

INDEPENDENT ASSESSMENT OF CONCERNS RAISED BY THE COMMISSIONERS OF THE COMMISSION OF INQUIRY INTO THE TASMANIAN GOVERNMENT'S RESPONSE TO CHILD SEXUAL ABUSE IN INSTITUTIONAL SETTINGS REGARDING THE ACTIONS OF HEADS OF AGENCY

Background

The Tasmanian Government is committed to ensuring that strong action has been taken and will continue to be taken to ensure that Tasmanian children and young people are safe and well, in its care.

An Independent Assessment will consider matters of concern raised by the Commissioners of the Tasmanian Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings (Commission of Inquiry) in respect of actions by the relevant Heads of Agency.

Terms of Reference

The independent assessment is to:

1. Consider matters of concern raised by the Commissioners of the Tasmanian Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings (Commission of Inquiry) in respect of actions by the past or present occupants of the following offices:
 - The Secretary of the Department of Premier and Cabinet
 - The Secretary of the Department of Health
 - The Secretary of the Department for Children, Education and Young People
 - The Secretary for the Department of Police, Fire and Emergency Management and Commissioner of Police (*)
 - The Secretary of the Department of Justice.
 - the Secretaries of those agencies which now no longer exist by virtue of machinery of government changes, but that had responsibility for the care and protection of children and were the precursor to those departments listed above.

2. Consider whether such conduct may potentially amount to a breach of the Tasmanian State Service Code of Conduct or Code of Conduct under the *Police Services Act 2003*.

(* note that the present Commissioner of Police and Secretary of the Department of Police, Fire and Emergency Management was appointed after the conclusion of the hearings of the Commission of Inquiry and so is not relevant to this assessment)

Matters of process

The Independent Assessor will:

1. Provide an opportunity to persons to make submissions, or to be heard personally, as the Independent Reviewer considers it necessary, in relation to matters under Review;
2. Engage with former Commissioners of the Commission of Inquiry so far as possible to ensure that all matters referred to in the COI's final report as matters where findings were unable to be made (Volume I, Chapter 5.1 Challenges we faced), are fully considered;
3. Ensure that where necessary appropriate confidentiality arrangements are made for persons assisting the review; and
4. Provide a detailed report to the Premier about the assessment.

Reporting

The assessor is to report to the Premier no later than by Friday 29 March 2024.