

## **Submission - Tasmanian Water and Sewerage Industry Customer Service Code Consultation**

**From:** Jack Davenport

**Sent:** Thursday, 24 April 2025 5:36 PM

**To:** Economic Regulator <office@economicregulator.tas.gov.au>

**Subject:** Submission - Tasmanian Water and Sewerage Industry Customer Service Code COnsultation

To whom it may concern,

I am providing a submission in respect of the proposed amendments to the Tasmanian Water and Sewerage Industry Customer Service Code (the Code).

My principle concerns relate to the proposals for a Family Violence Policy, in the context of an absence of reference to child and youth safety.

In terms of the actual policy, I am supportive of such a policy. It is a positive step forward in responsive and safe practice.

I do query the extent to which the policy might be workable without reference to the Working with Vulnerable People system, since there appears to be no obvious way to quality assure safety of employees. If an employee or indeed a regulated entity were to in some way breach the code, there is no obvious mechanism for undertaking a response beyond the processes of a code breach itself.

To put another way, if someone within a more directly involved agency, such as police or child safety, were to breach the sort of standards set out, there would be potential ramifications including child safety, criminal, internal investigation and regulatory agencies.

However, my main query is the absence of obvious reference to the provisions of child and youth safety.

The Child and Youth Safe Organisations Act outlines the criteria for a regulated entity, being both a government agency/council and providing at least some services specifically for children. While not meeting the latter on the face of it, the inclusion of a family violence policy and special needs assistance provision suggests the capacity for TasWater to isolate certain service provision to related cohorts. Given the well established connection between family violence and impact on child safety, it could be

argued that the family violence policy would de facto create eligibility, even in lieu of specifically stating this.

In terms of potentially holding information about customers that relate to family domestic violence, and having employees that undertake site visits close to or on residential property, there is a burden of responsibility to have a more rigorous interpretation of child and youth safety eligibility.

In addition, there is some potential for employees to be classed as prescribed persons under the Children, Young Persons and Their Families Act, if one was to interpret provision of water as a health service, not simply utility.

I do not know to what extent this might already have been considered or not, and in itself does not represent a rejection of the proposed amendments. However, I submit that consideration in this context, especially after the outcomes of the Tasmanian Commission of Inquiry into Institutional Responses to Child Sexual Abuse, requires more explicit acknowledgement.

Many thanks for considering this submission.

Faithfully,

Jack Davenport