

Mathew Healey
Department of Premier and Cabinet
Level 7, 15 Murray Street
Hobart, Tasmania 7000

09 April 2024

Dear Mathew,

Re: Feedback on the Draft Bill Establishing the Reform Implementation Monitor

I am writing on behalf of Laurel House to provide feedback on the draft bill establishing the Reform Implementation Monitor. I thank you and your team for taking time to talk with me about the draft bill and appreciate your obvious commitment to honouring the recommendations of the Commission of Inquiry and the intent of the Commissioners.

As an organisation committed to supporting victims-survivors of sexual violence including child sexual abuse, we believe it is crucial to ensure that the implementation of recommendations from the Commission of Inquiry is robust and effective in addressing these issues. Unfortunately, Tasmania has a lamentable history in relation to implementing the findings of inquiries related to child safety. It is, therefore, a matter of public interest and critical to increasing public confidence that the Implementation Monitor can provide frank and fearless feedback to the government and the parliament, and to provide accurate and trustworthy information to victim-survivors, their families and supporters and the community about the implementation of the Commission of Inquiry recommendations and related.

We commend the government for acting to establish an Independent Reform Implementation Monitor. However, we are concerned that certain elements of the draft bill may compromise the Monitor's ability to function effectively. Specifically, we recommend clarifying the independence of the Monitor from government and ministerial influence and ensuring the Monitor's office has the capacity to engage independent staff. While we understand that there is some administrative benefits of allowing staff to be state servants, there is a critical need to restore public confidence in the government and the parliament in relation preventing and responding to child sexual abuse within institutions and beyond.

As discussed during our meeting, we believe that it is essential that there is involvement of at least one victim-survivor in the appointment process of the Independent Monitor, similar to the process undertake to appoint the Independent Regulator.



We believe that the objectives of the Reform Implementation Monitor should be defined more broadly to encompass a wider range of issues related to child sexual abuse, including monitoring the implementation of all recommendations from the National Royal Commission, not just those accepted by the Government in 2018.

We have concerns about the exceptions provided in Clause 14 regarding the Monitor's information gathering powers. We believe these exceptions are unjustified and recommend their removal to ensure the Monitor has access to all relevant information necessary for effective oversight.

In relation to entry and inspection, while we understand from you that provisions for entry have not been used (or have only been used sparingly) by the Family Violence Commission Implementation Monitor in Victoria, we are keen to see the bill allow for unannounced or unscheduled visits by the Reform Implementation Monitor to ensure accurate observation of agencies' day-to-day functioning. Further it may be advantageous to consider how information sharing will occur between the Independent Monitor and the Independent Regulator where there may be cross over between their work including but not limited to the implementation of the child and youth safe standards and/or compliance with the reportable conduct scheme within the state service.

We reiterate the need for the Independent Regulator to engage with an expanded range of people, groups and organisations beyond those explicitly recommended by the Commission of Inquiry report. We believe that it is essential that the Independent Monitor can use their judgement to determine who is able to provide information regarding the effective implementation of the Child Sexual Abuse Reform Strategy, the Commission of Inquiry Recommendations and other related recommendations.

In relation to the development of a monitoring and evaluation framework, we have some reservations about the deadline mentioned in Clause 12.3 requires the delivery of the monitoring and evaluation framework within 12 months. We are concerned that recruitment for the Independent Monitor may take some time, as it did for the Independent Regulator, and as such that the time left to develop, and importantly codesign with victim-survivors and specialist services in the way that is needed, the Monitoring and Evaluation Framework.

In conclusion, Laurel House supports the implementation of recommendations from the Commission of Inquiry and the establishment of an Independent Reform Implementation Monitor. However, we believe that certain aspects of the draft bill require further consideration to ensure the Monitor's effectiveness in promoting accountability and addressing issues of child sexual abuse.

Thank you for considering our feedback. We look forward to continuing to engage in the legislative process to ensure the best possible outcomes for victims and survivors of child sexual abuse.

If you require further information, please contact me on ceo@laurelhouse.org.au or.

Sincerely,

Kathryn Fordyce
Chief Executive Officer

