



**PARLIAMENT OF TASMANIA**

**LEGISLATIVE COUNCIL**

**REPORT OF DEBATES**

**Tuesday 24 May 2022**

**REVISED EDITION**

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**Tuesday 24 May 2022**

The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

**WRITS FOR THE RETURN OF MEMBERS AND NEW MEMBER**

**Members for McIntyre, Elwick and Huon**

[11.02 a.m.]

The Clerk of the Council laid upon the Table of the Council writs for the return of new members for the Electoral Divisions of McIntyre and Elwick and the new member for the Electoral Division of Huon, certifying to Tania Verene Rattray, Joshua Barton Willie and Dean Andrew Harriss respectively, having been chosen on 7 May 2022 to serve in the Legislative Council.

**MEMBERS SWORN**

**Members for McIntyre, Elwick and Huon**

[11.03 a.m.]

The Clerk of the Council advised the Council that Tania Verene Rattray, returned upon a new writ for McIntyre, Joshua Barton Willie, returned upon a new writ for Elwick and Dean Andrew Harriss, returned upon a new writ for Huon each made and took the affirmation or oath of allegiance as required by law.

**STATEMENT BY THE PRESIDENT**

**Welcome - Members for McIntyre, Elwick and Huon**

[11.07 a.m.]

**Mr PRESIDENT** - I take this opportunity to welcome to this House and to the Parliament the newly elected member for Huon and wish him well in his role representing the people who have duly elected him. I know that I speak on behalf of all members, Chamber officers and staff when I say that we are ready to offer any support, advice or assistance that you may need undertaking your role. By rough calculation with the members in this Chamber, I think there are about 115 years of experience spread around the Chamber. That advice is there for you, whether you choose to take it or not. Most of it will be good. At times your role will be challenging but you will find it a fairly rewarding and satisfying career and I know that it is something that is not unknown to you.

I also welcome to the Chamber the former member for Huon, Paul Harriss, who is joining us today. I note that we have not only the Rattray dynasty here, now we have the Hariss political dynasty. I am sure all members will join me in warmly welcoming you as the new member for Huon in the Legislative Council of Tasmania.

**Members** - Hear, hear.

**Mr PRESIDENT** - I also acknowledge the honourable member for Elwick and congratulate him on his return. He worked very hard in his electorate over the last six years and that was rewarded by his very good election result. Also, of course, the honourable member for McIntyre, the first elected member for McIntyre in the Chamber. That has been an interesting journey where we had two members for McIntyre, non-elected, and now we have the member for McIntyre. I know that you work very hard in the new parts of your electorate and that has been proven by your great result. It is wonderful to have you both back in our Chamber.

## **TABLED PAPER**

### **Government Administration Committee A - Report on Inquiry into Finfish Farming in Tasmania**

[11.09 a.m.]

**Ms WEBB** (Nelson) - Mr President, I have the honour to present the report of the Legislative Council Sessional Government Administration Committee A on the inquiry into Finfish Farming in Tasmania. I lay upon the Table a copy of the evidence taken by the committee.

Mr President, I move -

That the report be received and printed.

**Report received and printed.**

## **MESSAGE FROM GOVERNMENT HOUSE**

### **Committee Membership - Resignation**

[11.10 a.m.]

**Mr PRESIDENT** - Honourable members, I wish to advise that I received the following correspondence from Government House:

Dear Mr President,

I have the honour to inform you that on 18 May 2022 the Honourable Meg Webb MLC tendered her resignation as a member of the Parliamentary Standing Committee on Subordinate Legislation.

I have enclosed a copy of Ms Webb's letter of resignation.

Yours sincerely  
Barbara Baker  
Governor

## MOTIONS

### Committee Appointments

[11.11 a.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I seek leave to move motions without notice relating to committee appointments.

**Leave granted.**

#### **Public Works, Subordinate Legislation, Joint Committee to Manage the Parliamentary Library, Government Administration Committee B, Select Committee on Road Safety in Tasmania - Membership**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the honourable member for McIntyre, Ms Rattray, be reappointed to serve on the joint parliamentary standing committees on Public Works and Subordinate Legislation, the Joint Library Committee, Government Administrative Committee B, and the Select Committee on Road Safety in Tasmania.

**Motion agreed to and message transmitted to the House of Assembly.**

#### **Public Accounts, Government Administration Committee B, Select Committee on Road Safety in Tasmania - Membership**

**Mrs HISCUTT** - (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the honourable member for Elwick, Mr Willie, be reappointed to serve on the Joint Parliamentary Standing Committee of Public Accounts, Government Administration Committee B, and the Select Committee on Road Safety in Tasmania.

**Motion agreed to and message transmitted to the House of Assembly.**

#### **Government Administration Committee A - Membership**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the honourable member for Huon, Mr Harriss, be appointed to serve on Government Administration Committee A.

**Motion agreed to and message transmitted to the House of Assembly.  
SPECIAL INTEREST MATTERS**

**Community Gardens - Punchbowl and Blackstone Heights**

[11.13 a.m.]

**Ms ARMITAGE** (Launceston) - Mr President, today I speak about a couple of fantastic community gardens in my electorate. Community gardens are such wonderful assets for people to connect with others, to share a cup of tea or coffee, get their hands dirty and grow something beautiful and tasty. I discovered recently that there is a huge community garden at Punchbowl tucked away in the Punchbowl Reserve. Managed by president Barkley Walker, along with the Rotary Club of Youngtown, this garden has more than 150 plots, some single-sized and others double-sized, and it is almost fully subscribed. It brings together many parts of the community. There is a large contingent of migrant gardeners whose vegetables get turned into incredible dishes, and they are some of the largest and healthiest vegetables I've ever seen. Barkley was saying it is wonderful when you try dishes that otherwise you might not have, and the things that these different gardeners bring is quite incredible.

There are also beehives, fruit trees and a hothouse on site, which are still being developed. It is very easy to see why this community garden is so popular. When I went to visit Barkley and his wife Norma, they showed me around the gardens and I met some of the people who were gardening on the morning. I learned a little bit about the history of the garden. I left with quite a few vegetables that people felt I needed to take with me, just to show me how well and easy they are to grow and the wonderful things that they had planted.

In 1997, the garden opened with 21 plots and was funded by a \$6000 grant over two years, and included gardens and a shed with kitchen and toilets. Most of the materials were donated and the shed was built by 10 trainees from Multiskill-Phoenix Training. At the official opening of the garden in May 1997, premier Tony Rundle said the garden was an intelligent project and the result of a great community effort. Launceston mayor, John Lees said Launceston is special because it is able to help groups with good ideas and bring them to fruition.

Since 1997, this garden has grown both in size and membership and has become more and more beloved by people who do not have access to a garden of their own or those who enjoy the company and challenge of growing flowers or food. Horticulture can be therapeutic. It can offer a way to get into the fresh air and sunshine and touch the earth. It prolongs people's lives and makes them happier and healthier.

I was delighted to learn recently a new community garden was being developed in Blackstone Heights, which is also in my electorate. Located behind the Christian centre, this community garden is a fledgling group, but no less important. It is open for a few hours every Wednesday and the current members are doing a truly wonderful job of developing the plots and welcoming newcomers and participants to the site. So far, some gorgeous



vegetables like silverbeet and beetroot are coming through and people are always welcome to head along for a cuppa and a chat.

While these are two of the community gardens I have had the pleasure of visiting recently, there are many more in and around Launceston. These wonderful groups, some bigger, some larger, some smaller are all run by fantastic people and are inclusive to all those in the community. I am looking forward to finding out more about some of the other community gardens in my electorate, but I wanted to shine a light on the beautiful work being done at Punchbowl and Blackstone Heights. For anyone who wants to join a community garden, I could not recommend them more highly. Reach out, have a chat and a cup of tea and grow something beautiful and tasty.

### **Magical Moments Photo Exhibition**

[11.17 a.m.]

**Ms FORREST** (Murchison) - Mr President, the delightful and quite inconspicuous little shed or building known as The Don was built in 1903. It is located in Hogg Street, Wynyard, over the road from the similarly famous Save a Buck. The Don was originally the bulk storage store for the River Don Trading Company. Two well-known community-minded Wynyard residents, Duncan and Sally Sadler, purchased the building in 2019 and began renovating it using timber from their own farm, always intending to share the space with the community for culture and other events due to its rustic charm and central locality.

Duncan is very handy on the tools and did pretty much all of the work by himself. The Don has since been used, since that wonderful modification has been done, for many wonderful community arts events and private functions. It really is a truly beautiful space. The space has been acoustically acclaimed by musicians who have performed there and it is suitable for both intimate and larger groups. Some of the events that have been held in this place include virtual weddings and funerals, a live opera performance with opera stars from Opera Australia - nothing small for Wynyard - live theatre, art exhibitions, a hundredth birthday party, and a rowdy AFL grand final party on the big screen.

Most recently, this tranquil and welcoming space has played host to Magical Moments Photo Exhibition of NW Tasmania showcasing the breathtakingly beautiful photos of Errol la Grange in collaboration with the Rotary Club of Somerset and others. When Errol visited Boat Harbour Beach over a year ago he intended to stay for two weeks and, as the story often goes, he is now a permanent resident. He fondly refers to our part of the world as Camelot, and in his words finds it as magical as it is alluring. Errol describes the beauty of nature and the warmth and generosity of the local community, the way the people care for each other, and their willingness to step up and help each other in times of need as truly captivating. What a grand and lovely description of our community which I represent.

However, with the beauty, our community has also witnessed profound loss and grief as a result of suicide and many other tragic events. Of course, our community is not alone in this. In December 2021, the Tasmanian Government released its second report into suicide in our state. According to our report, 505 people died by suicide between 2012 and 2018. The lives of friends, partners, colleagues and families changed forever. The reasons for suicide

are complex and as we have all heard, men are more at risk with those aged between 35 and 44 most vulnerable, at the prime of their lives.

Greg Wing, one of the speakers at the Magic Moments closing event, shared with those present that seven men and two women - that is 63 people a week - die from suicide in Australia. This is a tragic and disturbing statistic, I am sure all would agree.

A key conclusion of the Government's report is that each of us knows suicide prevention is a whole-of-government and whole-of-community issue and we need to focus with that approach. It is up to all of us to support each other. 'We are each other's keeper,' says Errol.

The notion behind the Magical Moments Exhibition was to provide an opportunity over 10 days from 13-21 May for locals and visitors alike to enjoy the tranquil space of The Don while reflecting on the beauty of the region and celebrating the healing power of nature. Errol collaborated with the Rotary Club of Somerset, the Mental Health Council of Tasmania and many other wonderful organisations of people within the community to provide a gentle, nurturing backdrop to raise awareness of mental health and wellbeing.

Errol describes Magical Moments as being about fostering conversations and inspiring hope for the future. The Rotary Club of Somerset was proud to offer its support to Errol and the exhibition, Magical Moments, as a mental health initiative, stemming from their own concerns about how our communities are coping with youth suicide, COVID-19 and recent family tragedies which have been well publicised.

Rotarian, Dr Mary Duniam said:

While we are not experts in this field, the members of the Rotary Club of Somerset are passionate about helping our communities enhance prevention and access to treatment and we endeavour to maintain awareness of this subject within our communities.

On behalf of the Somerset Rotary Club, Mary also noted the club is a proud member of Rotary International and its initiative, Rotarians 4 Mental Health. She and the Rotary Club of Somerset also congratulate Errol for his inspiring Magical Moments Exhibition and sincere generosity in sharing the absolute beauty of the north-west coast through his photography.

I commend all involved in this project and congratulate Errol La Grange for his wonderful work. It is very clear that those who have visited the exhibition cannot help but be inspired and share the good to foster hope and wellbeing.

### **Clifford Craig Medical Research Grants**

[11.22 a.m.]

**Ms PALMER** (Rosevears) - Mr President, I begin by reiterating your earlier words in offering my congratulations to the member for McIntyre and the member for Elwick. They only left this place a few weeks ago and in those two weeks - it is pretty traumatic, I reckon, going through an election. It is hard for them and their families. I congratulate them on

being returned to this place and also to the new member for Huon, a very warm welcome to you. It is lovely to have you here.

I have always had a fascination with medical research, probably stemming from a desire as a child to find a cure for multiple sclerosis. Whenever there is an opportunity to support medical research, I can nearly always be found. However, who are the researchers of tomorrow? While much is often said about the amazing work that is done here in Tasmania and those who do it, it is always interesting to look at who will be the next generation of Tasmanians, just starting out in their pursuit of finding cures, better treatments, collecting data and making change. Who will they be?

Recently, I was most fortunate to join some of my colleagues attending a launch of the Clifford Craig Foundation's medical research grants. It was here that I was introduced to two sensational young women who I believe are indeed the researchers of tomorrow. In 2021 the Clifford Craig Foundation introduced the inaugural Introduction to Research course, developing the interest of early and potential researchers. This was the brainchild of Professor Nick Shackel. Through the generosity of the Harvey Cuthill Family Foundation, Clifford Craig was able to fund two significant projects by these up-and-coming health professionals.

The first recipient of the early career research scholarship was Emma Szyzman. Emma grew up in Launceston, completing her Bachelor of Nursing in 2013. She then joined the graduate nursing program at the Launceston General Hospital, completing her graduate year between ward 5D Medical Oncology and 4K Paediatrics. In 2020 she also completed a graduate diploma in anaesthetics and recovery nursing with the University of Tasmania, along with good clinical practice training for research in 2021.

It was during these studies that Emma said she developed an appreciation of medical research. Emma gained a scholarship and is conducting her own research project examining the variables and clinical variations associated with inadequate bowel preparations.

The presentation Emma made, which also included visual aids, made it exceptionally easy to see the difference between a clean bowel - ready for a colonoscopy, a screening strategy for bowel cancer - and a not so clean bowel, which makes a doctor's job rather difficult, if a little messy, and makes it very tricky to carry out inspections.

At the Launceston General Hospital, about 50 colonoscopies are performed each week, but adequate bowel preparation - a nice, clean bowel - is only seen in about 60 to 70 per cent of those cases. Annually, up to 780 colonoscopies need to be repeated each year at a cost of just under \$900 000.

Emma is aiming to better understand why patients are having trouble with bowel preparation, because if she can work that out, imagine the improved patient outcomes, the higher standard of gastroenterology health care, not to mention the reduced costs.

We now move on to another fantastic young woman, Jessica Spokes. Jessica is looking at reducing antipsychotic use in dementia through pharmacy-led intervention. Jessica came to Tasmania in 2021 to complete her pharmacy internship at the LGH, loved it, and has since stayed on as a registered pharmacist. Her passion for research comes from a desire to

improve care for older Australians, particularly involving behavioural symptoms in dementia. More than 480 000 Australians are currently living with dementia and that number is growing every day. In Jessica's words:

Behavioural changes are common in people with dementia, especially as the condition progresses. In some instances, behaviours such as agitation and aggression are triggered by changes in the person's environment, their health or their medication. Through understanding these behaviours and their triggers, I believe we can find an answer to holistic management of these behaviours without the use of sedative medication.

These are examples of two brilliant and inquisitive minds and we are so fortunate to have them here in Tasmania. I congratulate both of these women and wish them every success in their endeavours.

I also acknowledge the Cuthill family. This family has a long association with the Clifford Craig Foundation and they are so supportive of the work that is done to improve health services and health outcomes across northern Tasmania. I thank them for their commitment to our up-and-coming researchers.

### **UTAS - Law Students**

[11.28 a.m.]

**Mr GAFFNEY** (Mersey) - Mr President, I congratulate the member for Rosevears, because I was also at those grant awards, and it was fascinating. I think we all enjoy going to those awards when we hear more about why the person has gained the award, or done research, so that was really good. Thank you.

I also congratulate the members for McIntyre and Elwick on their return and their hard work, and I welcome the new member for Huon, and wish them all the very best in their next term.

My special interest matter this morning would, and could no doubt, impact on the constituents of all members in this place. I rise to share some thoughts on behalf of some passionate and dedicated students of the University of Tasmania. Members would be aware that the university has been the subject of considerable scrutiny in respect to its property sales and development actions in recent years. These issues are regularly raised in the media and I imagine others in this Chamber have also received substantial representations from staff, students and members of the public.

Perhaps less known are some of the specific impacts of these decisions upon our young law students, who are potentially the future judges, practitioners and legal experts who will operate in the public and private sector. The University of Tasmania Law School has been the central institution in the history of the state of Tasmania, and that continues to be the case. However, in recent times, it has been suggested that the university has taken an increasingly hostile approach to the fourth oldest law school in the country, including its staff and students. Tasmania University Law Society (TULS) president, Fletcher Clarke stated:

A toxic culture has been developing for a number of years now, where concerns of students and staff have been largely ignored by senior university administration. This year a new teaching model and overworked staff have exacerbated the situation. This has all been to the detriment of educational and research outcomes as well as the wellbeing of students and staff which regrettably has also been ignored, and at times undermined by the university.

The TULS member believes that over a number of years, the law school has lost much in the way of decision-making and financial autonomy. This situation has worsened due to budget constraints and increases in the law faculty's gross contribution margin. That is, the percentage of the law school's revenue that the university's central administration takes to fund itself.

In our extended circles of families and friends, many of us know young students who are enthusiastic about pursuing their university dreams, preferably in their home state. We should do everything within our power to encourage the University of Tasmania to continue to provide competitive, world-recognised face-to-face tuition for our young people.

It is possible that the effect of the issues highlighted by TULS will be reduced access to legal education in Tasmania. Without a high-quality law school, young Tasmanians will miss out, especially those from rural and regional areas. In turn there will be fewer graduate lawyers, which will worsen access to legal representation, which has substantial effects on thousands of Tasmanians engaging with the legal system each year.

Fletcher's statement continued:

The damage the university has inflicted on the Law School hurts the reputation of current students and staff as well as graduates, many of whom are nationally and internationally recognised for their contributions to the law. During our recent meeting, TULS members did acknowledge that these challenges are not necessarily confined or unique to the Law School. Other areas of the university are also doing it tough, where deep cultural and resourcing issues are at play. The onus is on those in the administration to genuinely and address students and staffs' concerns.

The University of Tasmania must be a university that is for Tasmania. The university must actively maintain the standing of this law school and support it, as it is essential to access to justice and legal representation in this state. This reputation is derived from its high-quality face-to-face teaching and exceptional research output.

Time will tell as to whether the university addresses the concerns raised by TULS, provides the resourcing and staff the law faculty needs, and the autonomy that is deserving of one of the best little law schools in the world. The process of rebuilding must be genuinely supported by the university lest we find ourselves in the same dire situation that started not too long ago.

However, I am advised there is a glimmer of hope, and that there are some early positive signs in the university. An Acting Dean has been appointed from the ranks of current

law school staff, and the university has conceded that concerns shared by students and staff of the legal profession and the judiciary are valid and need to be addressed urgently.

I support TULS in its efforts to maintain the efficacy and status of the UTAS law school. I ask honourable members to review the concerns raised this morning as a matter of urgency.

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### **Recognition of Visitors**

[11.33 a.m.]

**Mr PRESIDENT** - I welcome to the Chamber Howrah Primary School grades five and six who are joining us today. At the moment we are going through what is a special interest segment where members get to speak about things that are either going on in their electorates or other issues that are concerning them, and then we will work through the day and get onto legislation and other bits and pieces that we do in this Chamber. I am sure all members will join me in welcoming you here today, and we hope you enjoy your time in the Legislative Council.

**Members** - Hear, hear.

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### **Kingborough Bowls and Community Club - Platinum Jubilee**

[11.34 a.m.]

**Ms WEBB** (Nelson) - Mr President, before I start, I also offer my congratulations to the member for McIntyre and the member for Elwick on their re-election, and to the new member for Huon on his election to represent his community. Welcome here.

We have already spoken in celebration of one important platinum jubilee this year. Today I rise to speak about another, closer to home. I rise to speak in celebration of the Kingborough Bowls and Community Club, which celebrated its platinum jubilee last month, marking 70 years of sport, friendship, and service to the local community. I had the pleasure of joining the club for several commemorative events, one of which was the morning tea where members have the chance to come together and celebrate the achievements of the club throughout its 70 years. At this event I was fascinated to look at the history boards that were presented and displays that had been assembled, including photos, newspaper articles, bowling equipment and trophies. It was also heartening to hear stories from a wide range of members both past and present who spoke about the impact the sport and club had had on them and their lives.

The second event was a reception that the club held for its sponsors. It was a great chance to join other supporters of the club, including many local business owners, to acknowledge the club's work and reaffirm our support. The Kingborough Bowls Club was established in 1952 to provide locals with the ability to play lawn bowls and through the years they have gone from strength to strength. In 1996, following a bequest from the late Phil Nichols, the club was able to construct a modern clubhouse that is still in use to this day. In 2015, the members of the club carried a motion to change its name to the Kingborough Bowls and Community Club to reflect the true nature of the club and reflect its use as a community facility. Today the club has more than 250 members, and is home to many regular events

which reach far beyond just the bowling greens. The club fields 10 competitive bowling teams across a range of divisions, where they have seen much success over the years.

The club's indoor centre, which was established in 2012 and named after the late lifetime member Donald Hazel MBE, has proven to be an invaluable resource for the club. The centre is one of the few indoor bowls facilities in the south of the state, and it ensures that the sport of bowls can be enjoyed year round by members, rain, hail, or shine. The club has opened its doors for social, barefoot, and corporate bowls, and members here may well have participated last December when the club hosted our parliamentary barefoot bowls night. Special thanks must be noted to the member for Mersey who organises this event, and my view is that the Kingborough Bowls and Community Club is such a good venue, I am hopeful we will again have the chance later this year to enjoy its facilities for our parliamentary event.

**Mr Gaffney** - 24 October.

**Ms WEBB** - There you go, why would we go anywhere else? Mr President, the club is also utilised by a wide range of sporting groups, including football, cricket and volleyball clubs to support their indoor training sessions. Beyond the greens, each week the club is home to a range of other community groups, including the Kingborough Darts Club and the Rotary Club of Kingston, which hold their weekly meetings as well as hosting regular activities including sewing groups, and even a ukulele group. The clubrooms are available to members and to the community for use for personal functions and special occasions, and I must say, the club has an incredible catering team and no doubt many birthdays have been very well celebrated in its clubrooms.

Mr President, I note the incredible work and commitment of the club's new president, Lorraine Walker, vice-presidents Alan Sculthorpe and Leonie Price, secretary Dale Freeman, treasurer Michael Andersech, and indoor centre coordinator Michael Harris, as well as members of the club's tournament and selection committees. As many of you would know from your own experience and in your own electorates, clubs like this offer so much more than just sport to their members and their communities. They offer a sense of community and shared purpose, a chance to create friendships, to gain new skills and to build confidence.

Just this past week we celebrated National Volunteer Week. Volunteers are the lifeblood of our communities and the Kingborough Bowls and Community Club is no exception. We know that those who volunteer their time and effort do not simply benefit the community that they serve, they also see benefits in their own health and happiness. This club has been able to function for 70 years as a result of the selfless work of its past members and volunteers, and continues through today as its current patrons build on this work.

I congratulate the Kingborough Bowls and Community Club for a successful and memorable first 70 years, and wish them all the best for the 70 years and more to come.

**Members** - Hear, hear.

## Shayla Phillips Rescue

[11.39 a.m.]

**Ms HOWLETT** (Prosser) - Mr President, I also take this opportunity to welcome back the honourable member for McIntyre and the member for Elwick, and congratulate them on a very successful election campaign I know you both worked incredible hard. Also, to our newest member, the honourable Dean Harriss, member for Huon. Welcome to this place and I know that you will represent the people of Huon with integrity and passion like your father did.

On the afternoon of Wednesday 23 March, four-year-old Shayla Phillips was in the backyard of a property in Stormlea on the Tasman Peninsula, playing with her two dogs. When Shayla's mother went out to check on her after around half an hour, she was met with every parent's worst nightmare. She discovered Shayla was gone. A frantic search for Shayla ensued with over 100 police, SES, local volunteers, along with interstate search teams, trained rescue dogs, divers, helicopters and drones quickly mobilising to find her.

The search for Shayla was very difficult as Stormlea is a hilly, densely wooded area. It is so densely wooded that one of the rescuers told me when searching the area if someone was standing a short distance from you, you could not see them through the shrubs. All local residents searched their properties for Shayla. Helicopters and drones searched from the skies using thermal imaging cameras. However, with so much wildlife in the area, it was difficult to tell if the heat signatures being picked up by thermal cameras were that of a little girl or a wombat. Some search crews stood shoulder to shoulder in long lines and together would walk a few steps forward and stop. Someone would call out to Shayla and everyone would listen carefully, hoping that Shayla would respond. They would repeat the process for hours on end, making sure to cover every square foot of bushland where Shayla could possibly be. Other search crews crawled in lines on their hands and knees, painstakingly searching under every bush and checking every hollowed log they came across.

Telstra provided a mobile signal booster so the search crews could contact each other in the isolated area. The Highcroft-Stormlea CWA provided food and refreshments for everyone involved in the search. With the desperate search for Cleo Smith still fresh in everyone's minds, the search for Shayla tugged at the heart strings of all Tasmanians and indeed the whole nation. Tasman mayor Kelly Spaulding said his phone was running hot with calls from state and national media wanting updates on the search and also from many community members wanting to help out in the search effort.

As the hours went past there were concerns about the weather. The Tasman Peninsula is typically overcast and windswept and there were concerns Shayla would be fully exposed to the elements of a cool autumn night. However, as fortune would have it, the nights of 23 and 24 March were uncharacteristically warm and calm on the peninsula which was encouraging for everyone involved in the search effort.

On the afternoon of 25 March only a short distance from Shayla's house an SES search party were calling her name, when they heard a small voice call back, 'Mummy.' Shayla had been found, she was covered in dirt and a little confused but was otherwise surprisingly fit and healthy for someone who had spent two nights in the bush. News spread very quickly that Shayla had been found and the community were elated and relieved she had been found



alive and well, like many of us in this Chamber, around Tasmania and the nation. I know we all shed many tears. What a sense of relief that was.

I wish to thank everyone who was involved in the search for Shayla Phillips. Thank you to Tasmania Police Inspector Gavin Hallett, who led and coordinated the search rescue. Thank you to mayor Kelly Spaulding and to his councillors and staff who provided regular updates on the status of the search for Shayla and fielded the large number of media enquiries, allowing the police and rescuers to concentrate solely on finding her. Thank you to the hundreds of police, SES members and local volunteers who tirelessly searched the difficult terrain for Shayla. Thank you to the Highcroft-Stormlea CWA for their incredible cooking, for providing the rescuers with scones, soup and various food and refreshments. Thank you to everyone in the Tasman community who contributed in the search effort.

Mr President, it was because of the unrelenting efforts of all of those involved in this search that this nightmare had a very happy ending. Thank you.

**Members** - Hear, hear.

## **RECOGNITION OF VISITORS**

[11.45 a.m.]

**Mr PRESIDENT** - At this point, I was going to welcome to the Chamber the honourable member for Huon's wife, Melinda, and also our previous Chamber friend, Mark 'Beetle' Bailey. Unfortunately, they have had to leave for other reasons but I acknowledge their attendance here today. It is always good to see old and new friends in this Chamber.

**Members** - Hear, hear.

## **SUSPENSION OF SITTING**

[11.46 a.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the sitting be suspended until the ringing of the division bells.

This is for the purpose of Legislative Council committee business to be held in Committee Room 2.

**Sitting suspended from 11.45 a.m. to 12.20 p.m.**

## **MOTION**

### **Committee Appointments**

[12.21 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I seek leave to move motions without notice, concerning the appointment of the Deputy Chair of Committees and associated Committee appointments.

**Leave granted.**

### **Deputy Chairs of Committees - Appointment**

[12.22 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) (by leave) - Mr President, I move -

That the member for McIntyre, Ms Rattray, be the Deputy Chair of Committees and associated Committee appointments.

**Motion agreed to.**

### **Privileges Committee and Standing Orders Committee - Membership**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the honourable member for McIntyre be reappointed to the Privileges Committee and Standing Orders Committee of this Council.

**Motion agreed to.**

## **MOTION**

### **Consideration and Noting -**

#### **Report of the Parliamentary Standing Committee of Public Accounts - Inquiry into the Government's Economic Response to the COVID-19 Pandemic**

[12.22 p.m.]

**Ms FORREST** (Murchison) - Mr President, I move -

That the Parliamentary Standing Committee of Public Accounts Final Report, Inquiry into the Government's Economic Response to the COVID-19 Pandemic, be considered and noted.

Mr President, finally, I can make some comments about this report. I have been thwarted a couple of times, once for having COVID-19 myself, and through prorogation and other delays. The subject of this report is COVID-19 and the Government's response to it.

I take this opportunity to congratulate the returned members, the member for McIntyre and the member for Elwick. Everyone tells you there is no need to worry but you always do

as it is always a stressful time. It is really great to have you back. I am looking forward to working with both of you, particularly the member for Elwick on PAC as I know he is really keen to continue his work there and I am keen to have him back. In particular, I welcome and congratulate the member for Huon. We will do our best between the Deputy Chair and I to make sure you do not make any silly mistakes as we have all made in the past. Well done, it was interesting to watch the campaign, it could have been anyone's game at the start. It must have been a stressful time for that wait, but congratulations and welcome. I look forward to working with you and you will be lucky enough to be on Committee A for Estimates.

In speaking to the motion noting the Parliamentary Standing Committee of Public Account's final report into the Government's Economic Response to the COVID-19 Pandemic, I acknowledge the enormous amount of work that has been done in Tasmania to respond to the pandemic. Across the board, the Government have led the way in many respects, but this has not been an isolated effort. It is important to acknowledge that. I also wish to acknowledge there is still a lot of hurt and pain in our community as a result of the circumstances with which COVID-19 was forced upon us in many respects. The separation from families, the separation from loved ones. Whilst you can now travel to see family members and things like that, there is a legacy that will be there for a long time. Babies born during that period knowing nothing different than masked faces, wherever they go. Those children in daycare seeing masked faces. You wonder about the long-term impact of not being able to see a smile, a frown and other emotions displayed in those facial features. We know they are so important to the communication for children. We must never underestimate the impact that will be long-lasting and will continue. We are not out of it yet.

There have also been many frontline staff who have absolutely borne the brunt of this pandemic, especially in the early days in 2020 when we knew very little about the virus. We had no vaccines and we needed to respond rapidly with sometimes limited information. I know that was certainly the case in the north-west. Sadly, this necessary and appropriate approach, where restrictions and other measures were regularly and at times rapidly changed, fueled the fires of conspiracy theorists and resulted in very unfortunate behaviours of some who chose to vilify and verbally threaten some of the healthcare workers and others providing ongoing customer-facing services to our communities. Those people will never forget the way they were treated during that period. Sadly, some chose to refer to these changes as a lack of honesty and trustworthiness from our leaders. In my view, this is so far from the truth.

Communication was central to avoiding confusion and providing credible and clear rationales for the decisions made. There was simply so much information to put into the public domain and much of it as it was updated and changed frequently as circumstances changed and knowledge was gained which perhaps led to some of the confusion at times. I can absolutely understand that.

Sadly, we have seen some of this verbal abuse and other poor behaviour levelled at retail staff, hospitality venue staff and others. That is simply not okay, never is, never was, and there is no excuse for that. Such behaviour remains unacceptable. We are allowed to hold differing views about aspects to do with COVID-19, the response and the ongoing challenges but such abusive behaviour is not acceptable.

Having said that, the vast majority of Tasmanians and Australians - in fact, the vast majority of humans - have been wonderful, caring people, looking out for their neighbours,

dropping off supplies to those in isolation, filling gaps in whatever way they could, going out of their way to respect the restrictions and support local businesses. People freely shared their artistic talents to sustain us and give us hope. I can safely say that there is nobody in this Chamber who would not have engaged in consumption of the arts, for nothing, through their social media. That lifted their spirits in times when it was difficult.

That is one reason why my days were long and full, trying to ensure the information sought by members of the community was contemporary, accurate, and presented in a way that different members of the community could easily access and understand. I can understand personally the frustration of many who have been isolated from loved ones for far too long, have had to cancel significant events and have their plans disrupted. That is still going on. When someone gets COVID-19 and they have to cancel or not attend a special family event, it is happening every day. There are still people who have been impacted by this.

My experience of the separation from family and loved ones pales into insignificance for many Tasmanians who have lost employment, are facing financial hardship, have become homeless, or are finding it increasingly difficult to manage the cost of living impacts the pandemic has disproportionately resulted in. Whilst we are seeing some recovery from some of those aspects now, we know what the housing crisis is like. The Government put in place protection to try to support people in public housing or private rentals but we are still seeing what can only be described as a housing crisis around this state and around this country.

We are in a different place now after two years. We have effective vaccines and a less virulent current coronavirus variant, which while more infectious, is putting less pressure on our health system overall. We cannot ignore the fact that people are still dying around this country every day. It was only recently I saw some figures that said we have the highest per capita rate of deaths and infections almost in the world, if not the world. We cannot ignore that, and I accept that a lot of the people who sadly passed away are elderly people in aged care facilities who may well succumb to the flu if the flu gets into those facilities. But that does not make it okay to ignore, and say, oh well, it is just that group of people. It is not just those people.

Mr President, there are still many in our communities who feel quite anxious. Many who would normally socialise with family and friends at cafes, restaurants, et cetera, who are still reluctant to do so. These are particularly vulnerable members of our community and particularly older members of our community. We have parents of young children, who, in the vast majority, appear to only suffer mild symptoms if they contract COVID-19. It is and has been a very worrying time, especially for families of vulnerable family members. It might be okay that the children and the other younger adults have mild symptoms, but if they are living with a person who is particularly vulnerable it certainly adds to the anxiety.

Our teaching staff and other school support staff have worked incredibly hard to support student learning. This has been, and continues to be, incredibly challenging. As the community and as a state we must ensure that these staff are well supported. Only if staff are well supported can they ensure the best outcomes for our students who have suffered enormous disruption to their education over the past two years. And as with other related matters, some children are much more vulnerable to the negative impacts of such disruption and they will need ongoing support for many years to come. It is the old case that some kids

will be fine no matter what circumstances they find in the classroom, but others can be very disadvantaged by the same circumstances.

Whilst it is a matter more under the responsibility of the federal government, I believe the aged care and disability care workforce have been very let down during this period. A highly casualised workforce, low rates of pay and a lack of real respect for the work they do saw an enormous toll on the aged care sector in particular. I will not speak any further about that as it is not a matter that was a focus of the inquiry and it is a federal government responsibility.

Since writing this - I am not quite sure how long ago I started to write this response - we have had a federal election, as members would be aware, and have had a change of government as well. It will be interesting to see what the federal Labor Party, and the Prime Minister Mr Albanese do to fulfil their promises with regard to funding in aged care.

The point I am making is that no-one has been untouched by this pandemic. All evidence suggests that this will sadly not be the last pandemic the world will face, so capturing responses taken by government, the effective measures, the measures that could have been done differently or better, and the lessons learned to guide future decision-making, has been a very valuable process. I know the conspiracy theorists are out again with the arrival in Australia of monkeypox, for example. Thankfully it is not quite as infectious as COVID-19.

To turn more specifically to the report, I know it is quite a long and detailed report, not in comparison to some, I might add. The committee received 28 submissions and also directly contacted other identified stakeholders to provide evidence to the committee. There were 11 public hearings held. All nine ministers attended hearings to provide evidence related to their portfolio responsibilities. The then premier, Mr Gutwein, and the then minister for health, Sarah Courtney, and the minister Mr Ferguson appeared more than once before the committee and we do thank them for that. And I thank the former premier and his ministers and their large number of senior public servants for making themselves available to the committee at such a busy time.

The committee also heard from the chair of the Premier's Economic and Social Recovery Advisory Committee (PESRAC), and from a number of key stakeholders representing various sectors of the community and economy. I thank all who engaged with the committee inquiry for their time and their evidence, both in written submissions and verbal evidence, and all this is available on the Parliament of Tasmania website.

Mr President, as noted in the report the COVID-19 pandemic has created significant disruption, including health and economic challenges around the world. I will quote from the executive summary as this represents the views of the committee quite succinctly:

The Committee notes the contribution of all health and other front line professionals whose past and continuing efforts and dedication to the COVID-19 response are recognised and appreciated. Comparatively, Australia has been very successful in containing both the spread of COVID-19 and addressing both the health and economic challenges this pandemic has created.

As an island state, Tasmania has had the ability to limit the movement of people into Tasmania from other parts of Australia where cases of COVID-19 have emerged.

Clearly, this work of the committee was done before the reopening of the borders and it was done looking at a time when we did not have vaccines and certainly, not a full vaccine rollout. Members will be aware that the Public Accounts Committee is now undertaking a series of other inquiries looking at particular aspects of the Government's management of the pandemic since the reopening of the borders. This is obviously a different playing field, when we have one of the highest vaccination rates for COVID-19 in the country and probably in the world.

With regard to the Government's response, we know the Government's initial response to administrative arrangements were made in accordance with the Public Health Act 1997 and the Emergency Management Act 2006. A key recommendation of the committee is that both of these acts be reviewed as soon as practicable to ensure Tasmania's legislative framework for dealing with any future public health emergency or state emergency situation are effectively managed through the learnings gained through the COVID-19 pandemic. We can always learn from what we do, even if we have done it well.

As members will recall, in April 2020 the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 was passed by the parliament with a stated objective to reduce the risk to the state and the risk to or hardships suffered by members of the public arising from, or related to, the presence of the disease in persons in the state, or the risk of the spread of the disease between persons in the state.

As we know, this objective was primarily achieved through the issuance of notices to give effect to other emergency measures, with the Government issuing a number of notices in relation to COVID-19 in Tasmania pursuant to that act. These notices have all been scrutinised, except for the one we have recently tabled, reported on by the Parliamentary Joint Standing Committee on Subordinate Legislation. These reports are also available on the Subordinate Legislation Committee's website.

The Director of Public Health and the State Controller also issued a number of directions pursuant to the Public Health Act 1997 and the Emergency Management Act 2006. These are not subject to parliamentary scrutiny as described in those acts. These actions taken by and the response of the Government overall were found by the committee to be timely and effective in controlling and preventing the spread of COVID-19.

As noted in the report, evidence provided to the committee demonstrated clearly how departmental personnel at all levels responded promptly and collaboratively to the challenges faced within their jurisdictions. The committee also noted that all the State Service employees are to be commended for their efforts. Whilst there will always be some in our community who would argue things could have been done differently or within a different time frame, overall the response of the Government, with the collaboration of other party leaders and Independent members of the parliament, was timely and effective.

A point that was commented on by external stakeholders was an awareness of how all MPs, regardless of their party affiliation or independence, had worked collaboratively and

effectively to respond in a timely manner to the rapidly changing environment for the benefit of all Tasmanians. The committee noted that the response by parliament, Government and departments demonstrated an ability to be responsive and agile as demands and situations rapidly changed.

Evidence also showed whilst COVID-19 caused massive disruption, hardship for a significant number of Tasmanians and some tragic loss of life, there have been some positive outcomes. One such example is noted in the report, that whereas policy and operational decisions have traditionally been made in silos, many of these barriers were removed, resulting in greater collaboration between departments.

I am sure the Leader, or whoever is responding to this on behalf of the Government, will reassure me these things are not going to go back to the way they were and the silo approach.

The committee recognised the value of such an approach, noting this model should be adopted in the future when responding to matters of significant public interest. Furthermore, whilst access and timeliness of COVID-19 testing and access to personal protective equipment was challenging and problematic at times, the responsive ramping up of areas was effective in limiting the impact of COVID-19 on the health of Tasmanians and the Tasmanian economy. As I said, we can always do things better.

As we all know, the most significant COVID-19 outbreak was in the period before widespread vaccination was available and the reopening of our state border occurred in the north west coast. This was a very stressful and difficult time that significantly challenged the health workforce, not only in the north-west but across the state, and particularly in the north-west.

The committee noted the Government took unprecedented action to address this by taking over the North West Private Hospital and then closing both North West Regional Hospital and North West Private Hospital, which had a broad impact on the state's health services having to pick up the load. This outbreak has been the subject of other external reviews and from these and this inquiry there have been lessons learned regarding this outbreak. Findings and recommendations related to this outbreak, from this and those other reports, need to be monitored and also inform future decision-making.

The committee heard evidence in relation to training, particularly pandemic preparedness training that occurs in other states. On the basis of this evidence, the committee also recommends the Government considers adopting a universal training model for Public Health staff, such as utilised in New South Wales, to ensure all Public Health staff are well equipped to effectively scale up operations if and when required.

I still remember when this first happened in Tasmania when I and other members of this place thought this would be over in three months, six months, a year. I remember getting up here and saying it will not be, it will be at least two years and it is still going.

As I mentioned earlier, communication that is clear and accessible is vital in times of great uncertainty and rapid change. In fact, it can make or break those at the forefront of the response. Organisations supporting and advocating for health professionals provide evidence that communication during the north-west outbreak, in particular, was inadequate and not

always timely, adding to the anxiety many health workers experienced. That is part of the reason why they sought to reach out to others outside, myself included, because they felt the messages were not getting through to them or to the people who were making the decisions. I commend them for having the courage to do that; it did turn things around in the north-west, when the decision was made by the Government to close those two hospitals.

Clear, effective and accessible communication must be at the forefront of planning for future communications, whilst acknowledging the difficulties associated with very rapid change and highly stressful circumstances.

The committee notes the significant impact on the mental health and wellbeing of many Tasmanians during this period. Health professionals, in particular, were deeply impacted during this time, as were members of our education workforce. The committee recommends ongoing attention to monitoring mental health and wellbeing, particular by those impacted most directly by COVID-19. I note the Government has committed additional mental health support and this must continue for many years to come for all Tasmanians needing support. The need will continue for years.

The committee recommends that mental health and wellbeing support be included as part of the annual professional development for health professionals and other frontline workers. There is a range of mandatory education that you do as a health professional - CPR, I know the use of PPEs is now on that list - but we also recommend that mental health and wellbeing be included on that. Just as a check-in but also to ensure that those people know where they can get help should they need it.

I remember talking outside the committee to young nurses who had just graduated and then landed in the Burnie hospital, in the medical ward, and an outbreak happens. What a way to start your career.

With regard to the economic support provided across many sectors, the committee found that this was generally well targeted and effective. Many small businesses were facing enormous financial pressures, especially newly established businesses that did not qualify for the initial support. The committee acknowledged that a range of broadened and targeted financial support and fee relief was provided and this did limit the negative economic impacts for many Tasmanians. Some businesses were able to transition to online sales or different ways of doing business, such as providing takeaway meals, et cetera, but for many, this was a very difficult time, even in spite of the ability to pivot, if you like.

The committee recommends the Government monitors and responds to the ongoing vulnerability of Tasmanians at risk of unemployment, who have reduced opportunities for gaining employment and poor mental health and welfare outcomes. As I noted earlier, those particularly at risk of these longer term impacts include casual workers, women and older jobseekers.

The committee recommended that future plans and measures implemented to support the economic recovery include targeted and specific programs to assist those seeking and maintaining employment, particularly to the identified more vulnerable groups, as I have mentioned. In terms of ensuring all Tasmanians can experience the same level of service and support, the committee identified the importance of digital inclusion. This must be a focus of



government, particularly for those in areas where digital access is limited and unaffordable, and for those who face digital literacy challenges. We know where some of these areas are and we need much greater investment.

I do not know what Telstra is doing in and around Wynyard at the moment, but they are not providing a service that is fit for purpose. I am not sure, but they are doing upgrades, allegedly. They have been doing upgrades for a long time now. If you have young people trying to learn from home through virtual learning experiences or even engaged in work from home, because they have a vulnerable member in their household or they have COVID-19 and they can continue to engage because they are not that sick, we have to make it possible.

Many of these matters will be followed up in various forms through other scrutiny opportunities, such as the state budget scrutiny and other committee inquiries. The committee made 35 findings and 16 recommendations. I will not go through them all, I have outlined some of the headline ones. They are all clearly described in the report. The findings relate to all the areas of the evidence taken and I commend them all to all members and the Government.

These findings range from the initial health response to the effectiveness and efficiency of our border control; to the supply of PPE across a range of front-facing services - or customer -facing services; to the impact on education, mental health and welfare, including the establishment of the vulnerable children's panels; to the impact on a number of government-owned businesses and the state justice system; as well as the increasing demand for safe, secure housing, including victims of family violence, to name a few.

In Tasmania, as well as around the country and the world, the pandemic certainly exposed the real pressure points. Issues such as a lack of affordable housing worsened over this period and will require a dedicated and committed response from all members of government to address. Our reliance on itinerant workers and students in many of our lower paid and casual and seasonal jobs was significantly exposed. These matters are more fully considered in the body of the report.

For some, the change to working from home for many employees was welcome; for others it added to a very stressful situation - and many cartoons. The future of work is a very important matter that will require an ongoing focus of all levels of government too.

We all know the major impact experienced by the tourism, hospitality, arts and events sectors. We possibly learnt to value more the important role the arts play in our health and wellbeing. It has been an extraordinarily difficult time for those in the arts and events who received far less support overall than the broader tourism and hospitality sector. Some of those could pivot; the arts and performers and events could not. I acknowledge the wonderful support provided to The Unconformity - I am a member of the board, in terms of full disclosure. The support leading into, during and following the very tragic interruption of our festival in 2021 due to the snap three-day lockdown in southern Tasmania was very welcome, and I know there is still ongoing work relating to that.

This lockdown occurred at the worst possible time for the festival. It occurred the first day it was underway, and we could not have all of our performers, volunteers and crew put on events in Queenstown at that time. Some of them were in Hobart and leaving at the time the lockdown was announced, which meant they were stuck. We had people from Hobart,

volunteers, who wanted to get home, so it was the worst possible time, and I do appreciate the interaction with the premier and the then minister for events, Sarah Courtney, during that period. We must continue to support, invest in, and recognise the role of arts and events to the whole community and the artists who have had such a tough time.

The committee made 16 recommendations as I have mentioned. Many I have already described. As we know, this is not likely to be our last pandemic, or in fact, the end of this one. For that and for many other reasons, the committee recommended that pandemic preparedness plans be regularly reviewed and updated. As I said, this pandemic is far from over and with winter coming and almost on our doorstep, who knows what it will bring. We will see the highly contagious variants and cases surge in all parts of the world and Tasmania has been no exception.

Thankfully, we know that, to date, the vaccines have been effective in reducing the rate of serious and life-threatening illness, but we must remain vigilant.

Very recently, the Public Accounts Committee has resolved to undertake a series of targeted inquiries into the ongoing responses and actions of Government, including the re-opening of the border, the return to school plan, vaccinations, the COVID-19 Check in TAS app and business support. Since then our committee has reported on the first matters during that period.

As we progress through these ongoing challenging times, we should be hopeful, whilst remaining vigilant, alert to new challenges and we must continue to heed the advice of our very experienced Public Health leaders. I know the Government has done that. I know the former premier and this Premier and now Minister for Health have religiously and consistently heeded Public Health advice. They have not strayed from that, which makes it much easier for me, as a member of my community and I am sure for other members in this place, to reassure our community that these are not some flight of fancy by ministers or the Premier. These are based on Public Health experts who are the experts. It was consistency, even when the pressure was on. Even when there were enormous calls for changes, reopening the border, or not reopening the border, or whatever it was. They held firm. That is really important and I commend them for holding their nerve on some of that.

There are many in our community - myself included - who wish the virus would go away. Anyone else in that camp?

**Members** - Hear, hear.

**Ms FORREST** - We know that is not going to happen. While I do feel confident that if we work together, we will get through this with limited restrictions and disruption into the future, as many of us hope for - now we can pretty much do anything we want. Of course, you do it with a level of risk. But it is so nice to be able to get over to Melbourne - particularly for me - even to Launceston to see family members and the grandchildren. I know there are many others who have had similar challenges.

I also acknowledge that there are many in our community who remain very anxious about socialising and as a result there is a very real and live risk of loneliness. I recently read some research that indicates the negative health and wellbeing impact of a lack of human

contact is equivalent to smoking 15 cigarettes a day. Let us not forget that. Loneliness is a disease. Loneliness has significant negative mental health and wellbeing impacts on people. As a community, we still need to look out for people who may be lonely, older people in our community who may be reluctant to go out still, people who are vulnerable in our community who do not feel safe to go to an event, even to go to a cafe.

I commend the work of Fiona Patten, the leader of the Reason Party in Victoria, for working with Dan Andrews, the Premier of Victoria, to establish a Ministry for Loneliness. It is serious and we take a lot of attention to the impact of smoking in this place. We always have. We cannot underestimate that impact of loneliness and we need to be very alert to it.

We all have a role to play in taking care of and for others in our community. Many are nowhere near as fortunate as us, or me, in this Chamber. We need to ensure the long-term health and wellbeing impacts are not exacerbated for many as others move on. We are lucky we have been able to move on, but we cannot forget that there are others who perhaps are unable to move on, they are now homeless, now struggling to make ends meet for a whole range of other factors that have happened in tandem with the ongoing pandemic.

The former premier has written to the Public Accounts Committee since the release of the report. His letter is also published on the website. It was a very complimentary letter and I thank the former premier for that. I do look forward to a more comprehensive response from the Government and welcome the input and thoughts and contributions of other members as we continue our work.

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank the member for Murchison, the Chair of the Joint Standing Committee of Public Accounts, for bringing forward this motion today. On behalf of the Government I thank the committee for its work. The member for Murchison has given a fairly comprehensive report on what you did through the PAC report, and we appreciate that.

The Government acknowledges and welcomes the recommendations and findings contained within the final report which found that, overall, the Government's response was timely and effective in controlling and preventing the spread of COVID-19 and that the Government and its agencies demonstrated an ability to be responsive and agile as demands and situations rapidly changed. It also outlines the opportunities for improvement in the future and the Government is taking action on these. There is no doubt that COVID-19 has had a significant impact on the lives of every Tasmanian.

So on behalf of the Government, I want to particularly acknowledge the incredible efforts of our hardworking health staff over the last two and a half years. They have been front and centre of our COVID-19 response during this time, working tirelessly to test, vaccinate and support our community. I also acknowledge the thousands of other workers who have adapted the services they deliver, and the support that they provide to our community. These are workers like police, teachers, cleaners and many, many others who displayed remarkable resilience and who have gone above and beyond.

The Tasmanian Government's COVID-19 social and economic support packages totalled more than \$1 billion, complementing the Australian Government's multi-billion-dollar response. This support was on a scale not seen in the history of the state

with a range of broad-based and closely targeted support measures, including for local businesses and community services, and we will continue to assess the need for further support as we transition to living with COVID-19.

As a state, we remain in a good place. Step by step, we have been easing restrictions in line with Public Health advice, with the restrictions around events and most recent restrictions to be lifted. Our actions to manage the pandemic mean Tasmania is now in a unique position to grasp the opportunities of the future. We are viewed globally as a safe place, with a strong prosperous economy. Importantly, this strength was confirmed by the 2021-22 Revised Estimates Report released earlier this year, this report outlining Tasmania's economic and financial positions - state final demand - has been revised upwards and the forecasts flag continued economic and employment growth over the coming years.

This Government recognised the thousands of small businesses around our state who have done an incredible job. We have provided significant support for these businesses, providing the highest level of COVID-19 support for business per capita of any jurisdiction in the country. We know that in many cases they bore the brunt of the COVID-19 pandemic. Since the beginning of the pandemic we have provided \$160 million to businesses to keep them going and, importantly, save their jobs. We recognise that while our economy is strong, and that many businesses are doing well, further support has been needed to assist some businesses as we continue to transition to living with COVID-19. An example of this ongoing support for these businesses includes the recent announcement of round four of the COVID-19 Business Impact Support Program. We will always look at what can be done where it is needed.

Regarding education, it has been a positive start to the school year and we know that the consistent advice is that school is the best place for our students. Attendance and engagement maximises their wellbeing and makes sure they have the best possible opportunities to do well at school. We are currently seeing minimal disruption to overall learning which I am sure is welcomed, with the majority of those students needing to isolate at home accessing online learning resources. In government schools, every school has a dedicated COVID-19 support person who works closely with Public Health if there are COVID-19 cases.

There are many mechanisms in place for the non-government sector with families in either sector contacted directly about any COVID-19 impacts at their school. Our COVID-19 Safety Plan for Term 1 and now Term 2, have delivered on our objectives of safely maintaining face-to-face learning as a priority while supporting learners who need to learn at home due to COVID-19. Key changes for the Term 2 plan include the resumption of indoor Learning into Learning sessions, the Gifted Online program recommencing, and supporting COVID-19 safe ways for bringing students together to participate in learning activities.

There are increased resources to support ventilation in schools including strengthened statements on managing ventilation in cooler weather. There are also changes to how outbreaks are managed to reflect a shift from case outbreaks to a focus on management of symptoms and case numbers. These changes are in response to advice from Public Health including analysis of the spread of COVID-19 in schools during Term 1. The Department of Education will continue working closely with government school communities and the non-government sector to support them and manage COVID-19 in their communities.

Regarding the government's health responses, I am advised that Tasmania has had the lowest rate of admitted patients for active COVID-19 cases and there continue to be proactive measures in place for staff, patients, and visitors at our hospitals. The Tasmanian Department of Health is keeping a very close eye on these matters.

**Sitting suspended from 1.00 p.m. until 2.30 p.m.**

## **QUESTIONS**

### **Closure of Envorinex - Impact on Industry and Environment**

**Ms RATTRAY question to MINISTER for PRIMARY INDUSTRIES and WATER, Ms PALMER**

[2.32 p.m.]

Mr President, the closure of the state's only soft plastic processor, Envorinex, is going to have a significant impact on the local aquaculture, fishing and fish farming industries. What the Government doing to address this really important issue for our environment?

### **ANSWER**

Mr President, I thank the member for that question. I will take that question on notice so that I can come back and give you a fulsome answer.

### **Tasmania Law Reform Institute - Report of Review**

**Ms WEBB question to DEPUTY LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms PALMER**

[2.33 p.m.]

Mr President, with regard to the ongoing involvement of the Tasmanian Government in the Tasmania Law Reform Institute, as one of three founding parties, and specifically the review currently undertaken by the South Australian Law Reform Institute:

- (1) Can the Government clarify whether it will receive a copy of the final review report when it is provided to the University of Tasmania Vice-Chancellor who commissioned the review, and if not, will the Government formally request a copy?
- (2a) Did the Government agree with the proposal that all stakeholder submissions to the review would be provided solely to the University of Tasmania; and
- (2b) Given the established public and community sector interest and involvement in the TLRI, will the Government, upon the review's completion, formally request copies of the stakeholder submissions made; and will those, exempting any confidentiality or sensitivity concerns, be made public in accordance with the

government's publication of submissions received by Tasmanian government departments in response to consultation on major policy issues policy?

- (3) Would the Government, as one of the three founding parties, have any direct role responding to and acting upon the review's recommendations?
- (4) Will the Government confirm their position is to secure the ongoing viable operations of the TLRI and the valuable contribution it makes to sound public policy development, the legal sector and the broader Tasmanian community?

## **ANSWER**

Mr President, I thank the member for the question. As previously advised to a question on notice by the member for Nelson on this matter, the review of the Tasmania Law Reform Institute is being conducted by the University of Tasmania.

It was initiated independently by the university and not at the request of the Tasmanian Government. Our Government is aware that the review is being undertaken by an independent review panel to consider and make recommendations about the structure, governance and funding of TLRI as the state's peak law reform body.

The Attorney-General and Minister for Justice were consulted on behalf of the Tasmanian Government regarding the terms of reference of the review and constitution of the review panel as one of the founding parties to the TLRI agreement. As previously advised, the Department of Justice has been actively engaged in this process, including providing input, as appropriate, into the TRIS for the review. However, any decision about the conduct of the review, including whether to share or publish the final review report is a matter for the university and the independent review panel. This includes whether stakeholder submissions are provided solely to the University of Tasmania or released publicly. The review and submissions are not subject to the publication of submissions received by Tasmanian government departments in response to consultation on major policy issues or policy.

The Government is a strong supporter of the TLRI and values the research and analysis undertaken by this institution. The Attorney-General was pleased to have been consulted by the review panel to date and looks forward to the outcome of the review and considering any recommendations that may relate to the Tasmanian Government.

## **Hydro Tasmania - Payment of Royalties**

**Ms RATTRAY question to DEPUTY LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms PALMER**

[2.37 p.m.]

- (1) Does Hydro Tasmania charge a royalty, licence fee or similar to companies that extract submerged timber from hydro-managed impoundments?

- (2) If so, how many companies have paid a royalty or licence fee to Hydro Tasmania for the following years: 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020 and 2021?

**ANSWER**

I thank the member for the questions.

- (1) Hydro Tasmania charges a combination of both fixed and variable fees for the extraction of submerged timber from Hydro Tasmania-owned lakes.
- (2) Only one company is licensed, Hydrowood SFM, and has paid fees to Hydro Tasmania each year they operate.

**Review of Apprentice and Trainee Travel and Accommodation Rates**

**Mr WILLIE question to DEPUTY LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms PALMER**

[2.38 p.m.]

Skills Tasmania is currently undertaking a review of apprentice and trainee travel and accommodation rates.

- (1) Is the review being conducted within government or has an external party been contracted to conduct the review?
- (2) What is being considered in determining any new rates?
- (3) What oversight is there to ensure employers meet their obligations to cover any additional costs?
- (4) What is the current vacancy rate and demand for accommodation at Clarence TAFE and is this expected to increase with the new energy, trades and water centre of excellence?

**ANSWER**

Mr President, I thank the member for Elwick for his question.

- (1) The review is being conducted by Skills Tasmania as part of a regular review of the policy.
- (2) The review will consider cost of living increases since the policy was last reviewed including with respect to consumer price index movements. This work will inform any proposed amendments to current allowance rates.

- (3) This matter is covered in industrial awards and is not the jurisdiction of Skills Tasmania. Allowances paid by Skills Tasmania are a contribution not a full cost recovery.
- (4) TasTAFE expects demand for accommodation to increase as the energy, trade and water centre of excellence is brought online. However, it is important to note that TasTAFE students typically come to campus for blocks of training that are usually a week or two at a time. As a result, TasTAFE accommodation has very few long-term residents. Accommodation vacancy rates fluctuate throughout the year as programs operate and block release takes place. The current occupancy rate is approximately 31 students.

### **COVID-19 - TasTAFE Arrangements**

#### **Ms RATTRAY question to DEPUTY LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms PALMER**

[2:20 p.m.]

This is a question that I asked in the week commencing 3 May. I know the situation has changed but I am going to ask it anyway. It would be good to get it on the record.

Mr President, an answer to an earlier question was that there would be arrangements made for students, apprentices and trainees to have assessments carried out outside the TasTAFE campus for those who had not been vaccinated. These arrangements have not been facilitated.

- (1) Why have they not been facilitated to ensure continuity of their training?
- (2) With the easing of COVID-19 Public Health restrictions - and we know that has happened - when does the Government intend to remove the discriminatory rules to attending onsite campus classes for TasTAFE students, apprentices, and trainees who have not been vaccinated? Even if you could attend if you had an exemption, you are still not vaccinated.

#### **ANSWER**

- (1) TasTAFE's decision to make COVID-19 vaccination mandatory for TasTAFE students and staff in 2022 is not one that was taken lightly. However, TasTAFE believes that is the best way of keeping everyone as safe as possible. Alternative training options are continuing to be considered on a case-by-case basis, although it is important to note that many vocational training products have significant hands-on elements that cannot be delivered through a remote setting. In addition to individual training plan amendments, organisational guidelines have been developed to assist with finalising final-year unvaccinated apprentices and trainees. These guidelines provide a set of principles and options for teaching teams to complete final-year apprentices and trainees who do not meet the vaccination requirements to attend TasTAFE campus and facilities.



- (2) TasTAFE is continuing to explore alternative delivery options and is committed to working with individual students on a case-by-case basis to deliver training wherever possible. TasTAFE regularly reviews its COVID-19 responses to consider whether changes are required. This consideration is based on the current environmental circumstances and information at hand as it relates to COVID-19 and its impact on TasTAFE. This includes the safety of staff and students.

**Ms Rattray** - We know there has been a change in policy.

### **COVID-19 - Emergency Services Volunteers - Vaccination Rates**

**Ms ARMITAGE question to DEPUTY LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms PALMER.**

[2.42 p.m.]

Regarding the availability of emergency service volunteers around Tasmania:

- (1) Have vaccination rates or lack thereof significantly affected the available numbers of volunteers for Tasmanian emergency services?
- (2) What are the impacts and risks for more remote communities if volunteer services cannot be manned as a result of volunteers not being vaccinated?

### **ANSWER**

- (1) Regular reporting as part of implementing the Department of Police, Fire, and Emergency Management (DPFEM) COVID-19 vaccination policy has indicated that there has been no impact to numbers of volunteers available to undertake emergency services across both the Tasmania Fire Service and the State Emergency Service.
- (2) The chief officer monitors operation capability across the state constantly, including in remote communities. There has been no impact to numbers of volunteers available to undertake emergency services across both the TFS and the SES as a result of the DPFEM's COVID-19 vaccination policy. DPFEM is not aware of any impact or risk to remote communities due to the vaccination status of volunteers.

**Ms Armitage** - I might have to provide them with some.

### **Consideration and Noting -**

**Report of the Parliamentary Standing Committee of Public Accounts -  
Inquiry into the Government's Economic Response to the COVID-19 Pandemic**

**Resumed from above.**

[2.44 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, the current COVID@home program is a significant contributor to Tasmania

having the lowest rate of hospital admissions as a proportion of active cases when compared to other open states, having supported more than 4000 cases to safely recover at home since its inception. We also established the Community Case Management Facility to support positive cases unable to isolate at home.

Vaccination remains strongly encouraged as one of the key safeguards against the effects of COVID-19 in our community. As of 20 May 2022, more than 99 per cent of Tasmanians aged 16 and over are fully vaccinated. I advise that as at 20 May 2022, 70.64 per cent of Tasmanians aged 16 and over have received their booster. Pleasingly, 85.3 per cent of over 50s have had their booster. I assure this place that the Government is taking action on all recommendations in the final report.

I will briefly respond to some of the specific recommendations. I can confirm the Government has committed to reviews of both the Emergency Management Act 2006 and the Public Health Act 1997, which responds to the first two recommendations of the final report. The Department of Health, in collaboration with the University of Tasmania, is developing an online contact tracing training package which is now available on the UTAS website and is designed to rapidly upskill health professionals in contact tracing to create a surge-ready workforce.

The Government is committed to supporting the mental health and wellbeing of our workforce and there are a range of programs across departments to address these needs. For example, the Tasmania Police and Ambulance Tasmania health and wellbeing program, and the Department of Justice has established a new wellbeing support program in 2021. We will continue to look at what can be done in this area in the future.

Regarding social and affordable housing, we have a strong 10-year plan which centres on building more homes for Tasmania. This 10-year \$1.5 billion investment will see 10 000 new and additional homes provided for Tasmanians by 2032. This is the biggest investment in Tasmania's history. In the shorter term, we will build 1169 homes this year, meeting our target of 1500 homes by June 2023.

To deliver on our target of 10 000 new homes, we need to tackle the challenges currently preventing us from building at the rate that we need. This is why we are creating a dedicated housing authority that will be responsible for delivering on our plan and addressing Tasmania's house challenges, ensuring we leave no stone left unturned in delivering on our target. Legislation is being drafted for the new authority to commence on 1 October 2022.

For our most vulnerable, we are spending over \$36 million on wraparound services to ensure those who need help now are getting the service they need. This includes funding on 17 existing specialist homelessness services, including Housing Connect Front Door support, as well as crisis shelters and supported accommodation.

As well as these, we have also confirmed that stamp duty and first owner grants and concessions will be increased to a \$600 000 threshold and we are in the process of reforming land tax arrangements to reduce pressure on rental increases.

We acknowledge the final report outlines a number of opportunities and considerations across a range of areas in government and again thank the committee for its work on its final

report. As a government, we appreciate the consideration that has gone into the report and we are taking actions against the recommendations. The Government notes the report.

[2.49 p.m.]

**Mr VALENTINE** (Hobart) - Quite clearly, the whole nation went into significant debt to handle this insidious virus. We are told the state government alone spent \$160 million and no doubt, that is not the end of it. The federal government is currently in a trillion dollars of debt; how much of that is as a result of COVID-19 remains to be fully seen. There is no question about it, if governments had not have acted, the outcome would have been horrendous, it really would have been. One can only wonder where we would be as a country if we had not have gone into federal but also state debt.

I have yet to get my second booster, fourth vaccination, and I had to wait until 18 May and I am due for that now and will be getting it. Even though people are vaccinated, we still see the deaths rising. Hospitalisations have increased significantly, there are still low numbers in ICU, and there appears to be a lot of push for more freedom yet it is taking out older people. As the member for Murchison mentioned in her offering on this, there are people who are still afraid of going out into the street in any major way, because they are worried about getting it. If you are 80, 90 years old, that matters when you are at that end of your life. We need to be aware even though the vaccinations are happening, there are people in our community still concerned about if they catch it, will they survive it. Lately, we have seen some in their 70s, 80s, 90s dying from it. We might want freedom as a community, but people are dying from it. It is still there, we still have to be aware that some may not come out of it if they get it. It is frightening for an older person.

I was at a tourism-related function the other day and there was a push for getting rid of masks and things like that. There is a balance there, but if it means that somebody is actually going to catch it - statistically, it might be alright if you are younger, and it is only like a weak flu that you are experiencing, but in giving it to somebody else and they are going to die from it is not an insignificant concern.

I applaud the Government for the way they have gone about supporting this financially, especially our erstwhile premier Peter Gutwein. I think he did a fantastic job during the COVID-19 circumstance. He was very determined, he sold the message of the Chief Health Officer and the State Controller, he was the front person and did that well and I want to congratulate him. He has now left this parliament, but he deserves to be acknowledged for the effort he put in there day after day, an amazing effort in anyone's estimation.

I want to reiterate, it is not over yet, and it may well be with us for some time. You hear of other viruses now that are happening like the monkeypox that is now upon us. Thankfully it does not seem like it is that severe. As a community I think we have all learnt significantly from this. It has had its positive effects in that people are sanitising, they are being careful about how they are around potential threats like viruses. It has reduced the amount of the common flu that was a problem.

**Ms Forrest** - Influenza is not common. Influenza is the issue, not the common cold.

**Mr VALENTINE** - I am saying that influenza went right down while we had COVID-19 but it is starting to come back as the borders are opened. We are going to be

confronted with these sorts of things well into the future. I encourage the Government not to drop the ball on the funding of measures, and do what we can as a community to protect those who continue to be vulnerable and to recognise there are those people out there that are really affected by it. I hope that the vaccination programs continue and I hope they are funded effectively and that the Government continues to keep its eye on them.

I thank the honourable member for bringing the report forward and I thank them for the work they have undertaken in that regard and recognise that there are people who really are not out of the woods yet as far as they are concerned.

[2.57 p.m.]

**Mr WILLIE** (Elwick) - Mr President, I know I can be critical of government at times in this place and in the media but I do offer compliments where they are deserved too. I had to go on radio shortly after the premier resigned and I think I called him the 'pandemic premier' at the time and that is what he will be remembered as. He did have to make tough decisions. That said, it was not one person alone; he was well supported by Public Health and his departments and this parliament. There were many members of this parliament right across the political spectrum who put aside the normal agenda and worked together to help. I think we needed to do that during that time because of the uncertainty. It was a once-in-a-generation pandemic and the public expected us to do that too.

It was one of the highlights through this, if there can be any silver linings through a devastating pandemic. We, as a parliament, gave the premier extraordinary powers and the government through the COVID-19 Disease Emergency (Miscellaneous Provisions) Act. There were attempts by members in this place to set up oversight committees and unfortunately, they were rejected. The premier did have his faults, he did not particularly like scrutiny. That is where the Public Accounts Committee came in because we can follow the money and that is what we decided to do after the attempts from the member for Nelson to set up an oversight committee were unsuccessful.

I think that was unfortunate but we had to fill the void. Obviously, the Subordinate Legislation Committee could review the notices through those extraordinary powers but it was after the fact. Those notices could have significant impacts and they did have significant impacts. I remember the premier in the other place saying through the stroke of a pen he put tens of thousands of people out of employment and the toll that took on him personally. It probably was not sufficient to have the Subordinate Legislation Committee reviewing those notices well after they had taken effect.

**Ms Forrest** - It was not always 'well after'. Often, we would be dealing with them literally a day or two after they had been gazetted.

**Mr WILLIE** - Another silver lining of the pandemic is the way we meet now in that the Subordinate Legislation Committee was meeting by Zoom or Webex as we did in the Public Accounts. We continued our work through the lockdown period. We met with the Auditor-General through Webex. The work continued for the parliament through that time.

I know the member for Murchison has been through a lot of it but I will cover off on the extraordinary impact it had across a range of sectors in Tasmania, most notably health and the unprecedented situation in the north-west where two hospitals were closed for deep cleaning,

a significant decision. Through our committee work, it was revealed that the state was not that well prepared when it came to testing capacity. I think they had to develop an in-house test at the very beginning but they rectified that quite quickly, so I commend the Health department for that. PPE was another issue and that was playing out in the media and that was to do with the stock levels. The Auditor-General looked at that as well.

**Ms Forrest** - It was also about members of the public pinching it from hospitals.

**Mr WILLIE** - Yes. There might have been some procedural things within hospitals too, where they were potentially restricting access to PPE when there were stocks available in some hospitals but not in others. I cannot remember the exact statistics from the Auditor-General's report but the stocks were quite low at the start. I think we only had a week or two of some specific materials of PPE.

Education, a passion of mine. A huge impact on kids, still happening. Attendance rates. I have a question for the Government I am hoping to get to this week on attendance rates for Term 1. I want to look at each school and the impact that that is having - I know through my own family experience. My little boy missed two weeks of school. We accessed the virtual learning centre but it does rely a lot on parental capacity. It is not just that kids log on and off and they go in some virtual world of learning. Often it is, here is the activity and it is parent-directed, guardian-directed, or whoever may be at home.

There is not a level playing field in that regard and it is going to have an impact on education. I was quite critical of the Government that we did not do more. Other states were doing more to catch up learning. We had the Bounce Back! program, which was not significant compared to what other states were doing and the Back on Track program, which was at the other end of school, trying to re-engage students who had disengaged at the end of their schooling. Not enough.

You saw other states like New South Wales and Victoria pouring in huge resources. They were trying to recruit retired teachers for catch-up tutoring and a whole range of things. We are already behind as a state. Our students are behind their peers on the mainland. I will certainly be monitoring the impact of this on our student learning and I think it is detrimental, not only to the students and their future opportunities, but to our state. Our students of today will be working in our health service; they will be working in aged care; they will be our business leaders; they will be our community leaders; they will be political leaders. We should be investing in them and if they have been impacted through this pandemic, we should rectify that. It should be a matter of priority and I do not see that urgency from the Government at the moment.

The economy. Early on in the pandemic, we saw mature-aged workers, and women, in particular, who were being severely impacted in terms of employment. Retail workers, social services, tourism and hospitality and there is still an ongoing impact to many of those sectors. I think we will see that for some time to come, as people get their confidence back, particularly in events.

I know we had a significant announcement last week where the one per two square metre rule was abandoned. It has allowed Salamanca Market - and I heard Scott Gadd talking

about the Royal Hobart Show and they are going to relocate that to the Regatta Grounds this year -

**Madam ACTING PRESIDENT** - Agfest.

**Mr WILLIE** - Agfest. It does give some of those events more certainty but the time they have had the last three years has been extraordinary.

Housing. We saw a moratorium on evictions and rent rises, a significant government policy. All of these sectors, we talk about in normal times how difficult it is to reform things. Overnight policy changes, significant ones. I know that had a huge impact on people being able to obey the Public Health directions. You cannot stay at home if you do not have one. That was very important at the time but it did impact some landlords too and I heard feedback in my electorate from a couple of particular landlords where the tenants had not paid or had not entered into the agreement in the way it was intended. However, I think the vast majority of tenants appreciated that support from the government and did the right thing. It was very much needed at that time.

It shows, if there is a political will from government, we can solve some of these issues. We are heading back into more normal times now and homelessness is rife. There is a housing crisis here. If there is a political will we can see how overnight these things can change. I do not know how sustainable that is over the long term but it shows how quickly things can be done.

Family violence, increased demands there. I am sure that is going to be a lasting legacy of this; families under financial stress, horrific behaviours, abhorrent behaviours. Still a lot of need for change in our communities, and leadership.

The courts were significantly impacted. We saw more widespread videoconferencing. We saw jury trials suspended. There is a saying, 'justice delayed is justice denied'. That was a worry. We have seen court backlogs in both the Magistrates Court and the Supreme Court. I am sure we will follow that up in budget Estimates with the Attorney-General. We will have to see how that backlog is going. It is a concern.

The prisons. We saw policy changes there overnight too. Prisoners having to isolate to come into the facilities so they did not bring in COVID-19. They are particularly vulnerable as a cohort.

The arts, I have mentioned that. The hospitality events and tourism sectors significantly impacted. Primary industries, we saw probably more geopolitically than necessarily the pandemic, but some sectors of our economy were impacted because of poor relations with other countries, rock lobster being one that comes to mind. I know the member for Murchison would know about that with King Island being a significant producer of rock lobsters.

**Ms Forrest** - It was the first sign that things were about to go really pear-shaped when China cancelled orders.

**Mr WILLIE** - Yes. There have been other impacts across Australia, whether it is the wine industry or I have heard of timber sitting on docks in China because it cannot get through the hoops.

We live in uncertain times, the pandemic being one of the issues. But geopolitically we live in uncertain times too, and we only have to look across the world and the devastating situation that Ukraine finds itself in, and the Russian people who do not agree with their government and what has taken place. I know that the member for Windemere has the motion to address that. I am sure members will express their thoughts.

Racing, there was a significant impact. Racing industries shut down through that period. A significant employer in the state, something that no doubt is still having an impact.

Something that was much talked about at the time, but we do not hear a lot about now, is PESRAC, the Premier's Economic and Social Recovery Advisory Council. When that was first proposed we were talking about changing all sorts of systems, economically, socially, and a new world.

**Ms Forrest** - Local government.

**Mr WILLIE** - Local government. Yes. We had the TasTAFE reforms. We were going to turn it into a government business and that got watered down significantly to what was passed in this place. There were a whole range of things that were outsourced, basically, government policy outsourced. That is no reflection on PESRAC. There were lots of well-respected people in our community. We do not hear a lot about PESRAC anymore, which might be of interest for members to follow up in budget Estimates, I am sure. Might get the recommendations out and see how they are going with some of them because they did commit to all of them. Some they now talk about less than other recommendations.

**Ms Forrest** - Some of them are now unrecognisable. Different directions are being taken.

**Mr WILLIE** - Yes. They look very different. I think that was probably PESRAC's intention to keep some of them broad and high-level to allow the Government to water them down if they wanted to make it look like what they wanted.

It was a valuable process to go through this inquiry and we do have further inquiries now the borders have opened. Again, we will follow the money. We have a supplementary appropriation bill so we do have some detail on the COVID-19 spending we will discuss this week, but there is some COVID-19 spending that has been unclear. There was a COVID-19 bucket of money in the budget, from memory a \$300 million fund. I do not think any members managed to get that itemised yet, but maybe through budget Estimates we might get an understanding of where all of that went, or how much of it was spent.

I do not have too much more to add, other than I look forward to providing further oversight on the COVID-19 response. It is obviously still very topical, we are not through it, there are still many people impacted by the pandemic and will continue to be. I hope we do not forget about this time in generations to come. I hope we are better prepared and can ensure the impact is as minimal as possible, whether that is economically or socially.

Particularly, with mental health, family violence, some of these wicked problems in our communities, there are going to be long-lasting impacts and we need to learn how to deal with that. That is a short contribution from me to support the Chair as a member of the Public Accounts Committee. I welcome the Chair's rigorous approach to tabling all of the reports and making members aware of the work of the committee. I thank you for that.

[3.12 p.m.]

**Ms FORREST** (Murchison) - Thank you, Madam Acting President. I thank members for their contributions, and the Government response. I think everyone accepts we are not out of the woods and there is still more work to do. It will be ongoing and is part of the reason why Public Accounts Committee is continuing the work. The other thing is the Auditor-General has been also undertaking a number of audits into various aspects of the COVID-19 response. In our relationship and statement of understanding with the Audit Office, we meet regularly to look at what areas each party is looking at so we are not doubling up and we are complementing the work of each other, which is a really effective and productive way to do it. The Auditor-General and the Audit Office continue to look at matters related to that and have pretty well wrapped up their audits now on the work they were doing, particularly related to the initial COVID-19 response.

A couple of points. I accept there are people in our society who would like things to go back to whatever it was before, and I am not going to call it normal because normal means nothing if you live in a dynamic and ever-evolving community, which we should be pleased to do. I do not really want to live in the past - how far do you go back? We have a life that is pretty good, admittedly with some limitations. The whole point that some people think or believe that wearing a mask is a terrible impediment to our very functioning - when I was a health professional back in the early days - over 40 years ago now - it was commonplace to wear masks all day. Particularly, as a midwife, we always used to wear masks which made it more difficult for us to communicate with a woman in labour. For some of us, the non-verbal stuff is more effective than the verbal stuff and for a woman who is in labour, for the obvious reasons - perhaps some have been there.

**Mr Valentine** - I have not had the experience.

**Ms FORREST** - But there are plenty of men who have actually been there for the birth of a child and would appreciate that point.

The important thing about wearing a mask is it is not so much about protecting you, it is about protecting others. It is about protecting other vulnerable members of our community, it is about thinking not only about yourself, but thinking about other people. We talk about personal responsibility, and a little bit comes back to I am responsible for my own health, whether I drink, smoke, eat bad food or whatever. However, wearing a mask can help protect you to a degree, but predominantly it is about protecting others. So, when we talk about personal responsibility you have to look at it in that light. I think it is a difficult message for some people to appreciate. It is not about protecting you, it is about protecting others who may not be in as fortunate a position as you are with your health, age and other demographic factors, or underlying health conditions or whatever it is that make you less vulnerable than they might be.



**Mr Valentine** - Occasionally I am at a function and people look at you, about your mask, and elbow instead of shaking hands, and I say to them, 'You never know where I have been'. It is the case, is it not, that you do not know what you are carrying.

**Ms FORREST** - Yes, it is, but also, as I say to people, I prefer not to shake hands not only because of COVID-19, but because of the flu and every other virus that is about, including monkeypox. That is not in Tasmania at this stage that we are aware of, and it probably will not be because of the nature of the conditions that it requires to continue to survive generally, but climate change could see anything happen. The reality is, if I shook hands with everybody in my electorate who I met, I would be shaking hands with some very vulnerable people and I do not know about their circumstances. I do not know about who lives at their house, who may be really vulnerable, and I do not want to be the person who gives them some infectious disease that may be the end of one of them or their family, or make them very sick. So, my approach is to say, 'It's really nice to meet you but thank you, I won't shake your hand'. Some people take a lot of getting used to that and I still see a lot of people shaking hands, and if that is what they are comfortable doing that is fine. But for me, as a health professional, I think it is one thing I can do to protect myself, my family, and other people in my community, of which - if you look at the demographics of my area - there are a lot of older and sicker people there and I do not particularly want to lose any of them, particularly not before next year. That was a joke. It is really important that we consider the effect on others, not only on ourselves.

I think it was the member for Elwick who raised the point about personal protective equipment (PPE) and the stock levels and that sort of thing. There was a time where I was hearing repeatedly in my office or at home, wherever I was working during those periods - particularly during the outbreak in the north-west - that PPE was not available or was not where it should be, and then you get mixed messages from the government or the department. I think that everyone was highly anxious at that time. A lot of people probably had access to enough stock, but you worry about what if this runs out - then what? Some people were like that with toilet paper, funnily enough. We saw fantastic examples of how that works and people worried about running out of toilet paper. The reality was - and I spoke to my son who is a doctor at the Alfred Hospital in Melbourne - they had to wire-tie their hand sanitiser to the wall because patients and visitors were taking it.

**Mrs Hiscutt** - There are also stories of locked storage doors. Some of the nurses were reporting to me that they could not get in to get it, that they had to keep it locked because of pilfering.

**Ms FORREST** - That is what I am saying. It was not only the sanitiser that was being pinched, it was masks, it was gowns, it was gloves, it was everything. People were panicking. People were very nervous and very anxious. To restock at an adequate rate to make sure that the night shift, for example, had adequate supplies, was a judgment call a lot of the time. I can understand how things were not perfect at times, and some staff were left feeling extremely vulnerable. I think it did settle down.

I am not sure what the actual quantity of our stockpile is now - some figures in the report would be out of date now - but they are significant. You have to remember that all of this stock - whether it is a packet of masks or plastic aprons - they all have a use-by date. So, in a massive stockpile, you have to rotate that stock through all of the time, because the last

thing you want is for another pandemic to appear and everything is out of date. That is what they found in the North West Regional Hospital when they went to do the deep clean. There was so much stuff they had to chuck out because they had to get rid of it. There was too much stock everywhere too. I have worked in these places, I know what they are like. You always make sure there is an extra one of something there - an extra suction catheter or an extra this or an extra that so it builds up. You have the issue with overstocking at times which is about a convenience factor, but also you have the issue of items going out of date. That can be a particular issue if they are medications because we know these harm efficiency and effectiveness.

The point that the member for Elwick raised - and again we will follow up in the budget Estimates in a couple of weeks, I am sure - is issues around family violence. Now, he did say there was an increase in incidence, which anecdotally is absolutely true but the evidence was that the reports had fallen. That was pretty much around the country for a fair period but that is because women cannot report when they are stuck in the house, locked up with their perpetrator. It is almost impossible to escape and even to report. The damage and harm done to so many victims of family violence was extraordinary during that period, they could not escape. Some of their lives were at risk. They probably would not publish this, in many respects - the breaches of the isolation rule from women trying to escape with their families to get away - but it made it so easy for their abusive partners to surveil them, to detect their every move, to know exactly where they were, to know when they were logging on, to perhaps, to call 1800RESPECT or whatever it might have been.

There were some measures put in place to try to enable women to be aware of safe ways to seek help, by going into a pharmacy, say, and saying a particular word, those sort of things. However, how do you get that out to the women or the victims without telling the perpetrators? It is very difficult, it is something we do need to be aware of. Thankfully we were not in that situation, lockdown, but I really feel for the people of Victoria who had the world's longest lockdown and had to live through so much more than we did here. When some people around here complain about a three-day lockdown or having to wear a mask, I find my tolerance level slightly low because of having family who lived in Melbourne with no support, and family members who were over five kilometres away. It has been a really difficult time.

In closing, Madam Acting President, I want to thank all the members of the PAC. We did have a bit of a revolving door, mostly from the lower House members, those people came and went. I want to acknowledge that Ivan Dean was our Chair when we started this inquiry and he retired from this place, unfortunately, missing a week to enable him to do his valedictory at the time of his choosing, but I thank him for his contribution to the committee's work there. Also, to our secretariat, who was at the time Natasha Exel, and Allison Waddington who is still with us, I acknowledge their work. To my other members who are still here, the member for Elwick and member for Nelson, it is great to have you there and I look forward to working with you as we continue the work in scrutinising the actions of government in relation to COVID-19 and other matters where we do, indeed, follow the money.

**Madam ACTING PRESIDENT** - The question is that the report be considered and noted.

**Report considered and noted.**

**MOTION**

**Ukraine - Territorial Sovereignty**

[3.24 p.m.]

**Mr DUGAN** (Windermere) - Mr President, I move -

That the Legislative Council -

- (1) Recognises Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.
- (2) Notes -
  - (a) That Tasmania is home to both Ukrainian and Russian communities who have received this news with deep concern for their loved ones, and we stand with all Tasmanians in wishing to provide care and support for those communities; and
  - (b) Tasmania stands with the Australian Government in affirming our respect for Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.
- (3) Acknowledges that there is no justification for this aggression and condemns the aggressive action which has been borne by innocent Ukrainians.
- (4) Further notes that Tasmania has a strong history of welcoming and providing support for national efforts in providing humanitarian responses to previous conflicts and will continue to work with the Australian Government in jointly responding to the unfolding events

Mr President, today I rise to speak of the deeply concerning events which continue to unfold in Ukraine. On 24 February 2022, as members would be aware, Russian forces which were already amassed on the Ukrainian border began the unprovoked invasion of a sovereign nation. A nation and a people that have borne much more than their share of tyranny, war and oppression over the course of recent history.

As we speak, the invasion of Ukraine has precipitated the largest refugee crisis in Europe since the Second World War. It is estimated that more than six million people have fled the country with a third of the population displaced - 13 million Ukrainians forced from their homes, forced to seek refuge, maybe with family or friends where that option exists, but in many cases it is much further afield. It is important to recognise and I want to acknowledge that Tasmania is home to both Ukrainian and Russian communities who are witnessing these events with deep concern and fear for their loved ones. That is why it is important that we

here in this parliament are standing to recognise Ukrainian territorial sovereignty and its right to peace, freedom and democratic rule. We are acknowledging that there is no justification for this aggression which is being borne by the Ukrainian people. We also acknowledge that the United Nations has determined the February invasion to be a violation of the laws of nations. We join in condemning any aggressive action in Ukraine which endangers human life and liberty.

Tasmania is a long way from Ukraine and Hobart a long way from Kyiv, yet I know I stand with all Tasmanians in extending our thoughts and best wishes to those touched by this conflict, not only those in Ukraine but also in Australia and, importantly, in Tasmania. The Association of Ukrainians in Tasmania - and I welcome any one of those people who are watching the broadcast today - traces its origins back almost 75 years to the turbulent times immediately following the end of the Second World War. Today, it numbers some 250 people and counts second and third generation Tasmanians among its members.

Lana Neads was generous enough to give me some of her time and I have spoken to members of the community. Lana sits on the association board. She moved to Tasmania seven years ago. Her mum and dad, her aunts and uncles, cousins and friends remain in Ukraine mostly in the city of Cherkasy, which is 200 kilometres south of the capital Kyiv. It is a disarmingly similar distance to Hobart and Launceston, a familiar distance for most of us here.

First job in the morning for Lana is to scan the various news sites for the latest updates on the war and then she texts her mum to see what is happening at home. To this point, Cherkasy has been largely spared. People are worried, air raid warnings are frequent and there are issues with food and particularly fuel supplies but, as yet, no missile strikes or artillery shelling. Imagine that, only 200 kilometres up the road, a two-month long battle has been fought for control of the national capital.

For us here - or for me, at least - it feels like a very foreign notion but such is life for the people of Cherkasy and for millions of Ukrainian people who face great uncertainty about exactly what their futures may hold. The Tasmanian state Government is continuing to liaise with the Australian Government as this situation unfolds through the Department of Foreign Affairs and Trade consistent with our actions in recent years following challenges faced in Syria and Afghanistan. The Tasmanian Government is ready to play our part to assist the Commonwealth Government should resettlement of Ukrainian people be required.

Tasmania has a strong history of welcoming and providing support for national efforts in providing humanitarian responses. This crisis will be no different. The former premier has written to the now former prime minister offering such assistance and requested that any Ukrainian refugees are taken above the Commonwealth humanitarian and refugee intake. That is important to ensure that these people can seek refuge without compromising other vulnerable people.

Since the February invasion some 22 displaced Ukrainian people have arrived in Tasmania with another three, a mother and her two young children, arriving imminently. As I understand it, many of these people arriving in Tasmania do so on tourist visas and as such face difficult decisions and uncertainty about what will come next. The Government has reached out to our Ukrainian community in Tasmania to understand their needs for support and I am pleased to say that both the state and federal government response has been swift. I

am advised that the Department of Home Affairs is progressing visa applications from Ukrainian nationals as a priority, particularly for those with a connection to Australia.

In particular, the Migrant Resource Centre Tasmania South is facilitating meetings to coordinate services and support for the Ukrainian community, with representatives from the Migrant Resource Centre, Department of Education, Centrelink, Department of Health, CatholicCare, Home Affairs and MAX Solutions. In addition to connection with those services, a service map for the Ukrainian community is being prepared.

The Department of Health will also be meeting with stakeholders to ensure health supports are in place for Ukrainians who may have arrived on tourist visas and are in the process of transitioning to the humanitarian stay visa, followed by a temporary humanitarian concern 786 visa, in conjunction with the Commonwealth Government.

Further, at the Commonwealth level, there have been high-level meetings with the Ukrainian Australian community to discuss Australia's participation in the international response to Russia's actions and Australian Government support measures available to those of Ukrainian descent in Australia and also offshore.

The Australian Government has also announced targeted financial sanctions against Russia, including Russian individuals, organisations and banks as part of the international effort to impose a sharp cost on Russia for its unprovoked and unacceptable aggression against Ukraine.

Indeed, the Commonwealth Government has condemned Russia's invasion of Ukraine and called on Russia to cease its illegal and unprovoked actions and to stop violating Ukraine's independence. To support those words, Australia is providing more than \$225 million in defensive military assistance to Ukraine and a further \$65 million in humanitarian assistance, with a focus on protecting women, children and the elderly with food, shelter and emergency medical supplies.

As a state, at times of crisis we have a history of coming together to support those in need. We are a caring and supportive community that embraces those going through difficult times. As the events in Ukraine continue, I know our community will again come together to support those here in Tasmania deeply concerned about their loved ones.

As a parliament, we can not only shine a light on the events occurring in the Ukraine but demonstrate our support and care for those in our communities who are impacted by it.

I commend the motion to the Council.

[3.32 p.m.]

**Ms LOVELL** (Rumney) - Mr President, I will make a brief contribution to the motion. On behalf of the Labor members in this place, I join with the member for Windermere and no doubt other members yet to come in condemning the Russian Federation's invasion of Ukraine and I thank the member for bringing this motion before us.

We acknowledge the Australian Ukrainian community, particularly those here in Tasmania and extend our support to them. I acknowledge the work that the Department of Premier and Cabinet is leading here in Tasmania, along with other departments such as

Health, to support those here in our state as outlined by the member for Windermere. I also acknowledge the work of many members of the community here in Tasmania in welcoming and supporting those who have arrived here since the invasion.

I acknowledge people from Russia who are living in Tasmania and understand the deep fear that they must also be feeling. I believe it is important to acknowledge that not all citizens of a country are responsible for the decisions of their leaders.

This Chamber and indeed, this parliament, stands united on this matter. We stand united in supporting the people of Ukraine and we stand united in urging the Russian army to respect the sovereignty of the nation of Ukraine and withdraw.

I acknowledge the bravery of those in Ukraine who have stood in defence of their country and their values in the face of violence. The photos and the footage that have filtered through to Australia of ordinary Ukrainians taking up arms to defend their cities and their homes have been extremely difficult to see and I cannot imagine the courage that that has required.

The stories we have heard of gruelling journeys to safety across borders, in the snow and freezing conditions, often on foot for many hours with children and babies. Women with their children or with children entrusted to them by those who cannot leave. Again, I cannot imagine being in a position where I know the best choice for my children is to hand them to someone else, perhaps a stranger, in the midst of war and trust they will make it to safety.

I, like so many of us, can only imagine the horrors of war and how utterly terrifying it must be. The parliament is united in our support of the people of Ukraine, who are united in their brave struggle against this aggressive and unjust invasion. This parliament stands united with other parliaments around the country and indeed the world, and with Australians as we condemn the actions of those who have chosen a path of war, rather than peace. Together we urge Russia to withdraw from Ukraine and allow the people of Ukraine to live in peace.

[3.36 p.m.]

**Ms ARMITAGE** (Launceston) - Mr President, I rise also to proclaim my absolute support for the member's motion and to make some brief remarks. On 31 March, Ukrainian President Volodymyr Zelenskyy addressed a joint sitting of the Australia federal Parliament. He said:

The geographical distance between us is insane, thousands of kilometres, but what does this distance mean for those who have common understanding, who see the world the same way, who are bitterly disturbed when the enemy comes, when children are killed and cities are destroyed. When refugees are shot on the roads. When a peaceful country is turned into a burned territory? Then any distance disappears. Geography means nothing. Only humanity matters. Only a dream of returning to a peaceful life. A dream we will fulfill. Definitely. And definitely together.

Vladimir Putin's unjustifiable and illegitimate war in Ukraine violates not only the right of Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule, it violates the right in all sovereign states that people have the freedom from aggression, violence and interference. Since 24 February, estimated casualties in this conflict amount to

tens of thousands of people, millions displaced and seeking asylum, thousands of buildings destroyed and thousands more damaged, amounting to billions of dollars. Innocent women and children, non-combatants, have been hurt and killed. Hospitals and schools have been targeted and destroyed. Ukrainians have been required to flee, leaving behind their homes, friends, families, pets, schools and sense of all identity and normality behind them.

We have not seen this kind of unjustifiable, entirely unnecessary cruelty in Europe for quite some time. That it is being inflicted on innocent Ukrainians, in a developed country, in a developed part of the world in 2022 is chilling.

I recently attended a rally in Launceston organised by the Association of Ukrainians in Tasmania. People at this rally told of atrocities going on in their previous home towns, to schoolchildren and their teachers, with little to no concern for human life. One young lady was in tears as she told a story of her school friend fighting for her life in the intensive care unit, not knowing if she will live or die. Many of the Ukrainians now in Tasmania cannot speak our language and are terribly afraid for the loved ones they have left behind. While the rally was not huge, it was very moving.

Tasmania is indeed home to both Russian and Ukrainian communities, and I hope every Tasmanian understands that there is a vast difference between the decisions and actions that are being made in Moscow and the people who hail from those regions, who now call Tasmanian home. Ukrainians and Russians alike are hurting right now. As valued members of our community, any tragedy which touches their lives, touches our lives also. Their pain is our pain.

I want to affirm unequivocally that all Ukrainians and Russians in Tasmania are valued, respected and wanted here. We are made a richer, better place for their presence. I offer my unconditional support in any way I can muster to the Ukrainian and Russian communities here in Tasmania, as I am sure every member in this place does. We stand in solidarity and with our peace in our hearts with any Ukrainian or Russian in Tasmania who is hurting.

In his address to federal parliament, President Zelenskyy stated:

But the worst thing is if Russia is not stopped now, if Russia is not brought to justice, some other countries of the world that dream of a similar war against their neighbors will decide that this is possible for them as well. The fate of global security is being decided now.

The values which are held in Putin's Moscow are different from the values that democratic, peaceful, and prosperous people hold. They are the actions of bullies who believe that influence can be bought and that power can be taken with violence and force.

In an article for *The Atlantic* on 24 March, Sir Antony Beevor, a military historian, states that:

Putin's treatment of his own people is as pitiless as his treatment of his enemies.

The lack of respect for human life is manifested in the death and casualty numbers of Russian soldiers who have been sent to Ukraine, a conflict which has proven to be harder than I am sure Putin ever envisaged.

This cavalier attitude in Moscow did not develop spontaneously. It has progressed over the decades since the end of the Cold War and is found in the cruel and inhumane treatment which Russia inflicts over its own citizens, including restricting their rights and access to free speech, fair commerce and myriad civil liberties.

Tyranny does not endure. It never does. We have seen time and time again what happens to dictators, despots and tyrants. For now, however, Ukraine and her people are suffering, hurting and crying. Children are already disadvantaged from the effects of the COVID-19 pandemic and cannot go to school, cannot play and grow with their friends and experience the normal things about childhood.

My heart breaks for Ukraine. The Ukrainian people are never far from our thoughts and I stand behind not only the people, but the values of peace, freedom and democratic rule that they fight to uphold. I support the motion.

[3.41 p.m.]

**Ms FORREST** (Murchison) - Mr President, I support the motion and wholeheartedly acknowledge the points raised by the member for Windermere when he spoke to the motion, but also the words in the motion itself. None of us has had the horror of living through a war. Maybe we have had relatives who did, but to even contemplate what that must be like to live in is beyond my comprehension, and I hope it always remains so.

I certainly do recognise Ukraine as a territorial sovereign nation with its right to peace, freedom and democratic rule. We have seen the heart of that torn away to a point that the Russians, under Vladimir Putin, have managed to do. I have been astounded every time I see Volodymyr Zelenskyy, the President of Ukraine, stand up, speak to his people, speak from his heart, not flee the nation, nor leave it for others to fight, but to be there himself in the heart of the city when he was offered safe passage out by a number of other nations including the US, who offered him sanctuary to manage the war or the situation from a safe place away. He chose to stay.

**Mr Valentine** - Truly inspiring.

**Ms FORREST** - He chose to stay and be with his people, and I think, what courage. This man was a comedian, this man played a part of the president who had all sorts of challenges, and here he is living that reality. I absolutely admire the courage of the Ukrainian president -

**Mr Willie** - I think there have been quite a few assassination attempts on his life.

**Ms FORREST** - Yes, and also the people of Ukraine. I know there is a condition that requires people of fighting age - men of fighting age particularly - to stay in Ukraine, they are not allowed to leave.



Members might remember that recently Ukraine won Eurovision, which was fantastic - never political, I am sure. Eurovision is never political, is it? But Ukraine won, and for those young people to perform they had to get special exemptions to leave the country, which they did, and now they are back there, as I understand it, seeking to defend their country, their freedoms and their sovereign right as a nation from the illegal acts and unprovoked attacks of Vladimir Putin.

I acknowledge the comments made by other members that there are a lot of Russian people who live in Russia who are not part of this. They oppose the war and the actions taken by Vladimir Putin. I can only imagine how hard it is for those people too. I acknowledge all those Ukrainian people and Russian people who are not living in Russia who are looking on with horror at what they see in their own countries at the moment, whether it be Russia or Ukraine.

I also acknowledge there is absolutely no justification for aggression of this nature and I condemn the aggressive action which has been inflicted on the people of Ukraine who are innocent and have not done anything to invoke such a reaction.

As other members have mentioned, the number of refugees rises every day. We have all seen footage on the newsfeeds of people fleeing Ukraine by whatever means they can, and Ukraine can get pretty cold. It has been very cold. Trying to find food, some form of transport and care for your children on the way, or, as the member for Rumney described, handing your child or children over to the care of another while you continue to stay and defend your country, is beyond my understanding. I cannot contemplate what that would be like. We have seen some of the older people in some of the villages who have not wanted to go and some of them have not left the country for many reasons. Some because they had no way of getting out. Imagine if we had to leave our homes? It is almost too hard to imagine.

I think whilst we hear what Russia wants us to hear and what Vladimir Putin wants us to hear, in the early days there were attempts at negotiation for some sort of peace deal or arrangement. As I understand it - as an observer from afar - Ukraine gave an undertaking that they would not join NATO, and that was one of the things that Russia was most insistent upon. However, the interesting thing is, that since that time, Finland - which has a massive border with Russia - has taken active steps to join NATO, and I understand Sweden is doing the same. Rather than reduce the force of NATO, and the power of NATO as an organisation, the actions here have actually potentially strengthened it.

I do not know when or how this will end. Last night or a couple of nights ago I was watching some footage from Ukraine with smaller villages in particular that have been exited by the Russian forces. They have mined them and booby trapped them, to the point of even putting them on dead Russian soldiers' bodies, on babies' cots, in toys, through fields and other thoroughfares.

It is going to take years for these places to be safe for the Ukrainian people to return to. Even though the Russian soldiers - their fighting force - may not be there, they are still not safe places to go to. Some of the very brave people who go in to find these mines, booby traps and other devices that are used are incredibly brave and taking extraordinary risks. We know that some of them have lost their lives as a result of doing that and others have been significantly injured. I find it hard to understand why someone would want to do that, but I

do not understand the brain of a person who believes it is okay to invade a country without provocation and some of the dreadful things we have seen.

I warmly welcome any Ukrainians who are refugees into our state and into our country. I know they will have particular and special needs, and we need to work with the Ukrainian community, as the member for Windermere and others have mentioned, to ensure that their needs are met. They will be extremely traumatised people and we will need specialist skills and services available to assist them, particularly if they have no idea what their future holds. In the short, medium or potentially the long term.

My heart goes out to the people of Ukraine in this really difficult time. Those who have found safe passage out of the country are still displaced, still away from other loved ones, often not with any news of what is actually happening to their loved ones. There are plenty of people in Tasmania who are willing to take Ukrainian refugees into their homes and provide some services but we do need to be really aware people who come from such conflict and such trauma will have really unique and special needs and we need to be able to support them. I thank the member for Windermere for bringing forward this motion. My heart goes out to all those impacted, including the Russian people who are opposed to this war and must obviously feel quite powerless in dealing with it. I sincerely hope we find some resolution soon. Whilst being so far away makes it really hard to understand what is really going on, I call on Russia to withdraw from Ukraine, to give their people back their country and face the penalty that may be coming.

[3.51 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I also rise to support this motion in its entirety. There is nothing in this motion I cannot agree with. I have never been in a place where there is war. Political war, maybe, but not war. I was not called up for Vietnam and missed out by six days. You can only start to imagine what it is like. My mother actually was in the bombing in London during the Second World War and as I read her book, it goes to some of the stress in that regard. I remember one part where she went to catch the ship out to Australia and heard another ship along from the one she was catching was bombed on the dock. You think, fancy hopping onto a ship with one that has been blown up next door to it, wondering how on earth you are going to be able to manage to go from England to Australia with any degree of safety. You think of these people in Ukraine at the moment and of the journey they are taking. It must be full of fear. My heart goes out to them. My heart goes out to those where the husbands are going off to war and they do not know whether they are going to see their loved ones again, their families are escaping to neighboring countries. Those neighboring countries, as we have already heard through other offerings, are seeking to join NATO to increase their chances of being somewhat protected in that circumstance they find themselves.

I am a bit of a pacifist and have to say war is not a solution to any circumstance. It really cannot be. It results in only death and destruction. In the case of nuclear war, if that was ever to occur, possibly a global impact should that avenue of conflict eventuate. Diplomacy must at all times be the top focus and I take my hat off to Volodymyr Zelenskyy for the way he has maintained the focus. How they are not going onto Russian territory to attack behind Russian lines - as far as I am aware - giving Vladimir Putin an excuse to engage further with other forms of warfare. He is an absolutely amazing person. The fact he has stayed with his people is a testament to his commitment to the country, but what it is doing

for the people in that country itself, in terms of their resolve and strengthening their resolve, it is tremendous. I imagine it is a significant contributor to their tenacity as a nation. If they saw their leader disappearing over the horizon there would be a temptation to feel all hope is lost. He has stayed there day after day, encouraging them and trying to find a solution to their terrible circumstance.

I also think of the Russians in Russia standing up and protesting about this war. They must realise when they stand up that their chances of being able to get away with that are so low and yet they are there doing that. I recognise the bravery of that as well. It is the images that you see daily - coming across on television and in other social media - of people who have lived in Kyiv, and other places such as Mariupol, all their lives, 80-year-olds weeping at the loss of their homes and their territory. How they are continuing to keep up the courage to survive is amazing.

It is important for us that we can show support. It is a long way away but we can show support by going to some of the fundraisers. I know there is one at the Polish Hall on 5 June. We are told via social media that cash money is the best way of being able to support the Ukrainians. There is support needed back in Ukraine and the refugees in Poland. They are coming away with nothing, they are at the mercy of the community around them for their everyday needs. So, cash is the way to do that through established avenues like the United Nations High Commissioner for Refugees (UNHCR). Their programs are handling some of the distribution of cash to help people out.

The people coming here also need support. I sent an email about what I could do and it was that support, the avenue of being able to give, so I gave some dollars to help with people in this state. It is not like giving to the programs to give overseas and there are tax deductions and all those sorts of things, it is the people here too who we need to think of, as someone else mentioned.

We can show support through those fundraisers, by going along and simply having a meal, you can do that, but you can also do it through the UNHCR programs for those who are needing it in Ukraine itself. I support the motion that has been moved by the member for Windermere. I say that we stand with the Ukrainians and we understand that Tasmania is a safe haven. It is very hard for us to imagine what it is like to have war going on around you with buildings being bombed, not knowing when your house is going to be next, not knowing as you walk up the street whether a mine has been planted.

It is a stressful circumstance, so we stand with them and we want them to know we appreciate them as a nation and we are ready to assist here, if they come to us. Thank you to the member of Windermere for bringing it on.

[3.59 p.m.]

**Ms WEBB** (Nelson) - Mr President, thank you to the member for Windermere for bringing this motion and for the contributions made by other members. It has been really interesting to listen to them and I absolutely agree with many of the heartfelt things that have been shared. This is a topic that has been with us on a daily basis since the war in Ukraine began on 24 February. I am sure others, like me, have been following with growing horror the distressing stories that come through the nightly news and the social media coverage and analysis pieces we can all engage with online. Here, on the other side of the world, we in

Australia hear the reports of atrocities and potential war crimes being committed against civilians in Ukraine. We hear about cities falling to the invading Russian army and while it is hard to imagine facing such a daily reality, I know that we all stand in solidarity with the Ukrainian people.

**Sitting suspended from 4 p.m. to 4.30 p.m.**

## **MOTION**

### **Ukraine - Territorial Sovereignty**

**Resumed from above.**

[4.31 p.m.]

**Ms WEBB** - Mr President, while it is hard to imagine facing such a daily reality, we all stand in solidarity with the Ukrainian people, supporting their bravery and fierce resistance of invasion under the incredible leadership of Volodymyr Zelensky. Beyond our heartfelt solidarity, Australia is in a good position to put into practice our active support of the Ukrainian people, their sovereignty and basic human rights. In doing so, we are presented with an opportunity to reflect on and learn how we in Australia can improve our nation's support for the sovereignty of others and support for global human rights.

That is something that I was drawn to reflect on by this motion. In speaking to the motion, I focus on two areas. I will group the following points of the motion for reflection and comment. The first point says:

- (1) Recognises Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.

Then part (2)(b), which says:

- (b) Tasmania stands with the Australian Government in affirming our respect for Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.

and the third point, which says:

- (3) Acknowledges that there is no justification for this aggression and condemns the aggressive action which has been borne by innocent Ukrainians.

I think it makes sense to group these points together. I fully support the statement in the motion which recognises and affirms the Australian Government's respect for Ukrainian territorial sovereignty and its right to peace, freedom and democratic rule. I add that I support that right for all people globally.

We know that the United Nations considers the attack by Russia to be, 'a violation of the territorial integrity and sovereignty of Ukraine'. It is important for all nations, I believe,

including Australia, to express their support of Ukraine during this time and to advocate for the basic human rights of the people who live there.

Naturally, the idea of one nation invading another, breaching national borders and engaging in armed conflict, attacking and displacing peaceful citizens, offends our sense of what is right. However, advocating these values can be done lightly, potentially, without acknowledging that it also must be done consistently. It is particularly to advocate for them when it is politically convenient, especially when doing so puts us in line with the sentiments of our allies and is directed in condemnation of those to whom we are not closely aligned.

It is my belief that territorial sovereignty and the right to peace, freedom and democracy are universal human rights and should be supported without exception. Inconsistency in this calls into question how genuinely we hold a commitment to these rights and principles. In fact, it is not too hard to call to mind previous situations where we may well have expected countries like Australia to explicitly and actively uphold the rights of territorial sovereignty, democracy, peace and freedom, but where the Australian Government failed to do so, where we stayed silent and failed to act, or acted inadequately.

We can even turn our thoughts to situations where we have been supporters, or even participants, in military actions which could have been regarded as a violation of these self-same principles. Past Australian governments have supported violations of territorial sovereignty made by our allies - in Panama, Nicaragua, Afghanistan, Iraq and Iran, for example, and in the occupation of Palestine by Israel. In that case, while it is a very different and complicated ongoing situation, the fight of the Palestinian people against the occupation of their territory has often been condemned by Australia, rather than applauded, as we do now with Ukraine. Former prime minister, Scott Morrison, recently dismissed Amnesty International's conclusion that Israel is committing apartheid against Palestinians, stating that Australia and his government at the time would remain staunch friends of Israel.

It is problematic to judge your friends by a different measure than those you do not count as friends. The magnet of friendship should not pull the needle of our moral compass away from true north. Inconsistent application of values and principles also brings to mind Australia's inconsistent response to refugees. In response to the urgency of helping the Ukrainian people fleeing the conflict in their country, the Australian Government has decided to expedite the processing of their visa applications as a priority, which I applaud. Temporary humanitarian visas were made available to all Ukrainians living in Australia on other temporary visas, and those who held a temporary visa ending before June 2022 were given automatic six-month visa extensions. For Ukrainian people who had any family connection here in Australia, fast-tracked tourist visas were made available, and a new class of temporary protection visa was provided for them to apply for once here, which would then allow them to stay for up to three years.

The process to apply for these temporary protection visas has been specifically streamlined for the Ukrainian people seeking to access them and there is no cap set on the numbers to be provided, is my understanding. I believe Australia has granted more than 6000 tourist visas to Ukrainian nationals, and about 1500 of those have already travelled here, including about 10 families to our state.

Let me say firmly that these efforts from our country to assist in the humanitarian crisis resulting from the Ukrainian war are commendable and necessary and I applaud them. However, the current special measures established for Ukrainian refugees contrast with many of the federal government's previous decisions on refugee intake. For example, when the US pulled out of Afghanistan and Afghani people were at significant risk from the violent regime seizing power, we provided a much more limited response. Those Afghani people who had worked with the Australian military, or the Australian Government, while we had a military presence in the country, were able to get a visa to Australia although not all those who were granted a visa were able to get out, unfortunately.

We were very targeted in who we would accept in that circumstance. Having a family connection in Australia already was not sufficient for an Afghani person to get an emergency visa. If Afghani people tried to apply for a tourist visa to Australia, in an attempt to get here, then to seek a temporary protection visa - just as the Ukrainian people are being encouraged and supported to do now - they were not being approved for them. The Genuine Temporary Entrant - the GTE provision of the tourist visas - was strictly applied in the case of the Afghani people seeking a tourist visa at that time, which we are not seeing for Ukrainian people now.

Some additional funding was provided, including \$50 000 from our state government to the Tasmanian Refugee Legal Service, to assist Afghani people to apply for offshore humanitarian visas. However, this is a process that takes years to progress. There is no streamlining or fast-tracking for them, and there is massive competition for the very limited number of capped places.

Of course, these situations are complex and there would be many factors that play into decisions our government makes in terms of our response and our support, but we need to have our eyes wide open and be prepared to honestly question situations in which our response seems inconsistent and reflect on what that means in regard to the values we propound.

I am prompted to reflect on Australia's own treatment of refugees which has been found to breach human rights in violation of international law. The United Nations Refugee Agency states there are 26.4 million refugees worldwide of which 68 per cent come from five countries: Syria, Venezuela, Afghanistan, Myanmar and South Sudan.

While in 2015, the federal government permitted a one-off intake of 12 thousand refugees fleeing conflict in Syria and Iraq, all of these visas for resettlement were granted by March 2017. The Syrian civil war is still ongoing. As of mid-2021, there remain 6.8 million refugees as a result of this conflict. A further example of our inconsistent approach is the federal government's granting of only 412 humanitarian visas to Rohingyas, fleeing Myanmar between 2008 and May 2015.

According to the Refugee Council of Australia, only 37 Rohingya refugees were resettled in Australia between 2013 and early 2017. Reports emerged in 2017 that the federal government had offered to pay Rohingyas to return to Myanmar, where ethnic cleansing had been committed against people of their ethnicity. This would potentially have been in breach of non-refoulement obligations against international and customary law. Along with the situations I have already mentioned, the UNHCR lists there are currently humanitarian crises

in Ethiopia's Tigray region, in the Democratic Republic of Congo, Nigeria, Sahel, Yemen, Afghanistan, Burundi, the Central African Republic Region, Central America and South Sudan.

We are prompted to ask ourselves whether our country treats some refugees as worthier of basic human rights such as freedom, democracy and peace by allowing them into Australia, while ignoring others who flee conflict and persecution. We are eager to proudly promote these values, but I argue that applying our values inconsistently risks the appearance we do not genuinely hold them. I am far from an expert on these matters, my understanding of them is limited, but I do know as a citizen of this country, the Australian Government makes decisions and takes actions in my name and on my behalf. I believe that fact makes it incumbent upon each of us to hold some personal responsibility for those decisions made and actions taken in our name. To at least be clear-eyed and honest about our national adherence to stated values and principles.

Having made these reflections, let me reiterate I fully support the immediate response Australia has made to Ukraine, I regard it as exactly what we as a peaceful and safe nation should be doing.

Lack of respect for the fundamental principle of territorial sovereignty is a contributing catalyst for international conflict, which we have seen through Russia's actions in invading Ukraine. Yet, a poignant and ongoing domestic example of Australia's failure to respect territorial sovereignty is here at home in the treatment afforded our First Nations people. The invasion, dispossession and deprivation of rights experienced by Indigenous Australians in the past and the ongoing discrimination, inequality and disadvantage they continue to face today provides us with an opportunity right here on our doorstep to show our commitment to principles of sovereignty, freedom and democracy. Yet, we have continued to fail to do this in many ways. Where is our respectful response to the Uluru Statement from the Heart? Where is our First Nations voice to parliament? Where is our honest and committed national path to treaty and where is our ongoing process of land return?

I first prepared this speech prior to the federal election result on the weekend and I am now pleased to say I have been given fresh hope on these questions by the explicit commitments made by our new incoming Prime Minister, Anthony Albanese, stated as a matter of priority, in his victory speech on election night. I look forward to progress on this and a closer alignment of our stated values with actions and our attitudes to our First Nations people.

I affirm my support for Ukraine's territorial sovereignty and its right to peace, freedom and democratic rule. I also take this opportunity to remind myself that such fundamental rights, values and principles are not like a set of clothes, where we can pick and choose which ones we will put on for the day in order to look our best. They must in fact be part of our DNA, they must flow in our bloodstream. They must be inextricably connected to our heart and our soul. From there, they will connect us to the hearts and souls of others in our global family.

The second area that I will speak to in this motion relates to point (2)(a). It notes that Tasmania is home to both Ukrainian and Russian communities who have received this news with deep concern for their loved ones and that we stand with all Tasmanians in wishing to

provide care and support for those communities. I applaud the work of Tasmanians in attempting to assist those affected by the conflict in Ukraine, and the wish of care and support for Ukrainian and Russian communities in Tasmania.

In 2020 the Ukrainian community in Tasmania celebrated 70 years of migratory settlement since 340 displaced Ukrainians arrived in Tasmania after the Second World War. The Association of Ukrainians in Tasmania was established in 1954. The member for Windermere reflected on this in his contribution which was really interesting, thank you.

The Association of Ukrainians in Tasmania is doing commendable work to support Ukraine and Ukrainians arriving in Australia because of this conflict including through donations, rallies, gatherings and collection of food vouchers and other support. It is my understanding the association plans to meet every Saturday on the Parliament Lawns until the end of the war, in a strong show of solidarity. Other groups are also providing support through donations and fundraising. I know that the Rotary Club of Hobart has provided welcome packs and packages of support to the association of Ukrainians.

Earlier this month I was very happy to attend a fundraising dinner hosted by the Australian Lithuanian community in Tasmania, held at the Beltana Bowls Club where a room full of people were generously giving to provide assistance to Ukrainian families arriving in our state. Important support is also being provided through organisations such as the Tasmanian Refugee Legal Service and the Migrant Resource Centre of Tasmania with legal and settlement assistance to migrants, refugees and humanitarian entrants to our state.

These organisations do an incredible amount with very limited resources and with the assistance of many dedicated volunteers. I thank them from the bottom of my heart for what they do. The Tasmanian Refugee Legal Service has some outstanding applications for funding that it is waiting to hear on and I am hoping that it will be granted so that it can continue to do the very important work that they undertake both through their Afghan assistance project which is specifically funded, and also now through assistance to the Ukrainians who are arriving in the state, with their temporary visa applications.

I certainly hope we might see some excellent funding directed in that way in our state Budget this week. The Migrant Resource Centre's Humanitarian Settlement Program provides support to humanitarian entrants upon their arrival and provides services to teach people skills and knowledge to help them begin their life in Australia. I also thank the member for Windermere for outlining a range of other support arrangements that are being put in place in a very coordinated way through many government agencies and levels of government. It is incredibly pleasing to hear about that work being undertaken.

I state very firmly how glad I am that as a community we provide these crucial services to assist people in need, in this particular case the Ukrainian people arriving in our state and the families and communities who they are coming here to join. Let me finish by thanking the member for Windermere for bringing this motion and providing the opportunity to make these reflections and to affirm our support for the Ukrainian people in the face of the invasion and violence that they face. I support the motion.



[4.49 p.m.]

**Mr DUIGAN** (Windermere) - Mr President, I thank all members for the contribution they have made to this motion. To the members of the Tasmanian Ukrainian community who are watching proceedings today, I know the words that you have spoken will lend some degree of comfort. Also, for the Tasmanian Russian community who might be looking at this, to hear the words of support you have for them who are no doubt distressed by what they are seeing.

The member for Hobart raised the issue of what we were able to do locally in terms of fundraising and I think it is reasonable to say that Tasmanians have already gone above and beyond in that direction. We have seen people offering up housing, their shacks. There have been gift packs, welcome packs. There have been donations of money. The Association of Ukrainians in Tasmania was very keen that I made that point and that I pass on their thanks for the work that has happened in our community and for the people who have already found ways to help. The Caritas Ukrainian appeal is the one that that particular organisation is pushing, so if anyone is looking for an opportunity, because in these situations I suspect cash is probably king.

Understanding that those more ad hoc and good-natured things are very much appreciated, I suspect the Government will need to do most of the heavy lifting, as identified by the member for Nelson. I can say that the federal government has provided a \$450 000 grant to the Australian Federation of Ukrainian Organisations and their state-based organisations. As I say, that will go to the state-based organisations to continue the work going on for those recently arrived in the country. I should also single out for special mention the Migrant Resource Centre of Tasmania, and the Phoenix Centre, which provides counselling and mental health support for those people recently arrived because for those people these are traumatic times.

**Motion agreed to.**

## **MOTION**

### **Establishment of Select Committee - Provisions of University of Tasmania Act 1992**

[4.52 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I move -

That a Select Committee be appointed, with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place, to inquire into and report upon the provisions of the *University of Tasmania Act 1992* with particular reference to -

- (1) The constitution, functions and powers of the University;
- (2) The constitution, role, powers and obligations of the Council and Academic Senate;

- (3) The appropriateness of the Act to ensure accountable executive, fiscal and academic decision-making;
- (4) The appropriateness of the Act to protect and promote academic freedom, independence and autonomy; and
- (5) Any other matters incidental thereto.

And that -

Mr *Duigan*;  
Mr *Gaffney*;  
Ms *Siejka*  
Ms *Webb*; and  
The Mover be of the Committee.

Mr President, in moving this motion for an inquiry, let me say that while I am the mover, I acknowledge the efforts of the member for Nelson in this as well, in whose electorate the University of Tasmania is also present. We have both been receiving representations via email and in person from community members and groups in relation to matters associated with the University of Tasmania and its operations, as, no doubt, have other members. Someone mentioned that again today.

There have been many letters to the editor and opinion pieces, mainly on the CBD move, but also on other aspects. The opportunity has also been provided by the Vice-Chancellor, Professor Rufus Black and his staff, to brief us on a regular basis on university activities over time, given it is in both of our electorates. I thank him for that. We are also provided with an opportunity to meet the Chancellor of the University, Ms Alison Watkins AM. During those meetings with both the Chancellor and Vice-Chancellor, an inquiry was mentioned as a possible avenue that could be considered in light of community discussion that was building.

The Vice-Chancellor offered to provide a detailed document of the university's regulatory environment about standards and enforcement and additional legislative requirements impacting on university operations. It gave a good precis and there is no doubt whatsoever that there is much involved in the university's governance. It is only a small document, but it points to all sorts of acts and standards and qualification frameworks and codes that the university has to meet. I think there is no doubt about that. It is a significant set of standards they have to meet, strictures that are applied in terms of the courses they are offering and all of those sorts of things, and the standards that the courses have to meet.

Given the importance of the university to the whole state, and indeed its future, for some time I have noted that as a parliament, for whatever reason, the university has had relatively little scrutiny. We have been provided with an occasional briefing, such as the Legislative Council recently received, and I thank the Vice-Chancellor for providing that. With the governance paper provided by the Vice-Chancellor, together with the level of community disquiet that is being exhibited, I thought it worthwhile to have some research

undertaken on the actual jurisdiction of state parliament in relation to the university, and in relation to its intended city move at that point. I thank those who undertook that research.

It revealed - not surprisingly - that it is governed by an act of parliament, the University of Tasmania Act 1992, and as such we do have the power to inquire into it. As somewhat of an aside, it is one of the oldest universities in Australia, being one of the four so-called sandstone universities of our nation, that began life on the Queen's Domain in Hobart. At that point, it was functioning under the Tasmanian University Act 1889, so it goes back a while. The Tasmanian University Act 1951 repealed the 1889 act, and the University Property Act of 1892, and gave the university the land in Sandy Bay for a new campus. The Sandy Bay site was formerly a rifle range, of all things, and some might say it is being used as that right now, with all the metaphorical projectiles that are aimed at the university at this time. An interesting past. I expect it has been some decades since the university has received such attention in the media. I think we would all understand that.

It is also subject to right to information, given it is a public institution, and it is also subject to public interest disclosure legislation, and reviewed by the Ombudsman, the Auditor-General, and indeed, the Integrity Commission. The research found that at one point the Sandy Bay site had to be used for a university or it would otherwise revert to being crown land. That provision was removed in the early 1990s, so they are allowed to deal with specified land parcels as they wish. In fact, in that section 26 of the act, it says:

Notwithstanding the repeal by this Act of the Amalgamation Act, the land specified in Schedule 3 -

which lists all of the land under the university -

remains vested in the university but free from any restrictions as to the power of the University to sell, mortgage, or otherwise dispose of that land that may, but for this clause, restrict the power of the University in respect of that land.

That said, it is also important to note the university is required to comply with the planning system and the judicial system if appeals or applications are made under that system in order for it to actualise its move to the city and the redevelopment of the Sandy Bay site. These are areas - and I want to make this really clear - these are areas that the inquiry before this House today would not be able to interfere with. It is something that we cannot go to, it is handled under a different act.

As at 2020, the university received state and local government financial assistance of about \$28.5 million, compared with federal grants and other financial assistance of a little over \$461 million. To place that state assistance in perspective, it is about 6 per cent of the combined assistance that the university receives. There are certain state legislative strictures regarding borrowings, in that it is not to exercise its power to borrow money unless it has first obtained the written approval of the Treasurer.

It is also part of the Tasmanian education minister's portfolio, and it is required to submit a copy of its annual report to both Houses of Parliament. Legislative Council Sessional Committee B on Government Administration can inquire into and report on any

entity for which the education minister is responsible, including the university. This House can also establish a select committee.

As stated earlier, the member for Nelson and I have been receiving significant representations and briefings. I want to expand on a number of those that I feel are pertinent, aside from all of the public representations and letters that members have no doubt seen on a daily basis about the move more particularly. At this point I need to underscore that the move is not the primary focus of the proposed inquiry, as many aspects of that are covered under planning law and must be dealt with accordingly, as previously stated. That is not to say that aspects of the move outside of the planning legislation cannot be considered. They can, provided those aspects are within the terms of reference, but more on the actual inquiry later.

It may surprise some, but we have received representations from outside the state as well. I want to go to a submission from a group of academics who are concerned about the overall direction of universities across Australia, not only Tasmania.

**Mr Willie** - When you say submission, do you mean correspondence to you?

**Mr VALENTINE** - Yes, people sending us emails and submissions to us. People making representations to us and providing us with documents. It is those sorts of things. It is not in a formal committee, just to clarify. Thank you, Member for Elwick, it is important to point that out.

Public Universities Australia provided us with a document and it has certain principles in it and I will read from their document:

- (1) The governance of Australian public universities must be collegial, transparent and accountable.

The governing bodies of Australian public universities must be accountable to both the entities they govern and the public they serve. To do so, these governing bodies must be composed of a majority of active members of the academic community, as well as individuals (including alumni of the university) who represent the broader community. Financial, commercial and community expertise must be maintained but must not dominate the composition of any University's governing bodies.

Chancellors and Vice-Chancellors must be democratically elected in order to be legitimized by the entire university community (including students, graduates and academic and professional staff).

All decisions made by the governance bodies of Australian public universities must be transparent and visible to the entire community they serve. In order for this to happen, all discussions by governing bodies (unless they concern matters of a personal nature or else are commercial in confidence) must be open to the public, and detailed minutes of those discussions must be made publicly available in a timely manner.

And the second principle that they talk about:

- (2) All academic decisions must be made collegially by the academic community and not exclusively by individual managers or a managerial hierarchical structure.

There is a quite a bit on that, and I won't go through it all, but I will go to numbers (4) and (5):

- (4) In order to maintain their public function, universities have to guarantee and defend the principle of 'academic freedom'. Such a principle is fundamental for the public good, and not, as it may appear at first, the privilege of an academic minority.
- (5) Australian public universities must provide secure, safe, non-exploitative, and tenured employment. Tenure is a necessary means to achieve the following:
  - (a) freedom to undertake unrestrained and creative research, teaching, and extramural activities;
  - (b) a sufficient degree of economic security to make an academic career sufficiently attractive.

Intellectual freedom and economic security - hence tenure - are indispensable to the success of any academic institution in fulfilling its public obligations toward both its students and society at large.

So it goes on, but you can get the flavour for what they are lobbying for. They see that Australian universities in some ways are moving away from those sorts of things. They have the 10 pillars of a university in this document:

- I. Universities are communities of scholars and researchers whose aim is to seek and create knowledge by pursuing free and open enquiry, scholarship, research and learning, and to assist and encourage students to do the same.
- II. Universities should provide a nurturing environment that supports students, teachers, researchers and other staff to achieve their best as creative, inquiring, and free-thinking people.
- III. The inherent relationship between teaching and research-based inquiry in our universities needs to be nurtured, respected and celebrated.
- IV. Research conducted in Universities is a public good that contributes to society academically, culturally, socially, and economically. To achieve these goals, academic inquiry must be free and open. Teaching, research and publication must be governed by disciplinary standards and not the political or social agendas of external parties.

- V. Universities should be led by distinguished and respected scholars who regularly consult with the professoriate on issues concerning the operation of the university.
- VI. Academics should be effectively engaged in university governance, with the professoriate providing leadership of disciplines, acting as mentors, and promoting academic principles.
- VII. Universities should receive sufficient public financial support to ensure their autonomy. Financial governance of Universities should be subject to public scrutiny.
- VIII. Any evaluation of teaching and research activities should be carried out by discipline peers and take into account contributions across all aspects of university work, including teaching, research and the wider community. This evaluation should be qualitative wherever possible and take into account the norms of the discipline in terms of qualitative vs. quantitative assessment and the level of institutional support and resources available for these core activities.
- IX. The articulation of dissenting views, and free discussion between individuals who hold conflicting views, are key attributes of a healthy University and democracy - the provision of an open intellectual space for such discussions is a fundamental obligation of the University.
- X. Universities must be free to act as a critic of society, maintaining an independent, free and open space of enquiry that responds responsibly to relevant environmental, social, cultural and economic contexts.

I wanted to read that in because I think it is important to understand what the particular thrust is of the group called Public Universities Australia, as academics. Indeed, they were keen to share that with us, so I wanted to place that on the record. They also have state legislative changes they feel are needed. They would like to see a uniform set of legislation that underpins Australia's universities, it is called the University Model Act. I am not going to read that, but they have put quite a lot of thought into their vision for universities across Australia.

I want to read a document by Richard Davis from an article in the *Mercury*. It is titled 'Once feted institutions in search of truth, unis are now big business' and the introduction says academic Richard Davis is writing a second book about the University of Tasmania and in it he reveals the uni is nothing like it was 30 years ago when his first was published. He says:

Without academic tenure, staff cannot easily protest against their institution's leadership. Back in the 1920s, Tasmanian academics insisted that they were not servants of the University Council but independent authorities with the right to criticise the uni. This contention was, however, destroyed by the High Court's acceptance during the Orr case, that academics were indeed servants of university councils. However,

Tasmanian academics gained very strong tenure rules after Orr. Though these were weakened by Education Minister John Dawkins, it was still possible in 2000 for academics to vote 'no confidence' in the Vice-Chancellor.

At my appointment in 1967 to lecture at the uni, two years before the birth of the present Vice-Chancellor, the Professorial Board containing all heads of department was the centre of authority. The elected chairman of the Professorial Board was almost as powerful as the Vice-Chancellor but when I retired in 1996, the Professorial Board and its chair were gone. Departments were being merged and weakened while managers controlled academics as Dawkins had prescribed. The Pre-Dawkins unis were very far from perfect, but were moving in a democratic direction. Younger and livelier women and men were being elected heads of department and members of Professorial Boards. This democratisation was not to last. In 1996, the then Vice-Chancellor attended the faculty meeting, explaining he was prepared to listen to discussion, but rejected the passing of resolutions which would be ignored by the management. The uni's present insistence that it has fully discussed the move from Sandy Bay suggests that 'full discussion' might approximate that of the 1996 faculty meeting. Academics without the very strong tenure regulations arising from the Orr case are well advised to maintain their silence on Sandy Bay.

Among the public, there have been many complaints about the location of the uni in the CBD. Cited are impediments to business, parking pain, waste and inconvenience. Many graduates resent the demolition of the attractive campus they experienced. As more people are attending uni, the old opposition to it as a haven for elitists is waning. A 1998 (May 26) Trades and Labor Council motion by the teacher and future Labor MP, Ross Butler, opposed the Hawke government's abandonment of Whitlam's free university education, but supporters of Whitlam's policy incurred only yawns. The motion failed by a huge majority. Those were still the days when real men felled bush, while real women concentrated on domestic duties. Universities were for latte sippers. Are the grandchildren of the yawn happy with the ever-increasing fees they pay for their essential education?

The Sandy Bay story is but part of the general malaise of the uni system. The emphasis on finance has been forced on unis by successive Liberal and Labor governments. Julia Gillard, for example, gained much credit for the Gonski reform of the school system. But where was the money coming from? Cuts in university grants, of course! Any improvement in Australian unis in general and the University of Tasmania in particular needs a powerful rally of the whole population. That the federal government can find enormous funds has been proved by Covid. The importance of higher education must be constantly advertised to politicians hoping to retain their seats.

*Open to Talent*, my centenary history of the University of Tasmania (1990), is almost the story of a different institution. I have tried in my current book,

*The idea of a university and its enemies, from Socrates to Scomo* to bring the essential issues, brilliantly analysed by Cardinal John Henry Newman in the mid-19<sup>th</sup> century, up to date over a wide canvas. According to James Backhouse Walker, a leading founding father of the University of Tasmania and its first Vice-Chancellor, 'the true spirit and names of a university had never been expressed better than by Newman'.

Though Walker was not himself graduate, he had a better understanding as to what a uni was about than many modern politicians with a string of degrees. Edmund Morris Miller, in 1953 the first academic Vice-Chancellor, accepted Newman's view of a university as 'a corporation of professors, lecturers, graduates and students, all united in their search for truth in the forms of Knowledge, Beauty, and Good'. There was no mention of managers or shovel-ready courses.

To Miller, a vice-chancellor was not a boss or a chief, but a coordinator between council and staff, leaving the latter free to carry out 'creative functions unrestricted by officialdom'.

Uni provides an essential benefit to the community, the best development of the mental power at the country's disposal, not only a chance for individual enrichment. Far from insisting that graduates must be shovel ready for immediate employment with ephemeral skills likely to be outdated by rapidly changing technology, it is important that they learn to think outside the square, adapting rapidly and avoiding fashionable neoliberal or cancel culture clichés. Issues such as Omicron, refugees, women's rights, Australia Day, climate change, racism, welfare spending and foreign policy often exhibit rigid thinking and fear of change.

As Newman said, a university is a place where 'the intellect may safely range and speculate, sure to find its equal in some antagonistic activity and its judge in the tribunal of truth'. A campus like that of Sandy Bay, separated from the mundane preoccupations of the CBD, is an ideal place for speculation of immense value to the public.

Richard Davis is an emeritus professor of the University of Tasmania and author of *Open to Talent: The Centenary History of the University of Tasmania 1890-1990*. Quite clearly, while some of that is to do with the move, it is also to do with the way he views a tertiary institution.

A very short article, again in the public domain, in the *Mercury, Interactions essential*:

UTAS, like some other universities, is moving to an online model of teaching, with students spending fewer hours on campus. This model suits some people very well, but I know of students who are struggling with studying in isolation at home. For these students, particularly, it is absolutely vital that the on-campus components of their units are a first-rate and motivating educational experience. However, there is more than one group of initially excited students who are turning up to practical laboratory



sessions only to sit in front of a computer screen in a silent room. Less than 30 per cent of one particular class is now turning up as parking in the city is difficult and expensive, and why attend only to sit in front of a computer? There are other instances where the face-to-face component for a unit is scheduled to be two or three hours but students are finished in half this time. Modern advances in technology-enhanced learning are a wonderful tool for use in teaching at home, but when on campus, the importance of interactions with lecturers, tutors, and other students cannot be over-emphasised. A student was asked by the postman making a delivery whether she was in isolation, and the student said, 'no, I am not in isolation, I'm studying at university'.

One last, by Colleen McCullough another article in the *Mercury* - these are all in the public domain - *Research Benefits*. Sorry, it is not by Colleen McCullough. It is by Ian Satchwell, Swanbourne, Western Australia, *Research Benefits*:

Recent commentators have made much of the need to maintain the Sandy Bay hub of the University of Tasmania to deliver the educational benefits of a rich campus life. Discussions so far, however, have largely missed the research benefits of an ongoing integrated campus. Tasmania hosts valuable natural and human capital, plus physical assets. In the 21<sup>st</sup> century, there is another dimension to Tasmania's assets - the capability, knowledge and innovation inherent in its research-rich university. The University of Tasmania is by far the largest, most important research organisation in the state. In several fields it is world leading.

Tasmania needs its university to help meet the challenges and take the opportunities the state faces. Particularly important is the power of the university to apply cross-disciplinary attacks to major challenges facing the state, the nation, and the world. That's how many research breakthroughs occur. In universities today engineers work with economists, social scientists cooperate with architects, and marine scientists collaborate with lawyers. There is high value in enhancing the way different disciplines work together on big issues. That's why leading universities are investing in collaboration spaces for researchers, just as they are creating welcoming spaces for students. In planning the future of its Hobart university facilities, the University of Tasmania needs to focus on how it continues to stimulate research partnerships. I fear, however, that 'Balkanising' the university's infrastructure into anonymous city buildings could compromise development of knowledge capital and breakthroughs in research needed for Tasmania's thriving future.

I read those in to give you a flavour of the sorts of things that are coming our way. We have also received - people have come to me who do not want to be identified for whatever reason. There has been public concern raised about the university's financial dealings, statements about the need for university's autonomy, some are against the move, see that parliament could be interfering with the autonomy of the university, university autonomy without political interference. Some are concerned about non-disclosure agreements, there

have been open letters to the Premier published in the paper, and all manner of things, each bringing out their different concerns.

Given the growing level of public discussion, and in some cases angst about the university's strategic direction of recent months - and certainly not only in relation to the city move, I have to emphasise that - it prompted both the member for Nelson and myself to consider the possibility of an inquiry to provide a platform for community concern to be transparently considered, whether it be for or against the university's strategic direction. I state that very clearly, this is not only for the naysayers to come forward. This can be those who support the university too, for that matter, and see benefit in what the university is doing, what its strategic direction is, providing it meets the terms of reference. An inquiry process is as much an opportunity for the university itself to engage. In the communication I have received from the Vice-Chancellor, he actually welcomes it. The university can provide relevant information through submissions during the inquiry process and further information that may be requested of it by an inquiry committee. We took advice on what we are able to effectively deal with in relation to the university and it basically came down to the area of jurisdiction the parliament has and that is the act itself and anything contained within that. Even though there are lots of other areas the university has to answer to, it is under a state act. With that in mind, terms of reference were drawn up that covered areas of concern being expressed and the result is before you today for consideration.

It is not a review of the act, as such, but aspects of the act that pertain to the areas of concern being expressed by those in the community, either directly or through the media. It is important to note as the proposed inquiry is centred around aspects of the act, it is not place-specific and obviously could receive submissions from anywhere across the state and stakeholders and interested parties from outside the state, providing submissions are aligned with the terms of reference. It is not intended to be Hobart-centric, I must make that very clear. This is not about the city move per se, anything to do with the planning aspects we cannot deal with, I have already stated that. This is about aspects of the university's powers and operations and those sorts of things under the act. It is not a review of the act, it is not place-specific and it is not Hobart-centric, I want to clearly state that. It is a select committee of inquiry that is being pursued, given the availability of members and the need to have those areas of the state covered in which the university at least operates.

It is important for the committee to note at this time - as indeed members will be aware - an inquiry is confined by its terms of reference. Therefore for those who may be listening or watching proceedings today, all submissions and hearings would need to be focused on those terms of reference accordingly, should the inquiry be approved today. It is also the case that any representations made so far to members would not be considered, it would only be those submissions received once the inquiry was advertised and submissions called for, if it is approved. Whatever was forwarded before could still be resubmitted, should individuals or groups wish to do that. It is certainly not for us to direct who should and should not be submitting to an inquiry like this.

It is fair to say, and I reiterate, the greatest value of this proposed inquiry as we see it would be in the process itself, providing a platform for the concerns and issues within its terms of reference to be transparently considered and addressed. The resulting inquiry report could - among other recommendations to Government that might arise from the committee's deliberations - provide a good level of information for a full review of the act, which would

cover far more than the selected terms of reference before us here today. It is a component of the act, but it is by no means a full component, it is not the full act and it is not a review of the act. It has been 30 years since any major scrutiny has taken place, there have been some amendments with respect to the act and a full review may indeed be timely, but in saying that, I do not wish to pre-empt any recommendations the inquiry might land on, it is for the inquiry to decide on those.

I commend the motion for an inquiry to the House for consideration and ask it be supported. It is an opportunity for all sides of the debate about the university and how it operates, concerns and issues that might come up through that process and about having them heard in an open and transparent way. People are calling for transparency, you can hear that through a lot of the concern being expressed and this is one way of doing it. Yes, we expect there will be a lot of submissions, but this is not primarily about a city move. There are aspects of the city move that might be able to be considered but we cannot go to planning matters, that is for the planning system to deal with. I want to reiterate that.

[5.25 p. m.]

**Mr WILLIE** (Elwick) - Mr President, a short contribution from me to clarify my position. People may wonder why, as the shadow minister for education, I would not be jumping at the chance to participate in an inquiry on higher education. The reason is my wife works in the future students team at UTAS and I declare that in my pecuniary interests every year. I do not think it is appropriate for me to sit on an inquiry into my wife's employer. I have sought some advice from the Clerk. There is no financial benefit for me in this debate. What we are talking about is a parliamentary process, whether that is agreed to or not. I will still vote on the motion, but I will defer my speaking rights to the member for Pembroke who will speak on behalf of the Labor party. She is well placed to do that, I believe she has three degrees herself and has been a long time student at UTAS and knows the institution well. I thought I would explain my position and obviously it is a position I will manage throughout this entire discussion and whenever the committee reports back to the House. The member for Pembroke will, if the motion is successful, sit on the committee on behalf of the Labor Party.

[5.27 p. m.]

**Ms FORREST** (Murchison) - Mr President, I note and accept the genuine and valid concerns I have heard from a range of stakeholders regarding the operations and decision-making of UTAS. In recent weeks, I have sought out and read the views of people who could be considered on both sides of this debate. There are probably a few sides, really. Predominately, they have been around the move of UTAS into the CBD of Hobart and the future use of the Sandy Bay campus.

There have been other concerns raised about the potential silencing of academics, but I have been unable to verify the validity of some of those claims entirely. I will come to the matters that seem to be in contention. The member for Hobart went somewhere near to those points. I have found this to be - not this debate, the issues being raised in the broader community - to be a very emotive and challenging issue for many. This is our public and only university in the state and a lot of people have a connection with it. There are many people in this Chamber who have had a direct connection with UTAS. We must do all we can to ensure its good name and good reputation. It must be a place of critical thinking and contest of ideas, learning and the building of and gaining of knowledge. With all contested

matters, related to location, vested interest, biases or prejudices, these all rise to the fore when there are matters that are being contested. We saw that in Burnie, some years ago now, when the decision was taken to move the campus down to the foreshore. In my view, that has been a positive move, and possibly in Launceston too although I haven't personally heard any complaints regarding the Launceston relocation or transformation, as I believe it is called. I know how important access to university education is to the people of my electorate. The Cradle Coast campus has been an incredibly important facility for the north-west. Despite all of these matters and concerns raised in varying degrees in different areas of the state, I personally have not heard anyone call for a review of the act under which UTAS operates or even sections of the act but I will come to that later.

Mr President, the motion before us calls for an inquiry into many aspects of the act - the state act, as the Member for Hobart rightly alluded to. In the first instance, I believe it is the government's job to review acts, unless calls to do so have failed, and then we often see a committee step in to undertake an inquiry and do that work but first and foremost it should be the role of government. Committee inquiries undertaken in this place have always been enlightening and insightful and useful, often assisting the government when considering amendments to legislation. It is a valuable and important tool and function of this parliament and our committees. Our role here is predominantly one of scrutiny, of holding to account the government of the day.

I note the terms of reference are limited to the review of some sections of provisions in the act. However, the catch-all clause 'others matters incidental thereto' has the potential to open up a carte blanche to enable matters unrelated to the primary purpose, as the member for Hobart was keen to make clear: that it is not primarily the purpose of the inquiry - the move into the city from Sandy Bay - and that should not become the main focus of the inquiry.

We all know, sitting on committees where you have contested and contentious issues, this is almost impossible to avoid and if you have got the very broad, open-ended tool that allows 'any matter incidental thereto' to be raised and it is a matter incidental thereto, the move into the city, you cannot say it is not. It is, and so, I think if you leave that there - and I will come to the proposed amendment later on - this whole process will be railroaded to deal with matters that we merely have very little jurisdiction over or capacity to adjudicate. I will speak more about that in a moment.

I have a real and genuine concern that people calling for an inquiry will potentially feel very let down by this process, as their concerns are not with the act but with the relocation to the CBD in Hobart and the future potential use or uses of the Sandy Bay campus site and the significant and concerning exit of academics, particularly from the Faculty of Law. I know the member for Mersey spoke about that in his special interest matter debate this morning. I have sought further advice around that, as to what the university is actually doing about that and I believe they have, as the member for Mersey said, acknowledged the challenges and are taking action to try to address some of the very real and genuine and legitimate concerns of law students and other academics in the law faculty.

Mr President, I am concerned that I really can not see on what basis the Legislative Council can inquire into these matters in a way that can create change or adjudicate in this highly contested space. If it is, the terms of reference should be explicit about this and take out the catch-all. If you do not want to do that, if you want to enable that discussion, then you

should name it up specifically in the motion. If you really think this place can adjudicate that matter and can hear from the various parties, the vested interests, the people with pre-existing positions on this, then you should make it clear that is okay. If it is not, you need to remove that expectation. Also, make it clear that if you are not looking at that, you will not accept or receive submissions related to it.

However, this takes me back to that same question. On what basis can the Legislative Council really inquire into these matters in a way that can create change and adjudicate this highly contested space? As I said, the committees play a very important and valuable role in our parliament. A key role is scrutiny, and to inquire into the actions of government. This includes the spending of public monies, government policy decisions and delivery of government services.

With regard to the use of state government funding and spending it is worthwhile speaking about the funding arrangements related to UTAS and university education here in Tasmania, and also around the country, because I think it is important to look at the big picture. The member for Hobart referred a little bit to this in broad terms. I understand that for all Australian public universities, including the University of Tasmania, the Commonwealth Grant Scheme (CGS) is the biggest single source of government funding. If you had a concern about any university around Australia's use of their money that was public money effectively from the Commonwealth or state government, or particularly the Commonwealth funding here which is both far and away their biggest amount, you would get the federal Auditor-General or the federal equivalent of the Public Accounts Committee to look at it.

I do not believe that is the issue. I am not hearing that. Under this scheme, the federal government money subsidises tuition costs for higher education students and allocates it on the basis of the number of full-time equivalent domestic students in Commonwealth-supported places. I also understand the university does receive some funding from the state government. However, the vast majority of this is through contracted research and fee-for-service arrangements to support the achievements of the state government's objectives. One of the things the state government funds is the TLRI when they undertake work. They are the sort of things that the state funds - research predominantly, and those mechanisms. Therefore, in terms of our role in this place, the university does not deliver services of or for the state government, and any scrutiny of state government funding provided to UTAS will more probably lie with the agencies that contract relevant research or other services such as the TLRI.

In terms of the capital spend, I do appreciate the state government provided funding of \$75 million for the university's new campuses at West Park and Inveresk. I mentioned how beneficial they have been to my electorate. However, this does not appear to have created particular concern, but I am happy as I said to be informed otherwise if there are concerns around the northern campus. I know the new Cradle Coast campus at West Park is open and being well used. I have visited the site. I have already shared with members some of the benefits this has for our region, particularly the new nursing lab which is also being used for medical students and pharmacists and paramedics in their training. I think it is to be expanded further, potentially with rotation through other cohorts of health professionals. It is a fantastic facility. If you have not been there, you really should visit.

I am not hearing any concerns about the use of state government funding for these projects from the community, and see no evidence that would warrant examination of the state government's funding contribution to these projects. I absolutely accept there are possibly issues at stake. In fact, I am probably sure there are. Related to education outcomes, attraction and retention of students, management structures, and true independence of our university. This is an issue around the country and likely around the world.

I know the member for Hobart read some comments from Public Universities Australia. They have their own view of the world, that is fine. I have been on their website and looked at that, and they do pose a range of legislative changes, but I think what they are suggesting, from my understanding of reading it, is that some of it is federal and some of it is looking at the model act for states. This would be something the government should be looking at, not us specifically, I do not believe.

If there really is a major problem, and this problem needs addressing, it is up to the government to look at those model laws in concert with the federal government under whatever process this new federal government is going to use, like the ministerial COAG-type agreements. I am not sure what is happening federally now, with the new government. The education ministers would meet and would agree on these things. We all know how this works. We have been here a long time, we know how national legislation works. Even in consistently applied legislation, there is often a model act as adopted in one jurisdiction then adopted in others.

**Ms Rattray** - Some not adopted at all.

**Ms FORREST** - Western Australia still do their own thing. I accept those points raised by the member for Hobart. They are valid and legitimate questions that need to be asked about the overall structure and framework under which all of our universities operate, all around the country, not only here in Tasmania.

I do not believe a review of the listed aspects of the state act will address these particular issues around the educational outcomes, attraction and retention of students. COVID-19 has had a big impact on all universities who rely on international students. I prefer to see a targeted review into these very important areas of educational outcomes, the attraction and retention of students, and attainment of students across all areas of tertiary and further education. This is really what the member for Elwick was saying and the sort of thing he would like to be involved in - acknowledging his wife works at UTAS - but an inquiry into the educational outcomes across our tertiary sector is a really valuable thing to do, particularly post-COVID-19. Such a process would throw up a lot of these other matters being raised as concerns about the operations of UTAS, because that is surely what it is about. Surely it is about students, it is about educational outcomes, it is about student outcomes. That would be a much better path and more suited to the work of this place.

The terms of reference as drafted from points (1) to (4) and the member for Hobart stated, confined the inquiry to the University of Tasmania Act 1992, or aspects of the UTAS act and thus notionally the responsibility of the state. However, I reiterate, I have not heard any calls for review of the act and suggest if there was, the Government should be doing this. They have far more resources than us to do it in the first instance.

I ask the member for Hobart, and he might like to respond to this in his reply, have you had discussions with the Government regarding a possible review, particularly in light of the proposed model act, and what was the response? Because those things are important in the context of this debate. I also ask, with all other areas of government service delivery that are under pressure at the moment, is this the best use of our valuable community time and resources? There is a lot of public discontent out there, but is this the best thing we could be doing at the moment with our limited community time and resources? Even if the community does stick to its terms of reference from (1) to (4). But if (5) stays in, it will be a free-for-all.

I reiterate, when parliamentary committees are established they should be confined to the matters related to the actions and policy of government and/or where government has responsibility. That is what the motion before us has sought to do.

I also acknowledge a committee of this House might seek to recommend actions of an independent entity rather than the government. Is that appropriate? Maybe it is? A parliamentary committee could recommend a separate entity to government to take a certain action, but we do not have any power over them as such.

**Ms Webb** - To clarify to you Mr President, no one suggested the inquiry would be making recommendations of that sort.

**Ms FORREST** - No, I am talking broadly here. If universities are to act independently, free of interference or influence of governments, then we need to be cautious about the approach we take to address the very real challenges identified and spoken about. I am not trying to pre-empt any recommendations, but committees do make recommendations. That is one of the purposes of setting them up to inquire into a matter and consider it.

If we are generally concerned with the educational outcomes, attraction, retention and attainment of students in this state - after all, universities should be about student outcomes - should we not actually start there? I have talked to the member for Hobart of my concerns about this. None of this is news to him, I am sure.

To return to the proposal before us, I think most of us in this House know how extraordinarily heavy the workload is that some of us have in this place undertaking committee work with its small and very dedicated committee secretariat. As we have limited opportunity to directly impact change here in a body that is not a government body, not delivering government services, we cannot actually hold UTAS to account for the errors that seem to be the focus of community concern. We can certainly make recommendations to change an act of the state, but that is not the area that I am hearing, the main community concern. Usually the reason why an inquiry is commenced, as we can recommend such things to the government, is this the approach we should be taking to inquire into the operations of UTAS? Perhaps we should be looking at things like recidivism rates and programs in the prison systems to reduce recidivism. These two alone are a direct government responsibility and I know there is a mood in some sections of our community that this is a body of work that should be done.

I urge members to consider these questions as you contemplate the motion before us. In an interview in the media recently the member for Hobart quite rightly stated people would be very aware that there is a degree of concern in regard to certain aspects of the university's operations and functions and all those sorts of things. I ask the member how these terms of

reference will actually address these very real and genuine concerns that have been widely and publicly stated. I absolutely agree with him that parliamentary inquiries provide an opportunity for the issues to be transparently looked at. He mentioned that in his contribution here. But he went on to state that the process would also provide the opportunity for the University of Tasmania to be able to table information that addresses some of these concerns.

Representatives of UTAS have already done this in many respects. They have provided briefings in this place. They have attended public meetings. Admittedly, that is in a non-public briefing, but I do not believe it prevented the sharing of information they gave to us with other members of our community. It does provide the protection of parliamentary privilege. People come in and speak using parliamentary privilege. But I do not know that is the reason for holding this: to give people a platform, as the member for Hobart said, to share information that they may not otherwise. Particularly UTAS. Maybe others will if this is successful.

I am not sure our role is to be an arbiter and a mediator in a matter of public concern when we can really only collate that information and potentially please neither side of the matters of concern, as this is not an area of government responsibility, and we are not seeking to hold the Government to account. It is more about holding the university to account.

I do agree there is a large degree of general concern in the community about aspects of UTAS's actions over many years with regard to the city move particularly. I agree an inquiry may indeed shine a light on this concern. But what the real issues are and what actions, if any, can or should be taken by UTAS in the Hobart community is where the concern is. If I take you back to our key role and function as a parliamentary committee, is this the most appropriate forum?

I also accept people are feeling very frustrated and are hurting in some cases. I accept that having public hearings and taking sworn evidence can help people feel heard in our parliament and that is important. I absolutely agree with that. But I ask the question, can parliament actually impact or change the decisions made or being made by UTAS, which are the key concerns? Can we adjudicate on this?

I will add a little bit of history to the debate regarding my understanding of the intent of the act, because this is what the motion before us refers to and the reason for amendments in the past. As I understand, the original University of Tasmania Act 1992 was amended in 2001, 2004 and 2012. This was done in response to national recommendations regarding contemporary management frameworks. This is a bit like the national body telling the states 'you need to tidy up your act here'. Literally, the Act. On this point, this suggests -

**Ms Rattray** - Those actions would have probably come from a Council of Australian Governments' discussion.

**Ms FORREST** - Yes. That is right. I think it did. The information, when I went looking, seemed to be that was the case. On that point, this suggests to me there would be a need for collaboration with the federal government to ensure structures and management frameworks are contemporary and support a truly independent approach.



In 2001, I understand the amendments were made in response to the 1995 Hoare report, the outcomes of a review commissioned by then minister for employment, education and training with the objective of developing excellence in management and accountability for the resources available to the sector. I accept there may well have been some deals done at the time to secure support.

However, this reiterates the broader issues at play here than the state legislation. In 2004, amendments were made in response to a set of national governance protocols for higher education institutions, endorsed by state and territory ministers, again through a COAG-type approach. If these national governance protocols are not created in contemporary and independent operations of universities with direct engagement and involvement of academics and students, as I am hearing may be the case, we are likely to need agreement between the federal, state and territory ministers to make changes to our legislation related to these governance arrangements. Of course, a committee of inquiry could feed into that and I ask, is that the intent here? Is that the problem that we are looking at?

I will return to the point. I do not believe that is the key public concern at the moment. It may be a concern and I appreciate the member for Hobart's feedback as to whether that is the case and also from the Government if they are able to shed any light on the fact as to whether this is something that is on the agenda nationally.

**Mr Valentine** - Could you repeat that? I missed that last point you made. The question you had.

**Ms FORREST** - I was asking whether there has been a call for contemporary and independent operations of universities to be reviewed. That was what the 2004 amendments related to. I am asking, are you aware that there are ongoing discussions about that? It is really is a matter for the Leader as much as anything on behalf of the Government. It may be something that you would not know -

**Mr Valentine** - No, I do not, particularly -

**Ms FORREST** - It is at a state minister and federal minister's responsibility. That is where the amendment came through from in 2004.

**Mr Valentine** - It might be something that an inquiry finds out.

**Ms FORREST** - That is my point. If that is the case, it is really a federal matter that needs to be sorted out.

**Mr Valentine** - We would not go to those federal matters. It is not under our jurisdiction. We might receive it as a finding of something but we would not be making recommendations.

**Ms FORREST** - This is exactly the point I am making. That these are coming from the federal arena. In 2012, I understand the act was amended to accord with a voluntary code of best practice for the governance of Australian universities. The then federal minister for education and skills, together with colleagues of the ministerial council on tertiary education, employment endorsed it in September 2011. I understand this code was supported by the

Australian University Chancellors Council. This voluntary code remains in place, having been amended most recently in 2018.

I heard no suggestion that the University of Tasmania act prevents it from complying with these endorsed national standards. The point I am making, and the member for Hobart made it himself in his contribution, there are lots of standards that a uni needs to meet. They are driven from that process, from the federal arena, if you like, with agreement from the state and territory ministers.

I appreciate that in order to seek to make the inquiry fit the role and responsibility of the Legislative Council, the terms of reference refer to the act. However, I restate my concern that this creates a potential expectation in the community that this can resolve the very real and genuine concerns of the community about the move of UTAS into the city and the future use of the Sandy Bay campus site. I will ask the member for Hobart if he has heard any suggestion that the University of Tasmania Act prevents the University of Tasmania from complying with any of these voluntary codes. You mentioned all of those codes and those requirements they are to meet. Has there been concern raised that the University of Tasmania Act is preventing UTAS for complying with those codes?

**Mr Valentine** - No.

**Ms FORREST** - Okay. That is not an issue then.

**Mr Valentine** - Not that I am aware. It might have been for some others but not -

**Ms FORREST** - I am interested in whether that has been part of the driving force. I have not heard it myself. I am only asking the question.

It is always helpful to listen to the general commentary about this and I know that the member for Hobart has said in his contribution and also when he was interviewed recently on the radio, that the move into the CBD is largely a local government issue related to planning laws. Local council - Hobart City Council - will deal with those through their processes -

**Mr Valentine** - The planning system will -

**Ms FORREST** - The planning system. Yes.

**Mr Valentine** - But who knows where it might go? There are all sorts of avenues it can take.

**Ms FORREST** - That is my point. This is the reason. We know local governments have legislative responsibilities relating to planning and approvals and they have a process related to airing matters of concern that are being expressed in the community and one would expect that they will be inundated, as well, with these concerns being raised as it goes on.

I do agree with the member for Hobart that it is important that community conversations can be held in an open and transparent way. I know there was a recently well-attended town hall meeting - and I assume that was also streamed, I was not there myself as I could not attend. I will be interested to hear from anyone who was there, whether it was open and transparent, or was UTAS ducking and diving avoiding questions.

**Ms Webb** - Through you, Mr President, UTAS was not there to answer questions.

**Mr Valentine** - It was there to listen.

**Ms FORREST** - I thought he spoke?

**Ms Webb** - Yes, he spoke to say that they were there to listen.

**Ms FORREST** - Okay, fair enough, yes. I definitely think UTAS could be more inclusive in their decisions about the future use of Sandy Bay Campus, if this move continues, including retaining it as a UTAS site through the use of a well-managed, independent, deliberative democracy approach. I think with so many things in our society when there are really competing views about how an area - an important area in our state - should be used, they are probably better off engaging people more directly in those conversations, and we see that sometimes with government consultation, I might add, of both colours, that will tell you how it is going to be rather than engage people in that process. I understand there is still a lot of water to go under the bridge, but I did suggest to some UTAS representatives that they would be well placed to look at a slightly different approach to how they manage all that. They may be quite constructive to find solutions and a shared vision.

I mentioned earlier, and I know the member for Mersey spoke about this earlier today, I am also very aware of the genuine, very real concerns regarding what many see as the hollowing out of the law faculty. I know there has been loss of significant numbers of senior academics, leaving teaching in many areas of law without lecturers with experience, expertise, and qualifications in the distinct areas of law, and that students may not be able to access that specialist knowledge. UTAS has a piece of important work to do to correct that.

I have not done a law degree, but I think we all know that many areas of the law are very complex and if students are to be well prepared on graduation, they need to have access to expert knowledge. I do not believe the terms of reference here link directly to that either, unless there is a link, but it was not clear to me.

Again, there are genuine, valid concerns about the move into the CBD, the way a number of senior current, recently retired, and some not-so-recently retired academics, have been dealt with by UTAS, and the potential future use of the Sandy Bay campus. They are really live and big issues that are being raised and referred to in the newspapers, in letters to the editor, editorials, opinion pieces and the like.

As I said, I am concerned that we are not the most appropriate body to inquire into these matters, and if we are, the terms of reference need to be amended to reflect that. If you change it to make it clear that you are looking at that, or you make it clear that you are not, and you take out the catch-all - if it is a matter of educational outcomes - which in my view, it probably should be - and if that relates to the different parts of the act, then make it explicit. The other thing is, if it is about educational outcomes and the purpose of the university in many respects, then I would have thought that Government Administration Committee B, who look at education - as the member for Elwick alluded to, I think - could do that work.

I know the member for Hobart is already on that committee, and others could substitute on if they wished to. For all those reasons, particularly the potential of creating a public perception that this House can mediate and adjudicate such significant community concern, where the terms of reference do not enable this, I am not in a position to support the motion. I know in the past, when we have inquired into controversial or contested areas of government policy or legislation, we have been very clear about confining the terms of reference and submissions that we receive. This has included not accepting submissions outside the scope of the terms of reference. If the proposal is really about review of sections of the act, then it should be limited to that and the catch-all section removed.

As I said, we have done this in the past to avoid creating a public expectation we will re-prosecute areas that are not relevant to the act. I expect I will receive some negative comments from others, especially members of the Hobart community for my comments on this motion. Of course, I will listen to other contributions in the hope that they can respond to and address my very genuine concern regarding the motion before us. I have expressed my concern to a number of community stakeholders with mixed responses. I absolutely agree there are broader issues at stake here and I believe there needs to be a national and possibly international review of these matters. We know the standards and the framework, as the member for Hobart was saying, are set nationally and that has led to some amendments to our state act. I am not suggesting we do nothing while we wait for that important work to be done and clearly, a change of federal government may be an opportunity to address some of these broader issues I know exist within the management structures that have resulted in some of the genuine community concern. However, I return to my key and genuine concern with the motion before us, I have not heard for calls for review of the UTAS act. What I have heard is genuine concern about the moving of UTAS into the CBD in Hobart and the future use of the Sandy Bay campus. I am concerned I cannot see on what basis the Legislative Council can inquire into these matters in a way that can create change and adjudicate this highly contested space. As I said, this is a very emotive and challenging issue of many and I fear we may be raising the expectations of members in the community in that regard. I am very happy to hear alternative views and I have thought long and hard about this proposal and I highly value the work our committees do.

I believe, as I mentioned earlier, a targeted review into the very important areas of educational outcome, attraction and retention of students across all areas of tertiary and further education is a path much better suited to a Legislative Council inquiry. I simply do not believe we should be creating an expectation we can adjudicate such a highly contested matter that has little to do with the act and nothing to do with the delivery of government services. If the act needs a review, it may well be time for a broad review of the act and I ask the Government to consider that as they have the necessary resources and responsibility to undertake the work if indeed it is called for.

Mr President, before I sit down I would like to move that amendment to the motion.

**Mr Gaffney** - A point of clarification, if the member moves the amendment, does that mean we have to speak to the amendment? We will not have a chance to do our support or otherwise of the initial motion? I want to understand how that process works.

**Mr PRESIDENT** - What will happen, the amendment will be put, speak to the amendment, and if the amendment gets up then it will be - speak to the motion as amended.

If the amendment fails, then basically we go on from where we are at the moment. You will get to speak on the amendment.

**Mr Gaffney** - And that is fine. Some of us might have quite a long spiel, which will add to the amendment debate because it falls fairly well to what we were going to say perhaps supporting the motion anyway, so that is fine. We will get two speaks really if the amendment gets defeated?

**Mr PRESIDENT** - You can speak on the amendment and then if the amendment gets up, it will be speaking to the motion as amended, otherwise it will be speaking to the motion.

**Ms FORREST** - Mr President, I have been advised to read three amendments because they are all linked obviously.

Mr President, I move -

First amendment -  
Number (3)  
*Insert "and" after "decision-making;"*

Second amendment -  
Number (4)  
*Insert "." after "autonomy" and  
leave out "; and"*

Third Amendment -  
Number (5)  
*Leave out "(5) Any other matters incidental thereto."*

I have spoken. I do not need to reiterate my concern about this matter. I do think we need to be up-front and honest if we are going to do this inquiry and it is not intended to focus on those other matters, narrow it down, keep it there. That will pick up the concerns that others have expressed about some of the governance and management at UTAS that do not relate to the move into the city.

[6.05 p.m.]

**Mr GAFFNEY** (Mersey) - Mr President, I was not actually going to speak on this, but I will now. I think the first time I knew that there was going to be an amendment along this line was about three or four minutes before we started the debate on it. I am perhaps not as well prepared as the member for Murchison.

Just a couple of things here. I hope people listening know that I am concerned about what is happening with the university's move and relocation. That concerns everybody because - I am not quite fully aware of how it works, but that is not why I am rising to speak here. I am more concerned about the educational outcomes of what is happening at the university and I raised that this morning in my special interest speech with the law students, the law faculty.

In light of that, I went to section 6 of the act which says 'Functions of the University', which particularly pertain to the educational outcomes. I will read those in because I think that has bearing on what this is about. It says:

### **Functions of the University**

The University has the following functions:

- (a) to advance, transmit and preserve knowledge and learning;
- (b) to encourage and undertake research;
- (c) to promote and sustain teaching and research to international standards of excellence;
- (d) to encourage and provide opportunities for students and staff to develop and apply their knowledge and skills;
- (e) to provide educational and research facilities appropriate to its other functions;
- (f) to promote access to higher education having regard to principles of merit and equity;
- (fa) to foster and promote the commercialisation of any intellectual property;
- (g) to engage in activities which promote the social, cultural and economic welfare of the community and to make available for those purposes the resources of the University.

When I first saw the terms of reference, that was the aspect of this committee of inquiry that I was most concerned about. Whether what was happening at the university in its teachings - and I am using that in a global sense - was what is required and is best placed to support the students in Tasmania who may come from Hobart, Launceston, north-west coast, or wherever. That is what I was really concerned about.

I know the act is 30 years of age and had some amendments along the way. Even listening to Leon Compton this morning, a lady made reference to the commerce class, saying that it has now been changed and that her nephew or relative had been informed that it was going to be 'one lecture for the month', one face-to-face, which may not even be a face-to-face lecture. I have had other students come say, 'We do not even go near the University of Tasmania for our accreditation because we cannot afford it'. They are looking at other universities and other degrees online being offered by other universities.

Whilst I agree and I understand some of the reservations about (5) 'any other matters incidental thereto', I still think this inquiry is well placed to alert the university to some of the concerns of the community, both students, staff, and community members, about what is happening at the educational level, at the educational rubber-hits-the-road at the university.

Yes, we can wait until national and international, and COAG meetings, to actually do that, but how long is that going to take? How many people are we going to lose to our university that already are heading elsewhere? I know that from talking to people from law, students who are now taking up placements in other universities. Not this one.

While I do not really want to delve into - and I apologise for those who have sent me lots of emails - the transfer of property and land and stuff, I want to make certain that the quality of the university education in this state is the highest quality and people are aiming to be here and they can afford it, and it is face-to-face communication. We all know that during COVID-19 we were stuck in rooms, it was quite easy for us to be able to have a meeting, but we knew all the people we were usually meeting with, so if we had an issue we would ring them. I think one of the things the university students tell me is they are missing out on that social interaction, that challenging of ideas, that coming together, being able to question the professor or be able to question other students about that side of it. I think that is missing. Whilst some might report that this does not go down that path, I think it is a good stepping stone. I appreciate the member for Hobart and the member for Nelson trying to fine-tune an inquiry that could have some impact on the educational outcomes for our young people, both now and into the future - and their staff - and not get too bogged down in some of that other property that is around the place.

However, in finishing, most inquiries I have ever been on have had an 'any other matters incidental thereto'. Mainly because you never ever know what comes out of left field, and you have always got to have somewhere to put it. If some of that stuff comes you can park it where it is, say 'Yep, fine, we are not going deal with it'. But something might come out of there. As far as not having the finances for some of these inquiries, I did raise that when we did the AFL inquiry, but we are not going back to there.

**Ms Forrest** - I was talking about the workload and the time available. It is more the resourcing, not the money.

**Mr GAFFNEY** - Yes, there is resourcing available and I have finished the finfish one so I am well aware of the resourcing. I don't believe the government is inclined, or has not shown an inclination to do anything, or has made any murmurs about all that is going on about actually challenging or inquiring into, or having a look at the structure of the university because this has been going on for quite a while now; with the Law Reform Institute, with the law students, with other students not being able to access, with roles and functions happening.

I think there is room for this, and I will not be supporting the amendment that takes away 'any other matters incidental thereto', because I think that is an important aspect of what inquiries are supposed to do. I would not agree with the amendment that would take away that opportunity for us to be informed about something we may not know about, that would help the committee deliberate on information that it receives. I will not be supporting the amendment.

[6.13 p.m.]

**Ms WEBB** (Nelson) - Mr President, I will confine myself to speaking only on the amendment because obviously I will have a contribution to make on the motion itself more fully. I think we can be quite confined in dealing with this proposed amendment which

effectively is to remove point (5) from the motion; taking out 'any other matters incidental thereto'.

I will make two points about that. The first would be that those points in the notice of motion that are the terms of reference, come under a sentence that sits above them. So, they are subsequent to the sentence that reads:

... to inquire into and report upon the provisions of the University of Tasmania Act 1992, with particular reference to -

So, point (5):

'Any other matters incidental thereto' is to the inquiry into and reporting on provisions of the University of Tasmania Act.

We are confined in that to some extent, still to the act. If people are making submissions to this inquiry, if it were to get up, and they were responding to 'any other matters incidental thereto', they are still doing that under an inquiry into the provisions of the act. There is that. Actually, a little sub-point from my first point, I agree with the member for Mersey that this appears to be a convention that we would have this, and it does allow for some things that might come forward that are of relevance. It does not mean that the committee would be compelled to report on, comment on, make recommendations on, doing any of that in relation to matters under that term of reference. We know all of us would have been on committees. We have just been on a large one that had a lot of information that could be put into that category, and we were discerning about how we dealt with that information. Committees do that. That is my experience, limited though it is and my observation.

There already is some constricture around point (5) existing there in the term of reference. I am quite happy to be corrected on procedure here, because again my experience is limited, but my understanding is if this motion is supported and a committee is formed, that committee decides on and finalises its terms of reference for the inquiry. That committee makes the decision at that point once it is formed. Finalises and decides and ratifies the terms of reference. No?

**Ms Forrest** - Not once referred from the House.

**Ms WEBB** - Okay. My understanding was that the committee could then potentially make adjustments to it.

**Ms Forrest** - Not unless you come back to the House as I understand it.

**Ms WEBB** - My view is that if people on the committee, or people who are interested to put themselves forward to be on the committee, feel that that term of reference is appropriate at this point in time as we debate it, and then naturally as we go forward, if the committee were to be formed, those members' views that is appropriate and necessary or preferable to have been included, should hold some sway.

The second point, I believe, is we add to - as a potential member of this committee of inquiry, listed on the motion, it is my view point (5) does add an aspect to what can be



considered under the inquiry. That does not confine us. That does not dictate what must be dealt with or how it should be dealt with.

The member for Hobart went into this a little in his contribution and may pick up on it again later, and I touch on it in mine. The discussions with people and stakeholders that have brought matters forward so far for consideration have always been very frank and up-front about what parliamentary avenues such as a committee of inquiry and what is able to be dealt with, what is able to be considered, what is appropriate as a basis and what is not. Those conversations certainly, from my point of view and from the member for Hobart's point of view and experience, have always included the clear communication the move to Hobart of the campus from Sandy Bay is not a matter that, to use the member for Murchison's word, is 'adjudicated' by a parliamentary inquiry. No-one is providing that impression and to date it has been very actively communicated that is not the situation.

Again, people might bring things forward under that point (5) that do veer into those matters. The committee would then decide what is appropriate to include, to consider, to take forward. It is an appropriate point to have there and I encourage members to allow that term of reference to stand as it is and to not support the suggested amendment.

[6.18 p.m.]

**Ms RATTRAY** (McIntyre) - Given this is my first opportunity today to make a contribution in the House, I acknowledge the re-election of the member for Elwick and congratulate him on his fine effort and also welcome the member for Huon on your election to the Legislative Council. It is wonderful to see you here and I know that your dad is very proud. Welcome.

My contribution to this when the amendment came around by the member for Murchison, was I thought yes, that sounds fair, certainly there is a high expectation in the community because we have all received those pieces of information on the moving. At this point, I would like to declare my daughter is a fourth-year law student at UTAS and we have had from time to time conversations about how that course is being delivered. I have had my own conversations with some of the members of the law faculty on this on behalf of my constituency. And obviously, as an interested parent. I want to place it on the record. But also, I was very much persuaded by the member for Mersey in his contribution about other aspects of the university that may well be picked up with any other incidental matters thereto. The member for Nelson is absolutely right. I have seen that in my time on every committee I have been involved in and have supported or otherwise -

**Ms Forrest** - We have narrowed some of it. Like the legislation that is very narrow. Contentious issues like termination of pregnancy and others. Surrogacy - we took it out.

**Ms RATTRAY** - Most. And I thank the member for Murchison for reminding me of that. My only concern in leaving it there is that expectation from the community this will be an opportunity, as the member for Murchison clearly articulated, to really push home the concerns that are - and valid concerns, I absolutely agree - on the relocation of the Sandy Bay campus and what might happen in the future.

I absolutely acknowledge as well the consultation appears to have been poor at best with the university, their students and the broader community on this. At this point in time I

am leaning toward leaving it there, but when we get to the substantive debate supporting the motion or not, I will make some points that there need to be some very strong conversations with the community on the expectations the Legislative Council, through this committee process, can deliver and what they cannot. But at this point in time, I am leaning toward supporting it.

[6.22 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, in response to this amendment, the Government does not support the proposed amendments as it narrows the scope of the proposed inquiry. The proposed amendments risk limiting relevant debate on the full scope of the University Council's role, including a narrow focus on consideration of the move of the Sandy Bay campus to the Hobart CBD. Specifically, the proposed amendment will likely limit consideration of UTAS's full legislative and regulatory context including the Commonwealth regulation and legislation and broader economic and social contributions to Tasmania.

Furthermore, this inquiry must consider the future needs of higher education in Tasmania, and again, the proposed amendment will limit the inquiry's ability to consider these needs.

[6.23 p.m.]

**Ms ARMITAGE** (Launceston) - When I listened to the member for Murchison, I could understand where she was coming from because many of the emails and the concerns raised with me have been with regard to the move to the city. That is going to be a real issue for the committee. But, having listened to other members and I must admit, the members for Mersey, McIntyre and Nelson in their comments with regard to this, I accept there are things that may come up, that may need to be under that 'any other matters incidental thereto', and as the member for Nelson said, it still relates to the parts (1), (2), (3) and (4).

**Ms Forrest** - Not according to what the Leader just said.

**Ms ARMITAGE** - I did not refer to the Leader. I referred to the other members. I said as a real issue for the members of this committee to try to restrict it, to actually not refer to the move, because basically every one I have received asking me to support a committee, has been relating to the move into the city. I have not had any relating to the governance issues that are before us. I do see that it would be a really difficult move, but at this stage I am happy to listen to more members but am not inclined to support the amendment.

[6.25 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I have spoken four times without acknowledging the new members in the Chamber. I will do that right now and welcome back the member for McIntyre and the member for Elwick, who now have a seat partner here. Also, I welcome the member for Huon, who will work his way into the role I am sure. You will feel a bit overwhelmed for a little while, and will think, 'What am I doing now, what is happening now?'. That will pass. We look forward to working with you.

With respect to this particular amendment, it has been on every inquiry that I have been on. I have to say that with some of the things that have been placed under that term of reference, with some of the inquiries it has been really important to have had that capacity to be able to say that it is not totally on these terms of reference but it is certainly something that

needs to be acknowledged. Even if the committee does not go to the point of making a recommendation about something that might be under term of reference (5). However, as has been pointed out to me, we accept all the submissions that come in but we would only be asking for hearings from those who address the terms of reference. I think the member for Nelson is right, in that it deals with the preceding terms of reference. It has got to be 'incidental thereto' to those things that have gone before.

I hear the concern. All I can say is that I have been very clear whenever I have been speaking about this that this is not about the move and the planning aspects about that which we cannot go to. There may be some aspects of the move that are not to do with the planning system, but they might be very pertinent to the appropriateness of the act to ensure accountable executive fiscal and academic decision-making, the appropriateness of the act is to protect and promote academic freedom, independence and autonomy. There is room there for some of those things to be considered. The functions and powers of the university.

People will interpret those terms of reference. However, it is a statewide inquiry. It is not only about Hobart, I made that very clear. It is not only about that. It is certainly not about any planning aspects of the move and I am happy to see it stay and will accept the will of the House.

[6.28 p.m.]

**Ms SIEJKA** (Pembroke) - Mr President, like my seat partner here, I have been on a similar journey as people who have talked around the room. I also agreed that there were really good points and it has been a good debate in that way. However, I am supportive of keeping any other matters still in the terms of reference. Every other committee I have been part of has received submissions, or has accepted submissions, that potentially have not neatly fitted in the terms of reference. We have had discussions and made decisions about how much weight we give to those, what we do with those, and where it fits. Similarly, every committee I have been on has had that in and we have received information that perhaps we did not expect that has been useful. So, I think, certainly good points have been raised, but the terms of reference -

**Ms Forrest** - Community expectation bothers me.

**Ms SIEJKA** - That is right. That was always going to be a challenge right from the outset because of the public interest. That is a matter to be managed right from the outset; the community expectations of what the committee can and cannot do. I think everybody would note that is a challenge but it does not mean that we should not pursue it.

**Amendment negatived.**

[6.30 p.m.]

**Ms WEBB** (Nelson) - Mr President, thank you for the debate just now on the amendment. It was enlightening and did draw out some extra elements relating to what we are discussing. Thank you to the member for Hobart for bringing this motion to establish a select committee of inquiry. As mentioned in his contribution, the proposed committee of inquiry is something I have worked closely on with the member for Hobart as we found ourselves in a similar position in recent months.

People have made contact with us on a range of matters, many constituents from our electorates but also from around the state and beyond. Those contacting us have touched on a broad range of matters relating to UTAS and I have done some thinking about that broad range of matters and given them a bit of a taxonomy in my mind to help progress my thinking on what, if any, response might be appropriate.

I group the range of matters that have been brought forward to us so far into three areas of focus. Firstly, a significant number have been in relation to the proposed move to the CBD and the intended property development of the current Sandy Bay campus. On this, it is easy to see why the member for Hobart and I have been the recipients of many representations and much correspondence. The proposed move in our patch - or probably more precisely it is a move from my patch into the member for Hobart's patch.

**Mr Valentine** - Some parts of it exist in my patch already.

**Ms WEBB** - True. Both our communities have a clear interest in the proposed move but in particular, given it is in the electorate of Nelson, the proposed development of the Sandy Bay campus site is particularly significant for many of my constituents. The second area of focus that I identify in the matters raised with me relating to the university covers the changes to and the new directions for courses offered and teaching arrangements within UTAS, the operations of some of its core teaching functions.

A third further grouping of matters raised with me in recent months I describe as relating to the internal workplace culture and management style within the organisation. I would probably add a fourth focus that has come up alongside or in conjunction with those other three. That covers more overarching questions about scrutiny of UTAS governance and decision-making, accountability and transparency, those sorts of things.

As the member for Hobart mentioned, we have also had contact from representative groups in the tertiary education space nationally, such as PUA, Public Universities Australia, that the member referred to, who have highlighted broader conversations about sector-wide changes and challenges in that tertiary sector.

For me, these various areas of focus in the matters raised point to some clear underlying questions that are present in terms of the role, the functions, the governance of UTAS and its place in the educational, the cultural, the economic and social fabric of our state. I feel that the confluence of current events is prompting us to contemplate these underlying questions in a structured and constructive way, rather than perhaps pick at and try to adjudicate any of the more specific things being raised or questions being asked. Those fundamental underlying questions are the ones that sit well with matters covered by the act and point to an opportunity to contemplate those questions through a lens of the act.

I thank the member for Hobart for sharing some examples of the correspondence that we have been receiving from people in our communities and various groups. A thread throughout the varied matters raised has been a call for some form of public inquiry or some opportunity for public examination and discussion that is accountable and appropriately structured.

This has been a clear call for action made to us as elected representatives for our communities. It was a call that I believed could not be dismissed but required careful consideration. Careful consideration of what appropriate avenue was available to us as members of the Legislative Council, and what value could be provided in pursuing some form of parliamentary action, and in doing so, perhaps provide an avenue to discuss some of those underlying questions I mentioned earlier, rather than pick at or try to knock off random questions that have been raised or concerns being thrown out.

Interestingly, when I began looking into our options and considering what may be an appropriate way forward on behalf of my electorate and the broader state, I discovered that there was a previous historical instance which has some striking resonances with the situation of today. In the early 1950s there was public discussion and some discontent expressed with matters relating to the university, which resulted in a Tasmanian House of Assembly committee of inquiry into the university, which subsequently became a royal commission.

The main reason for the 1955 royal commission was that there had been a breakdown in relationship between the University Council and academic staff over poor conditions of university buildings and the low levels of salaries. The university at that time was initially located on the Domain, in very cramped and dilapidated buildings. The Tasmanian University Act 1951 gave the university the land in Sandy Bay for a new campus, but progress with the new buildings in Sandy Bay was slow. So, an open letter to the premier was put in the *Mercury* in October 1954, published and written by the philosophy professor Sydney Sparks Orr, and signed by 35 fellow academics. That letter deplored the condition of the University of Tasmania and called for an inquiry into university administration. Following the publication of the letter, the House of Assembly established a committee of inquiry into the university which became the royal commission. This royal commission reported to parliament in May 1955 and in November that year, parliament passed an amendment to the University Act to give effect to its recommendations.

Now that is a potted history. But I found it is an interesting historical event to familiarise myself with. As you can see, there are a number of parallels and resonances with some of the matters playing out today. Things like where the university should be located, the conditions of facilities and properties of the university, the relationship between the university management and academic staff, consternation being expressed in the public domain, and including open letters published in the newspaper. There are a lot of things resonating there across the decades.

While the circumstances are significantly different today, nearly 70 years later, that example stands as a model where the Tasmanian parliament formally responded to matters and concerns relating to this important institution for our state, the University of Tasmania, and took action to progress discussion on those. We find ourselves here in 2022 contemplating a possible course of action as a parliament. Just as it featured centrally in the royal commission in the 1950s, the legislative basis on which the university and its governance is established remains the most tangible and appropriate connection between this parliament and UTAS. At that time, it was the Tasmanian University Act 1951. Now, we have the University of Tasmania Act 1992 as that direct point of connection.

I believe that the act is the appropriate basis on which to establish a term of reference for an inquiry in this instance. The act has had some amendments over the 30 years since it

was enacted in 1992, and the member for Murchison helpfully spelled out some of those. But it has never had a substantial examination through a parliamentary process. Certainly the context in which the sole university for our state operates has changed substantially in the 30 years that it has been governed by this act. While this proposed inquiry process is not intended to function as a full review of the act, which would be correctly required to be undertaken by the government of the day, and it is my understanding that the government of the day has not expressed an intention to undertake such a review, a term of reference focused on elements of the act provides an appropriate way for matters to be raised by the community and by other stakeholders for information to put into the public domain, including by the university, and for ideas to be shared and transparent scrutiny to occur.

I agree with the member for Murchison, and it has been a point of conversation, frequently and consistently over these last months between the member for Hobart and me, that it is at every turn highly important to manage the expectations of community members and other stakeholders who may be looking for specific outcomes from a proposed inquiry process that are simply not within its remit. This committee of inquiry, if supported today and established, will not have the power to direct the university to do or not do anything. It will not have any direct authority over the university.

Ultimately, the inquiry would make its report to parliament and recommendations would likely be directed to the government of the day as is the case with other inquiries that we undertake here. There is no suggestion that this inquiry - certainly not in its terms of reference and certainly not in the way the member for Hobart and I have been contemplating it or communicating about its potential to any others - there has never been a suggestion that it is being established to adjudicate anything. I do not believe it would ever be appropriate that a committee of inquiry would be established in this place to adjudicate something. It is normally established to inquire into and look at something, to provide an avenue for information to be put on the public record for interrogation of that and questions to be asked and for that to be a process that results in considerations, some findings and then recommendations to government.

My fundamental understanding of an inquiry process is that it is not an adjudication process, at its heart. We certainly have been communicating that and will need to continue to communicate that quite clearly. I say and emphasise that the value of an inquiry, in my view, is not solely in its end point - where it lands in terms of a report and recommendations. There is value in all parts of the process of an inquiry. Regarding its opportunity to create change - which was another element that the member for Murchison referred to and asked questions about in her contribution, how could this create change - I think that simply the process of bringing forth information and providing an avenue for it to be put in the public domain in a structured, appropriate and accountable way, even that very initial part of the inquiry process has the opportunity to begin to create change. That change may be something as simple as damping down conversation in the broader community that is heating up and inflaming because it has provided a way for that to be done calmly and dispassionately.

**Ms Rattray** - Better communication.

**Ms WEBB** - Indeed. I think change can be created at almost every stage of an inquiry process in a positive way and it is not only about where it lands and the report and recommendations that come out the other end. Although I always anticipate from this

Chamber that they would always be very valuable. Indeed. We have got 14 folders of valuable evidence from another inquiry before us today.

It is my view that an inquiry process becomes an important public record for the whole community and all stakeholders. I see this an important and constructive opportunity for the University of Tasmania to participate in sharing information publicly and transparently and in having the chance to listen to and more deeply understand the matters that may be brought forward by members of the community and other stakeholders.

Yes, we have had instances like the public meeting two weeks ago that the member for Hobart and I both attended, in which members of the public were able to voice various concerns that they had. That is a process which had its own value. It is not a matter of public record, they were very short contributions, each person had three minutes they were allowed to speak. Very short and pointed. Some of them had more substance than others, some of them from my view were more factually based than others. There was quite an array. While that was valuable and there was some element of venting that I would describe in that process, I do not know that it comes out with a constructive way forward. In and of itself, well and good, but I say this sort of inquiry process provides a much more structured, accountable, calm way for things to be brought forward. The university, to their credit, were there at that public meeting a couple of weeks ago and stated they were there to listen. That is excellent. I believe that this inquiry process, if it goes ahead, provides another excellent opportunity for the university to hear, listen and to engage beyond the measures and processes they are already undertaking themselves. Again, not only on matters to do with a move from the Sandy Bay campus. According to this term of reference there are a range of matters relating to those underlying questions that could be brought forward for discussion.

I am pleased a number of the members of this place have made themselves available to serve on this inquiry if it progresses and I thank them. The inquiry will be strengthened by membership covering the various regions of the state. As the member for Hobart has said, it is a statewide focus, particularly those areas from other parts of the state where UTAS does have a presence. And with members who may have a particular interest in providing the opportunity for the inquiry in response to calls from the community and other motivations.

I am pleased to support this motion from the member for Hobart and I hope it receives the support of the Chamber and if it does, I look forward to serving on the committee of inquiry.

[6.46 p.m.]

**Mr GAFFNEY** (Mersey) - Mr President, I will not speak for very long on this because I did want to add a couple of points.

I think we are all concerned about staff in this place, the resources, the work and the pressure they are under and the great work they do to support committee members. I think the only thing - and I stand to be corrected - there is Road Safety still going ahead, and the Rural Health that the member for Murchison is chairing is going ahead. I think the others are Public Accounts or Public Works or Integrity.

**Ms Rattray** - Disability Services.

**Mr GAFFNEY** - And the Disability Services. They are the ones at the moment and we have just finished the Finfish inquiry. In the last three or four years, we have had a number of quite large ones such as other health ones, gaming, deer and greyhound and a couple of short inquiry processes. It is good for the committee members listening to realise that whilst we are in parliament, we do work in the Chamber but a lot of the work we do is outside of the Chamber. I was pleased with the Leader's response to the amendments saying that, yes, they would not agree to the amendments because they think there was something more out of this inquiry the Government could get and that is good. Listening to the member for Nelson talk about the public meeting and the university was there to listen - even if the submissions that come into the inquiry we table are not really to do with the terms of reference, if I was on that UTAS board or a member of the university, I would be reading all of those submissions to see what, whereabouts or what else they could do to make it better. Make it better for Tasmanians.

There is a need for an inquiry and people listening will say, 'We are pleased there is an inquiry just to look at the educational outcomes for the people young and old who go through university. If they are going to be spending that much money, what are they getting for it? Is it the best way of practice?'

Practices will always change in teaching and so they should. They will change with the times but at the end of the day, it is the core values of what teaching is about, it is about relationships and about building those relationships with your professor or your fellow class member or the other person you might have a debate with or a challenge about their issues and ideas. It is really important to get back and hone in on that. If we support that inquiry - I agree with the member for Nelson - it will be up to the inquiry, the committee, to decide what or who they want to listen to in the hearings. If a submission comes in, that is not really in relation to the terms of reference, we take it on board, we accept it as a submission obviously, but then if it is not pertinent to what we want to look at, we do not have to. We will be inviting those people to come in who have input into what we are trying to do. In that light, I hope people support this inquiry because it is needed and the people of Tasmania will be pleased the Legislative Council select committee will be taking on an inquiry process regarding the university's educational outcomes.

[6.49 p.m.]

**Ms SIEJKA** (Pembroke) - Mr President, I will make my contribution quite brief because a lot of what has been discussed is similar to the points I was going to make. We can all agree on the impact quality education can make on a person's future outcomes and it is an incredibly important area we continue to improve to get right, and that explains the public interest; everyone knows how important it is. We know access to education for young people can be a challenge, retainment and attainment - points that have already been made - and that we need to do more to meet our future and current workforce needs. How we go about that is the great challenge, and we can see that with the different ways of teaching the university has explored. We are all aware of the changes occurring within the university and the higher education sector more broadly as was mentioned.

The delivery of higher education is changing quickly, and this is not a new thing - as was mentioned also, even within my generation. It was a vastly different experience from my parents attending uni, as it was for my generation, as it is now. We can see it is continuing to change and evolve as we move to online or mixed-mode delivery and all the rest of it. We are



all really aware of the proposed move by UTAS into the city and the community interest in this. It has been highlighted a lot and as I said, there is a reason why people are interested, because they know what an important issue it is and everybody has an invested interest in it as well.

Concerns have been raised with all of us and I have heard from people involved in various aspects of the debate who are all invested in the outcome of the proposed changes, but also in the way that teaching is occurring now. The governance structure of UTAS is something that has been examined at various times in the past, through the bills and amendments, but also through the public eye. With pretty much any letters to the editor at any given time, there will be something there in addition to this proposed move into the city, it is a topic that people are always engaged in.

As was raised in those previous debates and it is made clear in the bill, it is important that the independence of the academic institution is maintained. As such I believe we need to proceed with caution. However, the terms of reference proposed aim to clearly scope out the expectations of what the committee can and will do, as we have talked about, and it is likely we will receive information that fall outside those terms. It is really important we manage those expectations, and anybody that is putting it to the committee understands that. Due to the public interest in this matter, we will be supportive of the committee proceeding and given the scope of the committee through the terms of reference, there has been work to make sure that we are focused on what will occur, noting the need for caution, of course.

[6.53 p.m.]

**Ms RATTRAY** (McIntyre) - A very brief offering, Mr President, I will not even head to the lectern so I do not have to clean it.

I intend to support the establishment of the inquiry, and I absolutely hold some reservations on what the committee might be able to deliver, because of that expectation of the broader community on the move from the Sandy Bay campus to the city. All committee recommendations are recommendations to the government. How those recommendations are actually put together will certainly be an interesting exercise, but given the quality of members on the committee, they will deliver, will be able to manage that, and it will be interesting, for those who are not, to read, learn and watch with interest as this goes forwards.

One of the main reasons I am going to support the establishment of the committee, because again, with the establishment of the TasWater inquiry we had to be very pointed about the way any recommendations were proposed, because the Government only had a certain amount of input into the operations of TasWater and the delivery of services, albeit they are a monetary stakeholder in that. In light of that and in light of the conversations and the debate that we have had, I have found it absolutely useful today to be here and to be listening to the points that have been put forward. I take on board every point that has been put forward from the member for Murchison to the mover and to those members who are going to be members of the committee as well. I found the contribution to the amendment by the Leader about the Government fully supporting the review very interesting. As we know, some would say that perhaps this is the government's role but we know in this place that we quite often take up the challenge and do the work that sometimes the government has not done. I guess we will continue to do so.

I will be supporting the establishment.

[6.56 p.m.]

**Mr DUIGAN** (Windermere) - Mr President, on my second stand I will acknowledge the member for Elwick and the member for McIntyre returned to their seats and welcome the new member for Huon. It is great to have a full Chamber.

As with lots of Tasmanians, I have a history with UTAS. My first iteration was fresh out of school in 1988, Bachelor of Applied Science in Aquaculture. If someone had told me then that aquaculture had a future - that was a course that relied heavily on the built environment. It was science labs, it was reticulated water systems, it was the uni bar. It was all of that.

My second iteration was much more recently in the mid-20-teens, this time in my 40s, juggling business, young family, and it was a very different experience. It had to be. The course was delivered online and I was given the opportunity to choose when you studied. Often, I did not choose well and I had many times when I was driving around Australia in the back of the Hook, Line and Sinker car with my computer and a jacket over my head working on an assignment to get it in on time.

I guess the point is that the wants and the needs of students are not static. The university needs to serve all Tasmanians with their higher education needs throughout their lives. Currently, 39 per cent of commencing students at UTAS are school leavers, 61 per cent are adult learners, 44 per cent are part-time students, the average age is 29 years. Now as with all education provision, our own personal experiences will shape our perspective and so it is with UTAS. Those lived experiences will inform our opinions on the university's current activities and the expectations against which we judge its decision-making.

However, an inquiry into UTAS will require a far broader understanding of UTAS's contribution to Tasmania's social, economic prosperity, as well as the scope - and this is important - of Commonwealth legislation which regulates its operations. I know, you know, the Government knows, the proposed move from Sandy Bay to the city has generated significant community interest. The UTAS act is an available mechanism through which parliamentary scrutiny can occur.

**Ms Rattray** - There is even a placard out on the highway coming in I noticed yesterday.

**Mr DUIGAN** - What does it say?

**Ms Rattray** - 'Save UTAS'.

**Mr DUIGAN** - There you go. However, it is critical that this inquiry understands that the UTAS act relates to the entire operation of UTAS which has the sizeable responsibility of - and this is extraordinary, I am told and I will take their word - over 5700 employees and a payroll around \$450 million per year, over 14 000 enrolled Tasmanian students, 10 771 graduates in 2021 including 116 Bachelor of Medicine, Bachelor of Surgery; 3738 nursing students undergraduate, postgraduate; 204 paramedicine students; 479 education and teaching students; 30 Bachelor of Social Work; 107 law students, a further 6097 students and I could go on.

Further to that, and to the student outcomes, \$197 million in research funding in 2021, and major capital projects right across Tasmania, many of which have broad community support. I will take this opportunity - even though I know it is getting late - to highlight the current relocation work happening as we speak in Launceston in the division of Windermere. It is a major capital investment in the university's northern campus, and a major and significant change in the way the uni interacts with the city, which is a topical point. It is worth noting, that while there was initial resistance to that move, the Inveresk relocation now enjoys very strong support.

Further to that, and in some ways even more pleasingly, is the massive investment and the revitalisation we have seen at the Newnham campus, which was a concern for a lot of people at the time. The Tasmanian agricultural precinct, Blue Economy CRC, the AMC defence precinct, National Institute for Forest Products Innovation, hundreds of millions of dollars has been invested into that site, which has delivered hundreds of fulfilling, well paid jobs. It is certainly one of those highly desirable win-win scenarios and I also note the positive changes which have happened on the north-west campus that the member for Murchison spoke to.

Turning to UTAS in a legislative context, the provisions of the UTAS act are intentionally narrow and described in the second reading speech from 1992, this bill does not set out to regulate in detail every aspect of the administration of the University of Tasmania. That would be a major mistake. There is considerable dynamism in the Australian higher education scene, universities are expected to find an increasing share of their budget from non-government sources and to be much more entrepreneurial than before in order to compete. In this rapidly changing scene, the University Council will need a degree of flexibility in marshalling its resources to respond to new challenges.

A key reason why the UTAS act is narrow, is that state-based legislation establishes higher education providers which operate in a comprehensive Commonwealth regulatory environment, which was a point raised by the member for Mersey. A key piece of that environment is the Tertiary Education Quality and Standards Agency Act, the TEQSA. The objects of the TEQSA are to provide for national consistency in the regulation of higher education, regulate higher education using a standards-based quality framework and principles relating to regulatory necessity risk and proportionality. It also is to protect and enhance Australia's reputation for being internationally competitive in higher education, as well as the excellence, diversity and innovation in Australian higher education, protect and enhance academic integrity by prohibiting academic cheating services, and encourage and promote a higher education system that is appropriate to meet Australia's social and economic needs for a highly educated and skilled population.

It also protects students undertaking or proposing to undertake higher education by requiring the provision of quality higher education, ensuring that students have access relating to higher education in Australia. Also established under TEQSA, the threshold standards provide a regulatory quality and compliance baseline for all higher education providers across seven domains of institutional activity: (1) Student participation and attainment; (2) Learning environment; (3) Teaching; (4) Research and research training; (5) Institutional Quality Assurance; (6) Governance and Accountability; and (7) Representation, Information and Information Management.

There are more than 100 standards in the seven domains above and I will go through them now. Actually no, I will not. Suffice to say that essentially they address all aspects of university business and all stages of the student life cycle, from first inquiry to graduation. The threshold standards are set by the Commonwealth minister for Education, based on the advice of the Higher Education Standards Panel, an advisory group of experts in higher education management, operations, and quality assurance.

What is the true scope of this enquiry? UTAS is a major part of Tasmania's social and economic infrastructure and Tasmanians are right to expect that strategic decisions made by UTAS will have regard to its significant influence on Tasmania. This is also a highly pertinent point for this inquiry into the UTAS act. Because, like UTAS must consider a context that is far broader than the local impacts of moving the Sandy Bay campus, so must this inquiry.

Inquiring into the provisions of the UTAS act is inquiring into the full scope of UTAS activities right across Tasmania and beyond. It is an inquiry into how the UTAS act sets UTAS up to operate within Commonwealth legislation and funding arrangements. However, most importantly, it is an inquiry into the future needs of higher education in Tasmania. I was a student at UTAS in 1988 and 2015 - a quarter of a century separates those engagements - and as I ponder those things nostalgia abounds. But this is not, and must not be, a retrospective look at my, or others' long past experience and memories of being a student at UTAS. This inquiry must have a future focus because that is what Tasmania needs from UTAS.

As to the Government's position, the Government acknowledges there is heightened public interest in UTAS and its operation; we have heard that clearly. Therefore, Government members will not oppose this motion, noting the considerable context that must be considered by members and the clear expectation there will be a focus on the future.

Before I finish, the member for Murchison asked if there are any higher education governance matters being considered by the education minister's meeting and we are informed there are no matters being considered.

[7.07 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, there is quite a lot there. I wish I could write faster. I do not envy your job, Leader, when you have to listen to all of our offerings on different things and then cover them off in summary, because it is impossible to keep up.

**Ms Rattray** - The fast writers are usually in the back.

**Mr VALENTINE** - That is true. The member for Murchison said it should be the role of government, and it might have been the member for McIntyre who said that yes, that is generally the case to review an act, but it is not the whole act. If you look at the whole act, it is a fair portion, but it is not the entire act. It is designed to capture those areas of the concerns actually raised with us. To make sure there was an opportunity there for people to be able to provide submissions. We do not know what submissions we are going to get. It is not a review of the whole act.

The any other matters incidental thereto, we have had that debate and that stays. I note your concern on that. It is something that is always going to be an opportunity to bring something in from left field, but that is the benefit of having it there, that it might actually be very useful and we do get to decide who we call in hearings to pursue matters. I do not think it is a show stopper. We might get extra representations coming in, but I am sure the committee can handle that as it does with any other inquiry. Your question about how we can create change, the member for Nelson talked about that merely by the fact that as submissions come in and are put up on the web, people are reading them, the university gets to see those, and then when the university comes in to us, it gives us opportunities to ask questions, gives the university the opportunity to contemplate what some of those issues are. There are all sorts of opportunities in there to potentially create change. We are not an adjudicator. I do not think that has been meant to be the role of any inquiry. An inquiry can only deal with the submissions it receives. It makes recommendations and findings for sure. But it cannot direct anything. It cannot say the government must do this, or the government must do that.

**Ms Rattray** - Well we do try, occasionally, but sometimes it does not help -

**Mr VALENTINE** - No, we do not say must, we recommend. They are called recommendations.

The important thing about this particular inquiry is it is providing that platform for things to be discussed in an open, transparent manner. That is the most important aspect of this. Almost in a sense the recommendations are secondary. It is the transparent platform it provides and of course, we will look at what is provided through submissions and contemplate whether there are any recommendations that might be able to be made to the Government. We cannot direct anything toward the University of Tasmania itself, for instance. But we might provide a recommendation to the Government that it engages with the university in some way to achieve a certain outcome.

Have I had discussions with the Government regarding the inquiry? Yes, I did. Right from the word go, really. When we put the inquiry together I approached both the Premier and the Minister for Education. They were well aware. This is no surprise to them. Indeed, we have members of both the Opposition and the Government recommended to be on the inquiry. If this gets passed, then they will be on the inquiry.

If universities are to act independently, we need to be cautious. I hear that. It is important there is an autonomy, but if they are not aware of some of the issues and concerns there, then how can they be expected to address those issues and concerns? We cannot direct them to address anything that comes up, but they learn from this process.

I have talked about the arbiter bit. It creates a potential expectation, it will resolve issues to do with the move. Well no, I am saying right now to the cameras, to the people watching, this is not about the planning aspects of the move. There may be aspects of the move that go to the structure of the university or the way it delivers its courses. That is something we obviously can deal with as it comes up. But it is not about the move. It is a statewide inquiry. It is meant to be a whole-of-university, wherever their operations are, in the north-west, in the north or in the south, and there is nothing stopping anyone from any of those locations or anywhere across the state putting in a submission on something of concern to them, providing they are relevant to the terms of reference.

I understand the fear that we may be raising the community's expectations, but at every step we have made sure that this to be a broader look at the university. It is an opportunity for the university itself, I have got to reiterate that.

The member for Mersey said it will alert the university to issues around concerns with quality of courses and the like. He has also stated that the Government has not shown any inclination to do a review. I guess that is as may be. I have to say that they did not say to me 'yes, we are going to do a review'. I think it is important, this is not a 'whole of act' review but what comes out of it might actually feed into a full review of the act, the recommendations that come out of it and the information gathered.

The member for Nelson talked about changes to courses offered and the directions, the workplace culture and management style and all of those sorts of things. It is the sole institution of its type in our state and it is important that we have an institution that is functional and can meet the demands of the state. That goes to its culture as well. It needs to be one that is attractive. I cannot speak too much about that because we do not know what we are going to receive in our submissions. The member for Nelson mentions a clear call for action. She went back to the 1954 Orr case and the 35 academics who made representations through the local media about the state of the buildings and how parliament took action as a result. Who knows what might come out of this in relation to any number of things, not only about the move, obviously. There are a lot of aspects of the act that provide opportunity for people to bring up any manner of things.

The member for Nelson mentioned how important it was to manage expectations. Highly important, in fact. She also mentioned the inquiry would have no direct control over UTAS and I have mentioned that before and we do not have an adjudication role as such. It is an important public process. The member for Nelson mentioned that it is a more structured, calmer and accountable way to deal with issues. That is the biggest strength of an inquiry like this, that it is asking or giving the opportunity for submissions to come in and for them to be looked at transparently and for the university to bring its point of view to some of those issues. Who knows what might result from simply doing that in a calm way? It is not meant to be combative inquiry. This is meant to be an honest and open inquiry.

The member for Mersey then rose to his feet and talked about the need for an inquiry just to look at the educational outcomes, as much as anything else. That is so true.

The member for Pembroke stated that we can all agree a quality education is important. How we go about getting that quality education is important. She mentioned the university as it was when her parents attended, compared to what it was when she attended. I attended UTAS back in the mid-1970s to start with and then the early 1980s. I am not a graduate of the University of Tasmania, I make that quite clear. Maybe that makes me a perfect person to be on an inquiry like this, I can look objectively at it. I did undergraduate studies, I think it was about 10 subjects, and got those. I do know what it is like but I have to say, as a part-timer, as somebody who was having to travel down all the time because I was doing ICT back in those days and you had to actually go and sit in the computer lab and do your work and do your assignments. You couldn't do it at home on a PC, you had to go to the university to do it and I tell you, it was tough stuff. You would spend hours down there, especially before an assignment was due. But anyway, I remember many a night down there. Different today, totally different. Managing expectations is important again, member for Pembroke.

The member for McIntyre supports an inquiry and I thank her for that. What it may deliver is a question in her mind and I can understand that too, and she also made the point about the government's role - that some say it is the government's role to do it but we do not always defer to that. It is the way this House is. We can't always wait for the government to be doing something.

I understand the member for Murchison's point, in that if we do this, then the government is more likely into the future possibly to see us do that more often. I hope that that is not the case.

The member for Windermere gave us the tour through his university experience and indeed, that was quite interesting. I am always interested to hear of other members' experiences. I found it interesting the size of the workforce that you were talking about and the number of students and all of those things. It is absolutely integral to our future as a state, the University of Tasmania. I don't think anyone would deny that. Absolutely integral. You brought that out well. Also, you mentioned the second reading speech and the provision of the act as intentionally narrow, that the state-based legislation establishes the institution, all absolutely right, but because it establishes the institution, it gives us our *raison d'etre* to look at what it is that underpins the university and I think that that is important. The threshold standards they have to meet, I got that information from the Vice-Chancellor and it is significant, you are right. So many standards that they have to meet and you also pointed out about the full scope of the operations of UTAS across the state. There it is and I ask you to seriously consider supporting this motion. The expectation is something that we have to manage and I leave it with you to make your decision.

**Motion agreed to.**

## **MESSAGE FROM THE HOUSE OF ASSEMBLY**

### **Budget Speech - Attendance of Legislative Council Members**

[7.26 p.m]

**Mr PRESIDENT** - A message from the House of Assembly:

The House of Assembly having passed the following resolution begs now to transmit the same to the Legislative Council and to request its concurrence therein:

Resolved:

That the House of Assembly requests that:

- (1) All members of the Legislative Council attend in the House of Assembly Chamber following the first reading of the Appropriation Bills (No. 1 and No. 2) 2021 for the purpose of listening to the speech by the Premier and Treasurer in relation to the Tasmanian Budget 2022-23.

- (2) The Legislative Council gives leave to the Honourable Minister for Primary Industries and Water, Minister for Disability Services and Minister for Women to appear before, and give evidence, to the relevant Estimates committee of the House of Assembly in relation to the budget Estimates and related documents.

Signed

Mark Shelton, Speaker,  
House of Assembly, 24 May 2022.

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) -  
Mr President, I move -

That a message be transmitted to the House of Assembly acquainting that House accordingly.

**Motion agreed to.**

## **MOTION**

### **Attendance of Legislative Council Minister at House of Assembly Estimates Committees**

[7.27 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) -  
Mr President, I move -

That the honourable member for Rosevears, the Minister for Primary Industries and Water, Minister for Disability Services, and Minister for Women be given leave to appear before and give evidence to the relevant Assembly Estimates committee in relation to the budget Estimates and related documents.

**Motion agreed to.**

**Mrs HISCUTT** - Mr President, I move -

That a message be transmitted to the House of Assembly acquainting that House accordingly.

**Motion agreed to.**

## **MESSAGE FROM THE HOUSE OF ASSEMBLY**



## **Committee Appointment**

[7.27 p.m.]

**Mr PRESIDENT** - Honourable members, the following messages regarding committee appointments have been received from the House of Assembly:

### **Joint House Committee**

Mr President,

In accordance with section 23 subsection 4 of the Integrity Commission Act 2009 (No. 67), the following member has been appointed on the part of the House of Assembly to serve on the Joint Standing Committee on Integrity:

Mr Street.

Mark Shelton, Speaker,  
House of Assembly, 24 May 2022.

### **DUTIES AMENDMENT BILL 2022 (No. 18)**

### **LAND TAX RATING AMENDMENT (FOREIGN INVESTORS) BILL 2022 (No. 16)**

### **LAND TAX AMENDMENT (FOREIGN INVESTORS) BILL 2022 (No. 17)**

### **First Reading**

**Bills received from the House of Assembly and read the first time.**

## **ADJOURNMENT**

[7.28 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That at its rising, the Council adjourn until 11 a.m. on Wednesday 25 May 2022.

**Motion agreed to.**

### **Members for McIntyre, Elwick and Huon**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, before I move the adjournment, I take this opportunity to congratulate the member for McIntyre and the member for Elwick. It is good to have you back in here, and isn't it wonderful to see a spare seat filled with a member for Huon. Congratulations to you all and welcome to the Council again.

I remind members of our briefing tomorrow morning starting at 9.30 a.m.in Committee Room 2, with the Appropriation bills followed by the Criminal Code Amendment Bill.

Mr President, I move -

That the Council does now adjourn.

**Motion agreed to.**

**The Council adjourned at 7.28 p.m.**