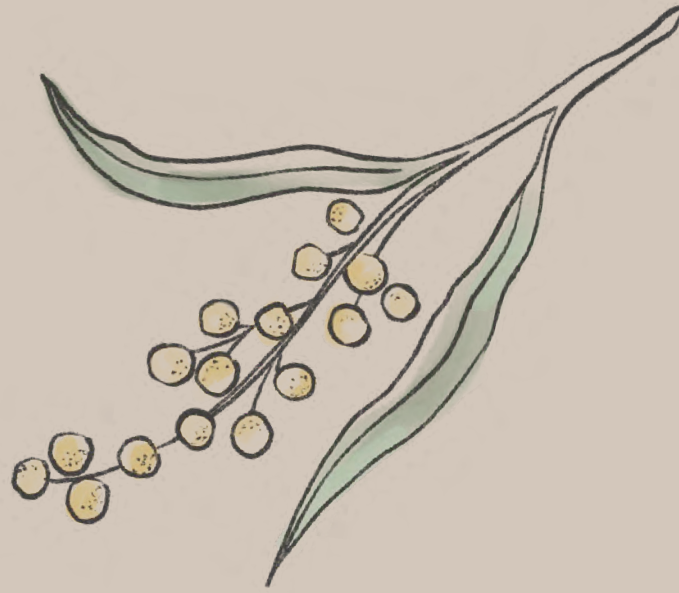




**Tasmanian Government response to the
Independent Review into the actions
taken in response to the information
and concerns raised by the Commission
of Inquiry into the Tasmanian
Government's Responses to Child
Sexual Abuse in Institutional Settings**

Support

Content in this response may raise issues of concern for some readers. Child sexual abuse is a challenging issue. We encourage readers to exercise self-care in engaging with this content and seek support and care if required. If you need support, a range of free and confidential support services are available by phone and/or face-to-face. If you need to talk to someone, you can contact:

State-wide Sexual Assault Support Line

24/7 support from local specialist counsellors provided by the Sexual Assault Support Service and Laurel House: 1800 697 877 (1800 MY SUPPORT)

Lifeline

Lifeline - 24/7 crisis support: 13 11 14

A Tasmanian Lifeline - 8am-8pm, 365 days a year: 1800 98 44 34 for support and referral

13 YARN - 24/7: 13 92 76 - crisis support for Aboriginal and Torres Strait Islander people

Relationships Australia Tasmania

Specialist complex trauma counselling, trauma-informed counselling, wellbeing information and referral

9am-5pm, Monday to Friday: 1300 364 277

Kids Helpline

24/7 support for children and young people provided by specialist counsellors: 1800 55 1800

A comprehensive list of additional supports is available in Appendix 1.

Reporting child sexual abuse

If you believe or suspect a child is at risk, you must report it.

For an emergency where there is immediate risk of harm, or a crime is happening now, contact police on 000.

For advice or to refer an abuse matter, contact the Advice and Referral Line on 1800 000 123.

Where a crime may have been committed, contact police on 131 144 or Crime Stoppers on 1800 333 000.

Visit the Tell Someone website tellsomeone.tas.gov.au for more information about recognising the signs of child sexual abuse.

Acknowledgement of Aboriginal People and Country

In recognition of the deep history and culture of Tasmania, the Tasmanian Government acknowledges and pays respect to all Tasmanian Aboriginal people, the past and present custodians of this island. The Department acknowledges and pays respect to Tasmanian Aboriginal Elders, past and present.

Acknowledgement of Victim-Survivors of Child Sexual Abuse

The Tasmanian Government acknowledges the profound trauma that affects victim-survivors of child sexual abuse and their families, caregivers, advocates and supporters. This trauma can be lifelong. The Tasmanian Government honours and respectfully remembers the victims of child sexual abuse who are sadly no longer with us.

Introduction

There is no more important role for Government than ensuring the safety and wellbeing of Tasmania's children and young people. The report of the *Commission of Inquiry into the Tasmanian Government's responses to Child Sexual Abuse in Institutional Settings* found significant failures of past Governments to act in the interests of children, and to keep them safe. These failures cannot be repeated.

In response to the Commission of Inquiry report accepted in August 2023, the Tasmanian Government committed to the most expansive reform program in Tasmania's history, accepting all 191 recommendations. Since that time, we have continued to demonstrate we are taking all necessary action to ensure failures of the past are not repeated.

This included appointing eminent former Australian Public Service Commissioner Peter Woolcott AO to undertake a thorough analysis of all actions by Tasmanian Government agencies in response to information and concerns about State Service Employees and officers raised by the Commission of Inquiry. The Tasmanian Government is pleased to accept Mr Woolcott's report and provide our response to his recommendations.

Mr Woolcott's report outlines an extensive, rigorous and forensic process of information collection and analysis, and extensive stakeholder engagement. Mr Woolcott has **found that all matters of concern related to named officers and employees raised by the Commission of Inquiry have been dealt with appropriately by the Tasmanian Government**. This finding provides confidence to the Tasmanian community when it comes to identifying and taking action against State Service Employees who are alleged to have breached the code of conduct related to child sexual abuse.

The Tasmanian Government also welcomes Mr Woolcott's observations in relation to the significant improvements that have been made to the handling of complaints regarding State Service Employees and Officers since the Commission of Inquiry report was accepted.

These improvements include:

- Monthly routine disclosures on actions of heads of agency in relation to the conduct of State Service Employees and Officers related to child sexual abuse matters.
- The delivery of an updated Employment Direction No 5 which sets out strengthened processes to investigate and determine whether a State Service employee has breached the State Service Code of conduct.
- Establishment of the Shared Capability and Centralised Investigations (SCCI) unit in the Department of Premier and Cabinet to improve the quality of code of conduct investigations related to child sexual abuse across government including timeliness, thoroughness and trauma informed practices. The SCCI has initially focused on matters related to the Ashley Youth Detention Facility.

- Establishment of the role and functions of the Independent Child Safety Reform Implementation Monitor to oversee implementation of the Commission of Inquiry and related recommendations.
- Tabling of a bill to strengthen and expand the functions of the Commission for Children and Young People.
- Ongoing improvements to the Working with Vulnerable People Scheme through various amendment bills.

The Tasmanian Government also notes the findings of Mr Woolcott in relation to the strength of the *Child and Youth Safe Organisations Act 2023*, and the Office of the Independent Regulator which the Tasmanian Government established prior to the finalisation of the Commission of Inquiry. It is pleasing to note that this legislation is operating as intended and improving the safety of children through additional oversight of complaints.

The Tasmanian Government is unflagging in our commitment to change and to ensuring the safety of Tasmanian children and young people in our institutions. Mr Woolcott AO's report outlines in detail areas requiring further improvement. This response outlines our position in relation to each recommendation of the review, and clear next steps for implementation and monitoring of progress.

Review Background

In November 2023 the Tasmanian Government appointed the former Australian Public Service Commissioner Peter Woolcott AO to undertake a review of the actions of Government agencies, their impacts, resources and response to information and concerns raised by the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* about Tasmanian State Service employees and officers. The Terms of Reference for the review were as follows:

Review Terms of Reference

The Terms of Reference for this Review include:

1. The examination and analysis of the policy and legislative framework relevant to matters of misconduct in the Tasmanian State Service. This will include providing a clear overview of the reporting requirements of government agencies and other relevant authorities as it relates to information and concerns raised by the COI.
2. The chronology and response to the concerns and information raised by the COI about Tasmanian State Service employees and officers including but not limited to:
 - i. The efficacy of decisions and actions, with respect to the assessment of seriousness of harm and non-compliance with policy, employment frameworks or legislation as they relate to the information and concerns raised by the COI regarding Tasmanian State Service employees and officers;
 - ii. The timeliness in which concerns, and information were considered and acted upon by government agencies or other relevant state authorities;
 - iii. The timeliness and accuracy of any referrals made by relevant state authorities to relevant regulatory, integrity or law enforcement bodies during the Commission of Inquiry Hearings and upon the publication of the Final Report.;
3. Recommending actions where the Independent Reviewer identifies non-compliance with policy, employment frameworks or legislation, as part of its review and in respect to items 2 i, 2ii, and 2iii above.
4. Making any recommendations, in addition to and not contrary to those made by the COI about policy, legislative and operational changes to improve the system for responding to information or concerns about the conduct of Tasmanian State Service employees and officers of the type raised by the COI.
5. Advice on any other matter relating to the actions of government agencies or other relevant authorities about concerns and information raised by the COI about Tasmanian State Service employees and officers that the Independent Auditor determines relevant.

Implementation of Review Recommendations

The Tasmanian Government welcomes Mr Woolcott's findings of progress, including that all complaints raised by the Commission of Inquiry in relation to State Servants conduct have been appropriately dealt with, whilst acknowledging there is more reform work to be done.

For those recommendations that the Tasmanian Government **supports** and that relate directly to the work of the Commission of Inquiry, and the safety and wellbeing of children, these will be:

- Incorporated into the forthcoming Change for Children Action Plan which outlines the Government's approach to the delivery of the Keeping Children Safe Reform Program (comprised of all Commission of Inquiry recommendations and related review recommendations). This Action Plan is due for release in early 2026 and will set out responsible agencies and timeframes in further detail.
- Included in regular reporting of progress on the Keeping Children Safe website, aligned with reporting for all Commission of Inquiry recommendations.
- Referred by the Attorney General to the Child Safety Reform Implementation Monitor for monitoring as part of the Keeping Children Safe Reform Program.

Mr Woolcott's findings and recommendations in relation to the overall management of the State Service, and in particular the State Service Management Office in the Department of Premier and Cabinet are **noted**.

The Department of Premier and Cabinet will progress further work to define a contemporary and fit for purpose structure and functions for the State Service Management Office as part of the Government's strategic approach to ensuring the Tasmanian State Service is the right size and right shape for the future. These recommendations, together with the recommendations of the Review of the State Service undertaken by Dr Ian Watt AC will inform our ongoing plan for the State Service.

Government Response

The following table provides the Tasmanian Government's response to each recommendation, including some contextual detail and lead agency for implementation where appropriate. *Note that not all chapters of the review contain recommendations. All review recommendations are responded to below.*

PART A			
Chapter 1: Introduction and Summary			
Recommendation No	Recommendation	Response	Lead Agency
Strategic Recommendation 1	That the Tasmanian Government assign the recommendations arising from this report to the Implementation Monitor for oversight.	Supported in part Only recommendations that are supported by the Tasmanian Government and relate to child safety and wellbeing are legally able to be referred to the Implementation Monitor (Section 13 of the <i>Child Safety Reform Implementation Monitor Act 2024</i>).	DOJ
Chapter 4: Employment Framework and Employment Directions			
Recommendation No	Recommendation	Response	Lead Agency
Strategic Recommendation 4.1 (Part One)	The Review recommends amendments to the State Service Act 2000 which contain clear provisions outlining the purpose of state service employment as serving 'the Government, Parliament, and the Tasmanian community.'	Supported Amendments to the <i>State Service Act 2000</i> will be considered to give effect to this recommendation.	DPAC
Strategic Recommendation 4.1 (Part Two)	The Review recommends amendments to the State Service Act 2000 to ensure that employees must adhere to all elements of the Code of Conduct at all times.	Supported Partially aligns with COI recommendations 20.1, 20.2. and 20.3 Amendments to the <i>State Service Act 2000</i> will be	DPAC

		considered to give effect to this recommendation.	
Strategic Recommendation 4.1 (Part Three)	The Review recommends amendments to the State Service Act 2000 to ensure that 'misconduct' as defined under the Integrity Commission Act 2009 also constitutes a breach of the code of conduct under the State Service Act.	Supported Amendments to the <i>State Service Act 2000</i> will be considered to give effect to this recommendation.	DPAC
Strategic Recommendation 4.1 (Part Four)	The Review recommends amendments to the State Service Act 2000 to ensure that any reportable conduct of an employee at any time is considered to be a breach of the Code of Conduct.	Supported Aligns with COI recommendation 20.3. Employment Direction No 5 has already been updated to reflect COI recommendations. The revised Employment Direction No 5 was published in 2024. Amendments to the State Service Act 2000 are currently being prepared for consideration in 2026.	DPAC
Strategic Recommendation 4.1 (Part Five)	The Review recommends amendments to the State Service Act 2000 to ensure that a breach of the departmental professional conduct policy at any time constitutes a breach of the State Service Code of Conduct.	Supported Aligns with COI recommendation 20.2. Amendments to the State Service Act 2000 are currently being prepared for consideration in 2026.	DPAC
Strategic Recommendation 4.2	The Review recommends that the Head of the State Service review the attachment employment directions and undertake further consultation with relevant stakeholders to finalise revised drafts for approval by the Premier.	Supported	DPAC
Operational Recommendation 4.1	The Review recommends that the performance agreements of all executives and their direct reports within the State Service include a commitment to stewardship of the State Service.	Supported	DPAC
Operational Recommendation 4.2	The Review recommends that the Head of the State Service develop detailed guidance and templates for the conduct of workplace investigations.	Supported Aligns with COI recommendation 20.8.	DPAC

Operational Recommendation 4.3	The State Service Management Office should prepare and publish detailed guidance to managers and decision makers about employment matters including the conduct of investigations, review of suspension and termination decisions and appeals by the TIC as a means of developing the ongoing capability of managers and leaders.	Supported Aligns with COI recommendation 20.13.	DPAC
Operational Recommendation 4.4	The State Service Management Office should develop guidance on the use of template letters ensuring that potential sanctions identified in the latter align to seriousness of the alleged conduct.	Supported	DPAC
Chapter 5: Culture			
Recommendation No	Recommendation	Response	Lead Agency
Strategic Recommendation 5.1	The Review recommends and supports the Government's proposed implementation of Recommendation 5 of the Weiss Review to amend the Integrity Commission Act 2009 to ensure all notifications made to the Integrity Commission in respect of Tasmania Police officials who are alleged to have groomed and/or sexually abused persons [serious misconduct] can be investigated independently by the Integrity Commission through enhanced powers and remit as outlined in the report.	Supported Aligns with Weiss Review Recommendation 5. Amendments to the <i>Integrity Commission Act 2009</i> are currently being prepared to give effect to this recommendation.	DOJ
Strategic Recommendation 5.2	The Review recommends the Department of Justice should prioritise the development of legislation that would enable the sharing of information regarding child sexual abuse matters across law enforcement, regulatory and other agencies and authorities as a priority with a view to ensuring the effective implementation of the HRIS system.	Supported The Department of Justice will identify any legislative barriers and progress amendments as required.	DOJ

Strategic Recommendation 5.3	The Review recommends that the Attorney General direct the Solicitor General to provide transparent advice on the interpretation of legislation regarding sharing of information related to child sexual abuse matters across agencies and authorities.	Supported Partially aligns with COI recommendation 19.8.	DOJ
Strategic Recommendation 5.4 (part one)	The Review recommends that the Tasmanian State Government: Working through the Secretary, Department of Premier and Cabinet, revamp and rebadge the State Service Management Office clearly defining its role as a system steward with accountabilities for the capability, culture, integrity and performance amongst other accountabilities. As system steward the role of the State Service Stewardship Office should be to act at all times as the custodian of the values which should inform the conduct and operations of the whole State Service.	Supported in principle In context of keeping children safe, the intent of strengthening the stewardship of the Tasmanian State Service is supported in principle. Further consideration will be given to the best actions to achieve this intent, including through amendments to the State Service Act outlined in other recommendations in this response.	DPAC
Operational Recommendation 5.4 (part two)	Establish a new role of Commissioner of the State Service appointed by the Premier and working to the Head of the State Service and that the changes enable the Commissioner to be a full member of Secretaries Board.	Noted In the context of keeping children safe, consideration will be given to the best actions to strengthen the role of the State Service Management Office in ensuring effective stewardship, including through amendments to the State Service Act outlined in other recommendations in this response.	DPAC
Strategic Recommendation 5.4 (part three)	Review the arrangements at the end of three years with a view to a possible decision on moving towards a public sector commission model.	Noted Further consideration will be given to the best actions to strengthen the role of the State Service Management Office in ensuring effective stewardship.	DPAC

Operational Recommendation 5.1	The Review recommends that all agencies and authorities include data on employee conduct including Code of Conduct matters and the reportable conduct scheme in their annual reports.	Supported Code of conduct matters are currently reported in the Tasmanian State Service Annual report together with other employee disciplinary matters. Currently these are reported at service level, not by Agency. From 2025-26 the Tasmanian State Service Annual Report will provide this information by agency, ensuring that information disclosed is not individually identifiable.	DPAC
Operational Recommendation 5.2 (part one)	The Review recommends that the SSMO work in partnership with the Integrity Commission to roll out mandatory training on ethical decision making and integrity for all State Service employees in a management position. The Head of each Agency report on participation as part of the agency's annual report.	Supported	DPAC
Operational Recommendation 5.2 (part two)	The Review recommends that the SSMO develop and deliver mandatory training regarding the management of Conflicts of Interest for all officials and particularly those with delegated decision-making authority on a regular basis.	Supported	DPAC
Operational Recommendation 5.3	The Review recommends that the Commissioner of the State Service chair the Corporate and Workforce Sub-Committee to identify, progress and report on key transformation priorities related to the strategy, culture and operations of the TSS.	Noted Further consideration will be given to the best actions to strengthen the role of the State Service Management Office in ensuring effective stewardship. The Deputy Secretary, State Service Management Office currently chairs the Workforce Sub-Committee of the Secretaries Board.	DPAC
Operational Recommendation 5.4	The Review recommends that the Secretaries Board develop and publish an engagement and partnership framework for engagement with relevant community-based organisations responsible for child safety and wellbeing services across Tasmania and nationally.	Supported Ongoing engagement mechanisms as part of the Keeping Children Safe Reform Program will be outlined in the forthcoming Change for Children Action Plan.	DPAC

Operational Recommendation 5.5	The Review recommends that the Secretaries Board develop a key account management approach to managing relationships with key community organisations in the child safety and wellbeing sector in Tasmania identifying and reporting on priorities for collaboration against a joint plan of action to address child safety and wellbeing goals. This should include identification of lead agencies to manage the full relationship across the State Service. Reporting on progress should occur to Secretaries Board and publicly.	Supported This approach will be amalgamated into the governance arrangements for the Keeping Children Safe Reform program.	DPAC
Operational Recommendation 5.6	The Review recommends that DECYP prioritise the establishment of the role of the Executive Director for Aboriginal Children and Young People as identified in the COI. The Review further recommends that DECYP prioritise the establishment of the Office of Aboriginal Policy and Practice in accordance with the recommendations of the COI Report.	Supported Partially aligns with COI recommendation 9.7	DECYP
Chapter 6: Oversight and Regulatory Agencies			
Recommendation No	Recommendation	Response	Lead Agency
Strategic Recommendation 6.1	The Review recommends that the Tasmanian Government amend the <i>Child and Youth Safe Organisations Act 2023</i> Schedule 2 and 3 to explicitly include Tasmania Police as a regulated entity subject to both the Child and Youth Safe Standards and the Reportable Conduct Scheme, ensuring that Tasmania's premier law enforcement agency is held to the same child protection standards and accountability mechanisms as every other government organisation that engages with children and young people.	Supported Amendments to the <i>Child and Youth Safe Organisations Act 2023</i> are being prepared to be included in a Miscellaneous Bill for consideration in 2026.	DOJ/DPFEM

Strategic Recommendation 6.2	The Review recommends that the Tasmanian Government amend the Registration to Work with Vulnerable People Act 2013 and associated regulation to: • Ensure the appointment of the Registrar is made by the Governor in Council and that the Registrar has similar stature as a Commissioner although reporting lines to remain with the Secretary Department of Justice. • Establish an expert advisory group (aligned to existing legislation) to provide advice to the Minister and the Registrar on the Registrar's decision-making processes via reviewing positive and negative risk assessments and reporting on the results at least once a year. • Introduce a provision for an annual performance report to be tabled to Parliament on the strategic and operational performance of the scheme.	Supported in principle Amendments to the <i>Registration to Work with Vulnerable People Act 2013</i> will be considered to give effect to this recommendation.	DOJ
Strategic Recommendation 6.3	The Review recommends changes to the Personal Information Protection Act 2004 to include additional provisions to enable the sharing of information across all government agencies, regulatory and law enforcement authorities/entities in relation to child sexual abuse concerns and reportable conduct.	Supported Amendments to the <i>Personal Information Protection Act 2004</i> will be considered to give effect to this recommendation.	DOJ
Operational Recommendation 6.1	The Review recommends the Independent Regulator and the Registrar for Working with Vulnerable People, develop and implement a roadmap to enhance information sharing between the Independent Regulator, the Registrar for Working with Vulnerable People, the Teacher's Registration Board, Tasmania Police, the Ombudsman and the Integrity Commission taking account of: • the benefits of new technology to analyse patterns and trends to develop risk-based strategies and solutions, • need for cultural change and systemic change, and • benefit of feedback loops and learning systems • value of undertaking a use case analysis using historical records	Supported in principle Implementation of this recommendation is a matter for Independent Statutory Officers and aligns with COI recommendations 18.14 and 18.15. The Tasmanian Government is supportive of greater collaboration and engagement between its independent statutory bodies and entities. The Government notes the independence of these regulatory and law enforcement entities and will ensure they are supported in any actions they determine appropriate to take in response to this recommendation.	Independent Statutory Officers

PART B

Chapter 1: Justice Systems

Recommendation No	Recommendation	Response	Lead Agency
Strategic Recommendation 1.1	a) The Attorney-General re-issue the Model Litigant Obligations as directions to all agencies and instrumentalities. b) The Tasmanian Government establish an office within the Department of Justice to oversight and report on compliance with the Attorney-General's Model Litigant Directions with particular reference to civil litigation matters involving child sexual abuse cases ensuring adherence to a published compliance framework.	1.1 a) Supported 1.1 b) Noted The Tasmanian Government's Model Litigant Guidelines already apply to all Agencies and Instrumentalities as they are legal obligations.	DOJ
Strategic Recommendation 1.2	That the Attorney-General commission a review of the Attorney-General's Guidelines with respect to the Solicitor-General and State Litigator and FC-17 to ensure legal clarity and to incorporate a requirement for guidance on the nature of advice, which is provided, and whether it is binding on the State Service or not.	Supported The Attorney-General's Guidelines in relation to the provision of legal services to the Government identifies when and in what circumstances legal advice is binding on the State Service.	DOJ
Strategic Recommendation 1.3	The Attorney-General develop Guidelines on how the State Service should engage with the Solicitor-General's Office on legal advice relevant to policy implementation, including at which points during the policy cycle that office should be engaged.	Supported	DOJ

Strategic Recommendation 1.4	a) The Review recommends that the Tasmanian Government amend the Treasurer's Instructions FC-17 to review the requirement for an 'accountable authority to refer all requests for legal advice, civil litigation services and commercial and conveyancing legal services to Crown Law.' b) Commensurate with practice in other comparable jurisdictions, the Review recommends that the Government open up the provision of legal advice to the private sector and develop and implement 'Guidelines on the use of the private sector for legal work.'	Supported in principle	DOJ
Strategic Recommendation 1.5	The Attorney-General's Guidelines be amended to explicitly exclude oversight agencies from the general remit of the Solicitor-General, and to permit them to obtain their own independent advice.	Supported in principle The Tasmanian Government supports independent agencies being able to obtain independent legal advice. Such an option is already available under Treasurer's Instruction FC-17 and FC-1. It is a matter for those independent oversight agencies to self-determine when and if they require independent legal advice.	DOJ
Strategic Recommendation 1.6	The Review recommends that to ensure the independence of oversight and regulatory agencies the Tasmanian Government should: a) Amend the Treasurer's Instructions to ensure they do not apply to the Integrity Commission, the Ombudsman, the CCYP and/or Implementation Monitor for the purposes of legal advice. b) Clarify that being an instrumentality of the Crown does not require independent oversight and regulatory agencies to seek legal advice from Crown Law.	Supported in principle The Tasmanian Government supports independent agencies being able to obtain independent legal advice. Such an option is already available under Treasurer's Instruction FC-17 and FC-1. It is a matter for those independent oversight agencies to self-determine when and if they require independent legal advice.	DOJ

