \$92.3 million to 183 claimants through individually negotiated and settled civil claims.

BACKGROUND

- On 11 August 2022, ASL lodged the Ashley Youth Detention Centre Class Action on behalf of claimants who were alleged to have been abused while being detained at the Ashley Youth Detention Centre between 1960 and 2023.
- The Ashley Youth Detention Centre was formally known as the Ashley Home for Boys.
- There were 4 representative plaintiffs in the class proceeding and 160 other group members were initially identified. The group including the 4 representative plaintiffs was later reduced to 129 members due to some seeking to bring separate actions and some being uncontactable.
- The State Litigation Office and its precursor the Solicitor-General (Litigation) have had carriage of the matter along with external counsel and solicitors representing the interests of the State of Tasmania.
- The class action members and the State of Tasmania agreed to participate in mediation to resolve the matter which follows Model Litigant Guidelines and the Guidelines for the Conduct of Civil Claims by being cooperative with requests and information, mediating early and reducing trauma for all plaintiffs.
- Mediation does not force anyone to settle but provides a mechanism where agreement can be reached by the parties involved.
- Agreement was reached to settle the matter between the Plaintiffs and the State of Tasmania.
- Other abuse in care civil claims are being managed by the State Litigation Office that fall outside the Ashley Youth Detention Centre class action.
- These matters are also dealt with in a trauma informed way.

Child Safety Reporting Actions

- Our government's top priority is to ensure the safety and protection of children and young people and that all child abuse perpetrators are held to account and removed from the Tasmanian State Service.
- Respected Tasmanian barrister, Regina Weiss was appointed to provide advice on the establishment of the new Shared Capability and Investigations unit (SCCI), established to focus on improving the timeliness and capability of ED5 Code of Conduct investigations and determinations in the Tasmanian State Service.
- This unit has an initial priority focus on allegations of child sexual abuse and related conduct and the finalisation of assessments and investigations relating to

Ashley Youth Detention Centre, of which Ms Weiss will provide advice to the Head of the State Service.

- Allegations against current employees made in the AYDC Class Action, along with other employees, are managed in accordance with the law, to protect children and young people who are in the State's care.
- It would be inappropriate for me as Attorney-General to comment further on specific matters.

IF ASKED: Will the government be going through the allegations made in the Ashley class action to ensure that there are not perpetrators either suspended on full pay or working in the public sector, who have been subject to successful civil claims.

- The Government is taking all action legally available to it to ensure that known/alleged/suspected perpetrators are removed from the workplace and ED5 investigations and determinations are finalised as quickly as possible.
- The establishment of the SCCI and appointment of Ms Regina Weiss has been put in place to provide a priority focus to these outcomes.
- Ms Weiss has engaged with relevant intermediaries and stakeholders who are providing her with support and assistance, and will continue to do so, as she progresses with the investigation of matters relating to AYDC.
- Ms Weiss has noted the importance of intermediaries and other stakeholders in this process and is mindful that their confidentiality is protected.
- Ms Weiss will be engaging with victim survivors of sexual and other serious abuse, approaching her work in a trauma informed manner which means control and consent of the information lies with victim survivors.

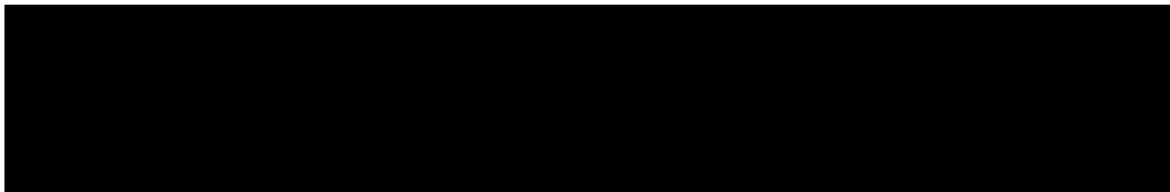
Civil Claim Compensation Payments Made to Date

- To 30 June 2025, the State Litigation Office (or previously the Office of the Solicitor-General), has settled 183 claims against the State for child sexual abuse in institutional settings at a value of \$92.3 million (excluding the AYDC class action) as per the table below.

Financial Year	Settlements	Cost \$'000
2020-21	2	209
2021-22	25	12,932
2022-23	33	10,991
2023-24	61	29,604
2024-25	62	38,545
Total	183	92,280
2024-25 AYDC Class Action*	129	76,751
Total Civil Claim Payments	312	169,031

* Due to the time taken to finalise this matter through the courts following its negotiation, the State was required to pay interest of \$1.751 million.

- To 30 June 2025, the State has paid civil claim compensation of \$169 million to 312 claimants including the AYDC Class Action.



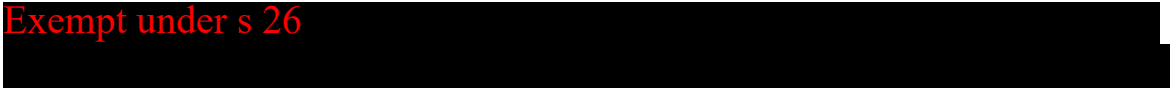
BUDGET ESTIMATES BRIEF

Subject:	Bail Reform
Election Commitment:	2018 Election Commitment
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary Justice and Reform.

KEY MESSAGES

- The Tasmanian Government remains committed to modernising Tasmania's bail laws to reflect community expectations.
- The *Bail Act 1994* is largely procedural in nature. Courts rely on common law when considering whether or not a person should be granted bail.
- A new Bail Bill would bring Tasmania into line with all other states and territories that have legislated to amend the common law relating to bail.
- A draft Bail Bill was released for targeted and public consultation for the period 28 November 2024 to 2 March 2025. This lengthy consultation period enabled all interested individuals and groups adequate time to consider the contents of the Bill and provide their submission.
- I convened a meeting of the Justice Forum in early September and the draft Bail Bill was discussed. This was a very productive way to discuss some key outstanding issues in relation to the Bill and I thank the various key legal stakeholders who attended this Forum for their contribution.
- Following this discussion, my Department has worked on a new draft of the Bill and this is currently with the Justice Forum members for their valued consideration. It is my intention to then table this draft for another period of public consultation.

BACKGROUND

- The Government released a position paper in early 2018 which set out 15 proposals for bail changes, including introducing an 'unacceptable risk' test for bail applicants and a presumption against bail in certain circumstances. It set out the Government's proposals for reforming bail legislation - to make community safety a primary consideration to be taken into account when granting bail; provide a clear statutory framework for what a court should consider; and ensure there is greater transparency in decisions. The Paper invited stakeholder feedback on any changes that may be required to improve or clarify the existing procedural provisions of the *Bail Act 1994* (the Act).
- On 27 August 2019, the former Government approved drafting of new bail legislation which was developed in consultation with the Department of Police, Fire and Emergency Management (DPFEM) and the Director of Public Prosecutions (DPP). It was released for public consultation from 1 February to 19 March 2021.
- These reforms were intended to deliver on a prior election commitment to modernise Tasmania's bail laws to reflect community expectations when offenders are accused of committing a crime such as murder or serious drug trafficking, or when the offender is deemed a high risk of reoffending while on bail.
- 11 internal stakeholders provided submissions: Chief Justice, Chief Magistrate, Commissioner for Children (CCYP), Communities Tasmania, Community Corrections, Department of Health, DPP, DPFEM, Tasmania Legal Aid, an individual police officer and Victims Support Services. 7 external stakeholders made submissions: Australian Lawyers Alliance, Civil Liberties Australia, David Hudson, Law Society of Tasmania (LST), TasCOSS (with Hobart Community Legal Service input), Tasmanian Aboriginal Legal Service and Women's Health Tasmania. Some published their submissions, including the CCYP and the LST.
- Exempt under s 27 
- It is also noted that the Justice Policy Partnership provided a report to the recent meeting of the Standing Council of Attorneys-General about trends in bail and remand, with a particular focus on the trends in relation to First Nations adults and youths. These are likely to include recommendations to move away from reversals of presumption for bail as well as breach of bail offences.
- Exempt under s 26 

Exempt under s 26

- A revised Bill was drafted that incorporated the bulk of the current common law and legislative provisions regarding bail in addition to inclusions to fulfil Commission of Inquiry recommendations in relation to bail and provisions to allow bail to be subject to electronic monitoring.
- The revised draft bill was released for public and targeted consultation over the period 28 November 2024 to 2 March 2025. This was longer than originally intended due to the crossover with public consult on the Police Powers Proposal Paper, with the Law Society of Tasmania requesting additional time to respond due to the complex nature of both of these reforms.
- This consultation process resulted in 24 submissions. These submissions raised approximately 144 individual issues/pieces of feedback on the draft bill. The Department is in the process of following up with key internal stakeholders such as the DPP and Legal Aid on specific issues raised during consult to inform a consultation report.
- The Justice Forum meeting on 2 September 2025 discussed the Bail Bill as one of its key agenda items. This meeting facilitated the discussion of some key issues where there has been some differences of view.

• Exempt under s 27

- The Justice Forum members include the Chief Justice, Chief Magistrate, Solicitor-General, Director of Public Prosecutions, State Litigator, representative from the Law Society, representative from Tas Bar, Director of Tasmania Legal Aid and the Secretary of the Department of Justice.

BUDGET ESTIMATES BRIEF

Subject:	Consolidation of Police Powers
Election Commitment:	2018 Election Commitment in Tasmanian Liberals Policy Paper <i>A First-Class, Next Generation Police Service</i>
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary Justice and Reform

KEY MESSAGES

- The Government has committed to legislate to consolidate police powers in recognition that this area of the law has become unnecessarily complex, inconsistent, and uncertain.
- The new legislation will provide for a single consolidated power of arrest that is clear in its scope and application.
- It is also intended to consolidate a number of associated pre-arrest powers, such as the power to request identifying details and the power to conduct searches.
- The Government understands that it is important for the new legislation to get the right balance between clarity around those powers that are to be exercised by police and having effective and appropriate protections in place to ensure that such powers are not misused or over-used.
- My Department is leading the development of the legislation, in collaboration with the Department of Police, Fire and Emergency Management (DPFEM).
- The project is overseen by a steering committee including senior executive members of my Department and DPFEM and the Executive Director of the Youth Justice Reform Taskforce.
- A first stage of consultation was undertaken through the Police Powers and Responsibilities Act Proposal Paper, which was publicly released for comment for a 10-week period that closed on 3 February this year.

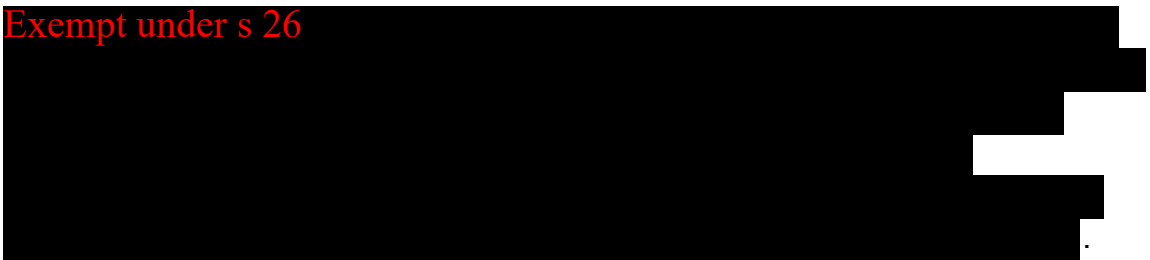
- The Proposal Paper invited feedback on the proposed policy positions for the consolidated police powers. A large number of submissions were received from a variety of stakeholders, and they are now being carefully considered by my Department and DPFEM.
- Those submissions will inform the Government's decisions on the final policy positions that should underpin the new legislative provisions.
- A draft bill will then be prepared, which I expect to be released in the first half of next year for a further round of public and stakeholder consultation so that all interested Tasmanians can have their say.
- The safety of Tasmanians depends on police being properly authorised to carry out their investigative, protective and enforcement functions under the law.
- It is equally important that the entire community has confidence that police are exercising those powers responsibly, with appropriate safeguards, and only when it is necessary to do so.

BACKGROUND

Background to the reforms

- In 2011, following an examination of arrest laws, the Tasmania Law Reform Institute (TLRI) released its final report, Consolidation of Arrest Laws in Tasmania. The TLRI report recommended that, inter alia, Tasmania's arrest powers be consolidated in a new Act, with the law of arrest reformed to eliminate the distinction between arrestable and non-arrestable offences.
- In the lead up to the 2018 election, the Government committed to legislate a Police Powers Act 'to consolidate and clearly define all of the powers of a Police Officer, particularly in relation to the power to arrest a person' and specifically to 'introduce a "power of arrest" for all offences and crimes but place strict criteria around when a Police Officer can use that power'.
- In late July 2020, the then Minister for Police, Fire and Emergency Management and the former Attorney-General, jointly provided a briefing note to Cabinet outlining a project to deliver on the election commitment, including the establishment of a steering committee to provide oversight.
- At that time, it was proposed to introduce a bill to Parliament in Spring 2021. Noting the significant number of police powers across Tasmanian legislation in addition to arrest, it was acknowledged that the proposed timeframe would not permit consolidation of all police powers, and that the legislation would focus on the power of arrest and the additional police powers most closely associated with arrest (preliminary investigative powers).
- The Department of Justice is the lead agency for this legislative project, with advice and assistance in scoping, planning and delivery provided by DPFEM.
- The project is overseen by a steering committee that is chaired by Kristy Bourne (Department Secretary) and includes Donna Adams (Secretary, DPFEM), Ross Hinkley (Acting Deputy Secretary, DPFEM), Elaina Deayton (Acting Director, Strategy and Support, DPFEM), Bruce Paterson (Director, Strategic Legislation and Policy, Department of Justice) and a representative from the Youth Justice Taskforce (most recently being Jeremy Harbottle, former Executive Director).

Consultation on Proposal Paper

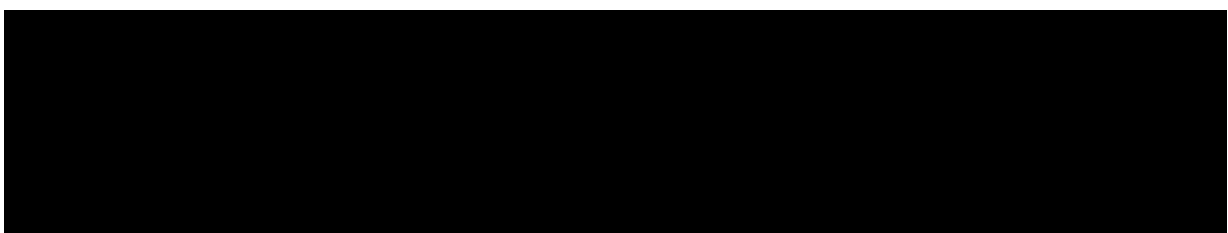
- Exempt under s 26
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Exempt under s 27



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- The Department and DPFEM are working to identify and agree on appropriate responses to these concerns that can be reflected in the policy settings for the new legislation. The steering committee will review any proposed policy adjustments before you are provided with advice and recommendations to take to Cabinet when seeking approval to draft the Bill.
 - The Department notes that during debate earlier this year on the Police Offences Amendment (Knives and Other Weapons) Bill 2025, Members of Parliament raised concerns about expansions of police powers and a perceived lack of safeguards, with particular concerns about a disproportionate impact on vulnerable groups in the community such as youth. These concerns mirror feedback provided on the Proposal Paper.
 - Similar concerns have also been expressed in stakeholder submissions on the Justice Miscellaneous (Explosive Offences) Bill 2025, which was re-tabled in Parliament on 11 September 2025, including the view that 'reasonable suspicion' is not the appropriate threshold for stopping and searching persons. During debate on that Bill in the House of Assembly on 24 September 2025, the Greens moved amendments to change references to 'suspicion' in the Bill to 'belief'. While those amendments did not succeed, the Shadow Attorney-General, Ella Haddad MP, made comments suggesting that the lower threshold should only be considered for search powers where the consequences of the relevant offence are particularly dangerous, such as an explosion in public. Exempt under s 27
- 



BUDGET ESTIMATES BRIEF

Subject:	Conversion Practices
Election Commitment:	N/A
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary Justice and Reform

KEY MESSAGES

- The Government wants Tasmania to be a place where everyone feels valued, included, encouraged, and supported to be the best they can be.
- We also strongly support freedom of religion and the right for all people to express their personal faith, beliefs, and values, including for the purposes of making contributions to public policy debates.
- The Government acknowledges that sexual orientation and gender identity conversion practices are harmful, and we remain committed to progressing the Justice Miscellaneous (Conversion Practices) Bill in order to ban these practices from taking place in Tasmania.
- The Bill was released for public consultation between 13 December 2023 and 16 February 2024, during which time nearly 150 submissions were received. The Government is considering next steps following the feedback received.
- I regret that it has previously been indicated that the Department of Justice was still reviewing the consultation submissions. That was an error based on outdated information. I can confirm the Department completed its analysis of submissions last year and the Government is considering a final version of the Bill.

BACKGROUND

- In April 2022, the Tasmania Law Reform Institute (TLRI) released the Final Report No. 32: Sexual Orientation and Gender Identity Conversion Practices (the report). The report was the culmination of an approximately 2 year project. The report made a number of recommendations relevant to the Justice and Health portfolios, including that the *Mental Health Act 2013*, *Health Complaints Act 1995*, *Anti-Discrimination Act 1998*, *Civil Liability Act 2002*, and *Criminal Code*, be amended.
- On several occasions since that time, the Government has committed to implementing a ban on conversion practices, and on some occasions, the commitment has been made to implement the TLRI's recommendations in particular.

Justice Miscellaneous (Conversion Practices) Bill 2025

- The Justice Miscellaneous (Conversion Practices) Bill 2025 reflects a revised approach to the banning of conversion practices, although it does implement some of the TLRI's recommendations.
- The Bill makes amendments to the *Health Complaints Act 1995* and the *Police Offences Act 1935*. A detailed fact sheet was distributed alongside the Bill explaining its operation and providing answers to some key questions.
- The Bill defines a conversion practice as being a practice that attempts to change or eradicate the sexual orientation or gender identity of another person (such as inducing nausea while showing the recipient a stimulus connected to their sexual orientation or gender identity, such as a same-sex image).
- The definition expressly excludes several scenarios such as:
 - practices by health service providers that are clinically appropriate and/or in compliance with professional obligations
 - support, discussions and mentoring, such as in a family, religious or spiritual setting
 - practices that amount to no more than the expression of an opinion, idea or belief, including a statement of religious principle or parental guidance, by a person.
- The Bill has been framed in a way to recognise that where the expression or manifestation of personal beliefs leads to conduct that harms LGBTQIA+ Tasmanians, it is appropriate to enact legislative protections, as has occurred in other Australian jurisdictions. However, it also recognises the need to ensure that any changes to Tasmania's laws do not unduly impinge upon parental rights, freedom of religious belief or the ability of medical practitioners to provide evidence-based healthcare.

- Exempt under s 26
[REDACTED]
- [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- As of August 2025, South Australia, Queensland, Victoria, the Australian Capital Territory and New South Wales have all passed legislation to prohibit or criminalise these practices. The government in Western Australia has committed to banning conversion practices, with some media reports suggesting the government has committed to introducing the legislation by the end of 2025. The Department is not aware of any plans or discussions about banning conversion practices in the Northern Territory.

Errors in public comments made about progress of the Justice Miscellaneous (Conversion Practices) Bill 2025

- Following the closure of the consultation period on the Bill in February 2024, the Department **Exempt under s 26**
Exempt under s 26
- **Exempt under s 26**
- **Exempt under s 26**
- During question time in Parliament on 29 May 2025, the Premier was asked a question about the status of the Bill by Ella Haddad MP. In his response, the Premier asserted that ‘the government had received a large number of submissions during the public consultation period and the Department of Justice is working through those submissions’. This response was contrary to the information contained in the Question Time Brief provided to your office in February 2025, which specified that **Exempt under s 26**
Exempt under s 26 and in the background section, that the **Exempt under s 26**
Exempt under s 26
- The Department wrote to your office to advise of the error. The Department was advised on 30 May 2025 by an advisor that the error was made as an older version of the Question Time Brief was inadvertently relied upon. The Secretary also advised the Head of the State Service of the error.
- On 17 June 2025, an article in The Mercury newspaper quoted a ‘Liberal Party spokesperson’ as saying ‘[c]onsidering the varied and detailed feedback received during consultation of the Bill... it is important to get this right... the Department of Justice is working methodically through the feedback received’. In the days following this, the Secretary spoke with the Head of the State Service to again advise that this information was not correct. The Department understands that the Head of the State Service intended to raise the concerns with the Government Media Office and Premier’s office.
- At the time of writing, the Department is not aware of any occasions where the Government has corrected the record with respect to these errors.

Exempt under s 26

BUDGET ESTIMATES BRIEF

Subject:	Electoral Reforms (inc section 196)
Election Commitment:	2024 Election Commitment (s.196 Amendment); 2025 commitment to re-table lapsed bills
Key Department Spokesperson:	Deputy Secretary, Pauline van Adrichem.

KEY MESSAGES

- The remaining provisions of the *Electoral Disclosure and Funding Act 2023* commenced on 1 July 2025. We have now seen the rollout of a contemporary donation disclosure and public funding regime in the state.
- The Government is aware of the increased administrative burden on political parties and Members of Parliament and is therefore currently seeking to pass an amendment to introduce Implementation Funding to all Members of Parliament, as well as an ongoing increase to administrative funding to assist with complying with the new disclosure and funding regime.
- Parliament passed the Electoral Amendment (Alternative Voting Procedures) Bill 2025 and this bill received Royal Assent on 16 May 2025. These reforms have enabled the Tasmanian Electoral Commission to approve alternative procedures that are reasonable and appropriate to facilitate voting by electors who are experiencing barriers to accessing traditional voting services.
- In addition, the Government continues to support removing section 196 from the *Electoral Act 2004* except so far as it relates to How To Vote cards.
- The Electoral Amendment Act 2025 seeks to achieve this, after an identical bill was not passed by the Legislative Council prior to the dissolution of Parliament in June.
- The Bill was tabled on 5 November and is currently awaiting debate in the House of Assembly.

BACKGROUND

The Electoral Disclosure and Funding Act 2023

- The *Electoral Disclosure and Funding Act 2023* is due to commence its remaining sections on 1 July 2025. This will see the commencement of the new donation disclosure and public funding systems.
- The passage of the Tasmanian Greens Electoral Disclosure and Funding Amendment Bill 2024 saw the donation threshold under this new system sit at \$1000 as opposed to the \$5000 originally included in the Act. It will also see more frequent reporting outside election period, increasing reporting frequency from six monthly to monthly.
- In response to the passage of the Greens amendments, the Leader of the Legislative Council stated in that place that the Government would introduce a new bill seeking to increase funding under the Act to counter the increased administrative burden posed by the amendments.

- **Exempt under s 26**

[REDACTED]

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[REDACTED]

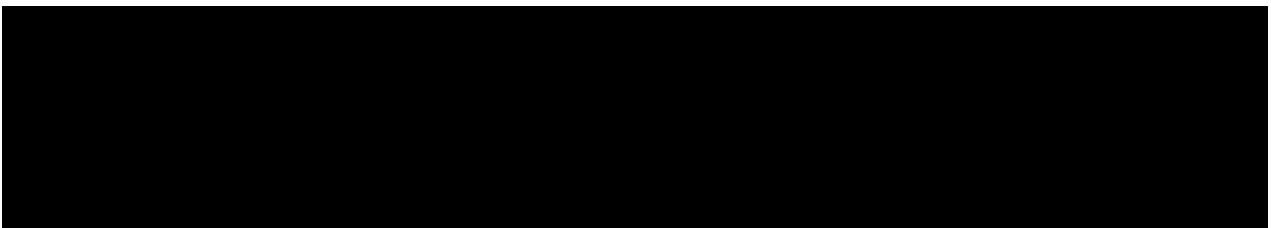
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Electoral Amendment Bill 2024

- Section 196 of the Electoral Act 2004 provides:

(1) A person must not between the issue of the writ for an election and the close of poll at that election print, publish or distribute any advertisement, "how to vote" card, handbill, pamphlet, poster or notice which contains the name, photograph or a likeness of a candidate or intending candidate at that election without the written consent of the candidate."
- During the public consultation process as part of the Electoral Act Review, there was general consensus in the submissions that subsection 196(1) is problematic for various reasons including that:
 - there is uncertainty about whether the provision applies to material published online prior to the election period but accessible during that period

- the provision does not appear to be consistent with freedom of speech - a guiding principle of the electoral act Review
 - the provision is not consistent with requirements in other Australian jurisdictions
 - the provision is outdated and inconsistent with the principle of holding politicians and candidates to account.
- Recommendation 1 of the Final Report Electoral Act Review included amending this clause.
- In line with the Final Report, an attempt was made to amend section 196 as part of the Electoral Matters (Miscellaneous Amendments) Bill 2022. In addition to limiting section 196 to how-to-vote cards, the Bill also prohibited keeping an offending how to vote card on display, as well as the initial publication or distribution.
- This clause amending section 196 was voted down in the Legislative Council in November 2023.
- As part of the 2030 Strong Plan, the Government has committed to “Amend section 196 of the Electoral Act (2004) to remove the prohibition on the use of names and images of candidates in advertising.”
- The Electoral Amendment Bill 2024 was drafted so as to reintroduce this amendment to section 196.
- The Bill was tabled on 18 June 2024 and passed the Lower House on 6 August 2024. The Bill had its second reading in Legislative Council on 23 October 2024 but was then referred to the newly created Joint Standing Committee on Electoral Matters (JSCEM). Public hearings were held by the JSCEM on this bill on 24 and 25 March 2025. A final report was not published prior to the dissolution of Parliament in June 2025.
- The Bill has been reissued by OPC with no change other than the date. The re-tableting of this bill aligns with the Government’s 100-day commitment to re-table all bills that lapsed due to the calling of the election. The Bill was tabled in the House of Assembly on 5 November 2025.



BUDGET ESTIMATES BRIEF

Subject:	Family Violence Reforms
Election Commitment:	N/A
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary, Justice and Reform Ross Smith, Deputy Secretary, Regulation and Service Delivery

KEY MESSAGES

- As Attorney-General and Minister for Justice, I remain committed to ensuring the Government does everything we possibly can to make sure all Tasmanians are safe, equal and respected and that our homes, families and communities are free from all forms of family and sexual violence.
- There are serious and long-term negative and traumatic impacts for families who experience family violence. Since the launch of our first nation leading Action Plan in 2015, the Tasmanian Government has continued to build on its commitment to continuously improve and implement legislative reform to strengthen the state's legal responses to family and sexual violence.
- In November 2022, the Tasmanian Government launched Tasmania's Third Family and Sexual Violence Action Plan 2022–2027, Survivors at the Centre. Through action 8 of the Action Plan our Government has committed to ongoing legislative reform to strengthen the state's legal responses to family and sexual violence.
- The 5-year Action Plan allocates **\$100 million to 38 actions to prevent and respond to family violence**. It builds on what we know works and includes both new and continuing actions to prevent and respond to family and sexual violence while ensuring victim-survivor voices and lived experiences are at the centre of our approach.
- As Attorney-General I will continue to drive the Government's legislative reform agenda. The *Family Violence Act 2004* (the Act) has undergone incremental reform as an ongoing priority since its

commencement to ensure it meets expert and community expectations as to what constitutes family violence, operates as intended, reflects best-practice, and is effective and streamlined.

- Legislative reforms that have made a significant difference to family and sexual violence victim-survivors over the past seven years include changes that:
 - allow electronic monitoring as a family violence order condition in some circumstances
 - give clear guidance that self-represented defendants cannot cross-examine alleged family violence offence victims in court applications
 - make it plain that there is no free agreement to sex in the event of certain conduct in relation to condoms (known as ‘stealthings’)
 - admit audio-visual recordings of police interviews as evidence-in-chief of adult complainants or special witnesses in sexual or family violence offence proceedings
 - address recidivism and the patterns of escalating family violence offending over time by creating a serial family violence perpetrator declaration framework, which operates as a deterrent for persistent family violence perpetrators.
- The Government is also an active participant in the national family violence reform agenda. Over the past year, family and sexual violence has gained increased attention within National Cabinet with various taskings and work emerging.
- An example of one significant action is the signing of the National Partnership Agreement on Family, Domestic and Sexual Violence Responses, which was signed by the Honourable Jo Palmer MLC in February 2025. The partnership will see the Tasmanian and Federal Governments equally contribute to invest \$15.7 million for critical family, domestic and sexual violence programs in Tasmania from July 2025.

- Furthermore, in November 2024, I signed the National Access to Justice Partnership Agreement (NAJP). The agreement has a specific focus on providing legal services for people experiencing family violence, and incorporated a sum to mitigate pay disparities that may exist between the community legal sector and legal aid. The initiative is intended to collaboratively build the specialist FDSV workforce and to expand workforce capability of other services and sectors.
- Over the last 12 months our Government has progressed three pieces of legislation that support family violence reform – the *Justice Miscellaneous (Commission of Inquiry) Act 2024*, the *Justice and Related Legislation (Miscellaneous Amendments) Act 2024* and the *Justice and Related Legislation (Miscellaneous Amendments) Bill (No. 2) 2024*. These legislative reforms:
 - ensure juries are directed by trial judges, in certain family violence prosecutions, that delayed complaints don't necessarily mean complaints are false but there may be other good reasons for arising delays
 - allow evidence relating to a discontinued summary charge for family violence to be used as relationship, tendency or coincidence evidence in subsequent family violence proceedings
 - require a coroner to hold an inquest if they suspect that family violence has materially contributed to the death of the deceased.
- Prior to the election, our Government had undertaken public consultation on the Family Violence (Miscellaneous Amendments) Bill 2025, which primarily clarifies the power to vary or revoke police family violence orders (PFVOs) where an offender has been misidentified and is actually the victim and extends the limitation periods for laying a charge for breaching a PFVO or FVO from 6 to 12 months. After consideration of the public consultation submissions, I anticipate that a revised Bill will be released towards the end of the year.

- The Government's plan for the 'First 100 Days' in office also includes a commitment to release a discussion paper on broader family violence reforms. It is the intention of this paper to start a community-wide conversation about the areas that are most in need of review and reform and use this information to inform future amendments to the Act.
- The Government is also committed to working collaboratively with other members of the Parliament to address family violence. We are proud to have collaboratively worked together to progress two independent members' bills through Parliament in the last year.
- The *Family Violence Amendment (Protecting People and their Pets) Act 2024* expanded the definition of family violence under section 7 of the Act to more explicitly protect pets and clarify the extent of the protection.
- We also supported the *Family Violence Amendment Act 2024* which has made it easier for victim-survivors to extend their family violence orders and ensures that parties bear their own costs in private family violence order applications, apart from cases which are coercive, frivolous or vexatious.
- The Government is strongly committed to progressing any further family violence legislative reforms that will better support victim-survivors and hold perpetrators to account.

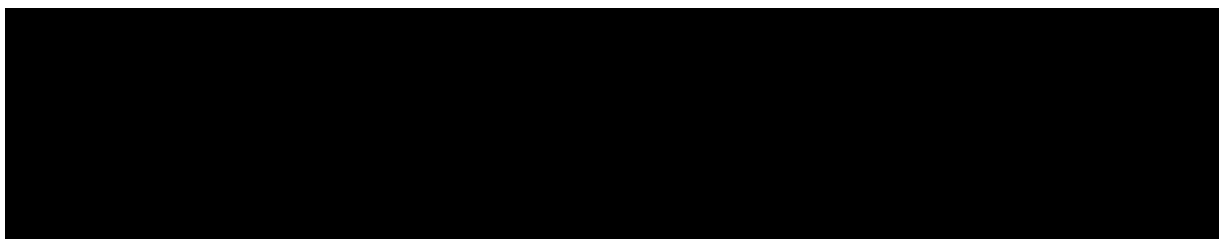
KEY FIGURES

- Through the Tasmanian Government's Third Family and Sexual Violence Action Plan and State Budget ongoing funding is provided to a number of agencies 'to meet increased demand and to support the delivery of Safe at Home, which is Tasmania's nationally recognised integrated criminal justice response to family violence'.
- Funding was increased by \$4.86 million in 2022-23 in the Tasmanian State Budget for the Safe at Home Family Violence Service System. In 2024-25 this funding increase was made permanent.

- The Funding provides:
 - \$784,000 for the Department of Justice
 - \$447,000 for Tasmania Legal Aid (TLA)
 - \$2.512 million for the Department of Health
 - \$635,000 for the Department of Police, Fire and Emergency Management
 - \$488,000 for the Department for Education, Children and Young People.
- The 2024-25 budget also commits \$1.5 million over 2 years to provide more Rapid Rehousing homes for women and children escaping family violence.
- Electronic monitoring of high-risk family violence offenders service is a highly successful program with no high-risk family violence incidents being reported since its commencement. In this year's Budget we are continuing to provide \$1 million in funding per annum to continue Community Corrections Home Detention and Electronic Monitoring services to support the objectives of Changing lives, creating futures – A Strategic Plan for Corrections in Tasmania 2023 to improve community safety and offender rehabilitation.

BACKGROUND

- The legislation discussed above falls under your portfolio responsibilities.
- Under the Third Family and Sexual Violence Action Plan 2022-2027, the Department of Justice is responsible for the following actions:
 - Action 7 - Continue electronic monitoring of high-risk family violence offenders.
 - Action 8 - Continue to implement legislative reform to strengthen legal responses to family and sexual violence.
 - Action 16 - Continue to deliver Flexible Support Packages.
 - Action 17 - Continue to deliver the Keeping Women Safe in their Homes program.
 - Action 18 - Continue to provide legal assistance to people experiencing family and sexual violence.
 - Action 19 - Strengthen the Victims of Crime Service.
 - Action 20 - Continue to deliver perpetrator programs.
 - Action 21 - Deliver mandated behaviour change programs, including as part of a family violence order, and for sex offenders.
 - Action 30 - Continue to deliver the Men's Referral Service.
- Actions 7, 8 and 21 have been highlighted in this brief. The remaining actions will be addressed as part of the Budget Estimate Briefs - Safe at Home Family Violence Service System and Tasmania's Third Family and Sexual Violence Action Plan 2022-2027.
- The Department of Justice represents Tasmania on the Standing Council of Attorneys-General Working Group on Criminal Justice Responses to Sexual Assault which has a five-year work plan in relation to improving the experience of victim survivors in the criminal justice system.



BUDGET ESTIMATES BRIEF

Subject:	Integrity Commission
Election Commitment:	N/A
Key Department Spokesperson:	Pauline van Adrichem, Deputy Secretary Justice and Reform

KEY MESSAGES

- The Tasmanian Government strongly supports and values the work of the Integrity Commission, respecting the independent nature of the Commission to do its work, and has every confidence in its ability to undertake its duties.
- The Government is progressing implementation of the remaining recommendations made by the Cox Review, as well as the recommendations of the Weiss Review (June 2024) and Commission of Inquiry in relation to the Integrity Commission, as soon as possible.
- The 2016 Cox Review made 55 recommendations and our Government has accepted the majority of those recommendations in full or in principle.
- Six of these recommendations are now complete addressing technical and other relatively straightforward matters.
- There has already been significant work undertaken in considering the remaining recommendations and other suggested reforms including consultation through the release of a Discussion Paper in 2022.
- My Department is also progressing amendments as a matter of priority. Given the volume and complexity of this work, it is expected that the reforms will proceed in stages, with a first tranche of amendments to be tabled later this year, a second, more substantial Bill to be released for consultation by the end of the year and, if required, a third tranche of amendments to be progressed at the end of 2026 or beginning of 2027.

If needed – Integrity Commission Review

- The Tasmanian Government announced in February 2025 that the proposed independent review of the Integrity Commission was not able to proceed.
- This is because, in developing the Terms of Reference and exploring options to appoint a reviewer, the Government sought and received legal advice.
- There are issues with furnishing any reviewer with access to information for the purposes of undertaking a review. This did not arise in the Cox Review which was permitted as a statutory requirement under the Act.
- **If pushed: I will not be releasing legal advice received by Government as is the usual practice.**
- Following advice, the Government wrote to the JSC, JLN member for Lyons and the Independent members for Bass and Braddon to advise that the proposed independent review of the Integrity Commission was not able to proceed.

KEY FIGURES

- In the 2025-26 Budget, the Integrity Commission has experienced a small decrease in appropriation revenue due to the expiration of the Investing in Misconduct Prevention, Education and Oversight initiatives, which were funded in the 2021-22 Budget.
- This is the first decrease in appropriation since the 2016-17 Budget.
- As previously stated, the Government is committed to providing the Integrity Commission with the tools required to perform its functions and will do so as the recommendations of the Cox Review are implemented.
- Once the Tasmanian Parliament has had the opportunity to debate the impending Bills on the Commission, the Government will respond in turn to ensure that it is sufficiently resourced to deliver its new legislative functions.

- I have previously said that the Government is a strong supporter of the Integrity Commission, which is why it is getting on with the job to implement the recommendations of the Cox Review.
- I note that in the 2024-25 State Budget funding of \$800,000 over four years was provided to support the Commission implement its Oversight and Compliance Program, to actively monitor and oversee notifications and investigations conducted by public authorities.
- This commitment fortifies the Government's commitment and belief in the Integrity Commission.

Efficiency Dividend

- The Integrity Commission has been allocated an annual Budget Efficiency Dividend commencing at \$20,000 in 2024-25 and **Exempt under s 27** per annum from 2026-27.
- The Efficiency dividend for 2025-26 is approximately **Exempt under s 27**

Ongoing Key Deliverables (from previous Budgets)

- The Tasmanian Government continues to provide funding for the previous key deliverables, from previous budgets, including:
 - working with the public and key stakeholders to enhance community trust and confidence in public authorities within Tasmania
 - working cooperatively with public authorities, other integrity entities and the Parliamentary Standards Commissioner to prevent misconduct and enhance capacity-building in dealing with misconduct
 - educating public authorities and raising public awareness about integrity and ethical conduct
 - dealing with misconduct issues in a timely, effective and fair way, in accordance with the public interest.

Other numbers

- On 8 July 2024, Chief Commissioner Greg Mellick made a statement in response to the Weiss Review Final Report indicating that on the Commission's current budget, it cannot provide the increased level of investigation and oversight recommended in the report.
- At the end of 2024-25, the Commission had an operating budget surplus of \$175,000. The Treasurer approved rolling this forward from 2024-25 to 2025-26 to support commitments relating to one-off staffing requirements.
- The Commission has an operating services allocation of \$3.688 million in 2025-26.

BACKGROUND

Cox Review

- In 2016, the Hon William Cox AC RFD ED KC undertook an independent statutory review of the *Integrity Commission Act 2009* (the Act).
- Mr Cox's report was tabled in both Houses of Parliament on 24 August 2016. The report contains 55 recommendations, with one of the recommendations addressing 45 proposed technical amendments to the Act.
- The Government accepted the majority of the recommendations made in Mr Cox's report in full, or in-principle, noting that some of the recommendations required further consideration and consultation.
- In 2017, the Government actioned the first 6 recommendations by introducing amendments to address technical and other relatively straightforward matters. *The Integrity Commission Amendment Act 2017* was passed by Parliament and came into effect on 13 June 2017.

2022 Discussion Paper

- In 2022, the Government published a discussion paper seeking feedback on proposed legislative reforms in relation to the remaining Cox Review recommendations as well as a number of new issues raised by the Integrity Commission.
- There were 22 submissions received.
- Apart from a minority of stakeholders who urged a much wider overhaul of the Commission going well beyond the Cox Review's scope, most stakeholders generally supported the implementation of the Cox Review recommendations and other potential reforms set out in the discussion paper.

Additional matters raised by the Integrity Commission

- Since the Cox Review, a number of additional matters have been raised by the Integrity Commission. Some of these matters were raised prior to the 2022 discussion paper and included in that paper for consultation purposes. Other issues were raised following the discussion paper.
- Some of the more notable additional matters/issues include:

- Exempt under s 27

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- Exempt under s 27

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

Commission of Inquiry recommendations

- There are also reforms arising out of recommendations in the report of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings.

Recommendation 18.11 – mandatory notification

- Recommendation 18.11 of the Commission of Inquiry report recommends:

The Tasmanian Government should implement Recommendation 11 of the Independent Reviewer's 2016 Report Independent Review of the *Integrity Commission Act 2009*, which would oblige public authorities to notify the Integrity Commission of any allegations of serious misconduct.

- Recommendation 11 of the Cox Review recommends:

That the Act be amended to require mandatory notification by public authorities of serious misconduct and misconduct by DPOs to the Commission in a timely manner.

- The Department has been working, in consultation with the Integrity Commission, to develop amendments to the Act to implement mandatory notification requirements.
- The draft amendments were released for public consultation in late 2024 and Exempt under s 27

█ [REDACTED]

█ [REDACTED]

- Exempt under s 27

Recommendation 16.7 – police reporting of child sexual abuse to Integrity Commission

- As part of recommendation 16.7, the Commission of Inquiry recommended that Tasmania Police should establish a clear and publicly accessible process for reporting and responding to allegations of child sexual abuse against a member of Tasmania Police, including the ability to report to an entity independent of police such as the Integrity Commission.
- This is relevant to the Cox Review recommendation 26 which has 2 parts – the first is that the Commission immediately investigate complaints of misconduct by designated public officers, which include senior police and the second is that misconduct by non-commissioned police officers be referred in the first instance to the Commissioner of Police for action.

Weiss Review recommendations

- In response to findings of the Commission of Inquiry, the Commissioner of Police announced an independent review into the conduct of the now deceased police officer Paul Reynolds.
- The review was undertaken by independent reviewer, Regina Weiss and Ms Weiss's final report (dated 28 June 2024) was publicly released by the Commissioner of Police on 4 July 2024.
- The Premier announced on 10 July 2024 that Cabinet had accepted all recommendations of the Weiss Review Final Report.
- Recommendation 5 of the Weiss Review Final Report recommends:
 - i. That consideration be given by Tasmania Police to making a recommendation to the Tasmanian Government for amendments to the *Integrity Commission Act 2009* to ensure that all notifications made to the Integrity Commission in respect of members of Tasmania Police who are alleged to have groomed and/or sexually abused persons [serious misconduct] can be investigated independently by the Integrity Commission through:
 - a. authorising access to Tasmania Police investigation databases
 - b. providing coercive examination powers
 - c. recognising the Integrity Commission as a 'law enforcement agency' for the purpose of Tasmanian legislation under which applications for covert powers might be sought

- d. the ability to conduct (open or closed) hearings in relation to any matter relevant to the performance of its functions with as little formality and technicality as is consistent with a fair and proper consideration of the issues
 - e. the ability to apply to a Magistrate or Justice of the Peace for a warrant for arrest in the first instance
 - f. the ability to conduct wholly independent or joint investigations with Tasmania Police and/or other law enforcement bodies, or monitor and/ or oversee investigations conducted by Tasmania Police
 - g. extend jurisdiction for investigations of former Tasmania Police members provided that the conduct being investigated occurred while the person was an officer or employee.
- ii. Reiterating Recommendation 35 of the Honourable William Cox AC RFD ED KC in the 2016 *Independent Review of the Integrity Commission Act 2009*, that consideration be given to Tasmania Police requesting that the Commonwealth recognise the Tasmanian Integrity Commission under the *Telecommunications (Interception and Access) Act 1979* so as to define the Commission as an 'eligible agency' and grant the Commission the status of a criminal law enforcement agency for the purposes of that Act.
- It is noted that the Integrity Commission already has some of the powers proposed in recommendation 5 of the Weiss Review. **Exempt under s 27**
[REDACTED]
 - **Exempt under s 27**
[REDACTED]
 - In a statement on 8 July 2024, the Chief Commissioner of the Commission, Greg Mellick, indicated that on the Commission's current budget that it cannot provide the level of investigation or oversight required by the recommendation.

2024-25 Review to enhance the capability of the Commission

- In the *Confidence and Stability Agreement* between the Premier and Parliamentary Members of the Jacqui Lambie Network of 10 April 2024, it was agreed that the Commission would be reviewed with a view to giving it greater capability to conduct its work. Under the terms of the agreement, the review was to be completed within 12 months of the agreement coming into force (i.e. April 2025)

- This commitment was continued under the subsequent agreement entered into by the Premier and independent members Rebekah Pentland and Miriam Beswick.

- Exempt under s 27

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

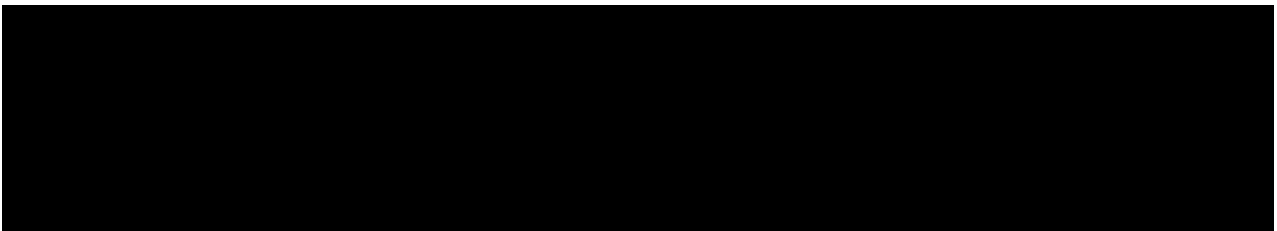
- The Government wrote to the JSC, JLN member for Lyons and the Independent members for Bass and Braddon to advise that the proposed independent review of the Integrity Commission was not able to proceed.
- On 28 February 2025, the Premier publicly announced by media release that the proposed review would not proceed.

Other matters

- The Commission has published various reports recommending legislative change - some relating to legislation other than the *Integrity Commission Act 2009*. This includes:
 - The Commission's 2018 report relating to its own motion investigation into the management of information in Tasmania Police which recommended the review of offences in relation to 'disclosure of official secrets' and 'unauthorised access to a computer' (these are Criminal Code and Police Offences Act offences).
 - The Commission's 2022 research paper 'Tasmania's Electoral Act offences and campaign conduct' which discussed electoral bribery and treating offences under the *Electoral Act 2004*, as well as indirect electoral bribery (or 'pork-barrelling'). The Commission suggested various options for reform, including some which were included in the Electoral Matters (Miscellaneous Amendments) Bill 2022, i.e. amendments providing the Tasmanian Electoral Commission with powers of investigation.
 - The Commission's 2023 report on an audit of Tasmania's Parliamentary Register of Interests made three recommendations for amendments to the *Parliamentary*

(Disclosure of Interests) Act 1996 to require members to disclose any direct or indirect benefits, advantages or liabilities (whether pecuniary or not) that may raise a conflict between private interests and duties as a member, to simplify disclosure requirements and to require notification of alteration of disclosed interests within 28 days.

- The Commission's Report No. 1 of 2024 - An investigation into the management of a right to information request in the Department of Health and the Commission's accompanying research paper - Misconduct risks in Tasmania's right to information regime.



BUDGET ESTIMATES BRIEF

Subject:	Minimum Age of Criminal Responsibility
Election Commitment:	N/A
Key Department Spokesperson:	Kristy Bourne, Secretary

KEY MESSAGES

- Our Government has accepted the recommendations of the Commission of Inquiry, and is committed to reforms which will make us Australia's leading jurisdiction in this space.
- This will support disadvantaged Tasmanian children to develop as healthy, safe and law-abiding people and make our community safer.
- The age of criminal responsibility in most Australian jurisdictions, including Tasmania, is 10. This applies with a legal presumption that children aged 10 to 13 inclusive cannot be guilty of an offence. The prosecution can rebut this if it proves the child 'had sufficient capacity to know' what they were doing was wrong.
- This system, at its core, is hundreds of years old. It is not supported by modern evidence, which shows that a criminal justice response for such young children is counter-productive for them and for society.
- The Australian Capital Territory has used a staged approach, lifting the age to 12 in 2023 and then to 14 in July 2025.
- Victoria passed legislation in 2024 to raise its age to 12, to commence by the end of September 2025.
- Our government will implement Recommendation 12.11 of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings.
- We will develop and provide community-based health, welfare and disability programs and services tailored to meet the needs of kids under 14 displaying antisocial behaviour, and to address factors contributing to it.

- This will create a system that supports our legislation to increase the age of criminal responsibility to 14 years, without exception.
- We will also work towards increasing the minimum age of detention, including remand, to 16. We will develop alternatives to detention for children aged 14 and 15 found guilty of serious violent offences and who may be a danger to themselves or the community.
- The Commission of Inquiry suggested this all be done by 1 July 2029.
- Substituting a therapeutic response for younger children will address, earlier in their lives, underlying causes of offending and unmet needs - to improve their futures and enhance community safety. Developing new tools and responses will impact and benefit all children under 16, and our society more generally.

If required:

Doli incapax

- In July 2025, the Government made an election commitment to review the principle of *doli incapax*, including a possible reversal of the onus of proof.
- *Doli incapax* is the Latin name for a legal presumption that children aged 10 to 13 inclusive cannot be guilty of an offence. The prosecution can rebut this if it proves the child 'had sufficient capacity to know' what they were doing was wrong.
- I can confirm that my Department will be reviewing this and providing advice to me on whether such a reversal is recommended.
- However, that principle is set to be repealed by July 2029 anyway, through our commitment to fulfil all 191 recommendations of the Commission of Inquiry, in full.
- Raising the age to 14 without exception will repeal it.
- We have the Commission of Inquiry's report and our Youth Justice Blueprint for a multi-systemic response to youth justice.
- This complex, important issue will require legislation which follows system planning and funding crossing multiple Tasmanian government,

ministerial and departmental responsibilities. It goes far beyond a simple change of the age in our Criminal Code.

- We will still need responses to stop problematic behaviour and assist people affected by it. One example is police powers: like using places of safety and alternative engagement methods. Another is diversion and mandatory engagement.
- We will consult extensively with stakeholders, particularly to ensure appropriate supports for young people who may otherwise be caught up in our justice system or who are at risk.

BACKGROUND

Reform in other jurisdictions

- Northern Territory (NT) raised the minimum age of criminal responsibility (MACR) to 12 without exceptions on 1 August 2023. A new government reversed this - the age is again 10 and the under 14s presumption (*doli incapax*) applies - meaning children aged 10-13 can only be criminally responsible for an offence if the child knows that the conduct is wrong - a question of fact which the prosecution must prove beyond a reasonable doubt.
- The Australian Capital Territory introduced a bill in May 2023 with a phased approach, raising the MACR to 12 and later to 14, with exceptions for 12- and 13-year-olds who commit certain exceptionally serious, intentionally violent offences. The bill passed and initial parts (including the age of 12) commenced on 22 November 2023. The age became 14 on 1 July 2025.
- In April 2023, Victoria announced it would table legislation to lift the MACR to 12 and the *Youth Justice Act 2024* (VIC) gained assent on 10 September 2024. It raised the Victorian MACR to 12 and incorporates the *doli incapax* presumption for 12- and 13-year-olds. The relevant sections will commence on 30 September 2025, if they are not proclaimed earlier. Victoria had also promised to legislate separately to lift the age to 14 within 4 years, with exceptions for certain serious crimes. However, it has since abandoned this.
- The South Australian government has also stepped back from reform. It ran consultation on possibly raising the MACR to 12 in early 2024. However, on 5 March 2025, the Attorney-General, Kyam Maher MLC, [told](#) the Legislative Council:

This government has not had a policy to raise the [MACR]. Certainly under the former government... started a process with other states looking nationally - all states were involved in the project - at the [MACR]... We have never said that this is a priority for this government. Certainly, we are keen to explore any option that has the potential to make the community safer, and we will continue to do that.

- The concept which had formed the basis for consultation had involved:
 - exceptions for children aged 10 or 11: murder, manslaughter, rape or causing serious harm (keeping the *doli incapax* presumption)
 - a three-tier alternative diversion model response, increasing in intensity depending on the child's behaviour and their needs. These would entail community, mediated and mandatory action plans (the latter via formal SACAT orders)
 - as a last-resort, subject to strict criteria, criminally prosecuting 10- and 11-year-olds for behaviour that would constitute other specified, non-exception

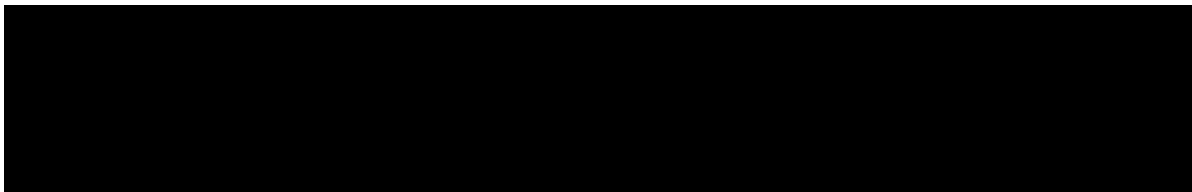
offences would remain open in cases of repeated extreme, harmful or violent non-exempt behaviour where a mandatory action plan had failed

- including victims in action plans where appropriate, and preserving access to victims of crime compensation and
 - a review after 2 years.
- On 6 March 2025, Attorney-General Maher [told](#) the Legislative Council that the former government's discussion paper 'had a model without any commitment to implementing the model... they were proposals for the sake of a discussion paper, not a government policy'.
 - It appears almost certain that Queensland and Western Australia will not make any change in the foreseeable future.

Further comments on the Tasmanian position

- The Tasmanian Commission of Inquiry report is silent on utilising a staged approach regarding the MACR.
- Tasmania is the only jurisdiction committed to a minimum age of *detention*.
- The Government's MACR (and age of detention) commitment is almost universally supported by stakeholders and political parties. Many have been calling for such reform for years.
- **Exempt under s 27**

- The September 2023 Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability recommended (8.22) that 'states and territories that have not already done so should introduce legislation to raise the minimum age of criminal responsibility to 14'.



BUDGET ESTIMATES BRIEF

Subject:	National Redress Scheme - Overview and Budget
Election Commitment:	N/A
Key Department Spokesperson:	Kristy Bourne, Secretary, Department of Justice

KEY MESSAGES

- The Tasmanian Government supports survivors of institutional child sexual abuse including through our participation in the National Redress Scheme for Institutional Child Sexual Abuse (the NRS).
- The Government has committed to fully funding that participation, with total redress payments of \$73,782,147.70 being accepted by applicants to the Scheme as at 30 June 2025. This amount does not include civil compensation claims (including the Ashley Youth Detention Centre Class Action) which are paid separately.
- The NRS provides an acknowledgement of the impact of institutional child sexual abuse by providing eligible claimants with:
 - a maximum monetary payment of \$150,000
 - access to counselling services
 - a Direct Personal Response (or apology) from the responsible institution for those survivors who seek it.
- As at 30 June 2025, the Tasmanian Government had received 1,746 claims from the Scheme.
- The Department of Justice, which coordinates the Tasmanian Government's participation in the NRS, has increased staffing to meet increasing demand.

KEY FIGURES

- As at 30 June 2025, the Tasmanian Government received 1,746 redress claims in relation to state government institutions, including schools, detention settings, and out of home care.
- As at 30 June 2025, the total amount of offers accepted against the Tasmanian Government is \$73,782,147.70. The average claim amount is \$77,935.41.
- The Tasmanian Government has been advised that 668 survivors have accepted the option of counselling and psychological care (CPC) services, and 489 survivors have accepted the option of a Direct Personal Response (DPR) (apology).
- Redress Engagement Coordinators manage access to CPC and DPR for people who have experienced institutional child sexual abuse. CPC and DPR entitlements are not actioned until the survivor makes contact with the Department of Justice.
- As at 30 June 2025, 95 survivors have made contact to initiate counselling and psychological care. Of these survivors, 85 have been referred to a provider, 60 survivors have been in contact to request a DPR, and 33 DPRs have been completed thus far.

The number of claims and offers accepted by redress applicants made against the Tasmanian Government – as at 30 June 2025					
Claims received	Claims returned to Scheme	Requests for extension to respond to claim	Offers made	Offers accepted	Offers accepted involving prior payments
1,746	1,656	206	986	948	366

Total value of offers accepted by redress applicants made against the Tasmanian Government – as at 30 June 2025			
Total value of offers accepted+	Average offer accepted+	Total value of prior payment offset for offers accepted	Average offset for offers accepted
\$73,782,147.70	\$77,935.41	\$13,297,134.04	\$36,323.25

+offers have already had relevant prior payments subtracted. Due to a recording error in the Redress Scheme Database previously stated numbers for finalised applications with prior payments were overestimated, and that the average prior payment offset was therefore also inaccurate. The figures provided above are now correct. The previously stated total figure of prior payment offset was not affected by the error

Counselling, Psychological care (CPC) and Direct Personal Responses (DPR) – as at 30 June 2025

Claims received	Claimants who elected a CPC entitlement	Claimants who have made contact to seek CPC	Claimants who elected a DPR entitlement	Claimants who have made contact to seek a DPR	DPRs delivered*
1,746	668	95	489	60	33

** including 28 face-to-face meetings and 29 letters (note that some survivors elect both a meeting and a letter)*

BACKGROUND

- On 1 November 2018, the Tasmanian Government began formal participation in the National Redress Scheme for Institutional Child Sexual Abuse (the National Redress Scheme).
- The Scheme was established to operate over 10 years between 1 July 2018 and 30 June 2028 and is currently nearing the end of its seventh year of operation.
- It was initially thought that the number of applications received annually would decrease after the second year, but applications have been rising significantly.
- Based on the current number of incoming applications it is anticipated that there may be a need to extend the life of the Scheme to allow for the finalisation of all applications
- When the National Redress Scheme receives an application for redress which involves a Tasmanian Government institution, the National Redress Scheme will send a request for information (RFI) requesting all relevant information that may be held in relation to the application.
- All RFIs for Tasmanian Government departments and institutions are coordinated by the Department of Justice.

Application processing

- The Tasmanian Government is required by law to respond to priority claims within four weeks and non-priority claims within eight weeks. A four-week extension of time can be requested, only if needed.
- Since the commencement of the National Redress Scheme, the Tasmanian Government has requested an extension on 206 occasions, up to 30 June 2025. This represents an on-time response rate of 88.2% across the life of the Scheme so far.
- In 2024-25 (to 30 June 2025) 72.37% of claims against the Tasmanian Government were responded to within the statutory timeframes. This is down from 87.3% from the previous year. This is a result of the significant increase in redress applications received by the Tasmanian Government over the last 18 months.
- Importantly, extended matters are prioritised to ensure they are responded to within the extended timeframe.
- To meet increased demand and reduce the need for extensions, an additional position has recently been established within the Department of Justice National Redress Response team.

Child Safe Reporting

- When a new redress application is received and there is information to identify the perpetrator, the allegations are immediately referred to Tasmania Police and the Registrar for Working with Vulnerable People.
- Claims are then referred to the relevant agency including full details of the alleged abuser to enable that agency to undertake enquiries as to whether the abuser is a current employee or a risk to children.
- If the employee is identified as current by the agency, the matter is dealt with through the agency's own internal policies.
- If the employee is identified as working in a different government agency which is not relevant to the redress application, the matter is referred to that agency.
- If the agency or other relevant authority responsible for the safety and wellbeing of children, such as the Registrar for Working with Vulnerable People or Teacher's Registration Board, requests additional information to support internal processes or assistance in contacting the applicant, the Department assists. This assistance may include the provision of additional information available or by approaching the National Redress Scheme Operator to seek their assistance to facilitate contact with the applicant – consistent with the National Redress Scheme's legislation and policies.
- It should be noted that the state is prevented from contacting the applicant directly and is not provided with the personal contact details of the applicant, consistent with the Scheme legislation.

Redress Engagement Coordinators

- Redress Engagement Coordinators manage access to Counselling and Psychological Care (CPC), and Direct Personal Responses (DPR) for people who have experienced institutional child sexual abuse.
- The management of CPC includes reviewing private therapists' applications to be a recognised provider under the Redress scheme.
- DPR's are coordinated with the recipient and the relevant Tasmanian Government agency. They can be provided in writing or in person, sometimes both. This is highly sensitive and complex work due to the ongoing impacts of the recipient's childhood trauma.
- Redress Engagement Coordinators are available to provide advice and guidance to senior members of the state service in their delivery of DPR's to victims of institutional child sexual abuse.

Eighth Year Review of the National Redress Scheme

- The National Redress Scheme is legislatively required to undergo a review after the eighth anniversary of the Scheme start day. The eighth anniversary falls on 1 July 2026.
- The review must consider several topics including the extent to which survivors who are eligible for redress have applied, the operation of counselling and direct personal response entitlements, and the results of any other reviews conducted in relation to the Scheme.
- Tasmania has offered assistance in preparatory work for the eighth-year review alongside officials from the Commonwealth and other states and territories.

Joint Standing Committee on Implementation of the National Redress Scheme report

- The Federal Parliament's Joint Standing Committee on Implementation of the National Redress Scheme undertook a 2-year inquiry into the operation of the National Redress Scheme, with the final report released in November 2024.
- The report makes 29 recommendations across a range of matters including proposing an extension of the National Redress Scheme beyond 2028, measures to improve accessibility, and an increase in the public promotion of the Scheme.
- The response to the report is the responsibility of the Commonwealth Government. Commonwealth, state, and territory governments will continue discussions on these recommendations.

Exempt under s 27

■

[REDACTED]

■

[REDACTED]

[REDACTED]

BUDGET ESTIMATES BRIEF

Subject:	Assaults in Prison
Election Commitment:	N/A
Key Department Spokesperson:	Colin Shepherd, Deputy Secretary Corrections

KEY MESSAGES

- Assaults by prisoners against staff and other prisoners will never be an accepted part of the positive environment that we strive to create in prisons. The safety of staff and prisoners is a major priority for the Tasmania Prison Service (TPS).
- All incidents of assault are taken very seriously by TPS management and are followed up through the prisoner disciplinary process, or where appropriate, by referral to Tasmania Police, as well as being reviewed from a workplace health and safety perspective.
- Any victim of assault receives immediate medical assessment and treatment and, where required, is provided with ongoing care and support.
- Correctional officers are specifically trained in negotiation, conflict resolution and the use of verbal communication techniques to de-escalate aggression. Officers are also trained in self-defence and physical restraint techniques - but physical force is used only as a last resort.
- The majority of prisoner assaults on other prisoners are found to be the result of, or in retribution for, grievances, debts, issues and incidents that have occurred outside the correctional environment; however, assaults can also be attributed to other factors including:
 - the increasing complexity of the prisoner population, including gang activity, mental health issues and acquired brain injuries (often exacerbated by methamphetamine – or ‘ice’ – use in the community)
 - ongoing attempts to introduce drugs into prison

- an increase in the utilisation rate of the Risdon Prison Complex and the Southern Remand Centre accommodation, creating closer interaction and potential for conflict between prisoners
 - improved reporting processes and data quality.
- The Government has taken a range of actions to improve the safety and security for both staff and prisoners, including:
 - the completion of the Southern Remand Centre, which is able to keep remandees separate from sentenced prisoners
 - additional funding for the recruitment of additional correctional staff
 - providing, in our last Budget, \$4.11 million (over 4 years) on top of earlier funding, to meet increased demand for rehabilitative programs. This includes funding which will allow in-cell time to be used more productively, with the introduction of an in-cell technology pilot
 - the introduction of body scanning technology to detect objects on or inside a person's body and clothing
 - the allocation of funding to improve our infrastructure, including \$50 million for enhanced security systems and a new maximum security unit at the Risdon Prison Complex site – which will alleviate current bed pressures for maximum classification rated offenders.
- The size and imprisonment rate of Tasmania makes it hard to compare assault rates with some other states. Our relatively low imprisonment rate means that there are comparatively fewer low risk, compliant prisoners in our facilities, which tends to push incident rates higher than some other jurisdictions.
- In addition, the Report on Government Services notes that there are different reporting practices and variations in service delivery arrangements that make the data reported not entirely comparable across jurisdictions.

KEY FIGURES

Report on Government Services 2025

- Each year, the TPS reports assaults on prisoners and staff through the Department of Justice Annual Report and the Productivity Commission's Report on Government Services (RoGS).
- For national comparability purposes, the figures do not include assaults by watch-house detainees.
- The 2023-24 RoGS data was made public on 4 February 2025.
- In 2023-24, there was 1 serious assault on an officer. Additionally, there were 20 assaults (resulting in physical injury) and 71 'other' assaults on officers recorded.
- Tasmania's rate of prisoner-on-officer (per 100 prisoners) was 2.61 for assaults and 0.13 for serious assault. Both rates were a decrease from the 2022-23 assault rates.
- In 2023-24, 11 serious assaults on prisoners were recorded. Additionally, there were 144 assaults (resulting in physical injury) and 249 'other' prisoner-on-prisoner assaults.
- Tasmania's rate of prisoner-on-prisoner (per 100 prisoners) was 18.77 for assaults and 1.43 for serious assaults.
- Serious assault rates (per 100 prisoners) were marginally down from 2022-23. Assault rates increased, possibly reflecting the increased crowdedness of facilities as prisoner numbers grew.
- The RoGS notes that there are different reporting practices and variations in service delivery arrangements that make the data reported not entirely comparable across jurisdictions.

2024-25 Assault Data

- In the 2024-25 reporting year, there were no serious assaults on officers by prisoners.
- There were 23 'assaults resulting in physical injury' and 65 'other assaults (no injury)' on officers by prisoners.

- In regard to prisoner-on-prisoner assaults, there have been 9 serious assaults, 129 'assaults resulting in physical injuries' and 227 'other assaults' (no physical injury recorded).
- It is important to note in relation to prisoner-on-prisoner assault data, that this also includes fights between prisoners. As each victim is recorded, a fight may result in a number of victims being recorded as the result of a single incident.
- The 2024-25 assault rates will be reported in the 2026 RoGS, which will be released in January 2026, and will be reported in the DOJ Annual Report (released later this year)

BACKGROUND

Assaults Reporting and Counting Rules

- Assaults are measured by the number of victims, not the number of attackers or events.
- The data is broken down into 3 categories of assault according to the seriousness of the event; Serious assaults, Assaults and Other assaults:
 - Serious assault is defined as one requiring overnight hospitalisation, ongoing medical treatment or any sexual assault. Additionally, injuries that result in stitches or broken teeth are automatically classified as 'serious'.
 - Assault is defined as an act of physical violence resulting in physical injuries (which may or may not require medical treatment).
 - Other assault is defined as an act of physical violence that did not result in physical injuries or require any form of medical treatment.
- In line with the national counting rules, assault data also includes 'fights' between prisoners. As each victim is recorded, a fight may result in a number of victims being recorded as the result of a single incident.
- Assault data is not considered fully comparable between jurisdictions due to differences in reporting thresholds. There are different reporting practices and variations in service delivery arrangements for delivering prisoner health care, whereby not all jurisdictions have access to the medical information needed to accurately classify incidents into the assault categories used for this indicator.
- Tasmania is a small jurisdiction and rates can be skewed by single incidents that involve several prisoners.

Assaults - Prisoner on Staff

**Noting 2024-25 assault rates are not finalised and may be subject to change*

- The following table provides comparable data for the past 5 financial years.

Assault Category	2020-21	2021-22	2022-23	2023-24	2024-25
Serious Assaults	0	2	3	1	0
Assaults	17	29	27	20	23
Other Assaults	64	71	62	71	65

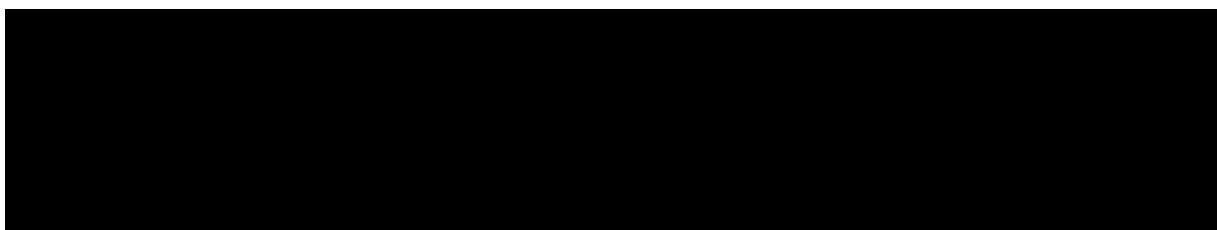
Assaults - Prisoner on Prisoner

- The following table provides comparable data for the past 5 financial years.

Assault Category	2020-21	2021-22	2022-23	2023-24	2024-25
Serious Assaults	12	7	10	11	9
Assaults	112	105	120	144	129
Other Assaults	170	175	180	249	227

Strategies for Reducing Violence in Prisons

- The TPS has a strong commitment to controlling and effectively reducing violence in its prisons.
- The Violence Reduction Strategy is one of a range of strategies aimed at improving staff and prisoner safety and reducing the number of incidents of assault within the prison environment. The strategies for reducing violence in prisoners include but are not limited to:
 - Ensuring policies and procedures are in place to mitigate the risk of violence and give staff the appropriate direction and guidance regarding safety measures and emergency management.
 - Equipping staff with the necessary training and resources to manage difficult situations to protect their safety.
 - Having a Dedicated Response Team specifically trained and equipped to respond to emergency codes and incidents within the prison.
 - Building prison infrastructure that enhances safety and maximises the detection of violence.
 - Removing prisoners involved in violence from the mainstream population and accommodating them in units appropriately designed for higher risk prisoners.
 - Providing technology and equipment solutions that support staff in front-line roles and protect their safety.
 - Providing prisoners identified as high risk in relation to violence with the opportunity to address their specific criminogenic needs through targeted intervention programs.
 - The implementation of a Performance and Compliance Framework, with the associated development of assault-related Key Performance Indicators.
 - Improved reporting and analysis of violence related incidents.
 - Increased levels of activity to keep prisoners busy and meaningfully engaged.



BUDGET ESTIMATES BRIEF

Subject:	Family Violence Responses in Corrective Services
Election Commitment:	N/A
Key Department Spokesperson:	Colin Shepherd, Deputy Secretary, Corrective Services

KEY MESSAGES

- Family and domestic violence is a matter that crosses almost every Government portfolio in Tasmania, and across the nation. It is a complex social issue that deeply impacts individuals, families and communities.
- A coordinated whole of government response is required to prevent and respond to family violence. I am deeply committed to improving our systems for victim-survivors of family violence and to continuing to build on our strong foundations in responding to family violence in Corrective Services.
- The Government has invested over **\$100 million over 5 years for 38 actions to prevent and respond to family and sexual violence in Tasmania** under Tasmania's *Third Family and Sexual Violence Action Plan 2022-2027: Survivors at the Centre*.
- In the 2025-26 Budget our Government has provided \$500,000 in 2025-26 to continue the expanded Family Violence Offender Interventions Programs funded in the 2023-24 Budget (\$1 million provided over two years) within Corrective Services, taking the funding for these programs to \$1.5 million. This program includes two specialist case managers (family violence) employed to provide comprehensive and specialised case management support to this group of offenders.
- **The Commonwealth Government has also committed approximately \$3.4 million over 4 years** for the development of two important innovative response programs:
 - the Tasmania Prison Service (TPS) will receive \$1.5 million for the **innovative perpetrator program** to develop and deliver family violence interventions for people on remand or serving short sentences

for family violence offences. This program commenced on 30 April 2025

- a community-based court mandated behaviour change program will receive \$1.9 million and is being delivered by Relationships Australia.

Responses in the Tasmania Prison Service

- The TPS has a suite of interventions and programs for delivery to family violence offenders, and an innovative Commonwealth-funded program for offenders held on remand for family violence offences.
- For sentenced offenders, Rehabilitation and Reintegration teams concentrate on interventions focused on the drivers of crime, including family violence treatment. Whereas, for remand prisoners, criminogenic programs cannot be delivered, due to the presumption of innocence.
- The **Family Violence Program (FVP)** is currently being delivered in the Ron Barwick facility targeting family violence offenders. This is a moderate to high intensity program aiming at reducing recidivism by targeting controlling behaviours in interpersonal relationships.
- The **Dialectical Behaviour Therapy** program is being delivered to prisoners in the Mary Hutchinson Women's Prison and the Maximum Precinct of the Risdon Prison Complex (RPC). This program is focused on teaching and practicing emotional regulation skills and coping strategies.
- The **FRIENDS 'Strong Not Tough' Resilience Program** has been delivered to remandees at the Southern Remand Centre and male prisoners in Maximum RPC. The program has been developed to provide prevention and early intervention of anxiety and depression, address attachment (emotions), physiological (body), cognitive (mind), and learning (behaviour) processes.
- Men's Resources Tasmania is delivering a **peer support**, coaching, and mentoring program in all our male facilities until the end of the year.
- In our maximum prison facilities, the TPS primarily delivers individualised versions of the recommended program for any prisoner based on their assessed criminogenic risk and need. In addition, where possible group-based programs are delivered, including Resilience and Dialectical Behaviour Therapy.

- The assessment tools used by clinicians delivering family violence programs are the Violence Risk Scale, VRS, as well as family violence ODARA and Spousal Assault Risk Assessment – SARA V3.

Responses in Community Corrections

Electronic Monitoring System

- A Community Corrections response to family violence that I'm particularly proud of is our nation-leading electronic monitoring program. The use of electronic monitoring devices comes from courts imposing a condition on family violence orders. **The Government has invested \$7.4 million between 2021-22 and 2027-28** for the electronic monitoring service.
- The electronic monitoring service for family violence matters operates through an alert if an offender breaches the proximity condition on a Family Violence Order. The service supports early identification of breaches and enables rapid identification of possible high-risk situations.
- Electronic monitoring devices are also available to high-risk family violence victim-survivors. This is a personal safety device that a victim may carry and can ensure greater point in time information to help keep victim-survivors safe. As at 30 June 2025, there were 79 victim-survivors with an active electronic monitoring device.
- The establishment and success of the electronic monitoring system is a credit to the impressive collaboration between Tasmania Police and Community Corrections and is an important measure in the response to family violence.
- An independent review undertaken by the Tasmanian Institute of Law Enforcement Studies (TILES) found that the electronic monitoring service provides an overall reduction in the number of breaches of Family Violence Orders, notably breaches involving physical violence, as well as increased feelings of safety for victim-survivors.

Community Correction Programs

- Community Corrections' key focus is to find the right interventions to support offenders to address their specific criminogenic needs in order to lower their risk of reoffending.

- Where an offender is not suitable for referral to a particular program or intervention, Community Corrections works with the offender to find a suitable alternative pathway to address the needs of the offender and the offending.
- The **Family Violence Offender Intervention Program (FVOIP)** is an important part of Corrective Services' response to family violence. FVOIP is a high intensity behaviour change program and has been developed specifically for medium- and high-risk family violence offenders. Prospective offenders are assessed for suitability before being directed to the program. The foundations of the program focus on the criminogenic risks relevant to male perpetrators of family violence against female intimate partners.
 - The **Family Violence Offender Intervention Program (FVOIP)** is a suitable intervention for medium- and high- risk female perpetrators.
 - The **Family Violence Offender Intervention Program (FVOIP)** is a suitable intervention for medium- and high- risk perpetrators who use violence in a same-sex relationship.
- Community Corrections also has a suite of **EQUIPS Programs** (Explore, Question, Understand, Investigate, Practice, Succeed) available to offenders state-wide. The EQUIPS Programs relevant to family violence offending are:
 - The **EQUIPS Foundations Program** is suitable for all offenders at medium and high risk of reoffending and has been developed to help build their program readiness and support them to develop their prosocial thinking capability. Ensuring offenders are prepared to actively engage in interventions is an important consideration for all offenders, particularly those managing risks associated with family violence.
 - The **EQUIPS Addiction Program** is designed to address the addictive behaviours of offenders who have been assessed as having a high level of drug or alcohol abuse within the past 12 months. Drug and alcohol issues is often a criminogenic risk for offenders who use violence within their family relationships.

KEY FIGURES

Tasmania Prison Service programs

- Family Violence Program

Table 1: Intervention Program Prisoner Participation numbers

Program	Status	1 July 2024 – 30 June 2025
Family Violence Program (FVP)	Enrolled	23
	- <i>Completed</i>	22
	- <i>Participating</i>	0
	- <i>Not completed</i>	1
EQUIPS Foundation	Enrolled	75
	- <i>Completed</i>	45
	- <i>Participating</i>	18
	- <i>Not completed</i>	12
Dialectical Behaviour Therapy (DBT)	Enrolled	30
	- <i>Completed</i>	9
	- <i>Participating</i>	13
	- <i>Not completed</i>	8
Making Changes Program	Enrolled	8
	- <i>Completed</i>	0
	- <i>Participating</i>	8
	- <i>Not completed</i>	0
New Directions Sex Offender Treatment	Enrolled	31
	- <i>Completed</i>	23
	- <i>Participating</i>	8
	- <i>Not completed</i>	1
Resilience Program	Enrolled	42
	- <i>Completed</i>	29
	- <i>Participating</i>	0
	- <i>Not completed</i>	13
Respectful Men	- Enrolled	24
	- <i>Completed</i>	21
	- <i>Participating</i>	0
	- <i>Not completed</i>	3

Community Corrections programs

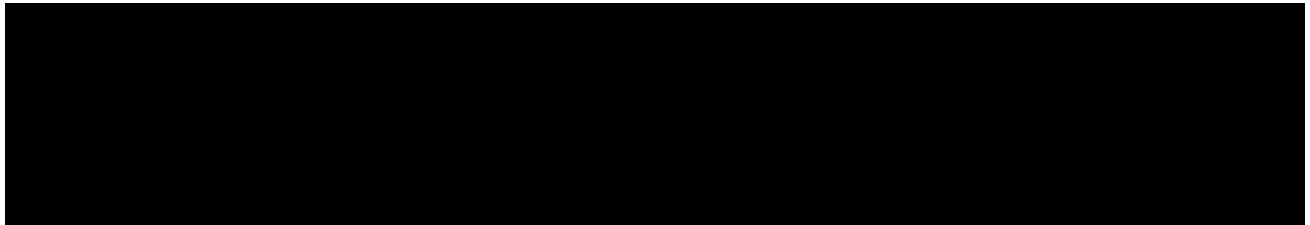
- Criminogenic programs.

Table 1. Criminogenic program delivery summary statistics, three years to 30 June 2024, and to 31 March 2025

Program	2022-23	2023-24	2024-25
Family violence offender intervention program			
Commenced	62	54	68
Completed	35	39	26
EQUIPS programs suite			
Commenced	51	35	49
Completed	45	37	48
Sober Driver Program			
Commenced	52	22	13
Completed	29	11	3

BACKGROUND

- Further information on the programs and interventions in Community Corrections and the TPS can be located as follows:
 - TPS BEB – Intervention Programs
 - TPS BEB – Rehabilitation and Reintegration
 - Community Corrections BEB – Electronic Monitoring Program
 - Community Corrections BEB – Criminogenic Programs
 - Community Corrections BEB – Sex Offender (Community Based) Interventions.



BUDGET ESTIMATES BRIEF

Subject:	Incorrect Releases
Election Commitment:	N/A
Key Department Spokesperson:	Colin Shepherd, Deputy Secretary, Corrective Services

KEY MESSAGES

- There were two incorrect releases for the 2024-25 financial year.
- The first release was of a 48-year-old woman who was serving 14 days for non-violent offences; she was inappropriately released 3 days early to avoid her being released on a long weekend when key community services would be closed. Her release would have been in line with policy had she been serving more than 14 days.
- The second release was of a 39-year-old male following an incorrect sentence calculation due to the complex components contained in the Memorandum of Sentence and commencement date. His release incorrectly occurred one day early.
- Every incorrect release of a prisoner is regrettable.
- All incorrect releases are taken very seriously, and I can assure Members that processes are thoroughly reviewed after each case to minimise the risk of errors recurring.
- It is expected that the new Astria digital system, introduced on 6 April, will further reduce the risks of incorrect releases.

KEY FIGURES

- In 2024-25 there were two incorrect releases from TPS facilities or of prisoners who had been in TPS custody.
- The table below shows the number of incorrect releases since 2019-20.

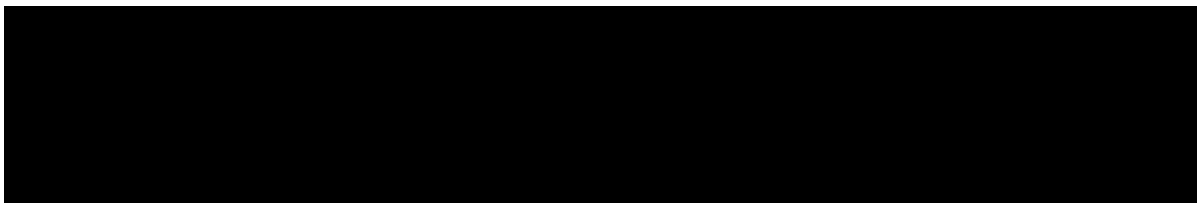
Year	No. incorrect releases	Responsibility for error
2019-20	9	TPS 3, Courts 4, shared 2
2020-21	1	Court 1
2021-22	1	TPS 1
2022-23	1	TPS 1
2023-24	5	TPS 2, Courts 2, DPP 1
2024-25	2	TPS 2

- The introduction of the TPS's Sentence Management Unit in 2019, with its responsibility for sentence calculation, has had a major positive impact on the number of incorrect releases.

BACKGROUND

The Sentence Management Unit

- The SMU is responsible for all sentence calculations, based on the Memoranda of Sentences generated by court clerks in the Magistrates Court and Associates in the Supreme Court and Court of Criminal Appeal.
- The SMU is also responsible for authorising all releases from custody, except for those detained in the Hobart and Launceston Police Watch-house, which are processed directly by Reception Prison staff with assistance from the SMU.
- The calculation of sentences can be incredibly complex because the structure of sentences can be multifaceted, and may involve:
 - a combination of fixed, concurrent and/or consecutive sentences within the one global memorandum of sentence imposed by a court, with or without eligibility for parole, or legacy remission
 - having to determine the start date of a new sentence, based upon the calculation of the expiry of other sentences already being served
 - deciphering the order that multiple sentences are in fact to be imposed and served, some of which may be suspended or partly suspended
 - having to determine the amount of time owed following suspension and/or revocation of a parole order for an existing sentence, before being able to calculate any revised sentence dates.
- The SMU continues to work closely with both the Supreme and Magistrates Courts to ensure that information-sharing and processes are formalised and streamlined to minimise opportunities for error.
- The errors should further reduce once the courts join the Astria digital solution.



BUDGET ESTIMATES BRIEF

Subject:	Intervention Programs
Election Commitment:	N/A
Key Department Spokesperson:	Colin Shepherd, Deputy Secretary Corrective Services

KEY MESSAGES

- Our Government has a strong track record for investing in rehabilitation and reintegration in our prisons. The Tasmania Prison Service (TPS) provides intervention programs that address criminogenic risk factors and promote successful reintegration into the community.
- The funding provided in the 2024-25 State Budget includes:
 - **\$3.607 million** over the forward estimates for treatment programs for **sex offenders** and those at risk of offending, in response to recommendation 16.17 of the **Commission of Inquiry**
 - **\$4.11 million** over the forward estimates for a Correctional Improvement Program to improve intervention and rehabilitation services across the state. This includes additional **drug and alcohol treatment programs** within the TPS and a new transitional housing program in the North-West of Tasmania for **transitional women's accommodation** and reintegration support
 - The Risdon Prison Construction Program provides **\$15.89 million** for improvements including the development of a **residential drug and alcohol rehabilitation** program, additional funding for the new Risdon **kitchen** and other **office and program spaces** to allow for the delivery of more intervention and rehabilitation programs to prisoners at the Risdon Prison site.

- We know that causes of offending are complex and there is no simple solution to addressing what are often complex needs. The TPS has a suite of evidence-based interventions focused on addressing the drivers of crime that includes:
 - sex offender treatment
 - family violence treatment
 - violence treatment
 - drug and alcohol treatment
 - assessment and treatment of general offending.
- The TPS is also receiving **\$1.5 million from the Commonwealth Government over 4 years for an Innovative Perpetrator Response Program** for remand and short sentence prisoners incarcerated for family violence offences. The first program commenced in the Southern Remand Centre on 30 April 2025. This program is an exciting opportunity because it is being delivered to remand prisoners - a cohort traditionally not provided with programs due to the presumption of innocence and often short times in custody. I look forward to updating the Committee in next year's Estimates Hearing on what the early evidence from the program tells us.
- Our investment in Tasmania's corrections system will provide for the rehabilitation of offenders that creates real change by shaping alternative futures and providing a safer community.
- As well as addressing the causes of offending behaviour, we know it is important to provide prisoners with the skills, support and strategies that will enable them to effectively reintegrate into the community following their release and reduce their likelihood of reoffending.
- Our Government has a suite of external service providers who engage with prisoners during incarceration and follow those prisoners into the community, including Men's Resources Tasmania, Dress for Success and Brain Injury Awareness Tasmania.

- We are proud of the significant improvements made by the Government. There is always more to do, however, and we remain committed to looking at all options to achieve better outcomes for our staff and prisoners.

KEY FIGURES

- In the period from July 2024 to 30 June 2025 there were **217** new enrolments in intervention programs, **128** completions, **53** still currently participating and **37** non-completions (due to relocation and early release i.e. to parole).
- In addition to group-based programs, rehabilitation and reintegration staff provide ongoing case management to prisoners to address criminogenic need and achieve rehabilitation and reintegration goals.
- 1 on 1 program work is undertaken for a number of programs, such as Dialectical Behaviour Therapy, based on cohort need and operational capacity.

Table 1: Intervention Program Prisoner Participation numbers

Program	Status	1 July 2024 – 31 March 2025
New Directions Sex Offender Treatment	Enrolled	31
	<i>Completed</i>	23
	<i>Participating</i>	8
	<i>Not completed</i>	1
Family Violence Program	Enrolled	23
	<i>Completed</i>	22
	<i>Participating</i>	0
	<i>Not completed</i>	1
Dialectical Behaviour Therapy (DBT)	Enrolled	30
	<i>Completed</i>	9
	<i>Participating</i>	13
	<i>Not completed</i>	8
EQUIPS Foundation	Enrolled	75
	<i>Completed</i>	45
	<i>Participating</i>	18
	<i>Not completed</i>	12
Resilience Program	Enrolled	42
	<i>Completed</i>	29
	<i>Participating</i>	
	<i>Not completed</i>	13
Making Changes Program	Enrolled	8
	<i>Completed</i>	0
	<i>Participating</i>	8
	<i>Not completed</i>	0
Equips Aggression	Enrolled	8
	<i>Completed</i>	0
	<i>Participating</i>	6
	<i>Not completed</i>	2
Total Participants Enrolled		217

BACKGROUND

Offender Treatment Programs

- For several years there has been a concerted effort by the TPS to embrace a culture of integrated offender management, focusing on the rehabilitation and reintegration of offenders. This has been built on providing contemporary, research-based, group offender treatment programs based on cognitive behavioural therapy.
- A strong focus of the TPS is the use of evidence-based criminogenic risk assessment tools to assist in the identification and placement of our highest risk offenders in intervention programs.
- The TPS has a program referral system that aligns with the Risk Need Responsivity (RNR) model to ensure that prisoners with a high risk of re-offending are prioritised and receive the appropriate levels of program intervention according to their treatment needs.
- In 2025, the programs that the TPS is providing are:
 - Family Violence Prevention Program
 - EQUIPS Foundations; a generalist offending program
 - Making Changes; a generalist AOD program
 - Violence Prevention Program; a high intensity violence program
 - New Directions: sex offender treatment
 - Dialectical Behaviour Therapy (DBT) program
 - Respectful Men; family violence intervention for remand prisoners
- The **Family Violence Program** (FVP) is currently being delivered in the Risdon Prison Complex facility targeting family violence offenders. This is a moderate to high intensity program aiming at reducing recidivism by targeting controlling behaviours in interpersonal relationships.
- The **EQUIPS Foundations** is scheduled to be delivered in the Risdon Prison Complex. This is a generalist offending, criminogenic program.
- **Making Changes** is a generalist Alcohol and Drug Program. This is being delivered in the Ron Barwick Minimum facility.
- The **Violence Prevention Program** is delivered in Risdon Prison Complex. This is a high intensity program aimed at high-risk violence offenders targeting violent behaviours.

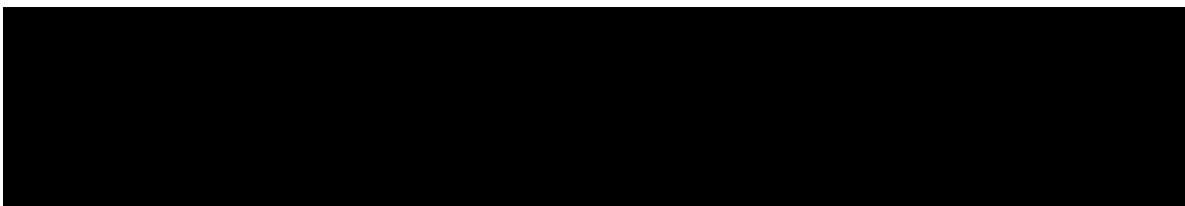
- The **sexual offending treatment program (New Directions)** is delivered in Ron Barwick Prison targeting high risk sexual offenders. This is a high intensity program aimed at targeting sexual deviance and anti-social behaviour.
- The **Dialectical Behaviour program** will be delivered to prisoners in both Mary Hutchinson's Women Prison, Southern Remand Centre, Ron Barwick Minimum Prison and to maximum classification rated offenders in the Risdon Prison Complex (RPC). This program is focused on teaching and practising emotional regulation skills and coping strategies.
- **Respectful Men** is a Commonwealth Government funded program for remand prisoners, who traditionally are not provided with programs due to the presumption of innocence. Respectful Men is a psycho-educational program with CBT and motivational interviewing that primes participants for participation in criminogenic programs.

Programs delivered by external stakeholders

- **Holyoake** facilitate a drug and alcohol program in the Ron Barwick Prison.
- **Men's Resources Tasmania** is delivering a peer support, coaching, and mentoring program in all our male facilities until the end of the year.
- The **Dress for Success Hobart Welcome Back(pack) initiative** which supports women exiting custody by providing clothing, toiletries, and support to write job applications and prepare for job interviews. This program aims to build women's confidence and resilience and increase the likelihood of finding employment post-release.
- **Brain Injury Association Tasmania** supports prisoners with cognitive impairment and brain injury through the JustACE program, which includes brain training, case management and throughcare assistance for exiting custody.

Assessment Tools

- Tools to assess sexual offending (STATIC-99R and Violence Risk Scale, Sexual Offending - VRS-SO) have continued to be administered and since 2019 the TPS has adopted tools to assess for violence and general offending (Violence Risk Scale - VRS) as well as family violence (ODARA and Spousal Assault Risk Assessment - SARA V3).



BUDGET ESTIMATES BRIEF

Subject:	Launceston Reception Prison - Future Plans
Election Commitment:	N/A
Key Department Spokesperson:	Deputy Secretary Strategy, Governance and Major Projects

KEY MESSAGES

- The intended closure of the current Launceston Reception Prison (LRP) was an important element of the original business case and masterplan for the Northern Correctional Facility (NCF).
- Following the Government's decision not to proceed with the NCF and instead make available additional investment for infrastructure and support services at the existing Rison Prison, the Government recognises that planning for the replacement of this facility needs to remain as a key priority.
- The Government has indicated that it will look to explore options for the replacement of the LRP and has provided funding in the 2025-2026 budget to develop a detailed business case.
- Notwithstanding that commitment, the complexities of finding a suitable space for a replacement prison, close to the Launceston CBD, and addressing issues of cost, planning permissions, and community consultation are not being underestimated.

KEY FIGURES

- The Government has provided the Department with **funding of \$450,000** through Finance-General to develop a **detailed business case** for a replacement LRP facility.

BACKGROUND

- The Launceston Reception Prison (LRP) opened in 1977 as the Launceston Remand Centre and was renamed as a reception prison in 2005, just prior to the commissioning of the Risdon Prison Complex in 2006. The total bed capacity of this facility is 26 with the purpose of providing short term accommodation for reception, as well as prisoners and remandees who are required to attend court in both the Launceston area or across the north of the state, and supervision of watch-house detainees on behalf of Tasmania Police.
- As noted in a number of reports prepared by external reviewers, there are serious concerns about the suitability of the current LRP site and recommendations that it be closed have been the subject of business cases for its replacement, including the justification for development of the NCF.
- The intended closure of the current LRP was an important element of the original business case and masterplan for the NCF as it has been recognised for some time that this is an aging facility that is not fit for purpose. The planning for the replacement of this facility needs to remain as a key priority.
- The TPS has experienced a significant increase in the prisoner population, with figures reaching a critical peak of 853 in September 2025. The increase in incarceration rates is projected to continue.
- While there is some investment in new and upgraded facilities at the Risdon Prison site underway, including the new Maximum Security Correa Unit, there is also the need to address current capacity issues, given the total TPS prisoner bed capacity across the state is 892. It should be noted that both the Launceston and Hobart Reception Prisons are not actually designed to accommodate long-term prisoners and the numbers of beds in both these facilities, totalling 62, is included in the total number of prisoner beds available at 892.
- In November 2024, Exempt under s 27 provided the then Minister with a document titled 'Launceston Reception Prison and the impact of the cancelled Northern Prison Project'. That document outlined known and unknown concerns about the LRP facility, including:
 - Exempt under s 27
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED].

- Exempt under s 27

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- It is recognised that identifying an appropriate location for a new prison near the Launceston CBD involves significant challenges. Addressing the issues of cost, planning permissions, and community consultation will require careful consideration and effort.

[REDACTED]

BUDGET ESTIMATES BRIEF

Subject:	Mental Health Resourcing
Election Commitment:	N/A
Key Department Spokesperson:	Colin Shepherd, Deputy Secretary, Corrective Services

KEY MESSAGES

- The provision of mental health support for inmates and offenders is a specific priority set out in Changing lives, creating futures - A Strategic Plan for Corrections in Tasmania 2023.
- Healthcare services in correctional settings are provided in partnership with the Department of Health, which resources the psychiatrists, psychiatric liaison nurses and case managers. Care is provided in accordance with the Tasmanian *Mental Health Act 2013*.
- In response to concerns about the provision of mental health services to prisoners, the Department of Health has recently developed a new Prison Mental Health Service, reporting clinically to the Forensic Mental Health Service. This was in response to key recommendations of the Prisoner Mental Health Taskforce Report of 2018 and the Custodial Inspector's Adult Healthcare Inspection Report of 2023.
- The Prison Mental Health Service is staffed by the following:
 - 1 consultant psychiatrist available four days per week
 - 1 additional consultant psychiatrist available for the Mary Hutchinson Women's Prison for a half-day each week
 - 1 psychiatric registrar
 - 1 clinical nurse consultant
 - 3 case managers (nursing) on a full-time basis
 - 1 case manager (nursing) on a part-time basis.

- The Forensic Mental Health Service also operates the Wilfred Lopes Centre, a specialised mental health facility located near Risdon Prison, noting it is not a part of the prison. The centre provides care and treatment for people with mental health issues who are involved with the criminal justice system, including Tasmania Prison Service (TPS) prisoners, members of the community appearing in Tasmania's courts, and those placed on forensic orders. The unit provides up to 35 beds and includes high dependency, extended care and semi-independent living.
- The demand for mental health support is proportionally higher within the prison population than within the broader community, and mental health services are consistently in high demand.
- The TPS also operates a range of intervention and support programs to augment the provision of the Department of Health's services. These include:
 - the Crisis Support Services (CSS) team in the Therapeutic Services Unit, which is staffed by psychologists and high needs support counsellors
 - the Specialist Support Services (SSS) team in the Therapeutic Services Unit, which provides support for prisoners affected by alcohol and drugs, and by those with a disability
 - the Risk Intervention Team (RIT) which coordinates and delivers the Suicide and Self-Harm (SASH) Risk Assessment Processes required under Director's Standing Order 2.01 – Suicide and Self-harm Prevention.
- Staff of the CSS and SSS teams support prisoners with adjustment to the prison environment, crisis response counselling, and short-term interventions for a range of problems including mental health concerns such as personality disorders, anxiety and depression, and risk of suicide and self-harm. This team also supports the completion of psychological assessments to support prisoners in their targeted treatment, rehabilitation and reintegration, in collaboration with Correctional Primary Health Services (CPHS).

If asked about why prisoners are not universally screened for ADHD, and given treatment where required

- The previous Minister gave evidence before the House's Inquiry into the Assessment and Treatment of ADHD on 7 March 2025.
- Members might recall that the evidence before that hearing referred to Tasmania having Australia's highest disability rate, at 30.5% and, while ADHD is an issue within our custodial system, ADHD in prison sits alongside other complex needs such as cognitive disabilities, substance abuse, personality disorders and experience of trauma.
- It is true that many people in the corrections system may meet the diagnostic criteria for ADHD, however it is my expectation that resourcing is allocated in proportion to the barriers which comorbidities present to rehabilitation and reintegration of prisoners to our community.
- Psychological and psychiatric support is provided to prisoners by the CSS team, the new disability support service within the therapeutic services team, and by the Prison Mental Health Service under the Department of Health, established in 2024. Each individual is considered and, where a significant diagnostic clarification is indicated, these teams have the capacity to screen for ADHD.
- The Custodial Inspector's 2023 report into adult healthcare reflects that ADHD exists alongside other health issues. The Custodial Inspector mentions ADHD only once and with respect to prescribing differences. I feel confident the Custodial Inspector would have identified ADHD as requiring greater attention if he thought it significant to the rehabilitation outcomes of the prison population. This reinforces the view that interventions which address substance abuse and trauma, for example, are more likely to be of greater value to prisoners and the community at this point in time.

KEY FIGURES

- The data below provide numbers of mental health appointments provided by the CSS team between July 2024 and June 2025.

- Appointments provided by the RIT in the Therapeutic Services Unit, who coordinate and deliver the Suicide and Self-Harm (SASH) Risk Assessment Processes in accordance with TPS processes, are listed separately.
- General appointments are appointments for all other purposes.

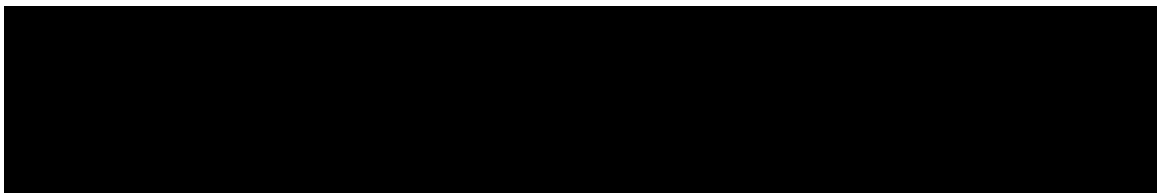
Time period	RIT Appointments	General Appointments	Total
July 2024	248	165	413
August 2024	225	213	438
September 2024	253	147	400
October 2024	231	78	309
November 2024	201	96	297
December 2024	118	74	193
January 2025	227	95	322
February 2025	181	44	225
March 2025	192	126	318
April 2025	175	116	278
May 2025	140	136	276
June 2025	146	105	251
TOTAL			3,469

BACKGROUND

- The 2024 Inquest into the death of prisoner Robert Gerard (who died at Risdon Prison in 2022) resulted in three recommendations, the first of which was an urgent review of mental health services provided to prisoners in the custody of the Tasmania Prison Service.
- Dr Rajan Darjee, a forensic psychiatrist witness in the Gerard Inquest, gave evidence that ‘... the level of resource in the prison mental health service is the lowest I’ve come across in any developed country.’
- The Custodial Inspector’s investigation into adult health care (including mental health care) in prisons was already underway at the time the coroner’s recommendations were handed down and were tabled on 18 July 2024.
- For further information please refer to Budget Estimates Brief - Custodial Inspector Reports.

Updates on Prison Mental Health Service

- The Prison Mental Health Service will address current and future demand within the prison population and was developed out of the coronial findings and recommendations.
- With the new service, however, demand has grown substantially.
- Other recent improvements to CPHS have had positive impacts on health care being provided to prisoners. These include:
 - the addition of a clinical nurse consultant, mental health, who deals specifically with mental health issues and offers limited counselling support
 - an increase in medical staff within CPHS to ensure doctors are available during clinic times
 - appointments to strategic clinical positions including Statewide Specialty Director, Correctional Primary Health Service, and Statewide Specialty Director, Forensic Mental Health Services.



BUDGET ESTIMATES BRIEF

Subject:	Union Matters and PIN Notices
Election Commitment:	N/A
Key Department Spokesperson:	Colin Shepherd, Deputy Secretary, Corrective Services

KEY MESSAGES

- The safety of staff, prisoners and the community remains a top priority for the Government and we are committed to working collaboratively with staff and union representatives to address concerns raised about the operation of our corrections system.
- Senior representatives of the Tasmania Prison Service (TPS) meet regularly with union representatives to discuss a broad range of issues and to work through solutions.
- One of the primary points of discussion with the unions, and which is being prioritised by the Government, is the staffing strategy of the TPS and how we recruit and attract the right people to work in Corrections.
- One of the top priorities is to examine ways in which lockdowns can be avoided when there are insufficient staff to fill all posts. There have been some recent advances in how this is managed, but more needs to be done.
- The ongoing recruitment of additional correctional staff addresses a number of concerns including staff safety and lockdowns.
- Throughout 2023 and early 2024 the Department of Justice, TPS and unions successfully negotiated a new Correctional Officers Agreement (COA) which was registered in February 2024.
- Frequent, detailed meetings were held between all parties to form that agreement.
- A number of undertakings around workplace conditions and operations were made as part of the award.

- Various staff members have been working since the registration of that award to assist in implementing those undertakings.
- Good progress is being made in implementing the undertakings.

Provisional Improvement Notices (PINs)

- There is currently one active improvement notice issued to the TPS.
- The improvement notice relates to the membership of the TPS WHS committee and ensuring the correct proportion of staff attend the meeting. The TPS is working to resolve this matter.
- Union representatives/Workplace Health and Safety Representatives (HSRs) have regularly issued PIN notices to the TPS.
- In most instances, the PIN notices have been cancelled after a review by the independent work health and safety regulator, WorkSafe Tasmania.
- A number of PINs have been worked through by the TPS and were subsequently withdrawn by union representatives/HSRs when either further information was provided by the TPS or where actions were undertaken to address issues raised in the PINs.

If asked about lack of consultation with unions

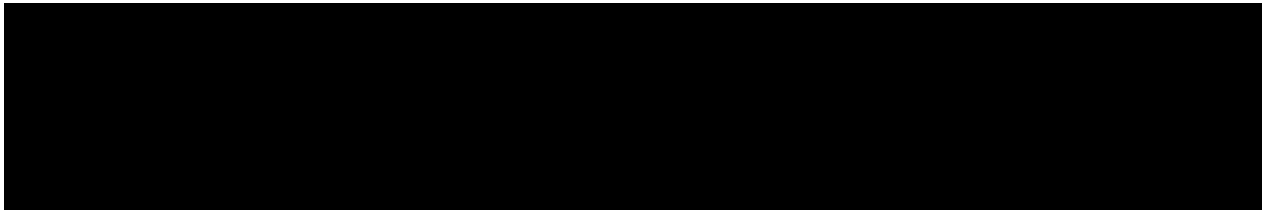
Joint Consultative Committee Meeting (JCC)

- Senior representatives of the TPS meet regularly with union representatives to discuss a broad range of issues and to work through solutions.
- There are formal meetings which occur monthly which allow both the unions to raise any issues they may have, as well as for the TPS to raise matters with the unions for their consideration.
- The monthly meeting is called the Joint Consultative Committee meeting (JCC) and is attended by the Director of Prisons, Assistant Director of Prisons, Assistant Director Engagement, Communications and Policy, Facility General Managers and senior Department of Justice and WHS representatives.

- Both unions are invited to send organisers and delegates to each meeting.
- This meeting allows for consultation on issues, an opportunity to raise specific concerns and put those issues on an action list. It is also an open forum for the unions to have ready access to senior TPS staff.
- In addition to the JCC meeting, the TPS consults broadly with unions on all significant changes made at the TPS including all changes to policy.
- For example, any time a Director's Standing Order is changed or updated, unions are included in the consultation process and are able to provide feedback on that policy for consideration.
- Where significant policy or practice changes are to occur, the TPS arranges to meet with unions on those matters to ensure that unions have adequate information, can ask questions and raise any issues.
- While regular high-level meetings between senior Departmental officials and the unions were disbanded during the Correctional Officers Agreement negotiations and have not been re-established, communication has continued:
 - through the JCC
 - senior Department officials have met on specific issues (e.g. child safety implementation, new leave processes) leaving the local issues to be sorted out locally.

BACKGROUND

- The United Workers Union (UWU) and Community and Public Sector Union (CPSU) represent staff at the Tasmania Prison Service (TPS).
- Both unions have high numbers of members across the TPS, with the majority of uniformed staff being represented by one of these two unions.
- Due to there being two unions, the TPS is required to negotiate and work with both unions - which do not always have aligned views when the TPS is seeking to make changes and deal with issues arising.



BUDGET ESTIMATES BRIEF

Subject:	Community Corrections Budget and Performance
Election Commitment:	N/A
Key Department Spokesperson:	Chris Carney, Executive Director, Community Corrections

KEY MESSAGES

- Community Corrections works with offenders on community-based orders to reduce re-offending and contribute to a safer Tasmania.
- The Government continues to invest in Community Corrections to reduce recidivism and improve outcomes for the Tasmanian community.
- The diversity of the Community Corrections portfolio and the organisation's role in achieving community safety outcomes has changed significantly in recent years, particularly with the introduction of home detention orders, high risk offender orders and the electronic monitoring program.
- Community Corrections delivers frontline services state-wide. Officers with the variety of skills needed to manage the different order types are recruited to each of the 5 permanently staffed offices across the state, to meet local demand from the courts and Parole Board.

KEY FIGURES

Staffing

- As at 30 June 2025, Community Corrections had 130.9 full time equivalent positions across 143 staff.
- The annual Report on Government Services (RoGS) provides a comparison of caseloads across Australian jurisdictions. RoGS reports the daily average number of people subject to community corrections orders, divided by the total number of staff from the previous financial year. In the

2023-24 financial year, Tasmania had the fifth lowest ratio nationally on this measure at 18.3. The Australian average was 19.

- RoGS measures are a useful guide but do not necessarily offer an accurate comparison of workloads across jurisdictions. They do not account for differing approaches, geography, or the complexity of offender populations and how these may influence workload considerations.

Offender population

Table 1. Corrective Services Population (daily average)

	2020-21		2021-22		2022-23		2023-24	
Tasmania Prison Service	640	(25%)	642	(24%)	676	(26%)	767	(28%)
Community Corrections	1,948	(75%)	2,085	(76%)	1,957	(74%)	1,926	(72%)
Total	2,588		2,727		2,633			2,693

Source: *Report on Government Services, 2025*

- Community Corrections is responsible for supervising 72% of the total Corrective Services population in Tasmania.

Table 2. Average daily offender population in Community Corrections per financial year

	2020-21	2021-22	2022-23	2023-24
Community service	963	990	945	959
Supervision	1,289	1,417	1,253	1,223
Restricted movement	95	101	68	48
Post sentence orders	-	-	-	4

Source: *Report on Government Services, 2025*

Note: An offender may be on more than one type of order, therefore the number of offenders subject to community service and supervision orders is greater than the total reported in Table 2.

Caseloads

- Community Corrections officers' operational caseloads vary markedly between operational units, reflecting the degree of intervention required to manage different orders and community risks. High risk and complex cases are allocated to more experienced staff. Less experienced staff are allocated the less complex cases.
- Outside of the Court Mandated Diversion teams, there is no specified maximum caseload for individual probation officers. Caseloads are closely monitored by senior management and remedial action is taken where individual workloads are judged to be too high.

- In the Court Mandated Diversion teams, caseloads are capped at 10 to support the high intensity case management required for the program.
- Supervision teams are responsible for managing community correction orders, parole orders, home detention orders, mental health treatment orders and high-risk offender orders. Community Corrections seeks to ensure average caseloads are below 45 offenders per FTE.
- With community service, case management is less intensive and as a result caseloads are generally much higher than in other units.

Table 3. Average caseloads per team FTE in each office as at 30 June 2025

Region	Court Mandated Diversion	Supervision	Community Service
South	6.8	36.4	87.3
North	7.6	40.4	94.0
North-West	9.2	31.7	81.0

Budget

- The 2025-26 appropriation for Community Corrections is \$24.537 million. This is an increase of \$2.5 million on 2024-25 as a result of additional funding from the Government of:
 - \$1.4 million per annum permanently to manage High Risk Offenders orders and to case manage and monitor dangerous criminals and high risk offenders post release, including psychological assessments and secretariat services
 - \$500,000 per year for two years to support the delivery of the Government's existing sentencing and parole reforms, including the expansion of electronic monitoring, and to support the expansion of the Court Mandated Diversion program to include offenders with alcohol related offences.
- Additionally, the Government has further extended the delivery of Family Violence Intervention Programs across the Corrections and Rehabilitation portfolio in 2025-26 with an additional \$500,000 in 2025-26.
- This additional funding is on top of further funding provided in the 2024-25 Budget of:

- \$831,000 rising to \$1.2 million in 2026-27 over four years to establish a preventative group and one-on-one counselling treatment programs for: people who have been convicted of abusing children (and are statutory clients); those who identify themselves as being at risk of such offending; and those who are no longer under a correctional order but require ongoing treatment or maintenance to prevent risk escalation. This funding is in response to recommendation 16.17 of the Commission of Inquiry.
- \$1 million for Community Corrections Electronic Monitoring Expansion per annum to expand the Home Detention and Electronic Monitoring service and support the objectives of Changing Lives, Creating Futures - A Strategic Plan for Corrections in Tasmania 2023 to improve community safety and offender rehabilitation.
- This is in addition to funding of \$4.1 million, rising to \$7.3 million for Justice Connect (Astria) System Support, which is spread across a number of departmental outputs. This funding will support the operations of Astria, which commenced replacing outdated criminal justice and offender management systems and technologies in April 2025. As Community Corrections' new offender management system, this contemporary architecture will enhance system efficiency and improve policy outcomes for offenders, staff and stakeholders across the justice system.

Operating cost per offender per day

Table 4. Recurrent cost per offender per day

	2021-22	2022-23	2023-24
Tasmania	25.87	29.24	29.89
Australia	30.09	29.42	29.65

Source: *Report on Government Services, 2025*

- The operating cost per day for an offender in Tasmania in 2023-24 was \$29.89. This is comparable to the national average of \$29.65.
- Costs per day for 2024-25 will be published in RoGS in January 2026.

Order completion statistics

Table 5. Completions by type of order, 2023-24 (%)

	NSW	VIC	QLD	WA	SA	Tas	ACT	NT	Aus
All orders	79.7	59.3	78.4	66.2	72.2	70.8	87.5	70.7	76.9
Restricted movement	80.0	..	..	46.1	76.7	76.6	..	90.0	72.7
Reparation (Community Service)	79.7	61.1	78.5	61.4	78.7	62.8	92.4	66.7	76.3
Supervision	79.7	58.9	78.4	67.7	68.0	73.5	87.4	71.1	77.1

Source: *Report on Government Services, 2025*

- Community Corrections' order completion rates have moderated toward the national average over the 2023-24 financial year. This is a result of a number of strategies Community Corrections has implemented to better manage non-compliance and offender disengagement.

Offender return rates

Table 6. Offenders who returned to corrective services within two years

	2020-21	2021-22	2022-23	2023-24
Tasmania	25.3	30.3	28.6	24.9
Australia	25.1	24.9	24.3	25.0

Source: *Report on Government Services, 2025*

- The offender return to community services rate, at 24.9%, was below the national average at 25%. This is the first time Tasmania has been below the national average on this measure since at least the 2017-18 financial year.

Community Corrections Summary Statistics

Table 7. Supervision order summary statistics, three years to 30 June 2025

Order type	2022-23	2023-24	2024-25
Supervision orders (includes probation, community correction, drug treatment and home detention orders)			
Commenced	995	1095	1262
Completed/revoked	1125	984	832
Parole orders			
Commenced	70	105	114
Completed/revoked	117	100	94
Extended supervision orders (includes high risk offender and interim high risk offender orders)			
Commenced	2	7	6
Completed	0	3	0

Table 8. Community service summary statistics, three years to 30 June 2025

Community service	2022-23	2023-24	2024-25
Commenced	423	492	547
Completed/revoked	437	392	457

Table 9. Program delivery summary statistics, three years to 30 June 2025

Program	2022-23	2023-24	2024-25
Family violence offender intervention program			
Commenced	62	54	68
Completed	35	39	26
Sober driver program			
Commenced	51	35	49
Completed	45	37	48
EQUIPS program suite (includes foundations, addiction, aggression, and domestic and family violence)			
Commenced	52	22	13
Completed	29	11	9

Table 10. Report completion summary statistics, three years to 30 June 2025

Report type	2022-23	2023-24	2024-25
Pre-sentence reports	1351	1428	1237
Pre-parole reports	228	253	208
High risk offender reports	6	3	13

Table 11. End of year electronic monitoring numbers, three years to 30 June 2025

Order type	30 June 2023	30 June 2024	30 June 2025
Home detention	83	48	72
Parole	58	75	101
Family violence	28	37	71
High risk offender	-	3	4

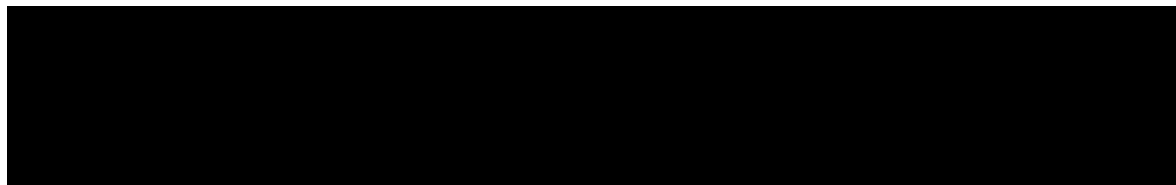
BACKGROUND

Recruitment Challenges and Strategy

- An increasingly competitive recruitment environment continues to provide challenges for Community Corrections in attracting and retaining talent. The Department of Treasury and Labour Force advice for March 2024 demonstrates that at the beginning of 2023, there were more vacancies for high-skill jobs than there were job seekers for high-skill occupations in Australia.
- In 2022-23, Community Corrections implemented a temporary employment register. This has started to reduce the number of overall recruitment processes required to be run and has assisted in speeding up the transition of staff into roles as they become available.
- Action is also being taken internally to increase the organisation's profile and branding through an improved website design and an increasing focus on engagement with key stakeholders.

Staffing

- Community Corrections operates across five distinct areas of frontline operational practice:
 - offender supervision
 - community service
 - programs
 - court mandated diversion
 - monitoring and compliance unit (electronic monitoring).
- The monitoring and compliance unit works centrally from a Hobart based location.
- Each of the other work units require staff to deliver frontline service to offenders from each of the 5 permanently staffed offices: Hobart, Glenorchy, Launceston, Burnie and Devonport. Services may also be delivered from outreach locations if required.



BUDGET ESTIMATES BRIEF

Subject:	Sex Offender (Community Based) Treatment Interventions
Election Commitment:	N/A
Key Department Spokesperson:	Chris Carney, Executive Director, Community Corrections

[NOTE: Some offender related data is provided up to 31 March 2025. The Department moved to a new data management system after this date. The reporting function of the new system remains under development. It is anticipated end of year financial data will be available prior to Estimates, and will be updated accordingly]

KEY MESSAGES

- The Government continues its commitment to achieve a stronger justice system and safer community through the delivery of community-based treatment interventions for sex offenders.
- Sex offenders are a complex offender group. Case management requires probation officers to assess the individual's risk of reoffending and identify their reintegration and rehabilitation needs, including the assessment of proposed accommodation, employment, and other planned activities. This information is then used to develop a tailored case plan for each offender.
- Through funding secured to address action item 21 under Tasmania's *Third Family and Sexual Violence Action Plan 2022-27*, Community Corrections has appointed a Clinical Lead to deliver a community based treatment pathway for sex offenders who are otherwise unable to access mainstream services and support.
- The Complex and High-Risk Offender Specialist offers case management and case supervision support to probation officers managing sex offenders and other high-risk offenders in the community.
- In response to recommendation 16.17 of the Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings final report, Community Corrections is continuing to

expand its offering of community-based programs with the aim to reduce the risk of sexual offending in our community.

Case management training and support

- Community Corrections continues to ensure that staff working with those who have a history of sexual offending are appropriately skilled.
- The Good Lives Model is a strengths-based rehabilitative case management framework that is widely used and highly regarded internationally as an effective approach to support high value rehabilitation outcomes with individuals who have committed sexual offences:
 - in the 2024-25 financial year, 22 staff from across Community Corrections and the Tasmania Prison Service received training in the Good Lives Model. From this training, Community Corrections' Clinical Lead was accredited as a trainer in the program
 - in the 2025-26 financial year, Good Lives Model training will be rolled out to Community Corrections staff across the state.
- With funding provided to deliver the recommendation 16.17 under the Commission of Inquiry final report, Community Corrections recruited two senior clinician and educators in the 2024-25 financial year. These positions were created to support probation officers working with high risk and sex offenders, offering case management support, advice and direct therapeutic engagement to offenders who are otherwise unable to access community based interventions.

Sex offender assessments

- Community Corrections use the Static, Stable and Acute suite of risk assessment tools to assess those with a history of sexual offending. These tools are internationally recognised, evidence-based assessments, that evaluate the risk of sexual offending among adult males who have been convicted or charged with a sexual offence.
- Community Corrections' Clinical Lead is an accredited trainer in the Static, Stable and Acute suite of sex offender risk assessment tools and has delivered training to staff across corrective services. In the 2024-25 financial year, 31 Community Corrections staff were trained in the use of these tools.

- Community Corrections' Clinical Lead has also been working to develop opportunities to offer this training to external stakeholders who work to diagnose and treat sex offenders.
- Community Corrections is actively working to ensure that the risks posed by sex offenders across Tasmania are being effectively assessed, regardless of whether they are required to engage with corrections. This supports individuals at risk to receive the right interventions and helps promote a safer community for us all.

Sex offender interventions

- A high proportion of the more serious sex offenders on community-based orders have been in custody and completed the custodial program for sex offenders – New Directions.
- Community Corrections adopts a throughcare approach to supervising high risk offenders transitioning from custody to the community. As part of this model, Tasmania Prison Service staff, probation officers, and the offender's nominated support person may participate in a handover process.
- With funding provided to deliver the recommendation 16.17 under the Commission of Inquiry final report, Community Corrections procured a manualised intervention program to address sex offence relevant risk, the Sex Offender Treatment Program. Staff from both Community Corrections and the Tasmania Prison Service were engaged in this training, and work is currently being undertaken to roll the program out in the 2025-26 financial year. This milestone will significantly progress outcomes required under the Commission of Inquiry recommendation.
- Where appropriate, sex offenders on community-based orders will be referred for interventions through community-based organisations. Where an offender is unable to access mainstream services, they can be engaged in one-on-one intervention with specialist staff in Community Corrections' multidisciplinary therapeutics team.
- Community Corrections also maintains an arrangement with a private forensic psychiatrist for training and case management support to manage complex, high risk and sex offenders in the community. Under this arrangement, probation officers benefit from monthly case conferencing

sessions with the forensic psychiatrist to plan case management approaches.

Commission of Inquiry: Recommendation 16.17

- Recommendation 16.17 of the Commission of Inquiry report into the Tasmanian Government's Responses into Child Sexual Abuse in Institutional Settings called for the establishment of preventative treatment programs for:
 - people who have been convicted of sexually abusing children
 - those who identify themselves as being at risk of abusing children
 - those who are no longer under a correctional order but require (or seek) ongoing treatment to prevent recidivism.
- The Government has committed \$4 million over 4 years to deliver this recommendation.
- A project manager has been appointed to lead this work with a multi-tiered approach being progressed that will deliver a mixture of services and interventions to address a range of needs, not only for those who have offended, but also those identified as being at risk of offending.
- Work is also being undertaken to develop a community-based service response to support individuals who pose a risk of sexual offending but are not currently engaged with the criminal justice system. This will ensure the availability of preventative supports that can assist in reducing the risk of offending to promote a safer community for us all.
- The project will require significant negotiation across government and the non-government sector to deliver a holistic service response with relevant and accessible referral and service delivery pathways. Work to engage relevant stakeholders has commenced and the project is on track to meet the 2026 delivery date.

KEY FIGURES

- As at 31 March 2025, Community Corrections was actively supervising 70 sex offenders. This represents a more than 10% increase on the 63 offenders who were being managed at the end of the 2023-24 financial year.

Table 1. Sex offenders supervised by Community Corrections regionally, as at 31 March 2025

	North	North-West	South	Total
Sex offender on orders	17	10	43	70



BUDGET ESTIMATES BRIEF

Subject:	AYDC Site Consultation and Engagement with Neighbours of Ashley
Election Commitment:	
Key Department Spokesperson:	A/Deputy Secretary Strategy, Governance and Major Projects

KEY MESSAGES

- After careful consideration, our Government made the decision to not proceed with the investment of \$270 million for the development of the Northern Correctional Facility (NCF).
- Instead, investment in infrastructure and supporting services at the existing Risdon Prison site has been provided with an increased focus on rehabilitation and diversion of offenders from custodial sentences. This will be achieved through the provision of greater rehabilitation, education and training opportunities for prisoners.
- The program includes co-funding the purchase of property to accommodate North-West based female prisoners transitioning from custody back into the community; an expansion of drug and alcohol rehabilitation programs; investment in a pilot program for in-cell technology; additional funding for the new Risdon kitchen; and other office and program spaces to allow for the delivery of more intervention and rehabilitation programs to prisoners at the Risdon Prison site.
- The Department understands the Government remains open to potentially considering using the Ashley Youth Detention Centre (AYDC) site as a future northern based correctional facility site once the Department *for* Education, Children and Young People has vacated the existing facility.
- If the decision is to use the facility as a future prison for adults, the Department would - in accordance with the Commission of Inquiry's recommendation - ensure that no prisoners/detainees would be placed there without their consent.

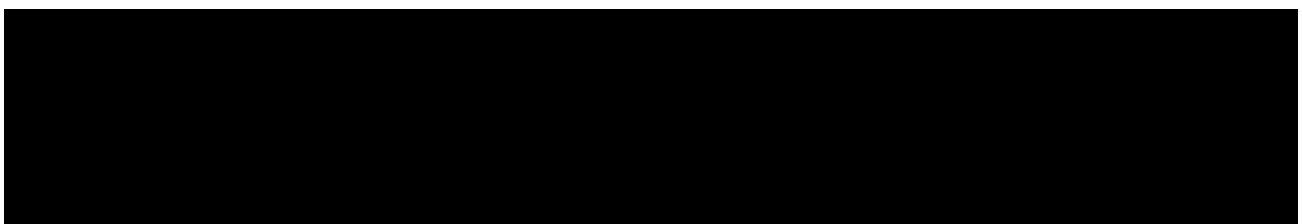
- As has happened previously, the Government will ensure that any future decision regarding the purpose for which the AYDC site will be used following its closure, will be made after consultation with the local community, including the near neighbours.

BACKGROUND

- The \$270 million, up to 270-bed Northern Correctional Facility (NCF) project (previously the Northern Regional Prison) was announced in early 2018, following the development of the Strategic Infrastructure Framework for Custodial Corrections in Tasmania.
- On 9 September 2021, the Tasmanian Government announced the impending closure of the Ashley Youth Detention Centre (AYDC) which presented an opportunity to consider the development of the NCF at this location.
- Following extensive consultation and preliminary investigations of the AYDC site, which indicated that the site was well-suited as a location for a modern correctional facility in northern Tasmania, with a custodial facility a permitted use within the current zone for the site under the Tasmanian Planning Scheme for the Meander Valley, the Government subsequently announced in May 2022 that the AYDC site was now the only site being considered for the NCF.
- On 9 July 2024, Cabinet decided (CBD-240700116) not to proceed with the \$270 million project to develop the NCF. At the same time, in collaboration with the Department of Justice, the Government identified a number of alternative opportunities to address some of the current capacity and infrastructure issues being experienced by the TPS, with a particular focus on rehabilitation and reducing recidivism. This was announced by the Minister on 30 August 2024.
- The Government has provided \$20 million in funding that will allow for:
 - Investment into a residential alcohol and drug treatment facility. The unit will host expanded drug and alcohol rehabilitation programs and delivery spaces for more intervention and rehabilitation programs.
 - The provision of funding to employ staff to provide additional opportunities for training, education and activities at the existing Risdon Prison site (including specific training and activities for Aboriginal prisoners) offering increased rehabilitation and reintegration opportunities.
 - Developing new office space for the expanding Intervention and Reintegration Services to enable better integration of services.
 - Developing new in-cell technology options that will enable the delivery of treatment programs and educational opportunities to prisoners in their cells.
 - The purchase of property for NW based female prisoners transiting out of custody back into the community.
- Further, the Department also provided advice on options for accommodating minimum-security prisoners from the North and Northwest with a focus on

rehabilitation, education, and rural training/employment opportunities, including through adaptive re-use of the AYDC site.

- While investment into the Risdon Prison site and supporting services, as well as the previously committed \$77.5 million, will assist the TPS in the short to medium term, the absence of suitable correctional facilities in Northern Tasmania continues to disadvantage prisoners and remandees from those areas.
- Whilst repurposing the current AYDC site will not enable delivery of the full scope of the NCF project, it will provide the opportunity for the TPS to align with best practice operating standards.
- Repurposing the existing AYDC facilities following the closure, presents a unique opportunity for the TPS to accommodate low-medium security prisoners in a setting focused on rehabilitation and education. This adaptive reuse could also support rural training and employment initiatives, aligning with the Department's broader goals of improving prisoner outcomes and community reintegration.
- Creating a state-wide Tasmania Prison Service would also provide access to an employment pool in the north of the state that would potentially help to alleviate the correctional officer staff shortages currently facing the TPS.
- In addition, the Government recognises that the existing Launceston Reception Prison (LRP) is unsuitable for the long-term accommodation of prisoners, with a number of reports having been prepared by external reviewers expressing concerns about this site and recommending its closure. (refer separate BEB Launceston Reception Prison (Future Plans)).
- The Government has indicated that it will look to explore options for the replacement of the LRP, however, the complexities of finding a suitable space for a replacement prison, close to the Launceston CBD, and addressing issues of cost, planning permissions, and community consultation are not being underestimated.
- Further, following the decision to not develop the northern correctional facility, the Government remains committed to ensuring there is a strong pipeline of work in Northern Tasmania that creates and sustains employment and boosts the local economy – particularly in the Meander Valley Region.



BUDGET ESTIMATES BRIEF

Subject:	Risdon Prison Construction Program
Election Commitment:	N/A
Key Department Spokesperson:	A/Deputy Secretary Strategy, Governance and Major Projects

KEY MESSAGES

- Following the Government's decision to not proceed with the development of the Northern Correctional Facility, an additional \$20 million was provided for existing correctional facilities and operations.
- \$15.9 million in capital investment was allocated to the Risdon Prison Construction Program in the 2024-25 Budget to fund infrastructure and supporting services at the existing Risdon Prison site.
- The 2024-25 Budget also allocated an additional \$4.1 million to the Tasmania Prison Service over four years for a Correctional Improvement Program to improve intervention and rehabilitation services across the State, with an initial focus at the Risdon Prison site.
(Subject of a separate BEB - TPS Intervention Programs)
- The Government recognises that the prisoner population has increased significantly over the last 10 years and some areas within the Risdon Prison Complex (RPC) are at, or are nearing, capacity.
- The Risdon Construction program includes co-funding the purchase of property to accommodate North-West based female prisoners transitioning from custody back into the community, an expansion of drug and alcohol rehabilitation programs, investment in a pilot program for new in-cell technology and funding for the new Risdon kitchen and other office and program spaces to allow for the delivery of more intervention and rehabilitation programs to prisoners at the Risdon Prison site.

KEY FIGURES

- \$15.9 million was provided in the 2024-25 State Budget over 3 years for the Risdon Construction Program for capital investment.
- The Tasmania Prison Service also received additional operational funding of \$4.1 million over four years for a Correctional Improvement Program.
- Expenditure on the Risdon Construction Program to 30 June 2025 is \$242,327. This expenditure includes Department project management costs and early due diligence investigations.

BACKGROUND

- After careful consideration, in August 2024 the Government made the decision to no longer proceed with the investment of \$270 million for the development of the Northern Correctional Facility (NCF).
- Instead, The Government decided to invest in infrastructure and supporting services at the existing Risdon Prison site, with an increased focus on rehabilitation and diversion of offenders from custodial sentences. This will be achieved through the provision of greater rehabilitation, education and training opportunities for prisoners.
- The investment in existing facilities and services at the Risdon Prison site will be used to:
 - progress a residential alcohol and drug treatment facility. This facility will host expanded drug and alcohol rehabilitation programs and delivery spaces for more intervention and rehabilitation programs
(subject of a separate BEB – please refer to Risdon Prison Complex – Correa Unit - including the new drug and alcohol treatment unit.)
 - employ more staff to provide additional opportunities for training, education and activities at the existing Risdon Prison site (including specific training and activities for Aboriginal prisoners) offering increased rehabilitation and reintegration opportunities.
 - develop new office space for the Intervention and Reintegration Services unit that will enable better integration of services.
 - purchase property to accommodate North-West based female prisoners transitioning from custody back into the community.
 - develop new in-cell technology that will enable the delivery of treatment programs and educational opportunities to prisoners in their cells
(subject of a separate BEB – please refer to In Cell Digital Technology).

BUDGET ESTIMATES BRIEF

Subject:	Portable Long Service Leave (inc Calls for Amendment)
Election Commitment:	N/A
Key Department Spokesperson:	Brad Parker, Executive Director, WorkSafe Tasmania

KEY MESSAGES

- The Long Service Leave (State Employees) Regulations 2024 took effect on 19 December 2024 and introduced minor amendments to the existing regulations under the *Long Service Leave (State Employees) Act 1994*.
- Equitable and fair access to long service leave entitlements is becoming a prominent issue in Australia, with some states and territories already taking steps to address it. The significant rise in casual employment in the modern economy means that current workers are unable to access the same entitlements as previous generations.
- While all Australian jurisdictions have a Portable Long Service scheme for the building and construction industry, 6 out of 8 states and territories, excluding Tasmania, have expanded their Portable Long Service schemes to include industries such as community and cleaning services.
- Despite the introduction of these schemes, there is evidence that the schemes pose a significant financial burden on employers and have not effectively increased staff retention in these sectors. Industry specific schemes can lead to inequalities, as workers in some industries can access portable long service leave while those in others cannot.
- Our Government does not plan to amend the *Construction Industry (Long Service) Act 1997* to expand the scheme to cover other sectors.

If Asked: The expansion of portable long service leave

- Several states and territories have expanded portable long service legislation (or are in the process of expanding it) to include the community services sector.
- Our Government does not have plans expand the scheme to cover other sectors at this stage due to the limitations of industry-specific schemes.

If Asked: Current legal proceedings (TasBuild)

- I am aware of legal proceedings pending in Tasmania between a member of the Australian Resources & Energy Employer Association (AREEA) and TasBuild regarding a dispute over the interpretation by TasBuild of the definition of construction work under the *Construction Industry (Long Service) Act*.

If Asked: Portable long service schemes on Commonwealth places

- I am aware that there is some doubt regarding the applicability of the various states' portable long service leave schemes to work carried out on Commonwealth places.
- This is a matter of Commonwealth law, largely relating to the *Commonwealth Places (Mirror Taxes) Act 1998*.
- My Department is working closely with other jurisdictions to ensure that the Tasmanian Government is liaising with all other jurisdictions and TasBuild to ensure the operation of the scheme covers construction workers across all workplaces on Tasmanian and Commonwealth land.
- At the Workplace Relations Meeting of Ministers on 31 October 2025, Ministers agreed:
 - to urgently establish an interjurisdictional working group, chaired by the Commonwealth, to develop a proposal to amend the Mirror Taxes framework to support the application of state portable long service leave schemes to work performed on Commonwealth places

- individual states would urgently consider any appropriate interim arrangements in their jurisdictions pending any amendments to the Mirror Taxes framework.

BACKGROUND

- The Attorney-General and Minister for Justice is responsible for the *Long Service Leave (LSL) (State Employees) Act 1994* and the *LSL Act 1976*.
- The *LSL (State Employees) Act 1994* provides LSL entitlements for employees within the Tasmanian State Service, while the *LSL Act 1976* provides LSL entitlements for private sector employees in Tasmania.
- The Minister for Small Business, Trade and Consumer Affairs is responsible for the *Construction Industry (Long Service) Act 1997*.

- Exempt under s 27

Update on the Long Service Leave (State Employees) Regulations 2014

- The LSL (State Employees) Regulations 2014 were automatically repealed on 19 December 2024. On 18 June 2023, the former Minister approved the remake of the Regulations and the commencement of a consultation process for the re-make. Targeted consultation was undertaken, with minimal feedback received.
- The LSL (State Employees) Regulations 2024 took effect on 19 December 2024 and introduced minor amendments to the existing regulations under the *LSL (State Employees) Act 1994*. These changes included updates to the prescribed offices and holidays, as well as clarifications on the process for instituting appeals related to LSL.

Update on Portable Long Service leave

- A common argument for decisions to expand portable long service (PLS) schemes in various states and territories is that their introduction addresses worker shortages in industries where workers move between employers regularly. The introduction of the scheme is seen to assist with retaining workers in those specific industries by providing a long service entitlement if a worker stays in the industry, even if they change employers or work for more than one employer at the same time.
- In 2017, a discussion paper compiled by the Health and Community Services Union (HACSU) and United Voice Tasmania outlined a joint campaign for PLS leave in Tasmania.

- The unions have continued to advocate for a PLS scheme, particularly for workers in the disability and community services, aged care, contract cleaning, and security sectors. In the lead-up to the 2024 State Election, the campaign received pledges of support from several political parties and independents, including the Labor Party, the Greens, the Jacqui Lambie Party, and independents David O'Byrne and Kristie Johnston.
- In 2021, the Tasmanian Government addressed a predicted shortfall of workers in the community services sector in Tasmania through the development of and commitment to the Community Services Industry Plan 2021-2031 (Industry Plan). In 2021, the Tasmanian Government committed \$3.3 million over 3 years to address the skills shortage and support workforce development within the community services sector.
- The National Disability Services (NDS) is Australia's peak body for disability service organisations and represents more than 1,000 service providers. In 2023, NDS provided a submission to the Review of the Victorian PLS Benefits Scheme.
- The submission reported that the Scheme is posing a significant financial burden that is putting employers at a disadvantage while doing little to increase staff retention. Despite the introduction of PLS schemes in many states and territories, the NDS reported an increase in disability support workers leaving the industry. Moreover, the disability support sector was struggling to find enough workers to meet demand.
- The NDS stated they could not find any robust evidence that these schemes supported worker attraction and retention. They pointed out that the increased administration these schemes bring to providers may, in fact, erode secure employment and person-centred support relationships.

Exempt under s 27

- Exempt under s 27

- Exempt under s 27

Exempt under s 27

- Exempt under s 27

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BUDGET ESTIMATES BRIEF

Subject:	Tasmanian Work Health and Safety Performance
Election Commitment:	N/A
Key Department Spokesperson:	Brad Parker, Acting Executive Director, WorkSafe Tasmania

KEY MESSAGES

- Safety is everyone's responsibility, and the Government continues to build on the work already done to make Tasmanian workplaces the safest in the country because every worker should return home safe and well every day.
- There have been 5,253 workplace injuries reported in 2025 to the end of August, compared to 5,459 for the same period in 2024.
- There were 8,080 workplace injuries reported for 2024 compared to 8,312 injuries reported for 2023.
- On average, there are 22 Tasmanians injured at work each day. Although this is a significant reduction from the 28 people injured each day 20 years ago, it is still too high.
- The WorkSafe Tasmania Strategic Plan 2024-2028 outlines WorkSafe Tasmania's strategic focus and priority areas for engagement. These include:
 - agriculture
 - construction
 - health care and social assistance
 - road transport
 - public administration and safety
 - major hazards and mines.

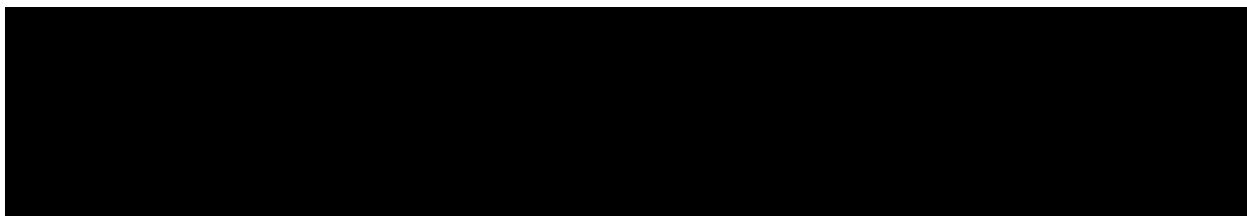
- WorkSafe Tasmania works closely with peak industry bodies to identify opportunities to engage with stakeholders to influence and add value to health, safety and wellbeing outcomes in Tasmanian workplaces.
- WorkSafe Tasmania's inspectorate continues to work with industry to improve compliance with work, health and safety laws and reduce the harm caused by workplace incidents (refer to BEB WorkSafe Budget and Performance).

KEY FIGURES

- The industries with the highest number of injuries to date in 2025 are:
 - Health Care and Social Assistance (914)
 - Public Administration and Safety (864)
 - Manufacturing (577)
 - Construction (536)
 - Education and Training (455).
- Between 2015 and 2024 the number of injuries increased by 6%, from 7,624 reported injuries in 2015 to 8,080 in 2024. During this 10-year period, Tasmania experienced a significant growth in the workforce.
- The current serious injury (one week or more off work) frequency rate for 2024 was 12.2 injuries per million hours worked. The serious injury frequency rate has increased 29% between 2015 and 2024.
- The increase in the serious injury frequency rate has been largely due to a higher proportion of mental health injuries being reported. Mental health injuries generally require more time-off work compared to physical injuries.
- The health care and social assistance industry has reported the largest growth in serious injury numbers over this 10 year period. The construction industry and public administration and safety sector have also reported significant growth in the number of serious injuries in the last 10 years.

BACKGROUND

- The 26th Edition of the Comparative Performance Monitoring Report 26th Edition – WHS Performance (CPM Report) was released by Safe Work Australia in January 2025, which uses data from the 2022-23 financial year. The CPM report provides a basis for evaluating the performance of the Tasmanian WHS and compensation system, compared to other jurisdictions. The key statistics are the incidence rate and frequency rate for serious injuries.
- The CPM report shows that the frequency rate of serious injuries (one week or more off work) nationally increased steadily from 5.5 claims per million hours worked in 2017–18 to 6.6 in 2022-23.
- Tasmania recorded the highest serious injury frequency rate of all jurisdictions at 9.6 claims per one million hours worked in 2022-23. This result has been consistent for the previous 3 years.
- Tasmania performed slightly better than the national average in terms of long-term/severe injuries (12 weeks or more off work) recording a frequency rate of 2.4 claims per million hours worked in 2022-23, an improvement compared with the previous 3 years.
- Initiatives/activities of Inspectorate:
 - conducting inspections
 - investigating incidents
 - proactive campaigning
 - responding to complaints.
- This work is also supported by the WorkSafe WHS Advisory Service, which provides education and information to businesses.



BUDGET ESTIMATES BRIEF

Subject:	Residential Tenancy Act Reforms (inc pets, furniture, etc)
Election Commitment:	2024 Election Commitments made in the '2030 Strong Plan for Tasmania's Future – First 100 Days 1. Remove barriers for farmers that restrict the ability of primary producers to provide housing options for workers under the <i>Residential Tenancy Act 1997</i>, allowing them to offer on-farm residence as part of an employment contract. 2. Begin immediate consultation on amendments to the Residential Tenancy Act to allow renters to have a pet, as a right, in order to introduce enabling legislation in the first 100 days.
Key Department Spokesperson:	Robyn Pearce, Executive Director, CBOS

KEY MESSAGES

Better Deal for Renters

- In August 2023, National Cabinet agreed to 9 measures to harmonise rental laws and strengthening renters' rights across Australia.
- Tasmania already fully or partially delivers on 7 measures.
- Two measures require further work:
 - Limits to break lease fees (measure 6) - current laws hold tenants responsible for rents until a lease ends or a new tenant is found.
 - Making rental applications easier and fairer (measure 7) - no prescribed rental application form currently exists, there are no prescribed time periods for retention of a renter's personal information.
- The Government will consider in due course what amendments are required to implement these 2 measures in Tasmania and will consider what, if any, further work may need to be done on the other 7 measures.

Review of the *Residential Tenancy Act 1997*

- In our Government's *Tasmanian Housing Strategy – Action Plan 2023-2027*, we committed to completing a review of our residential tenancy legislation by 30 June 2027.
- That Review will look at how renters' rights can be strengthened and how we can further make effective use of social housing in Tasmania.
- The Department has already commenced internal work to meet our commitment to review the legislation, and stakeholders across the community will be comprehensively consulted before any changes to the Act are considered.

On-farm accommodation

- Many agricultural businesses in Tasmania provide on-farm accommodation to employees.
- If the accommodation provided is covered by the *Residential Tenancy Act 1997*, there can be uncertainty and confusion for all parties if an employment contract ends, while a residential tenancy contract remains in place.
- In recognition that a major barrier for farmers is having the workforce they need in appropriate on-site housing, the Government committed to providing farmers with greater flexibility under the Residential Tenancy Act to offer on-farm residence as part of an employment contract.
- To enact this commitment, the Residential Tenancy Amendment Regulations 2024 were drafted. New Regulation 8A provides that some agreements and premises are excluded from certain provisions of the Residential Tenancy Act. This includes provisions related to the expiry and termination of residential tenancy agreements.
- The new Regulations were gazetted on 17 July 2024 and took effect on 20 September 2024. These amendments, however, did not include minimum notice periods for the termination of primary production residential tenancy agreements.
- Further amendment was made to require a primary production residential tenancy agreement to include a provision that parties to the agreement give 21 days' notice of an intention to terminate the agreement.

- The Department consulted about this change, which was ‘strongly supported’ by the Tenants’ Union of Tasmania, Shelter Tas, Unions Tasmania and a number of other key stakeholders.
- The amendment took effect from 1 October 2025.

Pets in rental properties

- Following the 2024 State Election, and as part of our ‘First 100 Day Plan’, we committed to begin immediate consultation on amendments to the *Residential Tenancy Act* to allow renters to have a pet, as a right.
- The commitment recognised that for many Tasmanians, pets are part of the family. Currently, in many cases, tenants are faced with choosing between having a roof over their heads or keeping their pets.
- On 20 June 2024, the Government tabled a residential tenancy amendment bill to give effect to our commitment to give effect to the commitment regarding pets in rental properties.
- The bill passed the House of Assembly on 1 April 2025 with some amendments but remained in the Legislative Council when the recent election took place, meaning it and other outstanding bills lapsed.
- The 2024 election commitment was reinforced at the recent election. As a result, we reintroduced the pets in rentals Bill into the House on 19 August 2025 which progressed to the Legislative Council. We look forward to this reform completing its passage through the Parliament as soon as practicable.

Toppling furniture

- When we introduced our ‘pets in rentals’ Bill last year, the proposed legislation also included provisions to allow tenants to make ‘safety modifications’ to residential premises so that furniture (or other potential hazards) could be affixed to prevent them from toppling over and potentially causing injury or death.
- The Bill passed the House of Assembly on 1 April 2025 with some amendments but remained in the Legislative Council when the recent election took place, meaning it and other outstanding bills lapsed. Our recently reintroduced pets bill does not contain the rentals’ minor modifications provisions, but that does not mean our Government does

not think these changes are important or that they are not required. Quite the contrary in fact.

- We decided to separate the two issues into separate bills because each is important in its own right. We think this is the best approach to ensure the smooth passage of both issues through the Parliament, providing the greatest opportunity for Members to examine the bills.
- We recognise the safety of children should be paramount and tabled the Residential Tenancy (Safety Modifications) Amendment Bill 2025 on 25 September 2025 in the House.
- The Bill, if passed, will permit tenants to make minor changes to protect the safety of their children, while at the same time providing safeguards to property owners.

BACKGROUND

On-farm accommodation

- The Tasmanian Farmers and Graziers Association (now known as TasFarmers), Fruit Growers Tasmania, and Primary Employers Tasmania wrote to the then Minister for Primary Industries and Water in early 2023. They jointly argued the *Residential Tenancy Act 1997* should be amended to exclude employees who pay for on-farm accommodation from the right to occupy the accommodation, upon termination of their employment, as the accommodation should be seen as part of the conditions of employment.
- On 17 July 2024, a letter was sent about the on-farm accommodation amendment regulations to the Parliamentary Standing Committee (the Committee) on Subordinate Legislation signed by several community groups.
- The letter raises concerns about the potential for farm workers whose accommodation is conditional on their ongoing employment, to be evicted at the same time their employment is terminated. The letter goes on to urge the Committee to consider rescinding or amending the regulations so that farm workers are provided with greater protection against eviction.
- The Hon Cassy O'Connor MLC has tabled a motion to disallow the amendment regulations. This motion is yet to be brought on, but this may occur at any stage during a future sitting of the Legislative Council.
- Public and targeted stakeholder consultation occurred relating to notice periods for on-farm accommodation. The amendments require 21-day notice periods to be inserted into relevant tenancy agreements.

Stakeholder views on pets in rentals Bill

- There was significant interest from stakeholders such as the RSPCA and social housing groups to allow tenants to keep pets without requiring permission from landlords.
- The Real Estate Institute of Tasmania and many property owners opposed attempts to create a presumptive right to keep pets. They have otherwise called for increased protections for property owners (e.g. pet bonds).
- The Tenants' Union of Tasmania, RSPCA and tenants generally supported the Bill.

Review of the *Residential Tenancy Act 1997*

- The Tasmanian Government, at page 29 of its Tasmanian Housing Strategy – Action Plan 2023-2027, provided a commitment at 3.2.1 to 'strengthen renters' rights and ensure use of social housing properties through a review of the *Residential Tenancy Act 1997*. The review is to be completed by 30 June 2027.

- The review will traverse Tasmania's obligations provided in the National Cabinet's Agreement on National Renters Rights and 'A Better Deal for Renters' reforms.
- The Department convened an internal review working group that has already met on a few occasions.

- Exempt under s 27

[REDACTED]

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BUDGET ESTIMATES BRIEF

Subject:	Tasmanian Building Regulator
Election Commitment:	Transform CBOS into the new Office of the Tasmanian Building Regulator, with stronger powers to crack down on dodgy builders and phoenixing
Key Department Spokesperson:	Ross Smith, Deputy Secretary, Regulation and Service Delivery

KEY MESSAGES

- Tasmania's building and construction industry is thriving and looks set to continue to play a vital role in our state's economy.
- While the Tasmanian Government welcomes the strength of the building and construction sector, we are also mindful that there are challenges.
- Tasmania needs a strong and focused building regulator that is properly equipped to ensure compliance with our building laws and educate industry stakeholders and co-regulators on their responsibilities.
- During the 2025 election, we committed to transform CBOS into the new Office of the Tasmanian Building Regulator, with stronger powers to crack down on dodgy builders and phoenixing.
- Consultation has already commenced with industry on changes to the *Occupational Licensing Act 2005* to remove onerous requirements for the Administrator of Occupational Licensing to appoint a disciplinary panel to make recommendations to the Administrator on disciplinary action against licence holders who are breaking the law.
- Consultation is also underway for changes to the *Building Act 2016* and Occupational Licensing Act to stop businesses who become insolvent to avoid paying debts being able to start up a new building business.
- To provide the construction industry with certainty the Tasmanian Government will legislate to freeze the National Construction Code to block federal red tape.

- The new Office of the Tasmanian Building Regulator will be in place next financial year.

