

Opinion OURS & YOURS

We must ensure to protect our most vulnerable

Oversight is essential to uphold the basic rights we all deserve, writes **Richard Connock**

Robust oversight is the cornerstone of a well-functioning society. It provides the checks and balances that uphold our trust in service providers; ensuring that people we depend on are appropriately qualified to make the critical decisions that keep us safe. And when things go wrong, it creates fair and transparent ways to complain and hold people accountable.

Within government, independent oversight is essential to maintain integrity. It gives us all confidence that the government is acting properly, stops malfeasance, and helps to improve the quality of services.

The bodies entrusted with oversight of government examine how taxpayer money is spent, how our laws are being applied, and importantly how members of the public are being treated under different schemes. They include our Auditor-General and Integrity Commission; and, in my roles as Ombudsman, Health Complaints Commissioner and Custodial Inspector, I have been responsible for investigating complaints, systemic issues, and making sure that our government acts fairly.

This same level of oversight is necessary to ensure that we are treated humanely and our basic rights are upheld.

Every day around Tasmania people are deprived of their liberty under



Richard Connock

Tasmanian law. These restrictions are intended to keep these people, and our community, safe while they receive care and support. However, it also creates significant vulnerability because these people are unable to leave, particularly to avoid harm. This includes in mental health facilities and hospitals, aged-care residences, and disability support services.

These people may live with disability, be experiencing cognitive impairment or ill-health, or require specialised help to perform everyday tasks. They are family, loved ones, friends, and respected community members. Many are children and young people.

People deprived of their liberty are exposed to an elevated risk of mistreatment, abuse, and even death when service providers fail to give the level of care or support necessary to meet the basic rights we all deserve.

This can be devastating and have a long-lasting impact on those harmed, and across our entire community.

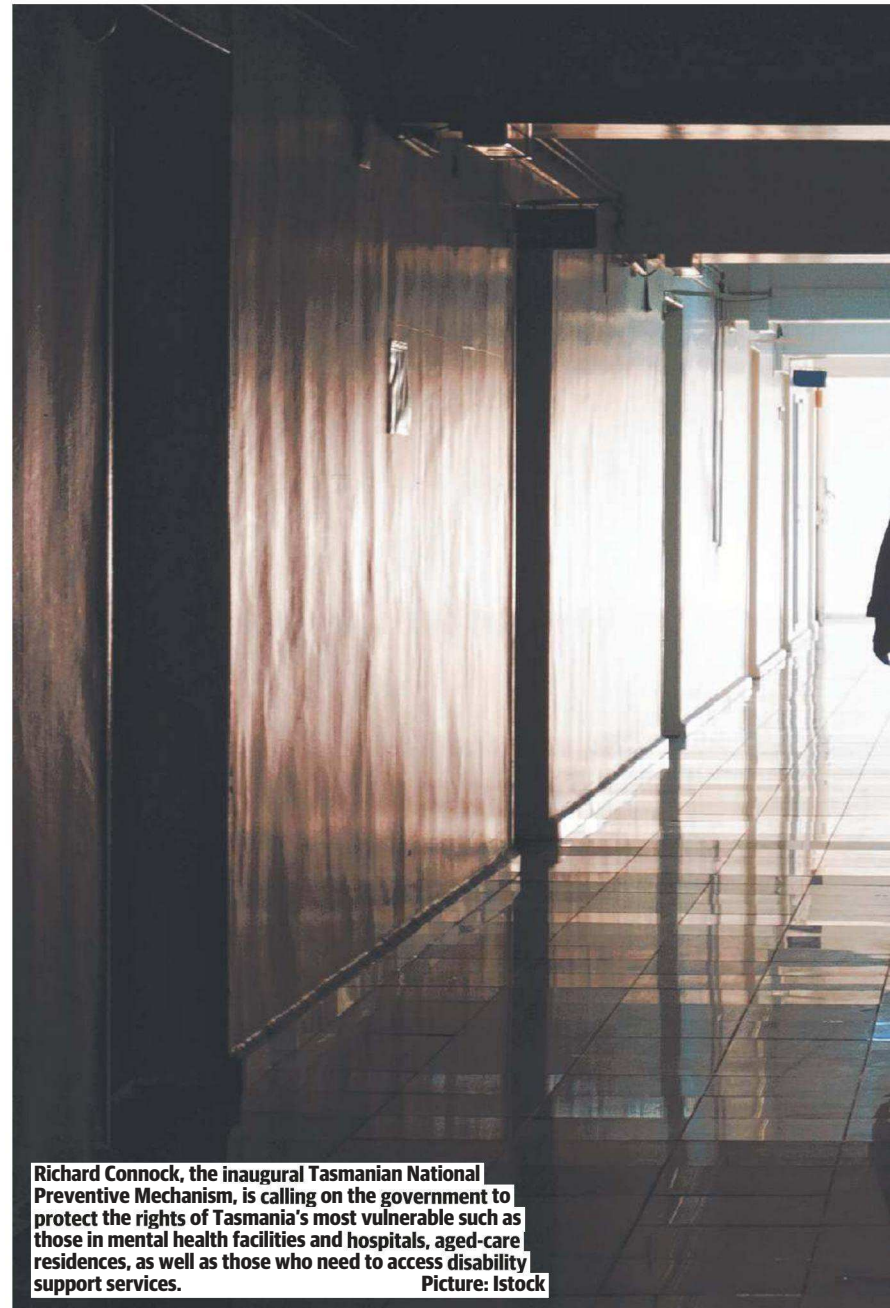
In Tasmania and across Australia, to date there has been a gap in the oversight applied to examining the treatment of vulnerable people in these situations. The seriousness of this has become unmistakable in recent years, with multiple Commissions finding instances of improper practice, abhorrent abuse, and routine failures to uphold the most basic of human rights.

In late 2021, the Tasmanian parliament took a nation-leading step to begin bridging this gap. Law was passed that would enable independent examinations to ensure that everyone in our community is treated humanely, and that we meet our international obligations to safeguard people from harm.

The pivotal law passed in 2021 – the OPCAT Implementation Act – established my new ‘Tasmanian National Preventive Mechanism’ office.

This December it will be 40 years since the United Nations General Assembly adopted the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Australia signed up in 1985. In doing so, it agreed to ban all forms of torture and other acts of cruel, inhuman, or degrading treatment or punishment. Moreover, Australia committed to taking proactive action



Richard Connock, the inaugural Tasmanian National Preventive Mechanism, is calling on the government to protect the rights of Tasmania's most vulnerable such as those in mental health facilities and hospitals, aged-care residences, as well as those who need to access disability support services.
Picture: Istock

to prevent it from occurring at all. These obligations are ‘non-derogable’, meaning that the international community has agreed that they can never be suspended or breached.

Regrettably, compliance with the Convention has proven challenging.

Mindful of these challenges, countries got together to create an oversight model that would help to enhance integrity and prevent abuse. Known as OPCAT (the ‘Optional Protocol’ to the Convention), it recognises that such abuse is more likely to happen in places out of the public view and where people cannot freely leave. In response, a key feature

of OPCAT is that it opens these places up to independent oversight, by a so-named ‘National Preventive Mechanism (NPM)’.

The Australian government voluntarily became a party to OPCAT in 2017. In doing so, it renewed its unwavering commitment to human rights, integrity, and the rule of law.

Recently, the Tasmanian government reaffirmed its commitment to OPCAT and the Tasmanian NPM by accepting all related recommendations made by the Commission of Inquiry and the Disability Royal Commission. Leading the nation, my office

Pharmacist review provides perfect opportunity to

There are a range of challenges facing healthcare in Tasmania, but there is a plan that can take pressure off our hospitals and deliver more healthcare services.

Last year was the release of the Pharmacist Scope of Practice Review final report – a comprehensive review of the future of community pharmacy that spells out the significant opportunities to drive innovative healthcare solutions in Tasmania.

Importantly, the Tasmanian government has agreed to progressing all recommendations from the review by 2026 and already taken strong action.

Earlier this year two initiatives

Expanding pharmacy services in Tasmania will help ease health system pressures, writes **Joe O'Malley**

were launched that have made it easier for Tasmanians to seek treatment for uncomplicated urinary tract infections and extended access to oral contraception.

The UTI pilot has seen about 5000 occasions of service across the state – saving Tasmanians time and money, freeing up hundreds of appointments in GP clinics, and saving potential hospitalisations.

It is these types of services that the

Pharmacy Guild of Australia believes can be a big part of the future of community pharmacy in our state – because Tasmanians are passionate about having access to services delivered locally where they live.

They want health services they can rely on, that are accessible, affordable and safe, and are provided close to where they live by friendly faces who know them and their loved ones.

So, with more than 150 locations,

including many in rural and regional areas, community pharmacies are the most accessible healthcare providers in the entire state.

In areas where GPs or hospital services are thin on the ground, or even non-existent, the local pharmacy is providing healthcare in areas that would otherwise have to go without.

And we all know what happens when families can't access the healthcare they need – they have no choice but to attend the major hospitals in each region, adding stress to the patient and increasing demand on that hospital.

It is clear that Tasmanians are overwhelmingly comfortable with

getting care in their local community pharmacy, with pharmacists consistently rated as one of the most trusted professions.

There have been thousands of vaccinations delivered in community pharmacy in recent years, whether they are flu, Covid-19, or the wide range of others now available.

And of course there are the services people will be more familiar with accessing through their community pharmacy – support with weight loss, disease management, cough and cold treatments, and so on.

This helps explain why more than 80 per cent of Tasmanians support community pharmacists working to their full scope, which the guild

Talking Point

The hot topics that have Tasmanians talking
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When the Tasmanian NPM inspects a place and it does not meet these expectations, one of its key roles will be to work with them to improve their quality of treatment and lower the risk of harm. The goal is for all service providers around the state to understand, practice, and fully respect the rights of people entrusted into their care. Only when we achieve this will we be able to effectively prevent abuse.

Another key recommendation is that my office must be fully independent, but empowered to leverage the skills and expertise of related independent bodies that also focus on upholding people's rights, notably the Commission for Children and Young People and the Disability Commissioner. Working together, Tasmanians should be able to contact any of our offices and receive the advice and support that they need.

The powers of the NPM office are significant. It can enter and examine any place where a person is or may be deprived of their liberty without needing permission. They can speak to people privately. And they can request and compel any information that is relevant. This comes with a significant responsibility to act with the highest levels of integrity.

To ensure that my office maintains public confidence I have recommended changes to our Parliament's Joint Standing Committee on Integrity. These changes will enhance the committee's powers to examine my office's activities, budget and spending.

I want to thank the Tasmanian government for its commitment to strengthening and upholding our rights by creating this new office. As a state we have much to be proud of in relation to OPCAT. Tasmania has a unique opportunity establish itself as a leader in Australia in relation to oversight and the prevention of abuse.

I encourage you to read my report, and to view the enhanced oversight the NPM office will deliver as essential to maintain a safe and just state. A place where we know that we, our loved ones, and our community will not come to harm while in the care or custody of people authorised to deliver necessary services.

Richard Connock is the inaugural Tasmanian National Preventive Mechanism

His report Preventing torture and ill-treatment in Tasmania, is available to download at www.npm.tas.gov.au

alleviating stress on accessing health services.

And we can do more – much more. This is why the recommendations from the Pharmacist Scope of Practice Review represent a golden opportunity to deliver more healthcare.

The guild and its members stand ready to work with the state government to unlock the full potential of community pharmacy and implement these recommendations for the benefit of all Tasmanians.

Joe O'Malley is the president of the Tasmanian Branch of the Pharmacy Guild of Australia

support community pharmacists operating to their full scope.

These initiatives are exciting and unapologetically focused on maximising service availability for patients.

There has been so much discussion in recent years about how to deliver better care, and the answer is clear – increasing access to services in primary healthcare settings, like community pharmacies, means people get their care sooner in an environment they are comfortable with.

Expanded scope of practice for pharmacists is already saving GP appointments, as well as saving patients time and money, which is

received significant state government funding to plan the best way to establish this office to meet the needs of Tasmanians.

This week I am proud to publicly release the results of this work. Through extensive consultation with the Tasmanian community, service providers, and some of the world's leading experts, I have set out 12 recommendations to efficiently, effectively, and economically prevent abuse.

My report aims to fully map out where my new office is to visit and examine. It identifies more than 100 different places where analysis has found that without regular oversight

there is a heightened potential for mistreatment. The locations are spread evenly around our state. That is why one of my central recommendations is to create two offices: one focusing on the North/North-West regions, and the other on the South.

The reports then set out expectations on how people in these places should be treated if we are to meet our commitment to respecting everyone in our community and keeping them safe from harm. Each of my expectations is supported by the human rights obligations that Tasmania has committed to upholding.

offer more healthcare options

estimates would deliver a net benefit of \$114m for the state.

In other jurisdictions we have seen significant progress on expanding pharmacist scope of practice further already.

In Queensland, the government launched a program to allow pharmacists to treat more conditions, like shingles, eczema, nausea and vomiting, and take on greater roles in wound management and smoking cessation. Likewise, NSW commenced a trial earlier this year for treating chronic conditions in community pharmacies, like school sores and mild plaque psoriasis.

And we have seen the Northern Territory outline a bold agenda to

Have fun but take care when you cross line

Simple precautions are all it takes to stay safe on the water, writes **Storm Eastley**

Summer is upon us – and Marine and Safety Tasmania wants the Tasmanian boating population to enjoy the state's waterways but also come home safely.

MAST will broadcast a series of advertisements on television, radio, and social media platforms throughout the summer.

Once again, MAST is focussing on the themes that have consistently emerged from its research over the past 25 years.

This summer, we will concentrate on four topics – older boaters, paddling, life jackets and "crossing the line".

OLDER PEOPLE BOATING ALONE

In the 23 years, prior to the introduction of the compulsory wearing of life jackets, Tasmania recorded 146 boating fatalities. Since the mandate in 2001, there have been 63 recreational boating fatalities. Although this is an improvement, even one fatality is too many.

While the life jacket compliance rate is about 94 per cent on boats under 6m in length, there is a concerning increase in the fatalities among people boating alone. Of the 18 solo boating fatalities since 2001, most involved people over 60 years old and in water temperatures below 15C, where cold-water immersion effects are significant. Many of these incidents occurred mid-week. Tragically, almost 50 per cent of the 63 fatalities occurred on weekends, with 21 happening on Sundays.

Males make up the majority of these fatalities, with 61 men and two women losing their lives. We want older boaters to be extra careful on the water – tell someone where you're going and, if possible, take a mate.

PADDLING SAFETY

Paddling continues to increase in popularity across Tasmania, with kayaks, canoes, and paddle boards being used on the waterways day and night.

MAST's aim is to ensure paddlers remain safe at all times by planning their trips and ensuring they have the required safety equipment. Mandatory safety equipment includes a life jacket. A Level 50 or Level 50S life jacket is required in smooth and sheltered waters, and a Level 100 is required when paddling in coastal waters.

A tethering device must also be used when paddling more than 200m offshore. The method of attachment may vary depending on the type of craft you are using. More



Storm Eastley is the recreational boating officer for MAST

information on tethering is available on the MAST website. Paddle craft must have a white strobe or all-round light with 360-degree visibility.

These lights must be used when paddling between sunset and sunrise and at times of reduced visibility.

Unlike lights worn on the front or back of the paddler's body, a 360-degree light ensures visibility to all other watercraft.

Similar to cyclists on the road, paddlers must remain vigilant of other craft on the water, especially at night or in reduced visibility. Incorporating reflective tape on your clothing and on your paddle tips enhances your visibility on the water.

LIFE JACKETS

As previously stated, 94 per cent of Tasmanian boaters wear life jackets – which is world-leading. However, inflatable jackets require regular servicing and MAST data shows a very low rate of servicing. Remember – it's only a life jacket if it works.

CROSSING THE LINE

On land, we are in known territory, but when we cross the line into the water, we enter the unknown. Each time a boater crosses that line, they need to make the right decisions to return safely. When you are the skipper of your boat, you are responsible. Is everyone capable of doing the 30-second challenge?

This involves making sure your life jacket is on, you can access your flares, your EPIRB is ready to deploy and you can send a mayday call all within 30 seconds. Check out the MAST website for the 30-second challenge video. By following these steps, MAST believes Tasmanians can enjoy their time on the water and come home safely. Don't let your next trip be your last.

Storm Eastley is the recreational boating officer for MAST

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