

Attachment A

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PREMIER OF TASMANIA

17 NOV 2021

Hon Marcia Neave AO
President and Commissioner
Commission of Inquiry
GPO Box 229
Hobart TAS 7001
Email: contact@commissionofinquiry.tas.gov.au

Dear President

Firstly I would like to thank you for your important work on the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse. I look forward to receiving the Commission's Report in due course.

I am writing to you about Tasmania's plan to reopen borders on 15 December 2021 and potential impacts that may follow that warrant the Commission's consideration.

The opening of borders means we need to adopt a different approach to managing the risk of COVID-19 transmission. Border controls and lockdowns within the State have proven to be highly effective in our efforts to limit the spread of COVID-19. With the removal of these controls, we need the capacity to continue our everyday lives while COVID-19 is present within the community.

I am able to advise that modelling has been undertaken by the Kirby Institute which identifies a number of scenarios for Tasmania. In all of these scenarios, it is estimated that our state will experience a high number of cases and hospitalisations following our borders re-opening, with the peak period anticipated to hit in late February to March 2022.

As you will appreciate, the impact of community transmission of COVID-19 will place significant demands on the Tasmanian Government, in relation to both the health response and the disruption to service delivery due to outbreaks. The health and safety of our workforce continues to be a top priority and we want to ensure appropriate control measures are in place to maintain our focus on safety in the workplace. Planning is well underway with Agency Executives to look what measures can be taken to support Government agencies during this period as they navigate these challenges.

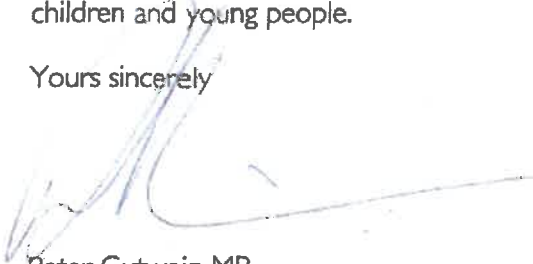
Accordingly, I am mindful that the Commission of Inquiry will also be navigating these impacts during a critical period of its inquiry and in particular, the Commission's capacity to conduct public hearings may be affected.

For those reasons, the Commission may wish to consider revising the planned hearing schedule, to perhaps recommence public hearings April 2022. I note that the modelling suggests that the number of cases will start to stabilise and reduce from this point onwards, providing less of an impact for your schedule.

I further acknowledge that the impact that delaying public hearings will have on the capacity of the Commission to complete its important work by the reporting date 31 August 2022, something you have indicated as a potential impact as part of your opening remarks in the hearing held on 26 October. As I have stated publicly and in Parliament, I will support any request you may make in relation to an appropriate extension to enable the Commission to complete the inquiry, including the delayed commencement.

I again thank you for the vital work the Commission is undertaking to ensure the safety of Tasmania's children and young people.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Peter Gutwein', with a long horizontal stroke extending to the right.

Peter Gutwein MP
Premier



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The Hon Peter Gutwein MP
Premier of Tasmania
Level 9, 15 Murray Street
HOBART TAS 7000

By email: premier@dpac.tas.gov.au

Dear Premier

Public hearings and final report timelines

Thank you for your letter of 17 November 2021 regarding Tasmania's plan to reopen its borders and the potential impacts that may follow for the State.

The Commission acknowledges the Tasmanian Government's concern regarding the significant demands community transmission of COVID-19 may place on the Tasmanian Government and the health system. The Commission shares the Tasmanian Government's commitment to protecting the health and safety of State Service employees, the Commission's staff and legal team, and the entire Tasmanian community.

The Commission recognises that managing the community transmission of COVID-19 may affect the Tasmania Government's capacity to engage with the Commission, including preparing for and participating in the public hearings which the Commission foreshadowed were to commence in February 2022.

The Commission has carefully reflected upon your invitation to revise the public hearing schedule and consider recommencing these hearings after April 2022.

The Commission's work so far

It is important to recognise that the Commission's inquiry has already been delayed, including by the impacts of the COVID-19 pandemic.

As noted on 26 October 2021 at the Commission's opening public hearing, this is the first commission of inquiry in Tasmania since 2000. As a result, both the Tasmanian Government and the Commission itself have had to navigate various legal and operational issues to establish the Commission and its operations. The Commission has worked closely with the Tasmanian Government to establish its office, staffing, payroll and information technology arrangements. The need to establish such arrangements caused some delays in the Commission commencing its substantive inquiry.

Similarly, before the Commission could commence seeking and receiving information, it was necessary for the Governor to make the *Commissions of Inquiry Regulations 2021* (Tas). These Regulations were required to permit State Service employees and other people to come forward and share sensitive information with the necessary protections in place. The Governor made these Regulations on 12 July 2021.

In addition, with three Commissioners and some staff located in other jurisdictions, the relevant COVID-19 public health restrictions in Tasmania and other jurisdictions have imposed limitations on the ability of the Commissioners and staff to be present in Tasmania. While the Commission has proceeded with virtual operations, some forms of community engagement and stakeholder consultation are best conducted in person given their very sensitive subject matter. The Commission is grateful to the Tasmanian Government



for its assistance in facilitating the Commissioners and essential staff travelling to Tasmania to conduct such activities, but the necessity to carefully navigate the relevant restrictions has complicated and delayed the inquiry.

Finally, the Commission believes that it is important to build trust and confidence in the Tasmanian community about its inquiry. The Commission has actively sought to reach out to people who may have relevant information and stories to share with the Commission. Building trust and confidence, and people being willing to come forward to contribute to the inquiry, all takes time.

Timelines going forward

The Commission is grateful for your acknowledgement that delaying the public hearings will necessarily affect the Commission's capacity to complete our work by 31 August 2022, as well as for your statements in public and in the Parliament that you will support any request the Commission might make for an appropriate extension to its reporting date.

In this context, and after carefully considering your letter, the Commission has determined to recommence its public hearings in May 2022. As a consequence, the Commission will not be able to complete its final report by 31 August 2022.

For the Commission to be able to adequately and appropriately complete its important work, the Commission respectfully requests an extension to its final report date until **Monday, 1 May 2023**. Based on careful costings undertaken by the Commission, we anticipate this will result in costs and expenses of \$7.76 million more than the \$10 million originally considered necessary for our inquiry.

The Commission also notes that there will need to be a decommissioning process after 1 May 2023, including so that the Commission can manage its records in accordance with the *Archives Act 1983* (Tas). The Commission anticipates this decommissioning process will take approximately 8 weeks up until Friday, 23 June 2023. No Commissioners will be involved in the decommissioning process and we expect only two Commission staff and contractors will be needed. This will result in some modest further costs and expenses. The Commission intends to provide further information about these costs and expenses in due course.

If you require further information in relation to this proposed extension and budget, please do not hesitate to contact us. Otherwise, in order for the Commission to be able to appropriately plan for the future of its inquiry, we would be grateful if you were able to indicate whether the Tasmanian Government would be willing to provide in-principle support to this proposal by 20 December 2021.

Yours sincerely

The Honourable Marcia Neave AO
President and Commissioner

1/12/2021



PREMIER OF TASMANIA

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21 DEC 2021

The Hon Marica Neave AO
President and Commissioner
Tasmanian Government's response to Child Sexual Abuse in Institutional Settings
Email: contact@commissionofinquiry.tas.gov.au

Dear Commissioner

Thank you for your letter of 1 December 2021.

I want to thank the Commission for its acknowledgement of the likelihood of significant demand from community transmission of COVID-19 and its consideration of, and decision, to, revise its public hearing schedule until after April 2022.

The Tasmanian Government supports in-principle the Commission's request for an extension of its final report date until Monday 1 May 2023, and also supports in-principle the anticipated additional costs associated with the Commission of Inquiry. We appreciate that both may change as the Commission resumes its work, and the Government is willing to consider any further requests by the Commission in order that it may complete its work.

Thank you for writing to me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Peter Gutwein'.

Peter Gutwein MP
Premier



Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings

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The Hon Peter Gutwein MP
Premier of Tasmania
Level 9, 15 Murray Street
Hobart TAS 7000

By email: premier@dpac.tas.gov.au

Dear Premier

Thank you for your letter informing me that the Government supports in-principle the Commission's request for an extension of its final report date until Monday 1 May 2023, and also the anticipated additional costs arising because of the extension of time.

Yours sincerely

The Honourable Marcia Neave AO
President and Commissioner

22/12/2021