

Tuesday 10 September 2019

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

QUESTION UPON NOTICE

The following answer was given to a question upon notice:

6. EPURON WIND FARM - IMPACT ON PROTECTED BIRD SPECIES

Mr DEAN asked the Leader of the Government in the Legislative Council -

With reference to the Andrew Bolt program, which aired on television on 18 July 2019. It reported on wind farms and the devastation caused to both protected and endangered bird species.

- (1) What is the extent of the wind farm to be constructed by Epuron in the Central Highlands (including the number of towers)?
- (2) When is it expected that this farm will be in operation?
- (3) What protective screening, including the extent of it, will be provided to protect birdlife, specifically protected and endangered species?
- (4) (a) Have any studies been undertaken to determine the population of protected and endangered birdlife in the area of this wind farm development?
(b) If so, what are the numbers?
(c) If not, why not?
- (5) Is monitoring occurring in and around existing wind farms to gauge the extent of bird deaths and injuries due to tower contact?
- (6) In the previous calendar years 2016, 2017 and 2018, what number of bird deaths were attributed to wind farm operations in Tasmania?
- (7) (a) What penalties currently apply to wind farm owners/operators should the wind farm operation lead to the death of protected and endangered bird species?
(b) What penalties currently apply to any member of the public who kills a protected or endangered bird species?

Mrs HISCUTT replied -

- (1) The proposed St Patricks Plains Wind Farm covers approximately 10 000 hectares. It is proposed to have up to 67 wind turbine generators, with a maximum generating capacity of up to 300 megawatts - MW.

- (2) The proponent has estimated that the wind farm, should it be approved, could be in operation by 2023.
- (3) It is too early in the proposed project to know what methods or technologies will be used to mitigate any adverse impacts. The best available and economically feasible technology from both Australia and overseas will be investigated. Should the wind farm be approved, it would also be required to meet all regulatory requirements.
- (4) (a) The project is still in its inception stage. Any potential impacts on protected and endangered species will be assessed by avifauna studies to be undertaken over the next 12 months to two years.
- (b) Population numbers and species present in the proposed development area are currently unknown and will be informed by studies over the next 12 months to two years.
- (c) Population numbers will become available when studies have been completed.
- (5) Existing wind farms are required to undertake monitoring to determine, and report on, the number of bird deaths or injuries associated with collisions with wind towers.
- (6) The table below provides the numbers of bird deaths attributed to wind farms operations from 2016 to 2018, and includes the numbers of endangered - listed - birds and non-listed birds.

Site	2016		2017		2018	
	Non-listed	Listed*	Non-Listed	Listed*	Non-Listed	Listed*
Bluff Point Wind Farm	0	0	0	0	1	0
Studland Bay Wind Farm	2	0	1	0	1	0
Musselroe Wind Farm	29	1	36	2	31	2

* Listed refers to birds listed under the Tasmanian Threatened Species Protection Act 1995.

In addition to the numbers provided above, a further seven deceased birds were located on the wind farms as part of the monitoring programs during the same period. However, their deaths could not be directly attributed to the operation of the wind turbines. These seven birds included two non-listed birds at Bluff Point Wind Farm and four non-listed and one listed bird at Musselroe Wind Farm.

- (7) (a) Offset requirements are imposed upon wind farm operators in the event of eagle mortality due to turbine collisions. Historically, nest protection has been the offset mechanism - that is, the wind farm operator was required to find an eagle nest to covenant for each mortality. The cost of nest protection is in the order of \$50 000 to \$100 000 depending on location, natural values of the site and landholder negotiation. If nest protection is not a viable offset option, the wind farm may provide a financial contribution commensurate with nest protection to research and/or education programs that will benefit the species.

- (b) Under the Threatened Species Protection Act 1995, the maximum penalty for knowingly taking, which includes killing, a listed threatened species without a permit is 629 penalty units, currently \$105 672, or 12 months imprisonment, or both.

Under the Wildlife (General) Regulations 2010, the maximum penalty for taking any protected or specially protected wildlife without a permit is 100 penalty units, currently \$16 800.

SPECIAL INTEREST MATTERS

Ridley Pellet Factory

[11.12 a.m.]

Ms RATTRAY (McIntyre) - Mr President, I am pleased to report to the House that construction of the fish pellet feed mill in the industrial precinct at Westbury has been completed and was officially opened on Wednesday, 24 July. Members who joined Melissa and me on our electorate tour in early February this year will recall that before we met with the Meander Valley Council in Westbury, we drove in convoy to the industrial precinct, and, once I went up the right road, observed the building site and gained an appreciation of the scale of the facility.

I indicated at the time that this was an exciting project for the local community and the salmon industry in our state, and this excitement was followed up by our meeting with the council. The significant investment by Ridley in establishing a fish pellet facility at the Valley Central Industrial Precinct was acknowledged. The investment has been reported as \$50 million. In the construction phase Ridley employed 500 contractors and subcontractors, with some 40 businesses represented. It was very pleasing to learn 90 per cent of those were local Tasmanian companies. What a great outcome for the region and the state.

The project received a \$2 million funding grant from the state Government. This partnership by the state Government shows strong support for the salmon industry and acknowledges the benefits of having a locally produced product.

During the official opening the Premier, Mr Hodgman, cited investment in the plant as of strategic importance to the state's salmon industry, increasing the supply of locally sourced high-quality feed product to meet the projected industry growth. My understanding from our recent visits to a number of the salmon facilities around the state was that in the past fish pellets were sourced from outside the state. It stands to reason that a locally sourced product produced in the state will have both economic and marketing benefits.

I also noted with interest that in media reports feed pellets were referred to as 'extruded'. I am not entirely certain what that means in terms of pellets and the salmon feeding process, only that the dictionary describes it as 'to come out gradually in drops like sweat through pores'. It sounds reasonable to me, given what occurred during the salmon farm visits and the feeding process I witnessed.

Ridley has established the plant to support the aquaculture industry in Tasmania; it is also expecting to supply parts of mainland Australia and New Zealand with 50 000 tonnes of the pellets produced each year once the plant is fully operational.

The business is projected to inject somewhere in the order of \$21 million a year into the state's economy. It is certainly a significant amount of money in the post-construction phase. It is a significant annual injection and will be another welcome addition to building on Tasmania's current positive economic growth.

I am looking forward to visiting and seeing firsthand the completed facility and the process undertaken to deliver those extruded fish pellets.

In closing, on behalf of the community, I offer my congratulations to Australia's leading animal nutrition producer - Ridley - on the official opening of its aquaculture feed facility at Westbury and I wish the business every success for the future.

Regional Tourism Opportunities

[11.17 a.m.]

Mr FINCH (Rosevears) - Mr President, just a couple of facts to begin with.

Of all workers in Tasmania, 8.7 per cent are employed in the tourism industry. That is higher than the national average, which sits at 8 per cent - one in 13 of all Australian workers. We are doing well but, of course, there is always scope for more improvement.

Tasmania's iconic tourism attractions, such as Cradle Mountain, Port Arthur and Wineglass Bay, are well known and well developed, but apart from these iconic attractions, most economic benefits are centred in and around major cities. It is time for more work in regional areas. Regional tourism was one of the subjects discussed at a recent forum in Launceston. The Chief Executive Officer of Tourism Northern Tasmania, Chris Griffin, has emailed me a number of points from the forum.

He says practices both love places to death but work against visitors being made aware of regional places, which are often desperate for business.

Mr Griffin speaks of a two-speed economic visitor economy, with communities and councils struggling to invest in infrastructure and services with often static or negative growth in visitor numbers.

He says supply and demand are not in sync because investment cycles tend to hit their peak a few years after visitor growth hits its peak, resulting in a repeating cycle of oversupply and undersupply.

Mr Griffin stresses the importance of visitors bringing both social and economic returns to our regional communities. By positioning a destination on what makes it special, a community can affirm pride in itself and, through that pride, host its visitors well.

Tourism creates jobs that can hold communities together, especially families. Young people gain employment in their home town or have casual work to attract them home while studying elsewhere.

New tourism business can attract working-age families into regional places, which, in turn, can attract or retain essential services that would otherwise be lost.

While much still needs to be done in the regions, there are emerging examples of success, such as mountain biking, as I am sure the member for McIntyre can attest -

Ms Rattray - Not personally - I am not a mountain biker, but I see a lot of other people enjoying the sport.

Mr FINCH - No, that is right - the Meander Valley short walks, with Meander Valley looking to be the short walk capital of Tasmania; food and wine; golf, being a big attractant to Tasmania; and cruise ship visits, particularly to my electorate of Rosevears. Two cruise ships visited Beauty Point last year and a further two are expected this coming summer, with many more on the horizon. These are very important for my community.

Apart from great scope to develop tourism away from the icons, there are opportunities to attract visitors between May and October. I point out the Junction Arts Festival has just concluded and, again, has been super successful.

We have, of course, the Hawthorn footy weekends and Restaurant Tasmania, which have a strong focus on getting people out and about during May and October.

Ms Forrest - I did not see you at Junction.

Mr FINCH - No, well, some people are a little busy in their electorates, doing work and it keeps them - 'You know what I mean', he says with a furrowed brow.

I am super impressed with the Junction Arts Festival. I received invitation after invitation, which I did not respond to -

Ms Rattray - You cannot go to everything.

Mr FINCH - Tourism Northern Tasmania, in partnership with the City of Launceston, major event venues, Events Tasmania and others managed a very proactive program of bidding for and winning events to be hosted in northern Tasmania. These events included national sporting tournaments, and other participation events that complemented the good work of Business Events Tasmania and what they do in attracting conferences to the region.

I point out that in 2018-19 - the second year of the program - eight events bids were won, with the right to host these events during 2019-20. Events already hosted in July and August this year include the under-15 AFL national tournament and the National Karate Championships.

The visitor spend generated by these eight events is expected to be \$15.4 million, a great boost.

Two-thirds of all visitors to northern Tasmania come in the warmer months, and there is a perception on the mainland that Tasmania winters are unbearably cold. This can be corrected, and haven't we - in between some of that cold weather - had some most glorious, sunshiny days? It has been fabulous.

There is a strong argument to move away from the icons to other areas and concepts. This is something that will be explored on Friday at a forum I will be hosting at MONA for the Tasmanian Leaders Program, which is called 'The Good, the Bad and the Ugly'.

I will leave members to apply one of those descriptors to me.

Recognition of Visitors

Mr PRESIDENT - Honourable members, before I call on the next special interest matter, I welcome today, on behalf of myself and other members, Distinguished Professor Maggie Walter, Pro Vice-Chancellor Aboriginal Research and Leadership, and Taimeka Mazur, the project officer, Strategic Plan for Aboriginal Engagement and Indigenous Student Support, from the University of Tasmania.

They are here today to witness or hopefully, enjoy, the member for Nelson's first special interest speech. So, on behalf of members, I welcome Maggie and Taimeka.

Members - Hear, hear.

University of Tasmania - Indigenous Cultural and Educational Exchange Program

[11.23 a.m.]

Ms WEBB (Nelson) - Mr President, I am delighted as my first special interest matter speech in this place to talk about the Tasmanian Aboriginal community and the University of Tasmania.

I begin by paying my respects to palawa people of lutruwita/Tasmania, in particular the muwinina people, the traditional owners and custodians of the land we are on today. I pay my respects to the Elders, past, present and emerging, and pay my respects to members of the Tasmanian Aboriginal community here today.

I acknowledge that the continued connection of the palawa people to this land for over 40 000 years has furnished a rich and enduring culture that lives in that connection. I acknowledge that after invasion by Europeans, this land was never ceded by the Tasmanian Aboriginal people.

In late July this year, I was honoured to attend the welcome ceremony for the 2019 Indigenous Cultural and Educational Exchange Program at the University of Tasmania's Sandy Bay Campus.

I was deeply moved by this ceremony and impressed by the value and potential impact of the program, so today I would like to speak about the Indigenous Cultural and Educational Exchange Program developed by Distinguished Professor Maggie Walter, and hosted by the Riawunna Centre for Aboriginal Education at UTAS.

The program was established in 2015 to provide a culturally informed international exchange opportunity for indigenous students from Australia and North America. The aims of the exchange are to -

- challenge and inspire UTAS's Indigenous students through international exchange opportunities
- facilitate links into international indigenous scholarly communities and networks

- expose students to the wider global field of indigenous studies, and
- provide opportunities for high-level, educationally linked cultural exchange.

To date there have been five exchanges involving 31 Aboriginal and Torres Strait Islander UTAS students and 10 Indigenous staff members. All students who have participated have either graduated or completed their degrees, and six of these students have gone on to undertake postgraduate studies at UTAS.

The Indigenous Cultural and Educational Exchange Program is the brainchild of Distinguished Professor Maggie Walter, the University of Tasmania's Pro Vice-Chancellor Aboriginal Research and Leadership, and also of Professor Chad Hamill at the Office of Native American Initiative at the Northern Arizona University.

I take a moment now to recognise the work of Distinguished Professor Maggie Walter. She is one of the few quantitative Indigenous researchers in Australia. Professor Walter is passionate about improving the position of Aboriginal people in Australian society and changing the dynamics of race relations. Her work aims to close the gap for Indigenous Australians by addressing structural issues through research and by supporting Indigenous leadership and decision-making.

In 2009 Professor Walter was elected inaugural secretary of the Native American and Indigenous Studies Association, a leading global indigenous academy that fosters and supports international collaboration with leading indigenous scholars from the United States, Canada, New Zealand and Australia.

The similarities of the problems facing First Nations peoples from these countries and the benefit of working collaboratively to address these were key learnings from her involvement with that association. The Indigenous Cultural and Educational Exchange Program was developed by Professor Walter and Professor Hamill to increase cultural connections and collaborative opportunities among First Nations peoples.

In February this year, eight students and two staff from UTAS, with a small group from the University of Sydney, visited First Nations peoples and universities in Arizona, USA and British Columbia, Canada. In turn, in July this year, students from the USA and Canada were hosted by the palawa people and UTAS, along with the Eora Nation and the University of Sydney, and the Maori people and the University of Waikato in Aotearoa/New Zealand.

The welcome ceremony I attended in July was for the delegation of students from North America taking part in the international exchange. It was inspiring and a moving ceremony that I felt privileged to observe. The part I found especially impactful was hearing from each of the participants - visitors and locals - about why they were participating and what the experience meant to them personally and in their academic lives. The stories they shared had many common threads. They spoke of challenges: dispossession of land and culture; discrimination and racial abuse; systemic barriers to health and wellbeing; and limitations on opportunities to achieve academic success. Importantly, they also spoke of triumphs and joys; reconnection with family, land and culture; the importance of elders and sharing living culture; reclamation of language, its importance to identity and the joy and pride of speaking in language; and their awareness of the role they play as leaders and builders of opportunity for their communities.

During their time in Tasmania, this group of North American First Nation students and academics participated in a field-based program centering on heritage management and educational efforts. Students visited Aboriginal Indigenous Australian communities, museums, cultural centres, local agencies, schools and universities. Their experiences in Tasmania quite beautifully included a lunch with the Aboriginal Elders Council in Launceston that was attended by over 100 members of the community, which I think shows the support for and interest and engagement in the program by the Tasmanian Aboriginal community.

These 'on country' cultural tours of important Aboriginal and Indigenous heritage places and connections with Aboriginal Elders, communities and students provide a unique opportunity to foster lifelong connections that will have an impact well beyond the trip. Students reported feeling energised, inspired and empowered through the experience. Cultural differences and similarities were explored through stories, histories and even traditional foods - indeed, who can forget their first taste of mutton bird?

The Indigenous Cultural and Educational Exchange Program is important. The shared pride in the rich and enduring culture of First Nations peoples experienced by these students - our future leaders - will play a role in bringing an end to the structural inequality experienced by the Tasmanian Aboriginal community and Indigenous people in this country.

I congratulate the University of Tasmania for its support of the program. As a non-Aboriginal Tasmanian, I wish to thank Professor Walter, her colleagues and students for the opportunity to learn more about the Indigenous Cultural and Educational Exchange Program and for the opportunity to be part of sharing and taking pride in the culture of the palawa people in lutruwita/Tasmania.

Tributes - Brian Inder and Ted Howe

[11.30 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President and honourable members, today I would like to speak about two giants of men who have recently passed away and have left huge legacies within the electorate of Montgomery.

First, I would like to touch on Mr Ted Howe. Ted Howe, OAM, born on 24 October 1917, passed away in his 102nd year on 17 August 2019. Ted, although not a big man in body, was definitely a big man in presence around our town of Penguin. He was our local hero, who served his country, his community and his local footy club - the Penguin Two Blues.

Ted originally hailed from Mole Creek but married a local girl, Edna Lancaster. He was 20 and she was 16. War had broken out and Ted was home on leave for a week, which is when the wedding took place. The funny story is that he was absent without leave - AWOL - for an extra week to spend time with his new bride. When he returned instead of being reprimanded, he was promoted to sergeant. Ted is said to have joked about how far up the ladder he would have been promoted had he taken another week off.

Ted was the last surviving Tasmanian to have served on the Kokoda Track. Despite Mr Howe's stature he was very strong and often helped other soldiers with their loads while on deployment. Mr Howe's grandson, Jasper Howe, recounted how Ted would say it was not unusual for him to carry four extra rifles up the mountainous terrain of the country to help his mates.

Ted held five life memberships. He was a community volunteer, a member of the Penguin branch of the RSL, and a long-serving member of the Penguin Two Blues footy club, which formed a guard of honour for him.

Ted received an injury while serving in Syria, which meant his footy-playing career was cut short. The Deputy Mayor of the Central Coast Council, Garry Carpenter, said that Ted Howe would have been the captain, coach and trainer of the footy team of the century, had one been picked.

Ted served for six years in World War II, in Syria, Borneo and Papua New Guinea. He is respected by all, young and old.

Vale, Ted Howe.

Brian Inder was born in 1930, although I could not find his birthdate. He passed away on 21 August 2019. Brian Inder was a tourism pioneer in the north-west coast region, particularly in the Kentish municipality.

Brian established one of the world's largest mazes, Tazmazia. I am sure that most if not all honourable members would have been to Tazmazia and the village of Lower Crackpot for a visit. Brian was the 'Laird of Lower Crackpot'. If you have not been there, it is well worth a visit; children absolutely love it.

In the late 1980s, Mr Inder moved into lavender farming and manufactured herbal products, which proved more profitable than his dairy farm. He then developed a model town called the village of Lower Crackpot and, of course, he was the laird. A gift shop, pancake parlour and honey tasting soon followed, making Tazmazia the largest commercial tourism attraction on the north-west coast.

Mr Inder was also instrumental in establishing Sheffield as the town of murals with the now famous Mural Fest. He also had a leading role in establishing other festivals, including the Blooming Tasmania Festival and the lavender festival. Mr Inder served as a board member on the West by North West regional tourism association and was a vice-president of the Kentish Association for Tourism.

On the coast, near the mouth of the Arthur River, is a plaque titled 'The Edge of the World'. I am sure members have heard of that. That term was coined by Brian in a poem he wrote referring to the timeless and wild nature of the coastline of Arthur River.

In November 2005, he was honoured with the Outstanding Contribution by an Individual award by the Tourism Council of Tasmania.

Brian was also a strong supporter of the proposed Mount Roland cable car. I just happened to ring one of the proponents during one of their meetings, which I was invited to participate in for a short time. Brian was there, of course, hoping that he would be one of the first to be lifted up the mountain. The last thing I said to Brian was 'Live long and prosper'.

Brian is described by his good friend Mark Beech-Ross as being a worker and a good, gentle man who appreciated gentle folk. Brian's final mural was his coffin, which was signed and decorated by friends and family on the day of his funeral. Brian Inder was a true pioneer of the tourism industry in Tasmania.

Mr President, I will finish with the poem that Brian has inscribed by the sea at the Edge of the World -

I cast my pebble onto the shore of Eternity
To be washed by the Ocean of Time.
It has shape, form and substance.
It is me.
One day I will be no more
But my pebble will remain here
On the shore of Eternity
Mute witness for the aeons
That today I came and stood
At the edge of the world.

Vale Brian Inder.

The Headstone Project

[11.36 a.m.]

Ms ARMITAGE (Launceston) - Mr President, today I speak about The Headstone Project, the mission of which is to ensure that all our World War I veterans have their last resting places suitably marked in such a way that recognises their service.

This goal may sound simple enough. Starting in Tasmania in 2011, the founding members of the Tasmanian Headstone Project discovered that there were World War I veterans buried at Cornelian Bay cemetery in Hobart without so much as a headstone or even a marker.

With the help of the Millingtons cemeteries, the team started out with a list of approximately 20 names and began researching how many more World War I veterans might be buried there and what their stories were. In large part and to date, the team has determined that many of them had served at Gallipoli, on the Western Front and in the Middle East. At this time, over 200 veterans have been identified, and with more research to be undertaken at various burial sites in Tasmania, the number may well be up to 250 by the time the project is complete.

There are now various Headstone Project teams working in every state in Australia with the same common goal. With each veteran being identified, the stories that constitute the very fabric of Australia's character and involvement in World War I become more complete.

The Headstone Project's research strategy is an open source one, which allows people with some guidance to put their research and problem-solving skills to use and undertake investigations into veterans who have been discovered in order to bring their story to light.

As a consequence, the research efforts of those who generously give their time and expertise to The Headstone Project are nothing short of remarkable. Their website contains a search function that, when you search for a Headstone Project veteran, returns vital information, including the person's service number, unit, dates of enlistment, return, discharge and death, as well as personal information about their family, their work before and after the war, and sources of additional information.

On 26 July this year I had the privilege of attending a service of dedication of 30 headstones in Launceston. Whilst the dedication honoured those who served in various capacities during World War I, the story of the 12th Australian Infantry Battalion and those who were a part of it was included in the service information booklet. I believe that this story bears repeating here. A paragon of martial excellence, the 12th Battalion's involvement in the World War I emphasises the resilience and fortitude that we as Australians have come to think of as synonymous with our attitude towards military service. I quote -

During the period between 1914 and 1919, the 12th Battalion saw service in four continents, in the course of which it laid its honoured dead to rest in the shadow of the pyramids of Egypt, beneath the towering cliffs of Gallipoli, on the sunny shores of the Mediterranean, in rural England, in devastated Flanders, and beneath the scarlet poppies of Picardy, the flower that suggests sleep and remembrance. Those who have paid the ultimate price are not forgotten, nor those who serviced us alongside them. The traditions that these men set during the First World War continue to be upheld. Those who currently service the Royal Tasmania Regiment are proud to be part of the 12th Battalion's long history of military service, both in times of war and of peace. These men and women continue to uphold the traditions of the 12th Battalion, serving in many theatres around the world today.

Mr President, while the services to dedicate headstones to our World War I veterans are ostensibly a solemn event, I believe it is worth pondering the fact that even in the darkest and most horrifying of circumstances these brave servicemen endured, what remains in our hearts and in our minds is the extraordinary bravery, selflessness and courage with which they served. It is in this spirit that we should continue to honour them today so that their sacrifices were not in vain.

Insurance Premiums - Increases

[11.40 a.m.]

Mr DEAN (Windermere) - Mr President, I am going to speak on building insurance hikes. Most honourable members will be aware of what is going on in this area. The situation many Tasmanians currently find themselves in when building their homes is not good.

Members may have seen that over the past year building insurance companies have increased their insurance premiums dramatically in response to the situation discovered after the Grenfell Tower fire in London. That fire highlighted an issue with a certain type of extremely combustible aluminium panelling, ACP cladding, that has been used in many Australian buildings. This cladding is highly flammable and, where installed, has the ability to increase the intensity of building fires.

In response to this, the Australian building industry has had to identify buildings in which this cladding has been used and owners of these buildings have to replace the cladding. This creates issues for home owners who have the faulty cladding installed and need to have it replaced.

State and federal building ministers met on 18 July 2019 and agreed that all faulty cladding has to be replaced but could not agree on who was going to pay for it all. State said it was a federal issue and vice versa. The one thing they did agree on was to implement all 24 recommendations from an expert report into the crisis.

The Minister for Building and Construction, Elise Archer, has said that the Government has already committed to replace the cladding. The insurance industry is not waiting to see who is willing to pay. It has increased its premiums across the country with huge increases in indemnity insurance costs. This increase is putting immense pressure on building surveying companies, such as Protek in Launceston. Protek's annual insurance costs went from \$25 000 to \$80 000 and its excess went from \$5000 to \$50 000. This dramatic increase added to the reasons that caused Protek to close its doors in July.

MBA Tasmania's Matthew Pollock said -

... we've got a pretty big pipeline of work to deliver ... We want to see more surveyors in the industry, not less.

This is where the second issue arises. Individuals in the process of having their homes built have lost their surveyors. People are basically being penalised through no fault of their own. One home builder known to me - I will refer to him as Mr James - has already paid Protek \$3300 and now has to find another \$2500 to pay a different surveyor. He is afraid to hand over the additional \$2500 in case the second surveyor will not sign off on Protek's certifications. If that happened, he would need to start again.

In an email received from Mr James on 13 August 2019 to me, he said -

Dear Ivan

No doubt you will have heard of the closure of Protek. Unfortunately for me, I have been caught up in this event. At the time of Protek's demise I was one inspection away from completion of my house extension. I am now expected to engage another surveyor and pay as much again as was paid to Protek. There are no avenues open for compensation. I have approached the State Minister with no satisfactory response. Can you advise or ask on my behalf what the State Government intends doing to protect my consumer rights?

Thanks

What can be done to save a family home builder like Mr James from going broke and not being able to complete his dream home? The Minister for Building and Construction, Elise Archer, said the department was working with local councillors and surveyors to ensure Protek's active files are transferred to the building sector. That was in *The Examiner* on Saturday 20 July 2019.

In *The Examiner* on 30 July 2019 the general manager of West Tamar Council said -

It is our intention, where we have the available resources, to become the building surveyor for jobs in the West Tamar, once an audit has been undertaken.

Across Tasmania, 42 buildings have been identified as having the faulty cladding. In response to this, Ms Archer said -

An independent risk assessment was undertaken by a fire safety expert as part of the 2018 statewide audit ...

The outcome of Tasmania's 2018 risk assessment found there was no additional risk to occupants of the 42 identified buildings due to the presence of ACP cladding.

The one building identified with additional risk associated with cladding, the Launceston General Hospital, has already been rectified by the Government; there has been much in the press about this.

The federal government says it has brokered an agreement with states and territories to create a nationally consistent approach to reforming the building industry.

What can be done for those people who through no fault of their own are paying for this injustice? Not only will private home owner-builders wear the brunt of this, but so will larger businesses. I have already told you about one. What will it mean in the future? A further \$10 000 to \$20 000 to build a home. The First Home Owner Grant of up to \$20 000 will be taken up in one hit.

It really leaves a lot to be desired and it will be interesting to see where this goes at the end.

MOTION

Consideration and Noting - Right to Information Annual Report 2017-18

[11.46 a.m.]

Ms RATTRAY (McIntyre) - Mr President, I move -

That the Right to Information Annual Report 2017-18 be considered and noted.

It has been quite some time since I placed the consideration and noting of this annual report on the Notice Paper. I am pleased to be able to speak to it today because it will not be long before the next one comes out so we need to at least have a look at this annual report. At this time, there is little private members' work so we look at the Right to Information annual report, which will be of interest to all members.

It would be useful to remind ourselves about the Right to Information Act 2009, which is intended to improve the operation of democracy in this state by increasing the accountability of government to the people and the ability of people to participate in government decision-making. This is very important. The underlying principle is that information held by Tasmanian public authorities belongs to the people of this state and has been collected for them and on their behalf. The statutory right has been created to assist in the better working of democracy and should be seen as integral to our democratic system of government. The administration of the act, including the making of decisions under the act on whether information requested under it is or is not released, is to be approached in this spirit.

In concluding that reference, the act is to be interpreted so as to further its objective. Section 3(4) of the act also states that parliament's intention is that decisions under the act should be made with a view of providing to the public the maximum amount of information - and this is the really

important part - as quickly and as cheaply as is reasonably possible. In my view, that is pretty basic stuff

Proclaimed in 2009, the act was very clear what the intentions of the parliament were in regard to right to information.

How well has this worked over that time? We continue to have excessive numbers of applications for right to information and the review process around those applications through the Ombudsman's office is a challenge. Every year, Estimates Committee B looks at this issue; every year the Ombudsman sits at the table before committee members and we ask the questions: Is the department well enough resourced? Are we meeting the objectives of the act? Are we providing information to the public in a timely and certainly cost-effective manner? Unfortunately, there continues to be concern about that as there has been for a number of years, hence my interest in this area.

Page 4 of the annual report talks about data from previous years. I have not gone back over too many years, but the previous year's data is in the report. I will touch on some of those numbers when I get to them. It says, as in the case last year -

the information about the outcomes of reviews conducted by the Ombudsman was provided by the office of the Ombudsman. In previous years, that data was provided by each public authority; however, this approach had resulted in variations between this report and the Ombudsman's annual report.

The Ombudsman is considered the authority source in this information.

The Ombudsman has a significant role in what is undertaken when it comes to right to information.

I move to page 5, key statistics.

Applications received in 2016-17 were 1110; a reasonable decrease in 2017-18, 873. Applications determined for 2016-17, 1016, and for 2017-18, 785. Applications where information was granted in full: 309 in 2016-17 and in 2017-18, 248.

We see from those numbers that there has been a gradual decrease in some numbers but we are still dealing with significant numbers. In 2016-17, the number of applications that took less than 20 working days to be determined was 702. In 2017-18, the number was 561. A reduction, albeit it still is not getting down to the numbers we would like to see.

The applications that took more than 20 working days to be determined included a negotiated extension with the applicant, Ombudsman or third party. Mr President, if you want an outcome, you are going to have to negotiate, whether you like it or not. That was somewhat interesting.

If I were put in a right to information request and somebody rang me and said 'The only way you are going to get this is to agree to an extension', I would agree. That is fairly clear. In 2016-17, there were 208 of those and then a reduction by only seven in 2017-18, to 201. In 2016-17, 66 internal reviews were determined, and 55 in 2017-18.

Again, it was a slight decrease from the previous year. There could well be a gradual increase in that in the coming year. Extra resources were appointed to the Ombudsman's Office in the last

state budget. I expect we will see some significant reductions in those numbers, following from those extra resources.

I believe that at the time, it was an extra \$200 000 and there were to be two more personnel in the office. The Leader might confirm that was the case when she makes her contribution of how much, and that could well make a difference to what people are receiving when they seek information.

Not surprising to most was that, consistent with previous years, the majority of applications accepted during 2017-18 were made to government departments. Applications to departments and directly to ministers accounted for 67.5 per cent of all applications made during the year; to councils, 13.4 per cent; and other public authorities, 19.1 per cent. There is an extensive table in the back. Appendix 3 shows the various entities; it might be appendixes 2 and 3 in regard to the departments. It might be worth touching on some of those while I am speaking to those.

Number 1 - I do not know if you want to be number 1 on this list - is the Department of Police, Fire and Emergency Management with 287 applications received. There were 257 applications determined for 2017-18, a significant area there. Then it drops right away: number 2 is the Department for Justice, with 65; number 3 is the Department of Primary Industries, Parks, Water and Environment, with 59; number 4 is the Department of Health and Human Services; number 5 is the Department of State Growth; number 6 is the Department of Education and Training; and rounding out the list is the Department of Treasury and Finance, which will probably be pleased to be number 7.

When it comes to councils - some of us have a local government background and we are always interested in what local government is doing - the highest number of applications received were from the Hobart City Council, one of the larger councils; again, not surprising. The Launceston City Council received 18 applications, with 1 withdrawn. The Hobart City Council had none withdrawn. The Glenorchy City Council had 16, then it tapered off to small numbers in some areas; the Clarence City Council had 8; and Brighton Council had 8. The next closest one would be Glamorgan Spring Bay Council, with 7.

People are certainly taking the opportunity to use the process. Interestingly, when it comes to individual entities, the Motor Accidents Insurance Board - I thought that was interesting - received 50 applications. The Tasmanian Health Service - again, I think no surprise to most members - received 68 applications, with 3 withdrawn; Hydro Tasmania had 10, and Sustainable Timber Tasmania, formerly Forestry Tasmania, had 12.

It is probably not a surprise that 20 applications were received for the Tasmanian Water and Sewerage Corporation Proprietary Limited.

Mr Dean - Not so bad; reasonable, I suppose.

Ms RATTRAY - No, I suppose it is 20, considering they have had some challenges and continue to have some challenges, particularly around trade waste compliance issues. TasWater must be absolutely over my emails, visits and meetings, but I will not cease until my communities have a reasonable outcome.

I know other members in this place also have small businesses that are really struggling with trade waste compliance.

It is not just the trade waste compliance. The ongoing costs after you have complied are one of the biggest issues. That is double dipping, in my book, to the nth degree. You pay a lot of money and comply to trade waste requirements and then pay a trade waste levy. Most organisations cannot get it twice. I am working on that.

If we can have a better outcome, it will be for everyone, for every small business and business in Tasmania.

That is very much an aside, but an important aside.

Moving on to a really important aspect of time frames. Again, in the appendix we have some numbers worth talking about. As I said, the highest number of applications were to the Department of Police, Fire and Emergency Management. Of the 257 determined, 197 were actually completed within the one to 20 working days time frame, which is a reasonable result. More than 20 working days there was -

Mrs Hiscutt - What page are you on now?

Ms RATTRAY - I have popped over to page 20, if you want to keep up. That is where you have all the extensive data.

With more than 20 working days is 60; moving on, right out to the extension on that table, is plus 20, plus 5. More than 35 days, greater than 20 plus 15 and 5, it could be up to 40 days or more.

Fifty applications are still not determined - a significant number. I acknowledge the greatest number is in the area of Police, Fire and Emergency Management.

The Department of Primary Industries, Parks, Water and Environment was the next highest cab off the rank - with 35 more than 20 working days. More than half of its 61 applications determined took more than 20 working days. That department then still has 15 of those 61 stretched right out to that 20 days and over, plus 15, plus 5, which could be and whatever.

I am sure those departments are not particularly satisfied and comfortable with some of those numbers.

I am pleased to say that councils are doing a little bit better in their areas. Of the 29 determinations for Hobart City Council, 29 of them were actually dealt within the one to 20 days. Good effort there.

There is an odd one - greater than 20 days, plus 15. Glamorgan Spring Bay and Glenorchy must each have something they cannot resolve. Derwent Valley Council and Break O'Day Council, one each. They are not high numbers in themselves, so there is obviously an issue not been able to be resolved. Interesting.

Moving over to a couple of other entities and Page 23 for the Leader who is trying to keep up with me.

For instance Tasmanian Irrigation -

- Applications determined 0

- One to 20 working days 24
- More than 20 working days 25
- Greater than 20 working days 19

TI might some issues that need to be addressed. The minister and his very capable advisers ring me from time to time to discuss some of the mechanics of TI, which is really important, particularly as I am considering speaking on the adjournment. Thankfully, they ring in the nick of time.

Does the Government and the minister have some idea about some of those outstanding issues? Do I need to go through another process to find out, because they are significant numbers in greater than 20 working days, plus the 15?

When it comes to appendix 4, on page 26, the Ombudsman has a significant role in the right to information process and it takes a lot of resources. That particular area has struggled to make any real headway into those significant numbers in the past but on table 26, again, poor old Police, Fire and Emergency Management has the higher numbers. Applications received under the Ombudsman's reviews, 10 - they have closed six. They are getting through them and I expect there will be lower numbers. A greater workload was completed in the next annual report period, and I will be looking for that information. Only a couple remain outstanding there: Department of Primary Industries, Parks, Water and Environment, reviews by the Ombudsman - 7; they closed 9, so they must have been able to sort out a couple of old ones that had been hanging around.

This is generally a reasonable result and I look forward to having lesser numbers on my chart in the new next annual report.

Page 10 of the report talks about reasons for refusal. These include in table 6: under type of entity, government departments, information already available for purchase, 25; not available, normal computer means only, was 4; and information already available was 35. That tells me it is not clear where people can go to find the information. If they have been able to tell 35 people who put in a request for information that this is already available, perhaps there is a breakdown or a lack of communication about where you can easily access this. Is there possibly some other reason for this?

Still on page 10, with government departments - the reasons for refusal: unreasonable diversion of resources, 16. You could say that about everything. If it takes too much time and effort, it is an unreasonable request or whatever. There were 16 of those and a repeat of nine. I assume by that, it means that people were not satisfied with the answer they received and so they put in the request again. There were none for the ministers. Reasons for refusal, nothing. So they have that under control. Councils, for unreasonable diversion of resources, 5; information already available; 3 only; a repeat, 4. So fairly small numbers there.

When it came to other public authorities: information that was available for purchase, 3; information already available, 6. It will be interesting to see why people have not been able to access the information. It would have possibly saved time, effort and, in some cases, angst. When people get wound up about something - I do myself - it sometimes can consume you. If you are able to get an answer fairly readily, it takes away some of the angst.

The tables set out quite well how the functions of right to information and the Ombudsman's role in this play out. One table refers to the section references, such as section 31, legal professional privilege; section 37, information relating to business affairs of a third party; section 42, information

likely to affect cultural, heritage and natural resources of the state - it is well documented - and section 25, Executive Council information. I think another committee is looking at that. Section 26 is Cabinet information.

There is a significant list of exemptions but they are well set out. I was called and asked whether I had problems with the right to information annual report and whether that was why I had put this on the Notice Paper. No, not necessarily. We all, from time to time, when we get some spare time, read annual reports, have a look at the information and weigh it up against information we receive through the budget or the GBE process. That is where you go to an annual report to see how a department or entity is tracking and how they are travelling.

The objectives of the act were very clear when it went through parliament. In regard to the act, the Right to Information annual report for 2013-14 states -

... Parliament's intention that decisions under the Act should be made with a view to facilitating the provision to the public of the maximum amount of information, quickly and as cheaply as is reasonably possible.

If all the departments, entities and the like take themselves back to the intention of the act, perhaps when a request for information comes in, they might embrace it and work on it in a timelier manner. I acknowledge that resources, particularly in this area, are stretched from time to time. We know that everyone is quite busy, but we also should acknowledge that it is here for a reason. I look forward to this year's annual report where there will be that comparison. I feel sure some of those numbers will be reduced, given the extra resources being put into it.

Mr Dean - When these applications are made, they should look for reasons to provide the information, not reasons not to provide it. That has been one of the concerns of people making these applications for information. They continue to look for reasons as to why they should not provide it.

Ms RATTRAY - I know there are always vexatious and frivolous requests. We had a member in this place who often talked about that issue - a significant issue where people are just out to be a menace. However, I expect not very many of those requests are not genuine requests for information, particularly in their mind. If we can do whatever we can to make sure the legislation works as intended, I think that is more than appropriate.

I move that we note the annual report on the right to information. I trust members have found it somewhat useful; it has been to me.

[12.16 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank the member for McIntyre for bringing this report on for consideration and noting. I will go through my speaking notes first and provide answers for a couple of questions asked by the member.

The Hodgman Government remains committed to improving the openness and transparency of government. Since first taking office, we have adopted a number of measures in line with this commitment. The Government has made a commitment and concerted effort to improve the openness and accountability of government decision-making. Continued efforts to improve government transparency and accountability have occurred through numerous extensions to the

information released under our routine disclosure of information policy. Since June 2018, the Government has released more than 60 new routine datasets online as it continues to expand public access to information on the activities of government.

We have also launched a new government information gateway webpage, which is available on the DPAC website, to make proactively disclosed government information easier to find.

It is continuing to publicly report on gifts, benefits and hospitality received and given by officers across all agencies at least quarterly on agency websites.

It is also implementing the updated ministerial code of conduct, supporting parliament's adoption of a new code of conduct for members, and undertaking a review of the Electoral Act 2004, including electoral donations.

It is continuing to publish information released under the Right to Information Act 2009 - the RTI act - within 48 hours of release to applicants, and there is ongoing publication of public consultation submissions.

Other Government initiatives to improve government transparency and accountability have been -

- implementing a public submissions publication policy requiring agencies to publish all submissions received in response to major policy and legislation reviews;
- delegating ministerial responsibilities under the RTI act to departmental offices; and
- improving the integrity of parliamentary decision-making by expanding the disclosure of spouse interests and financial information through amendments to the Parliamentary (Disclosure of Interests) Act 1996 and requiring disclosures to be published on the parliament's website.

We also continue regularly to release information on ministerial and parliamentary support expenses and departmental information via the routine disclosure log on the DPAC website. This has the added benefit of reducing the expenditure related to RTI requests, given there is a substantial cost due to the time and effort it takes to undertake an assessment.

The right to information annual report, prepared by the Department of Justice, reports on the RTI process across all state and local government entities, including a number of statutory bodies, by correlating figures provided by public authorities. As the member for McIntyre pointed out, there are a lot of figures in that annual report. These efforts to expand on our transparency agenda will continue during this term of government.

The Government's recent bill, the Right to Information Amendment (Applications for Review) Bill 2019, is central to this Government's commitment and seeks to address a gap in the current rights of applicants and external parties to apply to the Ombudsman for a review of certain decisions in relation to applications for assessed disclosure under the Right to Information Act 2009. As members know, this bill has now passed both Houses of parliament.

A recent decision of the Supreme Court in Tasmania clarified that a decision made by a minister or a minister's delegate under the act in respect of whether to release information in the possession

of a minister is not currently reviewable by the Ombudsman. Following the Supreme Court decision in *Gun Control Australia Inc v Hodgman and Archer* on 8 February 2019, it is now understood that a decision in respect of an application to a minister for assessed disclosure does not give rise to the same level of external review to the Ombudsman as a decision in respect of whether to release information where the application was made to a public authority.

The bill maintained the existing review rights for the applicant under part 4 of the act and makes a number of changes to ensure that a right of external review by the Ombudsman is available for applicants for a decision on whether information will be released under assessed disclosure, regardless of whether the application is made to a minister or to a public authority, and of whether the original decision is made by a minister, a principal officer, or a public authority or a delegated officer.

The proposed amendments also provide that an external party consulted under section 36 or section 37 in relation to whether the information is exempt information under the act will have a right to external review by the Ombudsman. Importantly, internal review rights are maintained by the bill.

Internal review is time-limited and therefore a quick process, reducing the potential number of applications to the Ombudsman. The Government remains committed to improving the openness, accountability and transparency of the operations of government in Tasmania. These changes will further the objectives of the Right to Information Act by ensuring that both applicants and external parties have a review to the Ombudsman in relation to decisions on whether information should be provided under the act regardless of whether the application for that information is made to a minister or a public authority.

The Ombudsman is an independent statutory officer appointed by the Governor pursuant to the Ombudsman Act 1978 and answerable to the parliament. The Ombudsman of Tasmania continues to perform a wide range of functions and provide a diversity of services. The primary role of the Ombudsman and his staff is to investigate the administrative actions of public authorities to ensure those actions are lawful, reasonable and fair. The Ombudsman operates in an impartial and objective way to resolve complaints, and to address systemic problems to improve the quality and standard of Tasmanian public administration. The services of the Ombudsman are free.

The member for McIntyre asked a question about the backlog and resourcing of the Ombudsman. It is important to understand that external review applications are often complex and voluminous and it can take some time to appropriately consider all the information. The number of external review applications made in any year is also difficult to forecast, which makes it difficult to accurately predict resourcing requirements.

Importantly, in the recent state budget, the Government provided the Office of the Ombudsman with an additional \$245 000 per annum.

Ms Rattray - We apologise for it not getting the \$45 000.

Mrs HISCUTT - It all helps, doesn't it? That was \$245 000 per annum.

This funding will enable the office to undertake reviews of right to information decisions made by public authorities and referred to the office in a timelier manner.

With this additional funding provided to the Ombudsman, in this year's budget a new principle officer and new investigation and review officer will be recruited. That must help.

The Attorney-General recently announced Richard Connock has been reappointed to the position of Ombudsman. Mr Connock has served in this position - which incorporates the roles of Health Complaints Commissioner, Custodial Inspector, Principal Official Visitor and Coordinator of the Official Visitors Scheme - since 2015.

Just a couple of comments to the member for McIntyre on the report.

There was a question about reasons for refusal. There could be many reasons for refusal. It is hard to determine why people actually undertake RTI requests when the information is available. It may include those who are not computer literate - they do not know where to go to find information - or those who just do not look and think the Ombudsman or the RTI officer will fix that. It is hard to say why, but we think it is not knowing where to look for the information.

The member spoke about page 23 of the report in relation to Tasmanian Irrigation. If the member goes to page 23, we might be able to clarify this for her when we have checked it out. We believe the figure she had for Tasmanian Irrigation on page 23 is probably a typo and it should be in the line above. When you look at it, it could be Tasmanian Health Services, 1 to 20 working days. We will check this, but after having a quick look, we think it may be a typo.

Back to the RTI on page 10, 'unreasonable diversion of resources' may include requests for volumes of information going back years or decades, which could divert many staff to look, locate, and find. The larger the organisation, the less likely they are able to use these exemptions because the Ombudsman emphasises that unreasonable is the test in these sections.

I hope this clarifies a few things for you. We will clarify those figures with Tasmanian Irrigation and the Health department once we have checked them ourselves.

Mr President, the Government has considered and noted the report.

Recognition of Visitors

Mr PRESIDENT - Honourable member, I welcome to the Chamber this morning, on behalf of myself and members, the Honourable Peter Watson, the Speaker of the Western Australian Parliament. He is known to some members through his parliamentary work and also as an Australian Olympic representative, some years back in 1968, and a Commonwealth Games representative in 1974, being, like most presiding officers, an extremely athletic and fit man.

Also, Dr Isla Macphail, Sergeant-at-Arms and Principal Research Officer in the Western Australian Parliament. I am sure all members will join me in a warm welcome to the Tasmanian Legislative Council.

Members - Hear, hear.

[12.29 p.m.]

Mr DEAN (Windermere) - Mr President, I have been working closely with Western Australian people over the last several months in relation to tobacco control

I commend the member for McIntyre for bringing this motion forward and talking on this point. As I frequently say in this place when I am speaking on the Department of Police, Fire and Emergency Management annual report, for us not to look at these reports should indicate to these organisations and departments that they are going along pretty well and there are no real reasons for concern or any issues being raised. We know some issues are being raised with this report, with the right to information applications being made

My contribution will be brief. One problem we have is that when applications are made under the right to information legislation - I have done this myself and I suspect just about every member of this place has been involved in this process in one way or other - they are dealt with expeditiously, with the information coming back. In my case an extension was applied for and accepted; in the circumstances, there was a reason for it. When the information comes back and it is refused - my last one was a good example of that - you then appeal that to the organisation.

As I understand it, the appeal is dealt with by the same people who made the original decision. Some others might be involved in it; I am not quite sure of that structure. I will need to get more information about that. It goes back to the organisation. I suspect the organisation, in looking at the appeal, would probably talk to the original officer and look very closely at the correspondence provided. I am not aware of any case where it has been overturned on application, when an appeal has been made to that organisation. When that second appeal is dealt with, it comes back to the member making the application. I think there is a 14-day period within which you have to appeal to the Ombudsman for it to be considered and redetermined. I undertook that process and that is where we presently have immense problems.

Members would be aware, as the member for McIntyre certainly is, that the Public Accounts Committee is currently looking at the Ombudsman's Office. I hope a report will be brought into this place and tabled later this year, certainly before the end of the year. That is the intention of the Public Accounts Committee in relation to this matter.

In my case, my application has been with the Ombudsman now for almost 800 days, it is 750-something days, without a reply to my appeal. In effect, it has been an absolute waste of my time; it has been a waste of the Ombudsman's time in carrying out the inquiry thus far because the matter I was interested in has long gone. It is of no interest now if the Ombudsman does rule that the information should have been provided; it is not really going to help. That is where the problems lie here; if you look at the report, it refers to some of those issues. I am aware of others where there has been a huge delay in the Ombudsman being able to attend to his part of it in signing off and getting those reports back out.

Mrs Hiscutt - I was just wondering if the member is able to say whether he is after information in regard to foxes?

Mr DEAN - No, there was no application because there were no foxes in the state, so it would have been a pointless argument to apply for any information relating to foxes in this state - an absolute waste of my time and I did not dare do that. You cannot get something on what is not here.

I commend the member for bringing this forward. It is valuable to look at this report because this is about trying to improve the process. I am not saying that any department is deliberately trying to hold up or fudge or take actions it is not entitled to take, but if it can be improved or expedited, if these departments can look at it from a point of view of 'What can we provide?' rather than - in some cases, as some of the applicants will tell you - putting up obstacles as to why they should not pass information on to you. These are some of the complaints coming to me about applications under the RTI act. Departments should take a positive approach towards releasing information. If there are good reasons for why it is not released, then that can be explained, and most people will accept that if it is done properly and explained clearly and openly. Sometimes there might need to be a personal approach in that regard. I am not quite sure if that ever occurs in explaining that and getting it through. That is a good approach to take as well. Mr President, I support the motion.

[12.35 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I also add my welcome to our visitors. It is great to see you here from the west. Come over to the sunshine.

Mr President, I acknowledge the Leader's and the member for Windermere's contributions. I know all members are well aware of some of these issues and are interested in this area of scrutiny. I acknowledge that this Government has consistently made a commitment to and a concerted effort in improving openness and transparency in this area. I omitted to acknowledge the recent passing of legislation in regard to the review process and accessing that review process because I was so focused on the report itself. I went off on a tangent and did not get myself back to that.

In regard to the Ombudsman, Mr Connock, acknowledging there has been an increase in the budget of \$245 000, my view is that it was two personnel - two FTEs or whatever - and there would be a role. We also need to remember that the Ombudsman's Office has had increased areas of responsibility because of legislation that has gone through this place.

It was spoken of the last time we had legislation where the Ombudsman had a role, and we acknowledged that at the time, so here we are -

Ms Forrest - It was the unregulated health practitioners bill.

Ms RATTRAY - Thank you very much; I knew the member for Murchison would have that information.

We need to remember when legislation is introduced that increases the role of the Ombudsman's Office, that we talk about the resourcing but we need to actually see some resourcing. We know that the resourcing will only address a small amount of what is already in the office. When we hear that a member has waited 800 days -

Mr Dean - I think it is 760-something, to be precise.

Ms RATTRAY - I will rephrase that - almost 800 days, that is of concern about the functions of any office.

Ms Forrest - That extra funding is just in the RTI area, which it needs; it is not to fund other areas of the Ombudsman's Office.

Ms RATTRAY - I am aware of that, but it still puts pressure on the office and its resources. I know, and I can stand here and say, that the Ombudsman is not happy about having those time frames attached to the office. It is very clear, from his presence at Estimates, that he is not happy about that at all and would much rather have better outcomes for those people.

On the point the member for Windermere made, that maybe he cannot always provide all the information asked for, but if there were an exchange, perhaps some of it would appease somebody, or a phone call, 'Is this what you are looking for? Perhaps we cannot provide this, but will this do?' I believe just that communication could be a better way of dealing with some of these issues, whereas I have already indicated that people become somewhat consumed by things they are seeking information about. If they can get some information, that may take some angst out of the feeling they are not being provided with the information they are seeking. I am of the same view as the member for Windermere; I do not believe that any department would intentionally not want to provide information - it is there for the people. All information that governments gather is for the people they represent. They made that very clear in the intent of the legislation in 2008 and in 2009 when it was proclaimed. I appreciate the opportunity. I look forward to the next annual report, which is just around the corner.

Report noted.

MOTION

National Assessment Program - Literacy and Numeracy

[12.41 p.m.]

Mr WILLIE (Elwick) - Mr President. I move -

That the Legislative Council -

- (1) Acknowledges the high-stakes culture that has developed around the National Assessment Program Literacy and Numeracy schools testing system (NAPLAN);
- (2) Notes that the Victorian, NSW and Queensland governments have agreed to band together and conduct their own 'breakaway' comprehensive review;
- (3) Is concerned that this year's NAPLAN testing encountered a range of difficulties - with students hampered by technological issues in Tasmania and across the country;
- (4) Acknowledges education expert David Gonski's comments regarding limitations at the classroom level where NAPLAN reports on achievement rather than growth and the results are six months old by the time they are released;
- (5) Notes that NAPLAN data published on the MySchool website is being used as a school rating tool rather than a measurement of student progress;

- (6) Notes there has been a decade of unhealthy debate on standardised testing with little improvement as a result; and
- (7) Calls on the Tasmanian Government to join the 'breakaway' review that will report back to the Education Council.

I move this motion today with a very clear statement: NAPLAN as a diagnostic tool to drive educational improvement is not working. It is only a matter of time before it is replaced or reformed.

Put simply, teachers need to be given more practical support to help diagnose their students' current knowledge, skill and understanding. Good teachers acutely diagnose student knowledge skill and understanding anyway, but if we are to continue to have a national assessment program, surely tools that identify the next steps in learning, what is needed to achieve the stage in growth and tracking individual student progress over time, would be far more beneficial.

After a decade of controversial debate about NAPLAN at a national level and little improvement at a state level, it is time to ask these questions. Anything less is a disservice to Tasmanian students and their future. In Tasmania over the past decade in the 20 areas of assessments across grades 3, 5, 7 and 9, there were small gains in nine areas, one area with no improvement and 10 areas that have declined. Despite the best efforts of students, teachers, principals and parents, today's Tasmanian NAPLAN results could best be described as static.

While I respect the Minister for Education and Training, Jeremy Rockliff, he tried to put a positive spin on this year's results but sugar-coating this year's data ignores the fundamental questions: Is NAPLAN fit for purpose? Is it serving our students and schools well? Teachers, principals, students and parents familiar with the NAPLAN process are confronted with myriad different views. There are particularly prominent views in the public arena that cannot be avoided.

One of NAPLAN's goals was to improve accountability and transparency. It still has strong support from some think tanks and sections of the community because of this primary objective. However, the heavy focus on the once-a-year NAPLAN test assumes teachers are not using appropriate, in-time, formative and diagnostic approaches as part of their teaching repertoire. At its worst, this feeds a sense of public distrust for the teaching profession's capabilities to diagnose, respond to and develop learners.

At the other end of the spectrum, rather than questioning the quality of teaching, others question the validity of the tests and the purposes of conducting them. Here is an example of each side of the commentary. Last year the think tank, the Centre for Independent Studies, released a report that said in part -

NAPLAN provides valuable data to show which students are falling behind ... it also identifies problems in the school system, which we can improve ...

It provides transparency for school results and it also provides accountability for the more than \$50 billion of taxpayer money going into schools every year.

At the same time one of the world's foremost education experts, Les Perelman, conducted a review of NAPLAN, particularly the writing test. He described it as 'the most absurd and least valid of any test I have seen'.

Opinions are varied and for different reasons, but each year NAPLAN costs taxpayers a significant amount of money. I have seen some reports of over \$100 million and that does not consider the resources schools put in to administer the tests and the week schools around the nation stop for the test. It does not take into account the professional learning that takes place afterwards and the analysis of the data by educators and principals.

It is a significant investment each year. What have we got for that investment? Improved student results? Improved teaching? More insights into school performance? Improved student and teacher wellbeing? More young people entering the workforce with the skills they need? Nationally, our Programme for International Student Assessment rankings have been in decline since the turn of the century.

There is a conversation taking place on a national stage regarding NAPLAN, and Tasmania remains silent. Victoria, New South Wales and Queensland are about to conduct a comprehensive review of NAPLAN. States engaged with the review have already put forward a number of ideas to improve NAPLAN, but the terms of reference are still being finalised. There is still time for Tasmania to sign up.

To summarise my introduction, this is an important issue to bring forward for discussion in private members' time. Education is critical to our standard of living. Education in Tasmania must nurture personal growth, wellbeing, fulfillment, innovation, creativity, skills and values that sustain democratic life and contribute to a productive, healthy and happy social democracy.

With our ageing demographics, Tasmania's future prosperity depends on a thriving education system. This includes the way we measure success and the way we drive improvement.

The first point of the motion acknowledges the high-stakes culture that has developed around the National Assessment Program Literacy and Numeracy schools testing system. In its current form NAPLAN is a high-stakes test causing considerable stress and anxiety to young people, but offering little in terms of educational improvement.

Anyone who has ever been in a school in the lead-up to NAPLAN testing each May understands the high-stakes culture that has developed around the testing system. This is despite the best efforts of principals, teachers and parents to reduce stress on students and keep it low-key. Some of these issues have developed around the way the data is reported, pitting school against school, but I will address that under point (5) of the motion.

For a decade, there have been concerns about NAPLAN, including that it imposes unnecessary stress on students and leads to health issues, including anxiety and sleeplessness. In 2014, a study on the effects of the National Assessment Program - Literacy and Numeracy by the Whitlam Institute found that nationwide school testing was not achieving what it set out to do and was having unintended negative consequences.

Eric Sidoti, project leader of the study, said at the time -

... since NAPLAN's inception in 2008 it has changed from being used as a diagnostic tool to a comparative measure.

He went on to say that NAPLAN has taken on a life of its own -

... the testing tail is wagging the educational dog.

... symptomatic of ... the high stakes that are associated with NAPLAN as it's come to be in practice, as opposed to what was intended to be.

For a significant minority ... you are finding levels of stress that are beyond the norm. ... it's not just a question of being a bit nervous. It's a question of vomiting and sleeplessness and anxiety, migraines.

I have taught students who have fallen into that category.

Because of the high stakes nature of the test, NAPLAN has also been criticised for encouraged teaching to the tests and narrowing the curriculum, and there have been accusations of manipulation and cheating by some schools.

In 2013, 164 schools were caught breaching rules for national literacy and numeracy tests. Across the country the schools sought to undermine the annual NAPLAN test by pressuring parents to withdraw their children for fear of bringing down results assisting students to complete the exam, or storing papers insecurely ahead of the testing day. In one school at the time, a teacher was reprimanded for providing answers to students during the test. In another school, a parent was shown the test prior to the exam so that they could decide whether they wanted their child to participate.

I think these examples highlight just how much pressure can be on a student, a teacher, a principal or a school. Do not forget these are people of good character who have been feeling the pressure to behave in these certain ways. You have to pass good character tests to work in schools.

From my own perspective, having worked in a school for the best part of a decade, what is particularly sad with so much emphasis on a one-size-fits-all test is that it means the diverse social and cultural differences of students are ignored, and different learning styles and ways of knowing and understanding are also ignored.

Finally, on this point, earlier this year the Education Council received a presentation from Emeritus Professor William Louden on a review of the NAPLAN data reporting on the MySchool website.

Finding 13 stated -

Many stakeholders were concerned that publishing school-level NAPLAN data had made the tests 'high stakes' and that any negative consequences flowed from publication of NAPLAN data rather than the collection of data or provision of data to schools and school systems.

Finding 17 highlighted -

Concerns about the impact of NAPLAN on teaching and learning programs were reported but estimates of the severity of this impact varied among stakeholders and data sources.

I move to point (2) -

The Legislative Council notes that the Victorian, NSW and Queensland governments have agreed to band together and conduct their own 'breakaway' comprehensive review.

NAPLAN has been in place since 2008. It has evolved more recently with the introduction of online testing. Noting changes in the broader education landscape, both nationally and within states and territories, it is important to consider how NAPLAN can continue to support an effective and contemporary national assessment environment.

I am told the review will be informed by and will build on work already undertaken or underway, including work that has considered the extent to which NAPLAN has met its original objectives. While the terms of reference are still being developed, a comprehensive review could determine clear objectives for testing in Australia, including individual student learning, achievement and growth; school improvement; system accountability and performance; information for parents on school and student performance; and national state and territory programs and policies.

It could also measure how well NAPLAN is currently placed to meet these objectives, including the appropriateness, accuracy or efficacy of assessment in each domain; the effectiveness in tracking student and system progress over the time, including the impact to equating and placement of tests in years 3, 5, 7 and 9; the alignment with the Australian Curriculum; and the impact of assessment on schools, students and the community.

It could also look to the longer term objectives of the education system and the context of a future national assessment landscape. It could ensure Australia has the most efficient and effective system for assessing literacy and numeracy outcomes. No doubt the Tasmanian Government will highlight, in its contribution, that there is already work underway on NAPLAN, including a 2018 Queensland NAPLAN review; a 2018-19 review of the NAPLAN data presentation, which I have briefly mentioned; and reviews associated with NAPLAN online, which are ongoing.

The comprehensive review will be complementary to this work and will not duplicate outcomes or findings. I am told the review will be led by a panel of up to three members, to be appointed by participating governments. Members will have expertise in assessment, curriculum and other relevant fields. An international expert will be considered as one of the members or as a key adviser. The review will be supported by an interjurisdictional reference group of practitioners. An interim report will be provided for the Education Council in December 2019 and a final report will go to the council in June 2020. Within Tasmania, the calls for this sort of approach are growing louder. In 2018, in *The Examiner*, Tasmanian education advocates joined the national calls for a full review of the NAPLAN system, saying -

... after 10 years it has become an increasingly high-stakes, stress-inducing test for students rather than being a diagnostic tool for schools and teachers to assess strengths and weaknesses.

Tasmanian Principals Association president Malcolm Elliott said it was 'a good time' for a review to consider what the testing program had produced and what the sector had learned. Mr Elliott said one option was reducing the national all-student test to a sample size test to help reduce the intense scrutiny on NAPLAN results for individual children, schools and teachers.

'A sample-sized test would also reduce the amount of time and anxiety consumed by NAPLAN tests each year', Mr Elliott said.

However, Professor Natalie Brown, Director of the Peter Underwood Centre, said while a sample size test might be of benefit for weighing up Australia's overall results against international results, the role of NAPLAN was to provide individual reports on student and school performance.

'It depends on what the purpose of NAPLAN is', Professor Brown said. 'If the purpose is for individual school programs, then every student does not need to do [the tests]. If it is used to benchmark us to other countries, perhaps it is not the right test for that'.

Professor Brown said she supported a review of NAPLAN to ensure it was acting as a diagnostic tool for teachers and schools to improve and develop their numeracy and literacy results. She said it was important people understood what the data publicly released on the MySchool website meant and how it should be interpreted. Australian Education Union Tasmania president, Helen Richardson, said the federal union had been urging a review of NAPLAN for some time. She said the 10-year anniversary was a good opportunity to reassess 'if it's been serving its purpose' as a diagnostic tool rather than unintentionally becoming a school ranking system for parents and children.

More recently in *The Mercury*, the Tasmanian Association of State School Organisations President, Nigel Jones, said it was time to question whether NAPLAN provided a true snapshot of literacy and numeracy levels. Mr Jones said -

We need a full investigation into why we've seen very little improvement in the state over the past decade. Do we really need a NAPLAN? It wasn't designed to pit schools against one another, it was designed purely as a tool to help schools identify students who needed help. Now we've got students who freeze when it comes to those sorts of tests, yet those same students are performing in a whole range of other areas which schools take into account for their end of year mark. I think we've got to take a serious look at what the other states are doing better than us, because until we start being honest we are just going to keep coming up with the same results.

I will leave that point on that note from Mr Jones.

Point (3) is that the Legislative Council -

is concerned that this year's NAPLAN testing encountered a range of difficulties - with students hampered by technological issues in Tasmania and across the country;

This year was the second time some of the tests were taken online. Nearly half the nation's schools took part, including many in Tasmania. The tests were plagued by technical issues, with some students losing connectivity and others unable to log in at all. A northern district school in Tasmania reported their first test, writing, was an absolute mess, with lots of computers freezing and logging out. Some students lost their work. The situation improved with each test across the

week, but every single test had examples where students were logged out. This school believes there is no way the data can be used. I am told a teacher supervising the year 9 writing test was literally running from one end of the room to another and calling for help on the phone as stressed-out students disrupted those whose computers were working.

Another example was a large primary school in southern Tasmania which reported NAPLAN online disrupted student learning and class routine was ceased as classes were asked not to use the internet while testing occurred. Due to the number of students and the ITC capacity, the school's computers ground to a halt due to the internet traffic. I have deliberately de-identified the schools.

Another southern primary school had some students restarting the tests several times, with students visibly giving up after being required to commence -

Sitting suspended from 1.00 p.m. to 2.30 p.m.

QUESTIONS

National Alcohol Strategy Consultation Draft

Ms LOVELL question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.31 p.m.]

Has the Tasmanian Government provided a response to the National Alcohol Strategy Consultation Draft, and if so, what date was this response provided?

ANSWER

Mr President, I thank the member for Rumney for her question.

Tasmania has been involved in the development of the National Alcohol Strategy - NAS - through its representation on the National Drug Strategy Committee and the Ministerial Drug and Alcohol Forum - MDAF.

The Tasmanian Government provided input and advice to several versions of the draft NAS in 2017.

On 27 November 2017, the MDAF noted and approved the consultation draft for public release. Due to the ongoing involvement of each state and territory government at this federal level, none individually took part in the public consultation period.

The Tasmanian Government respects the confidentiality of ministerial council proceedings, noting that this issue is yet to be finalised by the MDAF.

Tasmania will continue to work with the Australian Government and all other jurisdictions through MDAF to implement a suite of national policies that take a balanced and robust approach to addressing alcohol-related harms.

Housing Debt

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.33 p.m.]

With regard to the announcement on Sunday, 8 September effectively removing the historical housing debt loan repayments, please provide full details of the conditions of the deal with particular regard to -

- (1) The impact on other Commonwealth funding?
- (2) Expected and/or required amendments to the state planning laws?
- (3) What homelessness services will be funded and when they will be funded?
- (4) How many, where and when new houses for public and/or social housing will be built?

ANSWER

Mr President, I thank the member for Murchison for her question.

- (1) The deal secured by the Hodgman majority Liberal Government to wipe Tasmania's housing debt to the Commonwealth is standalone. As such, it will be exempt from other considerations of funding such as GST.

In order to assist members, I seek leave to table the agreement signed on behalf of the Tasmanian and Australian governments.

Mr President, I seek leave to table these documents.

Leave granted.

- (2) Part of securing this very important deal was the commitment to continue delivering planning reforms that will help us meet future housing demand. Tasmania is delivering Australia's first statewide planning scheme which will make it quicker and simpler to build houses right across Tasmania. We are also releasing more land through new legislation that enables rapid rezoning of surplus government land for housing, including land parcels at Newnham, Devonport, Moonah and Rokeby, and the recently tabled order for Huntingfield, currently before parliament.

We are also examining new planning pathways for medium-density apartment-style developments in our urban areas to limit urban sprawl. These measures, along with analysis of future population growth to guide our Tasmanian planning policies, will help us provide the housing Tasmanians need where and when they need it.

- (3) Now that the debt has been waived, we will work with the community and housing sectors to develop a plan to fulfil our obligations under the deal. Our priority under the agreement is to use the funds that would otherwise be used to service the debt to support programs that increase access to social housing, reduce homelessness and improve housing supply. We will also publicly report on the key actions and outcomes that have been undertaken with the additional funds.

- (4) Wiping the debt will save up to \$15 million annually over coming years in debt and interest payments, which will be used instead to build more social housing for Tasmanians in need. We estimate this could mean around 80 more houses for people on the social housing waiting list across Tasmania each year. These will be built in areas where the need is the greatest.

Schools - Use of Personal Mobile Devices

Mr WILLIE question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.36 p.m.]

In *The Mercury* on 27 June 2019, it was reported that the Department of Education was reviewing a New South Wales report into the use of digital devices in schools before deciding whether to change its policy on smartphones. What was the outcome of the review?

ANSWER

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

The Department of Education is currently reviewing its existing policies and guidance in relation to technology in schools and at school activities. This includes the use of personal mobile devices. The initial consultation on the use of personal mobile devices in government schools has been undertaken with principals. Further consultation will be sought with principals and school associations to ensure families' and community members' voices are heard. The review will also include a scan of local, national and international best practice and research.

Recreational Rock Lobster Season - 2019-20 Dates

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.37 p.m.]

When will the dates be announced for the opening of 2019-20 recreational rock lobster season?

ANSWER

Mr President, I thank the member for Murchison for her question, and note an email went to all members.

Tasmania's highly sought-after southern rock lobster fishery provides significant social and economic benefits to the state from the commercial seafood sector and as a highly popular and iconic recreation fishery. The Government is committed to the East Coast Stock Rebuilding Strategy that aims to increase the unfished rock lobster biomass to greater than 20 per cent. The Government is very conscious of striking the right balance and the importance of the fishery to the commercial and recreational sectors.

An announcement regarding the opening of the season and related matters will be made soon.

Funeral Arrangement Decisions - Partners and Next of Kin

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.38 p.m.]

Under the Burial and Cremation Act 2002, in establishing a burial ground -

- (1) As described in section 3B of this act, does giving priority to the eldest child over and above a person in a registered relationship or partner mean that the eldest child can override a legally recognised partner in the making of funeral arrangements or on other after-death decisions?
- (2) Does the clause allowing senior next of kin to make all decisions relating to the disposal of human remains mean that the senior next of kin can override the executor who currently has that responsibility?

ANSWER

Mr President, I thank the member for Murchison for her questions.

- (1) The bill does not give priority to the eldest child over and above a person in a registered relationship. The definition of 'senior next of kin' first recognises a spouse, which includes a person in a significant relationship within the meaning of the Relationships Act 2003. The next person listed is the deceased's eldest available child over the age of 18. Subsection (c) of the definition then mentions a person who had a caring relationship, subject to a deed of relationship registered under part 2 of that act. This order is reflected under the current act and previously in the regulations prior to the most recent amendments to the act.
- (2) The effect of this provision is under further consideration and the final bill will clarify this issue.

Burial and Cremation Act 2002 - Application for New Cemetery

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.40 p.m.]

With regard to applications for new cemeteries, please provide detailed information, including the step-by-step process required for a successful application to open a new cemetery, including -

- (1) (a) Approvals required under the Land Use Planning and Approvals Act 1993 - LUPAA - and the regulator.
(b) All associated costs.
- (2) How is section 35 of the Burial and Cremation Act 2002 to be interpreted in relation to the holding of land in trust being taken to mean that the owner of the land must also be the manager of the cemetery?

ANSWER

Mr President, I thank the member for Murchison for her question and interest in this.

(1) A person intending to establish a cemetery must -

- (a) Ensure the land has been approved for use as a cemetery under the Land Use Planning and Approvals Act 1993. The council for the local government area should be contacted in the first instance to apply for approval.

If the land has been approved for use as a cemetery under LUPAA, the applicant should then lodge concurrent applications to the regulator. First, for approval as a cemetery manager under section 33 of the draft bill and, second, for approval to establish the cemetery as set out in section 44 of the draft bill.

- (b) If the applicant is not yet a body corporate, they must incorporate before the regulator can approve the application to become a cemetery manager. The current costs for the two application processes under the Burial and Cremation Act 2002 is a total of 180 fee units, or \$292.10.

Additional fees may apply for obtaining approvals under LUPAA; however, this will depend on the local government area where the cemetery is to be established and what the approval involves - for example, change of land purpose or a planning scheme amendment. The requirement in the bill for approval under LUPAA is not new and is included in the existing act. There may also be fees involved for the cemetery manager to publish any public notices that may be required; this may also vary depending on the length of the notice and fees set by the publisher.

- (2) Section 35 of the draft bill provides the cemetery manager is taken to hold the land in trust which requires the cemetery manager to deal with the land as if they were a trustee. Although it does not explicitly require that the cemetery manager own the land, in approving a person as a cemetery manager, it is open to the regulator to require the proposed cemetery manager to own the cemetery or land where the cemetery is to be established. To hold the land in trust for the purposes of a cemetery requires the cemetery manager to have effective and long-term control of the land. The final bill will clarify the land ownership requirements for cemetery managers.

Draft Burial and Cremation Bill 2019

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.42 p.m.]

With regard to the review of the Tasmanian cemeteries legislation, specifically, the draft Burial and Cremation Bill 2019 -

- (1) The draft bill put out for public comment does not include a time frame for the approval of a cemetery manager. Will the time frame be considered in the final draft?

- (2) What work will be done on regulations under the draft Burial and Cremation Bill 2019 in preparation for these legislative changes?
- (3) What public consultation will be undertaken on any regulations related to the Burial and Cremation Bill 2019 and who will be consulted?

ANSWER

Mr President, I thank the member for Murchison for her question.

- (1) The final bill will include time frames for all approved processes.
- (2) Drafting of the new burial and cremation regulations will commence shortly once work to draft the bill is complete.
- (3) As with the draft bill, the new regulations will closely reflect the current legislative framework. The draft bill and discussion paper released for public consultation dealt with all policy changes proposed under the new bill. As the regulations will not include any significant policy changes and only minor changes to align with the policy intent and new structure of the bill, it is not proposed to release draft regulations for public consultation. The draft regulations will be assessed in line with the Department of Treasury and Finance's Legislation Impact Assessment Guidelines before being submitted to Executive Council and will be subject to parliamentary review, as with all subordinate legislation.

Cornelian Bay Cemetery

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.44 p.m.]

- (1) Who owns the land the Cornelian Bay Cemetery is located on?
- (2) From whom does Millingtons lease the Cornelian Bay Cemetery for operation of the cemetery and crematorium?
- (3) What are the terms of that lease?

ANSWER

Mr President, I thank the member for Murchison for her question, the answer to which is -

- (1) to (3)

The land the Cornelian Bay Cemetery is located on is owned by the Crown and is leased by Millingtons. The lease is for a term of 50 years and commenced in 2008. Further details of the terms of the lease is commercial-in-confidence.

STATEMENT BY LEADER OF GOVERNMENT

Corrections to Answers

[2.45 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I have some answers to questions asked by the member for Launceston that I need to correct in *Hansard*.

On 7 August 2019, five questions were asked about the eastern bypass. I would like to correct (2). I will read the corrected paragraph -

The department has undertaken extensive studies over a significant period of time on various options for an eastern bypass. The latest of these, the Launceston Traffic Study 2014 ...

which was the date in question by the honourable member, so we are correcting that -

... concluded a full eastern bypass was neither the highest priority project, nor the most cost-effective investment when considering future traffic forecasts for Launceston.

I just wanted to correct the date of the study.

The other question was asked on 14 August 2019, when the member asked when raking of the Tamar River raking had ceased. The answer should be corrected to 'Silt raking activities were last undertaken on 10 May 2019 ...'

That was the date in question, Mr President -

... which comprises a short raking shift to allow navigational access for Tamar River Cruises. In addition to silt raking, a prop washing campaign was undertaken around Seaport Marina between 22 May and 18 June 2019.

Those two dates just needed to be corrected.

MOTION

National Assessment Program - Literacy and Numeracy

Resumed from above.

[2.47 p.m.]

Mr WILLIE (Elwick) - Mr President, earlier I was talking about a southern-based primary school that had some students who restarted the test several times during technical difficulties some schools experienced during NAPLAN week. Students were visibly giving up after being required to commence their test from start for the third or fourth time.

Mr President, these types of scenes were no doubt repeated across the country.

ACARA, the Australian Curriculum, Assessment and Reporting Authority, conceded that 50 000 students nationwide were asked to resit the test.

This year's problems have led to disclaimers to interpret the preliminary results that have been released with care.

Australian Education Union acting president Meredith Peace has said teachers and principals should not trust the results because they are so seriously compromised.

Scathingly, she went on to say -

ACARA is more concerned with saving its own skin and preserving a damaging test regime than ensuring the valid, consistent, and reliable assessment of student achievement.

There is no transparency about how ACARA has arrived at the results data published today, and the community must seriously question just how rigorous the independent assessment of NAPLAN results were.

ACARA insists pen-and-paper tests are comparable with the computer version, but Deakin University education experts have also warned the test results cannot be fully relied upon, arguing that the technical glitches weakened NAPLAN's aim of providing comparable results.

On this, Mr President, a report on the underlying causes of the technical disruptions is due to be handed to the nation's education ministers. What is interesting in all of this drama was the response of our Education and Training minister, Mr Rockliff. The department's website has a NAPLAN update on 20 May 2019, which I will read in full before commenting on it -

The Australian Curriculum, Assessment and Reporting Authority (ACARA) has confirmed an option is available for jurisdictions to provide schools and students affected by connectivity issues to re-sit NAPLAN tests later in May.

However, after consulting with stakeholders on Friday including Catholic Education Tasmania, Independent Schools Tasmania, the Tasmanian Principals Association, the Australian Education Union and the Tasmanian Association of State School Associations, the Minister for Education and Training, Hon Jeremy Rockliff MP, has decided that the benefits of resitting the test are outweighed by the potentially negative impact on learners and teachers.

As a result Tasmanian government school students will not be asked to re-sit NAPLAN.

This decision will allow Tasmanian government schools, students, teachers and parents to move past NAPLAN testing and to continue with the 2019 school year.

NAPLAN is a snapshot in time of a student's learning and should not be treated as the only indicator of student progress.

The Minister has requested that advice be prepared for the National Education Council to consider any impact to NAPLAN 2019 reporting from these disruptions, and to ensure any students whose tests were disrupted are not disadvantaged.

Mr Rockliff, when those problems occurred, was very quick to say that Tasmanian students did not have to resit the test. Perhaps he is not so wedded to the benefits of NAPLAN after all, knowing full well that it is a big deal for schools to administer. It is a high-stakes test, as I outlined in my previous points. He wanted schools to move on with the school year, which I think was a sensible decision at the time. I am not criticising the decision - I think it was a good one - but it perhaps highlights that Mr Rockliff is not so wedded to it himself, being so quick to do that.

Point (4) of the motion is -

Acknowledges education expert David Gonski's comments regarding limitations at the classroom level where NAPLAN reports on achievement rather than growth and the results are six months old by the time they are released.

In July 2017, the Australian Government established a review to achieve education excellence in Australian schools. The review panel, headed by David Gonski, consulted with a broad range of stakeholders and experts, and received nearly 300 submissions from teachers, principals, professional associations, teacher unions, parents and carers, school systems, state and territory governments, researchers, universities, community organisations, and business and industry. The comprehensive report highlighted three priorities.

Priority 1 was to deliver at least one year's growth in learning for every student every year.

Priority 2 was to equip every child to be a creative, connected and engaged learner in a rapidly changing world.

Priority 3 was to cultivate and adapt the innovative and continuously improving education system.

There were 23 recommendations and 17 findings. Just as an aside, if members are interested in education systems and system change, they should flick through that report. In many ways it describes what Australian education should look like now, not in 10 years time.

A recalibration of the curriculum to put more emphasis on general capabilities like literacy, numeracy, information and communication technology, critical and creative thinking, personal and social capability, ethical understanding and intercultural understanding is well past time. Mr President, as an aside, I was fortunate to visit Burnie Primary School recently.

Ms Forrest - In my area.

Mr WILLIE - Yes, in your area. The acting principal, Andrew Woodard - and I know there are departmental staff here - was very good and knowledgeable about student learning. The school has a fantastic program based on the general capabilities they are doing in primary schools around career education. They are particularly focusing on the science, technology, engineering, arts and mathematics - or STEAM - program, with a focus on the general capabilities that are transferrable in any job. I was impressed to see something like that reaching so far down into primary school, not just with the senior students in the primary school, but I think most of the classes were participating in it. It is forward thinking, and I would love to see more of it in primary schools. These conversations are happening nationally; there is a recalibration taking place and some schools are very quick to jump on board.

On page 62 the report notes the National Assessment Program - Literacy and Numeracy and the Programme for International Student Assessment provide a useful big picture view of student learning trends across Australia and the world, but had limitations at the classroom level. They report on achievement rather than growth and at present in the case of NAPLAN, the results are six months old by the time they are released and the test is only administered at years 3, 5, 7 and 9. That is pretty telling. When I was a teacher, the students would sit the test in May and you would not get the results until October. It has improved slightly now. This is supposed to be a diagnostic tool for teachers and the year is nearly over by the time they have the results. There is grade group planning and planning for cohorts, but as it sits at the moment, it is not a very responsive test.

On a way forward, submissions like the one from the Victorian Department of Education and Training said -

There is scope for new, consistent, high quality and easily deliverable formative assessment tools to help drive improvement in the outcomes of students in classrooms across Australia by providing teachers with access to real-time achievement data to inform their teaching.

There is a clear distinction here between the formative tests which teachers will call assessment for learning and being able to track that progress, and a summative test, which is generally a standardised test that measures achievement.

The review to achieve education excellence supported this stance. Teachers in Australia would benefit from a new online formative assessment tool calibrated against learning progressions that measures student attainment and growth in attainment levels over time. The tool could also suggest for consideration by the teacher potential interventions to build further progress. Such a diagnostic tool would help teachers tailor teaching to maximise student learning growth without adding to their administrative burden.

Many submissions supported the development and use of such a tool, including one from the Tasmanian Government. Teachers need to have the tools, knowledge and ability to assess the learning needs of their students and to put in place and execute plans that maximise the learning growth for each student. Teachers require practical support to assist them in their work with students. For example, improving the national repository of formative assessment resources and tools will provide substantial benefits, particularly for smaller jurisdictions.

The report went on to make findings to reflect some of the submissions -

Finding 5 - reporting against year-level achievement standards hides both progress and attainment for some students and does not amount to a diagnostic assessment of real learning needs which, if met, would lead to growth in learning.

Adopting assessment and reporting models that describe both achievement and learning growth does not mean we are accepting a lower standard of achievement. On the contrary, assessing and reporting that encompasses both is more likely to encourage students to strive for greater achievement.

For more advanced students, monitoring a student's rate of progress and attainment ensures adequately challenging learning targets have been met rather than assuming year-level standards are sufficient.

For less advanced students, reporting arrangements focusing on learning attainment and learning gain provide encouragement to improve while acknowledging that moving closer to their peers may require a sustained higher rate of improvement over many years -

Finding 7 - there is compelling evidence, in Australian schools and internationally, that tailored teaching based on ongoing formative assessment and feedback are the key to enabling students to progress to higher levels of achievement.

To relate this back to the comprehensive review on NAPLAN, as I am highlighting, there are other options to consider in a future national assessment landscape. An exploration of these tools has a widespread support, as finding 19 of the Loudon report mentioned earlier also acknowledges. It states -

There is widespread interest in the development of on-line, formative assessments based on learning progressions.

I know we have had a number of issues with technology, but there is no reason, if this wanted to be pursued at a national level with the support of the states, that those issues cannot be worked out in the long term. Under NAPLAN as it currently stands, some of those tests did not come online until 2011, when it was started in 2008. You can have a transition period, but we are not in that conversation.

Point (5) of the motion reads -

Notes that NAPLAN data published on the MySchool website is being used as a school rating tool rather than a measurement of student progress.

The NAPLAN Reporting Review issues paper states -

The My School website was designed in the context of the 2008 Melbourne Declaration of Education Goals for Young Australians, in which State, Territory and Federal Ministers with responsibility for school education committed to public reporting on the performance of individual schools.

In 2009, the Ministers agreed on a set of principles and protocols for reporting on schooling. Four general principles were articulated in the agreement:

Principle 1 - Reporting should be in the broad public interest.

Principle 2 - Reporting on the outcomes of schooling should use data that is valid, reliable and contextualised.

Principle 3 - Reporting should be sufficiently comprehensive to enable proper interpretation and understanding of the information.

Principle 4 - Reporting should involve balancing the community's right to know with the need to avoid the misrepresentation or misuse of the information.

In addition to these four general principles, the ministers agreed on a further four principles reflecting the specific interests of schools, parents and families, the community and school systems and governments.

Principle 5 - Schools require reliable, rich data on the performance of their students because they have the primary accountability for student outcomes.

Principle 6 - Parents and families need information about schooling, including data on the performance of their child, schools and systems, to help them to develop informed judgements, make choices and engage with their children's education and the school community.

Principle 7 - The community should have access to information that enables them to understand the performance of schools and the contexts in which they perform and to evaluate the decisions taken by governments. This ensures schools are accountable for the results they achieve with the public funding they receive, and governments are accountable for the decisions they take. The provision of school information to the community should be done in such a way as to enhance community engagement and understanding of the educational enterprise.

Principle 8 - School systems and governments need sound information on school performance to support ongoing improvement for students and schools. They also need to monitor and evaluate the impacts of the use and release of this information to improve its application over time, and to assess and address the outcomes for schools and their students resulting from the public release of this data.

These principles were no doubt developed with good intentions, but as the national Australian Education Union - AEU - submission stated -

The National Assessment Program Literacy and Numeracy was never intended as a vehicle for the public comparison of results of individual schools, and the ability of parents to use My School to compare and potentially select a school solely on the basis of the very broad, simplified and misrepresented results reported on the website allows for significant misrepresentation and potential misuse of its data. The availability of de-contextualised NAPLAN data for individual schools creates a particularly high stakes scenario for schools where reputation and enrolment numbers can hinge on a single year's NAPLAN results, and teaching and learning processes are distorted due to an overemphasis on NAPLAN results at the expense of the rounded and varied education teachers would prefer to provide.

The AEU came to six policy conclusions in its submission.

- (1) The 2018 NAPLAN test cannot be validly used for comparison data processes such as My School deploys.

- (2) My School data can only be refreshed with a new longitudinal starting point when all students are using the same assessment mode.
- (3) The original stated purposes of NAPLAN and My School have been terminally corrupted.

That is pretty strong language.

- (4) The My School website causes great social harm, especially to our most vulnerable students and schools.

I wrote an opinion piece in *The Mercury* on this point. I noted there are people in my electorate I know - financially well-off families - who go on the internet, look at the school league tables and the NAPLAN results and self-select a school. You cannot blame parents for wanting to do that, but what impact is this having on our education system and local schools? A comprehensive review would be able to look at some of those sorts of things. Ask any teacher and they will tell you the same thing is happening -

- (5) The website is incompatible with contemporary policy approaches to privacy rights.
- (6) Alignment with the 2018 Gonski 'Growth to Achievement' approach provides a framework for resolving the profound problems that NAPLAN and My School have caused.

While the AEU submission was particularly strong, a few recommendations from the Loudén report reflect stakeholder concerns. We should listen to the workforce. They are on the front line, working with students and parents every day and they have seen the impact of these policy decisions.

The Loudén report, which was presented to the Education Council, also reflected some of these concerns. Recommendation (1) was that 'the number of NAPLAN displays on My School be reduced'. Recommendation (2) - which is applicable to this point in the motion - is that 'the focus of NAPLAN displays on My School should be student gain, not statistically similar school comparisons'. Recommendation (5) was relevant to this point also - 'that school systems publish school-level NAPLAN data in ways that reduce the likelihood that third-party NAPLAN-based school league tables will be produced'. Recommendation (6) was that 'in order to reduce the risk of misuse of NAPLAN data, clear guidance should be provided to schools, the public and students about the purposes and proper uses of NAPLAN and My School'.

There is some evidence to support that point in the motion. We have the principles I outlined at the start, the AEU saying it has been terminally corrupted and a report commissioned to the Education Council making recommendations that reflect some stakeholder concerns.

Point (6) of the motion -

Notes there has been a decade of unhealthy debate on standardised testing with little improvement as a result.

This point speaks for itself; however, I emphasise that the inertia created by NAPLAN each year is actually holding us back. For the parliamentary record I will read in our gains or declines in each area over the decade.

Year 3 in reading since 2008, we have improved by 2.2 per cent. In writing in year 3, up 0.7 per cent since 2011. Spelling in year 3, down 2.9 per cent since 2008. In grammar and punctuation in year 3, up 1.7 per cent since 2008. Numeracy in year 3, down 1.4 per cent since 2008. Year 5, reading, 3.4 per cent up on 2008; writing for year 5, down 0.2 per cent since 2011. Spelling for year 5, up 0.8 per cent on 2008. Grammar and punctuation, down 2.5 per cent on 2008 for year 5. Year 5 numeracy, up 1.4 per cent on 2008. Year 7, reading, down 1.1 per cent on 2008. Spelling, down 1.3 per cent on 2008 for year 7. Grammar and punctuation, down 1.4 per cent on 2008 for year 7. Numeracy, down 3.5 per cent on last year and 2008 for year 7.

Finally, the last grade cohort, year 9: reading, down 3.3 per cent since 2008; writing, up 3.2 per cent since 2011; spelling, on par with 2008; grammar and punctuation, down 1.6 per cent on 2008; and numeracy, up 3 per cent since 2008.

If you look across those indicators and if you put stock in NAPLAN, which clearly the Tasmanian Government and the federal government do, you could best describe those statistics as static despite the best efforts of everyone over the decade.

We should be asking questions about this. It is not, as a diagnostic tool, driving improvement. The statistics are very clear over the decade.

Point (7) of the motion will probably promote the most discussion from members -

Calls on the Tasmanian Government to join the 'breakaway' review that will report back to the Education Council.

I have detailed many areas that can be looked at in the review. I will not go back over those but I may need to in my summing up.

I am sure the Department of Education and Mr Rockliff could provide valuable input into this review, into its terms of reference. I want them to be in the discussion; that is my bipartisan offer. I worked for the department. There is a fantastic resource there, and I know Mr Rockliff is committed to improvement. I cannot understand why they would not want to be at the table.

It is time for us as a state to acknowledge the growing sentiment that NAPLAN in its current form is not driving the improvement we all hoped for. I conclude by saying I am aware that the terms of reference are still being finalised and that New South Wales Minister for Education, Sarah Mitchell, who has been driving some of this agenda, is writing to all jurisdictions to seek their interest in being involved. All it would take is a piece of correspondence from our Education minister to accept.

On that note, I look forward to other members' contributions.

[3.12 p.m.]

Ms FORREST (Murchison) - Mr President, I thank the member for Elwick for bringing this motion forward. It is a really important topic. I have had a number of representations from my constituents on this matter, not just since the report was tabled but beforehand as well. I will be

reflecting particularly on that feedback. The member for Elwick has gone through a lot of the Tasmanian background to this. I will come back to some of those points.

I note it is very difficult for public servants to speak out publicly regarding their concerns on government policy so I believe the comments I make here reflect only the very tip of the iceberg. There are many more teachers and principals in Tasmania who share similar views and concerns as those I will raise.

I assume the member for Elwick is talking about different people from those I have been speaking to, being from different parts of the state.

Mr Willie - The State Service Act makes a lot of them nervous, but they will talk to you privately.

Ms FORREST - Yes, that is what I am saying. Retired teachers too will sometimes speak up. I do not intend to address each point of the motion separately as the member for Elwick has done this; I intend to speak in broader terms.

A number of current and former teachers have informed me that they have been long-time opponents of NAPLAN in its current framework and how it is applied for a number of reasons. A former, now retired primary school teacher in the north-west provided her views to me. She indicated that standardised testing is appropriate when the aim is to inform teaching, and inform planning, monitoring and assessment of student growth over time, which is underpinned by an understanding that students of the same age and the same year at school can be at very different levels in their development and learning.

She also suggested that a good assessment process should enable teachers to tailor their teaching to the needs of the individual student, allowing them to advance and progress regardless of their starting point. At that point I am in furious agreement with her.

A good assessment should provide an overall description of the types of skills mastered and those still to be developed, based on the test performance, leading to an effective and targeted learning program and improved outcomes for all students. Isn't that what we want for all of our children?

In my constituent's view, a view shared by me and many others, NAPLAN as it is currently being conducted does not achieve these outcomes. My constituent suggested that the only people for whom NAPLAN is useful are the statisticians, the writers, the publishers and booksellers of the plethora of books on how to practise and pass NAPLAN; the parents who use results to choose a 'good school' for their children; and, last but not least, the government, which uses the results to denigrate teachers. That is her view, but it is shared by many others.

I know the member for Elwick referred to many of these matters, but this is the reality teachers are facing in the classroom. I believe these views are widely shared; it is not just a small group of renegade teachers. I support the motion calling for the Tasmanian Government to join the breakaway - as it is called - review that will report to the Education Council. The member for Elwick outlined the process that would be required for that in his closing comments. I believe there is still time to get involved. We should be at the table with these things; we should be there. Tasmanian children are just as important as any other child in the country and Tasmania's voice should be there.

In saying that, I do not support this lightly. As I know, we need to ensure that education of our children is effective and contemporary. It also needs to be adaptable to meet the needs of the individual child and acknowledge the uniqueness of each child.

I have studied the education systems in some of the best performing countries around the world, including the Scandinavian countries, particularly Finland, which I have visited twice to meet with those involved in education there. I will comment more on that a bit later.

First, I would like to explore some of the problems with NAPLAN, as viewed by those at the coalface - that is, in the classroom. Although I will repeat some of what the member for Elwick has said, I will continue because it is important for me to put my constituents' views clearly on the record too.

The view is that it does not inform teaching and planning as the results arrive months after the test, so that you do not get that rapid feedback and response. Results, when they do arrive, are inconclusive and do not contain sufficient information to target the skills required for growth and advancement. The online testing would be laughable if it were not for the distressed calls to both teachers and students in its inception. The member for Elwick alluded to this.

The following are some of the problems encountered by some of the teaching staff I spoke to: an inability to log on; a lack of ICT support personnel when problems occurred; constant dropouts; students with insufficient typing skills to finish the test in a timely manner; children with learning disabilities being set up to fail; and so it goes on.

In this current age, we expect and demand high-quality, high-speed and reliable access to fast internet; however, in many parts of the state, particularly in my vast electorate, this is, very sadly, not the case. Personally, I have regular issues with internet in my office in the main street of Wynyard, and I am sure my electorate officer, who is here today in the Chamber, would vouch for that.

Furthermore, some excellent standardised tests have been available for at least 20 years that some teachers have used to their benefit, helping them identify and plan for varying ability levels within a one-year group for the students or, in the case of composite classes, trying to meet the needs of that broader range of students in their class.

I am informed that these tests that have been used on an individual basis are now available online, including the ACER progressive assessment test - or PAT - where the results are available in a timely manner and provide useful diagnostic results which inform teaching and planning for all ability levels. Teachers are out there using these sorts of mechanisms to guide their practice and to get that immediate feedback so they can directly target or address the needs of their individual students.

I will share some of the feedback which I see more specifically related to points (3) and (4) of the motion.

Points (3) and (4) of the motion -

- (3) Is concerned that this year's NAPLAN testing encountered a range of difficulties – with students hampered by technological issues in Tasmania and across the country;

- (4) Acknowledges education expert David Gonski's comments regarding limitations at the classroom level where NAPLAN reports on achievement rather than growth and the results are six months old by the time they are released.

I was told that when the school implemented NAPLAN online for the first time, after doing two practice sessions in 2017-18, the staff were assured that all technical difficulties would be worked out, and all the technology in the schools would be up to the task by 2019. For the four months before testing took place, a school in my electorate was having constant NBN dropouts, leaving the school with not just poor internet access but no internet access.

Most of the desktop computers were over five years old. Staff were concerned about dropouts during the test, and how the hardware would hold up with so many students online at one time. One teacher informed me that they also had a feeling ACARA may have felt the same, because every school was sent a complete set of the test books in paper form, none of which were used.

Understandably, this did not inspire much confidence in the process to begin with. It is staggering to think of the cost involved in producing booklets for every grade and test nationwide that were not used and were sent back to be shredded.

The other concern is that some schools, especially in my electorate, do not have an IT specialist onsite to support the school during the testing period. All technical difficulties were to be solved by staff members supervising the test. Training for implementing these tests and troubleshooting was conducted in-house and by reading the instruction manuals as mandated by the department. The teachers were having to do all of this. They are not IT technicians. They are teachers who are trying to teach the kids, supervise the test and fix all the IT problems.

I can only imagine how stressful this was for those teachers supervising the test, who were more rightly concerned about the welfare of their students, but instead were diverted to and distracted by the need to fix internet dropouts, find sound tests that were not working, deal with broken headphones and ports, screens blanking out and so on. This in every test across every grade. In one school I was talking to, there were numerous issues where student tests had to be paused to sort out technical issues of some sort.

While some students are very flexible and tended to take it in their stride, many students were put off by this - particularly when it was happening during the test situation.

One teacher informed me that with all of this, they thought they were lucky to only have two or three students in tears, which is awful when you put this into context. No child should be crying at school.

Another key concern related to the inequity of the test and its implementation. In paper form, if a question is too hard, a child can see other questions that may be more accessible to them and attempt them first to build up their confidence before proceeding. This is not possible in the online format. Students can skip questions but they can only see one question at a time. In the reading question, many of these are linked to one text.

A student who was not a confident reader was presented with a grade 5 or 6 text as the first part of the reading test. The child was presented with a wall of small-sized text to read and scroll

through. According to teachers supervising the test, there was a real risk they would immediately shut down in this situation and proceed to have a meltdown. It is just too overwhelming.

When this has occurred, staff members would talk to the child and encourage them to have a go and skip over the questions. In this one specific example of the reading task, all eight of the next questions were to do with the text, so they would have had to skip eight questions. You can understand how, in such circumstances, a child will not fully recover from this. It will certainly have an impact on their final result.

If it had been a paper test, the magazine starts with the easiest text and proceeds to the hardest. Students can see at a glance which text they can access and it gives them more confidence, so they can move backwards and forwards throughout it.

I am informed that the reading test, which is completed second, determined which spelling words students would access in the language conventions test. While reading levels can indicate the spelling levels of some students, it is not a consistent correlation that a good reader is a good speller. If this is a fair test, should not all students receive the same questions? This has been explained to me by people who are actually supervising the test and understand how it works.

It seems an odd way to do it. There may be some good research backing this, but it seems odd to me. In the writing test students receive different prompts and stimulus as well, but still the same text structure.

I understand and appreciate the randomisation of the questions in an online setting, particularly to prevent possible cheating, but I question how fair and equitable this approach is. I also question how the marking can be compared if not every student is completing the same questions in the test. If standardised results are the goal, how does this work?

These sorts of tests are quite appropriate on an individual basis where you are getting immediate feedback to then guide your teaching. That would not be a problem.

With regard to point (4), teachers I spoke to said Gonski is correct. We are constantly told NAPLAN is a valuable teaching resource and able to be used to identify need and future planning. The test itself is well structured and links well to the curriculum.

Teachers will often use parts of the test, particularly in maths, to test if a concept has been understood. It is a useful tool. I am not saying it is not a useful tool. NAPLAN marking guides can be used for teaching and assessing narrative and persuasive texts because they are comprehensive and well researched. This is a key issue because standardised test information is not reported back related to the test in time to make it useful for teaching practice and to focus on the identified areas of need.

Teachers who have marked NAPLAN papers in the past informed me all papers are marked and the results are sent back to Australian Curriculum, Assessment and Reporting Authority within a month. However, teachers do not get the results until at least September and in the past it has been delayed until October, which the member for Elwick referred to.

I understand it is a bit better, but there is still a gap between the test and having a young grade 3 child remember back to what they said, and then teach them on the basis of this, is not easy. I am not a teacher, so I am not assuming anything about the actual application.

The reason for the delay is to gather and smooth the statistics so they look presentable to stakeholders. This would have been a much tougher job this year, because not all students received the same time to complete tasks due to the constant interruptions, for example, in their online access.

I am informed teachers would rather be given the raw data as soon as possible so they can work with their students. For example, if four students struggle with fractions and five did not understand speech marks, this is information teachers can work with right away and target their teaching to make sure the students are not missing key messages and key learnings.

If the making of rubrics for the writing were provided almost immediately after testing, the teachers would have a huge amount of information to work with in regards to spelling structure, language conventions, grammar and more.

Teachers are professionals and able to analyse data and results to achieve better teaching outcomes. It is part of their core business every day, giving students feedback and reflecting on their practice and how best to improve student outcomes. By not providing this information in a timely manner and then complaining teachers are not doing their jobs by not using the information to improve outcomes must be extremely frustrating and demoralising for teachers who genuinely care about and value students and seek the best educational outcomes they can for each child.

Talking to teachers when the NAPLAN results are due, I know the anxiety they feel about how they are going to be judged based on the results of their particular school and students. One teacher told me they already use their own data collections, work samples, observations in class testing, putting in post-test diagnostic tests, conferences and so on to provide individualised programs and to set further goals for students. NAPLAN could work with this in some of these issues, if the issues with NAPLAN were addressed.

One teacher provided an excellent example of NAPLAN versus teacher-collected data. In this teacher's first year of NAPLAN, they had a student with learning difficulties who participated in the testing as the child was not eligible for exemption. This child had a DE average and was working at least two years behind in all subject areas. They could not comprehend the test questions and resorted to guessing the answers just to finish the test. The teacher was sitting with the student who was talking through why they were choosing the answers. When the results were released, the student received average scores throughout, with some being slightly higher. This resulted in a very awkward conversation with parents to explain the NAPLAN results and what was happening in the class, she said, or the reality.

It lacks rigour if you undertake the test that way. Some of us may remember doing multiple choice questions over the years and some of it is guessing.

The teachers have copious amounts of testing, observation, work samples, diagnostic testing et cetera to provide an evidence of the student's learning abilities and were able to demonstrate to the parents how the information they had collected was informing their individual learning plans. This child I was talking about basically guessed the answers,. Unfortunately, because NAPLAN is so widely discussed in the community and in the media, some parents believe it is more important than other pieces of work teachers gather daily.

NAPLAN, in my view, is a tool and when used well it can be effective in highlighting areas of need. If the results are used in conjunction with all the other data teachers collect throughout the year, it can provide a more balanced view of students and class progress - that is, if teachers can get

the information as soon as it is marked. It needs to be provided much more quickly after the test to make it meaningful.

Many teachers are feeling very concerned and stressed out about how NAPLAN is being used, saying that it is such a huge issue and is becoming more detrimental every year to the health and wellbeing of students and teachers, especially with how politicised it has become and how much airplay it gets in the media.

Teachers work very hard in schools to make it as stress-free as possible for the students and to remind them that their work is more than a mark on the standardised test. I want to acknowledge the hard work that teaching is. It is one of the most important jobs that anyone can do. We undervalue teachers in this country. When you go to Finland, for example, teachers are one of the most highly regarded professions. You have to have a master's degree before you can step into a classroom. They take the best of the best students into university education to be teachers. They are treated with the same respect as we tend to treat people like doctors and others at that level. It is a shame we, as a population, do not seem to have the same respect for teachers that the Finnish do.

I agree it is time for a reconsideration of NAPLAN and how the testing is used and how it works. I am not saying we should throw it out and I am not saying we should not do standardised testing. I am saying the way it is done and applied needs to be reviewed.

In preparing for this contribution, I read a number of articles about education and NAPLAN, including a paper by Dr Bob Lingard, published in the *Queensland Teachers Union Professional Magazine* in 2009. I know this is a teachers union and they are going to have a view, of course, but he did a long paper on NAPLAN 10 years ago. While there are elements of political commentary in this paper, which I know, I believe the points he raised 10 years ago remain relevant now. I will refer to some of his comments, but I encourage members to read his article if they want to get a historical context. He does some significant comparative analysis of global education policy and its application. I want to quote from a few parts of it. It is called 'Testing times: The need for new intelligent accountabilities for schooling' -

Recently, the Australian Curriculum, Assessment and Reporting Authority (ACARA) has been established to oversee these national involvements.

He is talking about when the Rudd government brought in the NAPLAN process -

Apart from investment in school infrastructure, the most obvious manifestation of the strengthened national presence in schooling and new national accountabilities is the National Assessment Program - Literacy and Numeracy (NAPLAN). NAPLAN entails yearly full-cohort standardised testing in literacy and numeracy at years 3, 5, 7 and 9, conducted in all schools in Australia. The outcomes of these results gain a great deal of media coverage and provoke cross-state and cross-school comparisons. Over the coming months, the federal government will also release 'like school' measures, comparing school performance for policy and practice interventions. They will also prepare league tables of school performance on NAPLAN.

It goes on to say -

Despite claims to the contrary, NAPLAN tests have quickly become high-stakes, with all the potentially negative effects on pedagogies and curricula.

It is named up back then as very rapidly becoming high stakes. Going to policy learning in other jurisdictions, in England and Finland, I will quote a couple of sections of this. He said -

In policy and political terms there is now some belated recognition of the negative effects of the dominant policy regime, with also some stepping-back from the absolute emphasis on high-stakes testing. Despite this, there remains an incapacity to move beyond the dominant policy paradigm of seeking to achieve better educational and equity outcomes through targeting linked to league tables of performance on high-stakes testing.

Having said that, the motivation for the Blair and Brown New Labour schooling reforms have been laudable -

This is in the UK.

... namely to improve educational outcomes for all students, and specifically to improve the outcomes from schooling of the most disadvantaged students, so as to enhance their life chances.

Yes, there has been a failure to recognise that it is the quality of teacher classroom practices that count most in terms of school effects upon student learning, and especially in relation to students from disadvantaged backgrounds.

I want to pause there because it is so important we recognise - and that is what the Finn recognise - the value of quality teaching. That is the biggest impact you can have on a child or a young person, particularly those from disadvantaged backgrounds.

He goes on -

Recognition of the importance of teacher classroom practices demands informed prescription at the policy centre, working with a culture of trust and respect of teachers and full support for teachers to develop and practise their professional judgements. In other words, the quality of classroom practices is what counts. This means that governments need to invest heavily in ongoing teacher learning. The evidence is very clear that high-stakes testing produces 'defensive pedagogies', ... rather than pedagogies of the kind described in the productive pedagogies research, which make a real difference to the quality of schooling outcomes.

He then goes on talking about Finland's approach -

The global trend, represented by the Anglo-American model, has been towards standardisation, while Finland retains flexibility and comparatively 'loose standards'. The global trend has been towards a narrowed focus on literacy and numeracy, while Finnish schooling continues to emphasise broad learning combined with creativity. Sahlberg suggests that the global education reform trend has been towards 'consequential accountability', where negative

consequences flow from the failure to meet targets, while Finland works with intelligent accountability and trust-based professionalism.

Moreover, Finnish teachers have high status. Teaching is a highly respected profession and an attractive career option for high-achieving students at the end of secondary schooling. Teachers in Finland are comparatively well paid. They also have master's degrees with a good number of principals having doctorates. There is a real valuing of learning for all associated with schooling. Teachers have a considerable degree of professional autonomy. There is no high-stakes testing. While teacher pedagogies appear to be teacher-centred, they are intellectually demanding. There are only government schools. In a sense all students attend the same school. Finland has a low Gini coefficient of social inequality. That is, it is a relatively egalitarian society with a high degree of equality. But Finland is also a small and relatively ethnically homogenous society. This suggests the need for some caution in borrowing or learning from Finland.

I want to read that last bit in - you cannot just pick up what the Finns are doing and drop it in here, it is a completely different system. But the key messages are there. I encourage members interested in this to read more about that. This matter is not only a Tasmanian issue either. The member for Elwick talked about some of the other states who are looking at this - what is it called, a breakaway group - to look at how NAPLAN is applied. Even in the process those other states are suggesting, I do not believe anyone is saying NAPLAN has no place, or there is no place for standardised testing. What is being questioned is whether the current approach is meeting the needs of our students and resulting in improved educational programs that meet the needs of students in a timely manner.

There was an interesting opinion piece in *The Age*, written by Adam Voigt, a former school principal, on 28 August from which I want to quote a couple of sections. He wrote -

Can you imagine the Federal Minister for Health, Greg Hunt, decreeing to the masses that, due to some concerns about hospital performance, we're regressing to the treatment of patients with leeches?

'Sure,' he'd say. "We know that this is a tool of a bygone era and that there's zero scientific proof that it works. We know the professionals who will use the leeches despise the idea, but we think we know better. It's time that our hospitals got back to basics."

Well, that's effectively what Victorian education minister James Merlino is doing in response to some disappointing data about year 9 performance in NAPLAN in our state.

His idea to attach year 9 NAPLAN scores to their future job applications does nothing more than increase the damage that this failed tool is causing as we all attempt to build a better education system.

NAPLAN is dead. It has been for years. If there's even a shred of relevance in the results released this week, it's a celebration point for Merlino. Victoria leading all states in seven of the 10 general categories for primary schools. Last year we led in only four of those categories.

The work that Merlino's government primary schools have done in achieving this should be his chance to shower them with champagne atop an educational podium. But they've achieved this despite the outrageous pressure applied by the NAPLAN blowtorch, not because of it.

NAPLAN has failed because of one key misuse of the tool: we publish the data. This creates an environment of competition and fear across our education sector, which results in schools focusing on the test and hoarding successful practices when they should be sharing them.

I agree with that point. If we are going to do the best for our students, if someone has a good idea and it is working, a teacher has success with a particularly difficult circumstance with children with their learning, we should be sharing that. I am sure teachers would prefer to do that but this makes them want to hold it close to their chest. We do need to use data to assist all students and support teachers to undertake their vital role. Mr Voigt continues -

NAPLAN was supposed to help teachers spot areas of opportunity and risk. But NAPLAN has pitted our schools against each other and distracted from a true educative pursuit.

Having spoken to parents and teachers about this point, it is safe to say that similar things are happening in Tasmania. Mr Voigt continues -

Schools are already obsessed with the May madness that NAPLAN represents and petrified of the accountability that comes with any slip in results.

Only recently, I spoke to a principal who was already preparing for how she would explain away the performance of a struggling year 2 cohort who won't even sit the tests until next year.

When you're a government school that takes all comers, occasionally a year level comes through with more kids with special needs, more kids living with trauma, more kids with learning impairments and more kids whose parents struggle to send them to school ready to learn.

That is the reality we also face that in Tasmania. Many in my electorate, and I know others too, can have cohorts of students who have come through with an extraordinarily high incidence of trauma or special needs. Some of these families and students have moved here from the mainland for their own protection. We can only try to imagine how hard it must be for these young children and their teachers who do a remarkable job in simply helping them to feel safe in the new location before they can begin to learn. I have talked to teachers in schools in my electorate where this is the case. This is the reality. These kids are hypervigilant. They have come from a really unsafe place.

A child- and student-centred focus must remain our priority in any policy we develop and use, and the same must apply to how standardised and other testing of students is applied. Mr Voigt also said in his article -

We shouldn't be judging this school or its early childhood educators and compelling them into excuse making 12 months in advance of an inevitable outcome. They've got better things to do.

We should be congratulating them on the important nation building they do by preparing these kids for a better life.

Mr Voigt, in that opinion piece, was responding to an article in *The Age* published the day before. It was reported the Victorian Education minister will push for a dramatic overhaul of NAPLAN, including linking the tests for year 9 students to future job applications -

James Merlino said it was clear year 9 students were stubbornly disengaged from the national reading and numeracy test, as preliminary results for 2019 revealed a lack of improvement in literacy and numeracy at that year level.

He has proposed the creation of a new proficiency certificate tied to year 9 students' NAPLAN results, which would reveal their proficiency in numeracy and literacy to would-be employers.

...

He said the certificate would give the test relevance to students as they approach their senior school years, guiding them in their VCE subject selection.

An advisory committee of principals from government, Catholic and independent schools will immediately begin assessing the proposal, among other options to make NAPLAN more relevant to year 9 students.

Mr Merlino has also proposed changing the years students sit the NAPLAN test from years 3, 5, 7 and 9, to years 4, 6, 8 and 10.

The Andrews government will put the proposal to change the test years to the NSW and Queensland governments, which are conducting a breakaway review of NAPLAN with Victoria to determine if it is still fit for purpose 11 years after it was established.

Mr Merlino said a test in year 6 would provide timely information about a student's proficiency in the year before the move to secondary school, and a year 10 test would be similarly useful ahead of VCE studies.

This is the point I am hearing from teachers around Tasmania; they need timely access to data to enable them to focus on areas their students need more assistance with. The article also notes -

The annual literacy and numeracy tests have been plagued by controversy since they were introduced in 2008. Critics argue they create anxiety among children and drive unhealthy competition between schools

The Australian Education Union reiterated its call on Wednesday for NAPLAN to be discontinued and replaced with 'a new assessment strategy that has students and teachers at its heart'.

'Teachers and principals cannot trust NAPLAN or the results it has produced,' acting federal president Meredith Peace said.

But Federal Education Minister Dan Tehan said NAPLAN continued to provide a crucial tool for parents to understand how their child is progressing.

'We now have rich NAPLAN data on the literacy and numeracy standards of Australian students at key points in their schooling', Mr Tehan said. 'Today's results show that since testing began, progress has been made in most areas but there remains room to improve, particularly in the high school years.'

Victorian Curriculum and Assessment Authority chief executive David Howes said NAPLAN was a test of a student's performance at a point in time, not of their overall ability.

'NAPLAN shouldn't be a great source of stress and anxiety; it shouldn't be regarded by students as being determinant of their future,' he said.

'Our message to parents and students is: make sure you check results with a teacher who has knowledge about the student's level of performance.

'Sometimes the teacher can show data that shows it does not reflect what they are doing day to day.'

Those last few messages are really important. We are not saying chuck out standardised testing. Maybe NAPLAN is not fit for purpose in its current form. Yes, it is time to have a look at it. I support that call to have Tasmania involved in a full, really inquiring review to look at what other options there might be.

The key message I am hearing from teachers and parents is not unique to Tasmania. As I said, I am not suggesting we do away with the standardised testing, although I have a view that this should not be introduced under the age of eight years. NAPLAN is currently not used until after this age. It must provide a student-centred approach to education that provides timely and meaningful data to teachers to assist them in their crucial role as educators of our children and grandchildren.

As with all practices and policies in areas such as Health and Education, these must be regularly reviewed and tested against available evidence. The adage 'If we always do what we always did, we will always get what we always got' is true in considering the basis of this motion. I acknowledge and I am happy to support the motion, including the call for the Government to be proactive and to join a breakaway review that will report back to the Education Council.

In my view and the view of many closer to this than I am, it is time for full, comprehensive review that takes into account all aspects of this motion before us. It does not mean that we are going to be throwing NAPLAN out, but it does mean we are at the table if changes are to be made.

[3.49 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, the Government supports a valid, reliable, standardised and transparent national approach to measuring student performance. NAPLAN is an annual assessment of students in

years 3, 5, 7 and 9 and has been part of the school calendar since 2008. It is important for us all to remember that both state and federal governments agreed some form of benchmarking to drive accountability in education was necessary. NAPLAN tests the sorts of skills essential for every child to progress through school and life, such as reading, writing, spelling and numeracy. The assessments are undertaken nationwide every year in the second full week in May. It should be recognised that without a standardised test such as NAPLAN, we would not have had a comprehensive snapshot of student achievements in literacy and numeracy throughout Australia for the past decade.

The Grattan Institute report released last October indicates after adjusting for Index of Community Socio-Educational Advantage, Tasmanian students' progress is generally similar to the national average. The report suggests Tasmanian schools on average are punching above their weight. They are not doing a bad job, or rather they are doing a tough job well. Literacy and numeracy skills are the foundation for achievement in all areas of learning and one of the four goals of the department's strategic plan. The department continues to build teacher capacity and support students' increased achievements in literacy and numeracy. Tasmania's 2019 preliminary NAPLAN results released recently show Tasmania is building on improvements seen in recent years with years 3 and 9 writing showing strong improvements from last year. Tasmania's results in reading at all year levels indicate that this, along with writing, is one of our strongest domains. In all other assessments Tasmania's results were statistically comparable to 2018.

While the results overall are encouraging, they also show numeracy and spelling remain an area for future focus. To this end, a literacy framework for the department has been developed. The framework outlines high-level actions to improve student outcomes in literacy. As part of this initiative, every government school currently has access to a literacy coach. Coaches work within an inquiry model to support school improvement. Furthermore, lead coaches have been appointed to support the important work of these specialists. Other initiatives developed to support improved literacy and numeracy outcomes for students include Learning in Families Together; members might be aware of the LIFT program - it supports schools with the highest need. LIFT uses family engagement principles to work with families to ensure children from K-2 have the best start and the fundamental skills necessary for positive literacy and numeracy outcomes. The Middle Years Literacy Project supports professional learning for years 4 to 8 teachers in associations of schools across the state with a focus on supporting students to transition from primary to secondary schooling.

With regards to Tasmania's participation in NAPLAN online in 2019, approximately 25 000 students in years 3, 5, 7 and 9 from all government, Catholic and the vast majority of independent schools completed online tests focusing on reading, writing, language convention and numeracy. Over 90 000 of our students' online assessments were successfully submitted to the online assessment platform. The tailored testing design of the online assessments where the questions a student receives depends on the answers to previous questions meant students responded to items suited to their ability. One of the notable differences this year was more students answered more questions correctly compared to previous years with paper-based testing. It is important to note schools benefit from access to a complete set of student achievement data to inform teaching and learning prior to publication on MySchool. Publication of data on MySchool is a resource for parents, educators and the community to find important information about each of Australia's schools. The NAPLAN tests provide accountability and transparency and are a valuable feature of Australian education in all sectors.

Emeritus Professor William Loudon, who has been referred to before, has recently completed a review of NAPLAN data, reporting on the MySchool website. Professor Loudon's recommendations include reviewing the focus of data displayed on MySchool, and that in order to reduce the risk of misuse of NAPLAN data, clear guidance be provided to schools, the public and students about the purposes and proper uses of NAPLAN and MySchool. With respect to reporting on MySchool, the Education Council will consider options for implementing the recommendations of the NAPLAN reporting review at a future meeting this year.

Given that the COAG Education Council has already agreed to two reviews of NAPLAN to ensure that NAPLAN is playing its role, we do not consider it a good use of resources to undertake a further review at this time as proposed by three other jurisdictions. It just does not make sense to have a third review, especially given that all jurisdictions have not yet had the benefit of moving 100 per cent online.

There are just a couple of comments I would like to address through the member for Elwick's contribution. I think it was said that NAPLAN is not a good diagnostic test. The comment on that, to correct the record, is that NAPLAN is not designed as a diagnostic test.

Mr Willie - I said it was a summative test; it reports achievement but its original intent -

Mrs HISCUTT - He also said NAPLAN is a high-stakes test. In Tasmania, we do not consider it a high-stakes test. It provides information about what level students are achieving in literacy and numeracy, both in a school and a national context.

As members are probably aware, when students were affected by connectivity issues during NAPLAN testing this year, Tasmania decided not to make students resit the test. To put it into context, NAPLAN is a snapshot in time of a student's learning and should not be treated as the only indicator of a student's progress.

It was also said that NAPLAN testing does not serve its purpose. Work is underway nationally to develop an online formative assessment tool, initially for literacy and numeracy. This work is progressing well and this will complement the NAPLAN data. Schools in Tasmania use a range of data and assessments to support teaching and learning; for example, in Tasmanian government schools, a high number of schools at primary and secondary levels use the progressive assessment test to inform next steps in teaching and learning.

It was suggested that I offer a briefing so that members can find out how NAPLAN online is different to the paper-based testing, but there seemed to be a bit of confusion about how that is done. I can organise a briefing and members might like to speak to me later if they would like to take up that offer of a briefing.

There already seem to be two reviews by the Education Council. We do not think it is a good idea at this stage to have a third review. Based on that, the Government will oppose the motion to review NAPLAN.

Mr Dean - What are the two reviews?

Mrs HISCUTT - The COAG Education Council has already agreed to two reviews of NAPLAN to ensure that NAPLAN is playing its role. We do not consider it a good use of resources to undertake a further review at this time as proposed by three other jurisdictions.

Reviews are being undertaken at the minute and I do not think it makes good sense to put resources into another review at this time. For those reasons, the Government will be opposing the motion to review NAPLAN. I urge members to at least wait until the reviews currently underway are completed before we move down this line.

Mr Finch - Before you sit down, Leader, when you say not to put resources into this third review, has the Government been given a quantum of what resources would be asked for if we were to join in the review with the three other states?

Mrs HISCUTT - No, we have not been given that figure.

Mr Finch - Okay. Did you say we will not put resources into this review?

Mrs HISCUTT - It does not make sense to have a third review, when these other reviews are going on.

The Education Council has already agreed to two reviews of NAPLAN to ensure NAPLAN is doing its role and we do not consider it is a good use of resources to undertake a further review at this time.

[4.00 p.m.]

Mr VALENTINE (Hobart) - Mr President, I must declare up-front my wife is indeed a teacher of grade 1, but they do not have to deal with NAPLAN.

Ms Rattray - Just have to prepare the students.

Mr VALENTINE - They have to prepare the students for two years in front.

I actually applied for a teaching scholarship, and ended up as a research technical officer in agriculture. I was destined for grassroots employment and I am sure I have saved many students from a fate worse than death.

Mr Willie - You would have been a good teacher.

Mr VALENTINE - I do not know about that. I cannot even get you guys to split screens in Word and all that sort of thing.

Mr Dean - We know where all the commas go.

Mr VALENTINE - We know where the commas and the superfluous 'thats' are.

Obviously, being married to a teacher, coming up to 47 years, shows a degree of patience from my wife.

I spend a fair bit of time around teachers and they do a lot of talking, so I pick up bits and pieces. I have applied my mind to this, and when the member put it up, I thought I will have a little bit to say about what I have observed, more particularly during the whole education experience I had. I have been inundated with opinions from other teachers.

Looking at the first part of this motion which acknowledges the high-stakes culture that has developed around the National Assessment Program - Literacy and Numeracy skills testing system.

As a form of assessment, it is rather uncertain. It is only taken on one day, and you have to think about the student taking that particular test on that particular day. The result may not necessarily be reflective of the true capacity of the student who takes that test.

They may be unwell. It has already been stated they could be stressed due to being intimidated by the process. I can understand that. I hated exams. I really did. I did not necessarily appreciate going in to exams, sitting down, seeing everybody writing like crazy, thinking to myself, 'Am I writing enough or not writing enough? How am I performing compared with all the other students in that room doing the test?'

There are children with specific learning difficulties who may not be classed as special needs students and are expected to take the test. Without wishing to be too judgmental, schools in lower socio-economic areas are more likely to have a greater percentage of students with learning difficulties and therefore the overall ranking of the school, whether it is intended or not, is disadvantaged in the NAPLAN ranking system.

The system, therefore, has the capacity to stigmatise the staff and students in certain schools, if they get low rankings.

Parents looking at school performance and whether they should be sending their child there or not, might look at the rankings and think, 'Those teachers cannot be too good'. It may not be intended, but notionally happens - the system does have the capacity to stigmatise.

As for point (2) of the motion -

Notes that the Victorian, NSW and Queensland governments have agreed to band together and conduct their own 'breakaway' comprehensive review.

That is noted. The member for Elwick has covered that.

Point (3) of the motion -

Is concerned that this year's NAPLAN testing encountered a range of difficulties - with students hampered by technological issues in Tasmania and across the country.

I certainly heard a bit about that. As the member for Elwick pointed out, there were frozen screens, software malfunctions and systems needing rebooting. Some children had to resit the test as a result, with increased anxiety levels. Students being confronted with a system that is not working properly are going to be more stressed and therefore may not function as well as they normally would in a test situation. I think that is understood. The member for Elwick was bringing that out.

Point (4) of the motion -

Acknowledges education expert David Gonski's comments regarding limitations at the classroom level where NAPLAN reports on achievement rather than growth, and the results are six months old by the time they are released.

I have to agree with that. The test does not tell the teacher where the child has come from academically, just the level of achievement. It is hard to measure progress when you are just getting that information.

Point (5) of the motion -

Notes that NAPLAN data published on the MySchool website is being used as a school rating tool rather than a measurement of student progress.

I already mentioned that. I think it is just natural that parents will want to see how a certain school has performed.

Point (6) of the motion -

Notes there has been a decade of unhealthy debate on standardised testing with little improvement as a result.

Generally I agree with that. There is no overall benefit for the education of individual students. The data provided by NAPLAN may bear no relation to the results of regular assessments undertaken by teachers in the classroom to indicate levels of growth of individual students and may not be reflective of the student's capacity to learn.

The final part of the motion -

Calls on the Tasmanian Government to join the 'breakaway' review that will report back to the Education Council.

I find this a little difficult to put in those terms. The terms of reference are yet to be finalised. I do not think we could expect the Government to say, 'Yes, we will go ahead and do that' until it knows what the terms of reference are.

Mr Willie - 'Comprehensive' is the key word there, as the Leader highlighted. A review has been completed on the way the data is recorded. There is an ongoing review on the online NAPLAN, but they do not look at the test itself. It is a comprehensive review that will look at the whole landscape, whether NAPLAN has reached its original objectives, looking back as well.

Mr VALENTINE - I do not know that I am in a position to be able to categorically say the Government should go down that path. If it said, 'Calls on the Tasmanian Government to consider the merits of joining the breakaway review', I would not have a problem with that. Because then, when the terms of reference do come out, they would have a chance to look at them.

Mr Willie - What about being involved in the development of the terms of reference?

Mr VALENTINE - They could well be involved in the development of the terms of reference. But the way it is stated here, it says to do it. I have a little issue there. I do not know whether you

would be happy to receive an amendment 'to consider the merits of joining the breakaway review that will report back'. I am more than happy to move that amendment.

Mr Willie - You are right. I would not like to see the motion lost because of that very point.

Mr VALENTINE - It is like saying, 'We will do this but we do not know what the terms of reference are'. As you say, they have not had a chance to feed into those terms of reference.

Mr Willie - Three states have signed up under those circumstances to have input into the terms of reference.

Mr VALENTINE - But they are the Government; they are the ones who have to grasp this and do it. You cannot expect them to grasp and do it before the terms of reference are established. I do not know whether it is possible to consider that -

Mr Willie - I would rather the motion pass.

Mr VALENTINE - Mr President, with that possibly affirming statement coming from my right, I wish to move an amendment to the motion that calls on the Tasmanian Government to consider the merits of joining the breakaway review that will report back to the Education Council. Do I have to provide that in writing?

Mr PRESIDENT - Yes, the honourable member is required to provide that in writing.

Mr VALENTINE - Okay. Will I do it while I stand here?

Mr VALENTINE - Mr President, I move -

That clause 7 of the motion be amended to read 'Calls on the Tasmanian Government to consider the merits of joining the 'breakaway' review that will report back to the Education Council'.

Do I have to have this printed and seek an adjournment until I get that printed?

Mr PRESIDENT - Honourable member, if you pass your amendment on, we can start the process while you continue your contribution.

Mr VALENTINE - I have finished my contribution.

Ms Forrest - You need to keep talking until we can see it.

Mr VALENTINE - I will keep talking.

Mr PRESIDENT - We need to circulate your amendment and put that before continuing.

Personal Explanation

Mrs HISCUTT - Mr President, a point of personal explanation.

Mr PRESIDENT - The Leader on a point of personal explanation under standing order 113.

Mrs HISCUTT - This is more of a clarification, but I refer back to when I was talking about the two reviews that had been done. One review is still underway and one review has been completed. The recommendations are still being worked through as we speak. I hope that is helpful.

Mr PRESIDENT - Thank you for the point of clarification.

Mr Willie - I will clarify that for you by way of interjection.

Mr PRESIDENT - Order.

Mr VALENTINE - Mr President, as I have to remain on my feet until that comes back in print form, I could tell you a story about when I was at Dunally State School, which is my earliest education memory. I had to pass one of these wonderful exams to go to high school. It was called the Ability Test.

Mr Gaffney - Or lack of it.

Mr VALENTINE - It depends on how you went whether it was a lack of ability. I did pass it. I did not like that process, but I got through it. It is like anything in life. You put yourself up for office and you have to go through that gruelling situation where you have 20 000 people on the selection panel and they say whether you can do the job. At the end of it you either breathe a sigh of relief because you did not get in or you take a deep breath because you did get in and you have to put your mind to doing the job.

With children taking NAPLAN tests, we have to understand there are those children who feel significantly traumatised or stressed by even the thought of having to sit a test. The good teachers will work with students who are in that circumstance and will do their very best to see if they can calm those fears children have. Thank goodness for good teachers is all I can say.

We must understand the benefit of NAPLAN might be that it gives an understanding as to the cohorts within the school and how they are performing. What can you actually draw from it that is useful in the development of an individual child as opposed to being able to sit down and work through a child's particular issues one-on-one?

The issue about schools being ranked from the MySchool website is very much the case. Teachers quite often talk about that particular outcome and there are those who do not think that particular site is necessarily a good thing. It might help governments to decide where they might place extra funds and that is a good part. There is no question about that. If you see a school that appears to be underperforming, you can get some indication from how they have gone in the NAPLAN tests. But what happens if a school has a cohort of students with special learning difficulties and it is showing the school as being at a certain level, when there is no way the school could rise higher than a certain level? We have to be realistic and understand it does not necessarily deliver everything those who designed the system may have intended.

Do we have it yet? I am happy to receive questions from the floor.

Mr Finch - With your passing of the Ability Test - I assume you did pass?

Mr VALENTINE - I did pass.

Mr Finch - Which school did that allow you to go to?

Mr VALENTINE - Clarence High. In fact, it allowed me to go to a number of schools but we chose Clarence High.

Mr Gaffney - Did they teach you to prepare for moments like this when you probably should have already written something?

Mr VALENTINE - Well, when I was at high school I studied French and I got something like 65 per cent in my first term of French and absolutely hated it. I said to my parents, 'I don't want to do French. I really don't want to do French'. I wish they had pushed me on to do French, but I have to say the only option available was citizenship, so I did citizenship and look where I am.

Mr Willie - On citizenship, the member for Rosevears made a speech about citizenship in schools. There was a student here that day and I explained to him about the very good work experience program the Legislative Council offers and he has been back since. He was in the member for Nelson's office for one day.

Mr VALENTINE - Nevertheless, I did citizenship and ended up in local government and then here. That is what we learn about in citizenship, so something must have driven home a downward path.

Mr President, I move -

That part 7 of the motion be amended to read -

Calls on the Tasmanian Government to consider the merits of joining the 'Breakaway' review that will report back to the Education Council.

[4.21 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, the member for Hobart raises a valid point regarding what the word 'comprehensive' means. There may be merit in keeping a watching eye on the terms of reference as they are developed. This may be why states and territories such as Western Australia, South Australia, the Northern Territory and definitely Tasmania are yet to commit.

How valid is the review of a test when not all systems have moved to the online mode?

This amendment does not change our position. I am sorry about that. It was considered at COAG and we decided not to support it for the reasons already outlined, noting that not all states have moved 100 per cent to online. We will not be supporting the amendment.

[4.21 p.m.]

Mr DEAN (Windermere) - Mr President, I will be very brief on this point.

I raised this very issue with the member for Elwick just before the member for Hobart raised it. I could not have supported the motion as it was where this House was calling on the Government to do that. I do not have an issue with it as it currently reads. The Leader is saying that the

Government has already considered it. This House is now calling on the Government to consider it. That is the difference. How far they would go down that path, I do not know. There are other good points within the motion I would support. At this stage, I will support the amendment.

[4.21 p.m.]

Ms FORREST (Murchison) - Mr President, I will not be supporting the amendment. I think the motion is clear. If you really want the Government to be involved in this, it should be. I think it should be at the table. I acknowledge and accept the other reviews have been going on, but this is to look at it through a different frame. It seems to me that there are a growing number of concerned states. In speaking to the amendment the Leader named some of the states that are perhaps taking a watching brief. They may well join. It does not stop us joining later on, but I think you are better off being in the tent than out of it. I will be interested to see what other members say on the body of the motion when they speak but I made my views clear.

A number of states have raised the fact that there are concerns. Some states are not going down this exact path at the moment but three are. It is not insignificant. I do not know what is happening in the other states with regard to whether they may join, but this amendment waters it down. If you are going to be clear about your instruction to government, be clear to them. If you do not think we should be, vote against the motion.

Mr Valentine - They said they are not going to do it

Ms FORREST - They are not going to support this either. That is what the Leader said.

In view of her comments, I would rather support the motion as it is because it is better to be in the tent. Teachers I have spoken to from many parts of the state, but particularly in my electorate, have raised concerns and would like this to be fully reviewed. I am not disputing that other reviews are going on but this is taking a slightly different approach. Even though the terms of reference are not fully settled yet, we need to be at the table to even influence the terms of reference because there may be things, if it is going to happen, that we should be there to participate in.

For that reason, I will not support the amendment to the motion. I support the motion as it is.

[4.25 pm.]

Mr FINCH (Rosevears) - Mr President, I am ebbing and flowing with this because what the member for Murchison has said is right. It is a positive suggestion to go from this motion to the Government because the Government has said, 'No, we have looked at this and are not of the mind to agree because of point (7). Was it only about point (7) that you disagreed with the motion, Leader?

If three other states have joined in this review, we should be part of that and should join in - get on the coat-tails and join in, because here is an opportunity to drill down to get the terms of reference and, as the member for Murchison said, influence those terms of reference and be part of that new review. This is where this whole operation of NAPLAN should be going. It should be reviewed for good or ill - to find out what is actually happening, whether there are better ways of doing this assessment through the schools, of improving the literacy and numeracy, or, through that, the development of our children, and whether there are better ways we can be going about it.

Being part of this review would enable us to be at the table and we would get across information as it evolves from this gathering of states. If you had one renegade state suggesting this is all

bahfooey, that is okay. Here we have very well considered situations from three states that are saying we should have this. I say, 'Hop onboard and be part of it'.

I do not agree with the review. I agree with the more positive motion of saying the Government should join the breakaway review.

[4.28 p.m.]

Mr WILLIE (Elwick) - Mr President, I certainly take on board what members have had to say about this amendment. Focusing just on this amendment was really important to me and I would prefer it to stay as is. It is not the crux of the motion. It is quite significant the other six points of the motion are recognised by this House. I would prefer to see the motion pass.

Ultimately, if it passed in its original form, it is still up to the Government to action that. I would be willing to accept the amendment if more members in this House are comfortable to pass the overall motion and I feel a number of members would be more comfortable doing that.

While I would prefer the amendment not to be moved and the original intent kept, I will accept the amendment, given there are six other very important points. At the end of the day we are talking about a comprehensive review. We are not talking about changing it overnight. I said in my opening remarks, history will show it will be reformed eventually. There are the big eastern states already agitating around this. The federal government is reluctant. The current Tasmanian Government is toeing that line, but the writing is on the wall when it comes to NAPLAN and we are only talking about a review.

I will accept the amendment, given it is significant this House acknowledges the other six points as well. The Government is not going to anyway.

Amendment agreed to.

[4.30 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I apologise to the member for Elwick, whose motion this is. I have just sent around an amendment to your motion in the interests of wanting to agree with it. I certainly agree with some of the points, including (1) -

Acknowledges the high-stakes culture that has developed around the National Assessment Program Literacy and Numeracy schools testing system (NAPLAN);

And (2) -

Notes that the Victorian, NSW and Queensland governments have agreed to band together ...

Obviously they are much larger states and have a lot more resources. I would be interested to know where Tasmania fits in that process should this motion be agreed to and proceed. Do we have any idea of how we participate in the review process? How much is it? I know cost is not everything, but we know that at the end of the day it will cost money to do so.

Mrs Hiscutt - Are you talking about how much it would cost if this motion is passed?

Ms RATTRAY - How much would it cost to be part of the breakaway review? Even though we have just passed an amendment to say 'the Government consider', I feel sure that considering being part of the review would have to come at a cost. I am interested in how that would be covered with the other three states. They are super large states, and we are not in the same -

Mr Willie - It is not significant.

Mrs Hiscutt - The Government has no idea what it will cost because we are not sure of the criteria even, so we cannot put a figure on it.

Mr Willie - I have seen an original figure which I cannot divulge, but it is not significant in the context of those three states' budgets and our budget as a state.

Ms RATTRAY - We have some information that all members will make up their own mind about whether they provide support or otherwise to the member's motion and, by the way, it is very useful to have a debate on this issue because it is topical and it continues to be topical. I was quite surprised when I was reacquainted with the time frame that NAPLAN has been going on - I did not realise. I said to my good friend and seat partner, the member for Pembroke, 'Has it really been that long?' I had some children involved in NAPLAN testing, but it did not seem that it was so long ago. It is a considerable amount of time and, yes, things do need to be reviewed. That is what I am weighing up here.

Certainly, I support point (3) on the range of difficulties with the technological issues we have. I am sure we are not the only state that has technical issues. We do not even get proper mobile phone service in Tasmania, let alone everything else that comes with technology and how we live our life now. I agree that there is some concern.

I acknowledge education expert David Gonski's comment regarding the limitations at the classroom level. We know that there are so many factors that contribute to what happens in a classroom. I also have some teachers in my family: I have a sister who is a teacher and I have a daughter who is a teacher; I would say they are immediate family. They do an amazing job. Some of the issues they deal with alongside getting children ready to participate in something like NAPLAN testing is significant. That is something I agree with. Then there is the fact that the results are six months old when they are released and we do not get a report for some time after that. I think it is even longer before we get the full feedback. Is that correct?

Mr Willie - I think that schools get them in September now. It used to be October.

Ms RATTRAY - It is a fraction shorter than what it has been in the past. It is a bit like the census. It is almost out of date by the time it is reported. That is part of the process. I have been to a number of the presentations that the Department of Education holds around the state recognising student results from the previous year. They have already moved on; particularly if they have gone somewhere else, they are not around anymore to accept those. That is something that is a challenge for anyone, including the Education department, to get their head around.

Point (5) is on the NAPLAN data published on the MySchool website. If the MySchool website is anything like the MyGov website, it would be a nightmare to try to wade through. Is it used as a school rating tool rather than a measurement of student progress? I think we would have to ask teachers about whether they feel that is how it is used.

As for whether people choose to send their child to a school and look up to see how the school is tracking, it is not very hard in Tasmania to find out what a school is like. You usually know somebody who knows somebody who has been there or is going there, or whatever. I would not have thought that people used that site so much to decide whether they attend a school. There are a lot of other factors to why students move from school to school and how that works. I am not entirely convinced on that one.

I have an amendment to point (6) -

Notes there has been a decade of unhealthy debate on standardised testing with little improvement as a result.

Before I put the amendment I will speak to it.

My view is that no debate is unhealthy. Every debate is of benefit in some way or another. Whether we like to hear what is being said at times - sometimes I do not like what is being said - it is a case of suck it up because it is part of what somebody else thinks, and we like to respect what somebody else thinks, no matter what.

I apologise to the member for Elwick for not recognising that I was uncomfortable with that earlier, but I thought seeing we were doing some amendments on the run, I might as well get in on the act. I will talk to my last dot point before I move the amendment, and see what other members think about unhealthy or otherwise.

The last point, which calls on the Tasmanian Government, we know now it is to consider, and I do not have the correct words in front of me, but it has been passed to consider joining the 'breakaway' review with a report back to the Education Council.

I am concerned about the cost and whether we are able to have any input into that. Or do the three big states ride roughshod over us? I do not know. I know we have a long-term Education minister in place, so I expect he is well versed in being able to stand up for Tasmania. Sometimes that is not always easy. I have supported the amendment at an earlier time because I feel like then the Government can consider it, rather than being told this is what you will do. I am sure that if there is a benefit to Tasmania, then no minister will not consider being part of that review process. It has certainly made a difference to whether I would support the motion or not.

Mr Willie - So at this point you will support the motion with that amendment moved by the - yes.

Ms RATTRAY - I am making those points about the other things as well. I still have some concern around the cost. It is good to know how much it is going to cost the state, given we know that there are budget pressures right across all government agencies. Of course, money has to be found from somewhere. We know we cannot use any of the \$15 million earmarked for housing on anything else but housing and affordable housing. We have to be careful about how we spend our dollars.

Mr President, I move -

That part 6 of the notice of motion be amended by deleting from paragraph 6 of the motion, the word 'unhealthy'.

I do not think it is helpful and certainly do not think any debate is unhealthy. The debate I have heard over the time has not been offensive. It is people making their views heard. I know the member has an absolute keen interest in this area and acknowledge that. If we are asking the Government to do something and want it to happen, it is a good idea we make sure they feel like it is worth accepting. That is my offering. I will move that the amendment be agreed to.

[4.42 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, the Government notes the removal of 'unhealthy' is probably a better way to go. All debate, as the member for McIntyre has alluded to, is healthy. Sometimes it is not a subject you like to debate, but there is not unhealthy debate, especially in a situation like this. The removal of that word is a step forward. However, point (6) also goes on to say, 'standardised testing with little improvement as a result'. The Government's opinion is that there has been improvement. For some students there has been amazing improvement. Because of the rest of point (6), the Government cannot support your healthy amendment.

[4.43 p.m.]

Mr DEAN (Windermere) - Mr President, I support the amendment. I would have liked to see the amendment go through. I have underlined the word little. There is no doubt there has been divisive debate. The debate on this matter has been all over the place. I agree unhealthy is not the right word there, in that place, but I would struggle with little improvement. There has been improvement. They have computerised it for a start and technological changes that have occurred. There has been quite a lot of change in relation to NAPLAN.

In commenting on this, I have a son who is a teacher. I have had NAPLAN up to here. Every time he talks to me, he talks about NAPLAN. I have difficulty with it. I said previously I would support it with the amendment that we have seen to point (7), but I am struggling. I do not think it is true to say there has only been a little improvement - 'with little improvement as a result'.

Ms Rattray - Perhaps it would be better to delete (6) altogether?

Mr DEAN - I do not see any reason why (6) is there. The way it now reads it -

Notes there has been a decade of unhealthy debate on standardised testing, with little improvement as a result.

I am not too sure that it really is meaningful for the motion.

Mr Willie - I went through the statistics; I will do it again if you like.

Mr DEAN - I understand that. I will not make an amendment. I am not sure that the statement in point (6) is accurate, but having said that, I will most likely support it now that position has been noted. To me it is not accurate to have 'little' in the statement. I will listen to other members.

Mr WILLIE (Elwick) - Mr President, I thank the member for McIntyre for moving the motion and having this debate. It is good to have a healthy debate as long as it is respectful.

I am also prepared to make a concession on this point as well. I think the motion is important for this House to recognise and I am happy with just 'debate'.

In relation to the member for Windermere's questions around improvement, I went through each cohort - years 3, 5, 7 and 9 - over the 20 measurements for reading, writing, spelling, grammar and punctuation and numeracy for each. There were gains in nine of those. One had not changed and 10 had declined. If you are looking at a system, it has not improved over a decade.

Mr Dean - It has not?

Mr WILLIE - No. In fact, in 10 measures it has actually gone backwards. Nine measures have improved, 10 have gone backwards and one has not changed.

Mr Dean - Is not nine improvements more than a 'little improvement'?

Mr WILLIE - What about the 10 going in the other direction?

Mr Dean - That is okay.

Mr WILLIE - There are huge changes in the data over that period. As I said, it was probably best described as static over that 10-year period.

Mr Dean - Static?

Mr WILLIE - Yes.

Mr Dean - I probably accept that, but I do not want to be pedantic about it. I see where you are coming from. I would see that as more than 'little' but you see it as level and other members might here as well. I see it as more than little. I might be pedantic.

Mr WILLIE - Out of the 20 indicators, nine had improved, 10 have gone backwards and one has not changed. They are not huge statistical changes either way. It is fairly static. It is not moving in either direction fast.

[4.48 p.m.]

Mr VALENTINE (Hobart) - Mr President, I agree with the amendment. I do not think having 'unhealthy' in there adds anything to the motion, to be honest. I would be happy to agree with it.

Amendment agreed to.

[4.49 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I am going to take a bit of a different tack - not so much about the seven different aspects of the member's motion but about NAPLAN. I was watching television recently and Peta Credlin was doing her piece about the NAPLAN. She was quite scathing and justified her position. As always it was an entertaining time watching her perform.

I had been speaking with a friend of mine from my electorate, Mr Phillip Spratt, who was the president of the Australian Council of State Schools Organisations for the last two or three years. He sent me an email the next day saying -

I couldn't help but notice that yet again NAPLAN is in the news with the same divisive rhetoric and complaint that the measure doesn't measure what the respective commentators think it should; and this despite the fact that it is

designed purely a measure of literacy and numeracy capabilities at a given moment in time. ...

As Rob Randall used to say the high stakes in NAPLAN that he was focused on was that of falling to identify a student that is falling through the cracks of the education system and is being left behind.

He then went on to say that 'Just in case it's of interest', he has attached his ACSSO newsletter from April or May last year when the President of the Australian Council of State Schools Organisations addressed the issue of NAPLAN.

It is important to read into the record and I will read parts of it; Mr Spratt said -

The NAPLAN assessment period will shortly be with us and in the gathering storm of media interest, spurred on by activists and sectorial interests, the national parent bodies have come together to issue a combined statement offering what we hope is a calming perspective on NAPLAN's delivery, intent and opportunity.

It is not that long and worthy to read it into this discussion debate -

A joint statement from Australia's National Parent Associations on NAPLAN

Issued in April 2018, it is significantly a year old, but it still has the same sort of tenor -

As representatives of Australia's national parent organisations which advocate for parents of students around Australia, we support the useful role NAPLAN plays in the education of children.

NAPLAN is an objective tool for parents that provides a point-in-time assessment - a snapshot of a student's literacy and numeracy achievement, compared with class, school and national achievement. NAPLAN provides parents with additional information to have informed conversations about their child's educational progress.

It is those with most to gain from education that NAPLAN clearly identifies. NAPLAN shines the spotlight that allows us to advocate for the necessary resources and support needed for all Australian children.

Every child in Australia must have an opportunity to succeed as a literate and numerate individual in his or her school community - a freedom that is given by having the right resources, in the right place and at the right time.

NAPLAN gives parents a picture of how their child is progressing from a national perspective. It is a snapshot that, along with their child's report, provides a basis for further discussion with the child's teacher.

It is often reassuring for parents to be able to see how their children are going, and that they are where they should be. NAPLAN allows parents to see which areas their children are stronger in, and where they may need help. Parents can then work with teachers to encourage and support their child to achieve their best

in school. For most parents, the only time they get to see this is when their child is taking their end-of-school external exams. Parents need this information earlier to support their child in the areas they may be struggling with.

He goes on to write -

Our role as the peak parent organisations is to encourage families to keep the NAPLAN assessment in perspective - as a point-in-time assessment that, in conjunction with school-based tests and other information, contributes to the partnership between home and school.

Shelley Hill, the APC president, said -

For parents, it is useful to know how their child is going from an independent source. Literacy and numeracy are the basic building blocks of all children's education. There is a lot of unnecessary angst around NAPLAN assessments. [NAPLAN] should remain a simple snapshot of how children are doing to help focus teachers and parents on the best outcome for children.

Phillip Spratt, the ACSSO president -

[The] data allows us to work in partnership with our teachers, school leaders and supporting bureaucracy with objective information to improve the learning opportunities for every child in our schools, and to ensure that true need is addressed.

Wendy Hick, the federal president of ICPA, said -

Many of our members and their children live in rural and regional Australia, and the information we can access from NAPLAN helps our parents see how their child is going in literacy and numeracy compared with other in their school, in their state and in the country. This is very important when considering that many of these children will then go on to attend boarding schools in large cities for their high school years. Being the only national test that measures these skills, [NAPLAN] was a useful tool to make sure our isolated parents and their children aren't being left behind.

It was interesting to note whether there has been an improvement or not. What is especially valuable in the reporting of NAPLAN assessment - this is in the newsletter - is that schools which have demonstrated significantly above-average student achievement gains in reading and/or numeracy can be identified. In 2017, there were 330 such schools, each with a unique story as to the challenges they faced, and how the schools' leaders and staffs chose to address them.

What seems to unite them all is that there are no quick fixes; instead, a dedicated and resolute focus on how the school, as a whole, sought to make a difference. Interestingly, these schools demonstrate that improvement is possible. It is exciting to learn what has been tried, how initiative has evolved and the results thereof.

Mr Spratt was concerned that NAPLAN testing became caught up in the rhetoric of the moment. He said -

As we live in a Federation of independent nation states, with eight semi-autonomous governments and a single Federal one, it's vital that we have some sense of how our children are progressing.

Australia has an extraordinary diversity of cultures, privilege and disadvantage, and one where each state and territory jurisdiction offers its own subtle interpretation of curriculum delivery within its schools. As parents, we need to be assured that our children are thriving in their learning progress.

...

There's always room for improvement with NAPLAN and its MySchool reporting portal, as our experience of its impact develops and as education policy and priorities devolve.

You may or may not find it reassuring to know that they are under constant review, with scrutiny and comment from a wide variety of stakeholders.

This, I think, is quite pertinent to where we are at the moment -

What has been disappointing in the last few weeks and months is the escalating tension surrounding NAPLAN from activists representing the professional interests of educators. Whilst we can understand their desire to lobby for better outcomes in their members' terms of policy, employment and working environment, it comes as a surprise to see our children's sense of confidence and wellbeing challenged for these ends.

To explain this, as parents, we welcome a rational and objective discussion of NAPLAN. It has to be one that we can all enjoy after the NAPLAN assessment period has passed. The use of emotive rhetoric using terms such as 'high-stakes', 'league tables', 'failure', 'anxiety', 'robo-marking', etc is becoming a self-serving and frustrating prophecy, creating anxiety in many students, families and their school communities that seek the best possible opportunities for their children in the days leading up to NAPLAN.

The media streams naturally identify and report the possible points of conflicting opinion, thus driving further concern and apprehension in parents and their children. As an education profession, individual teachers and principals naturally have our children's best interests at heart and seek to ease the approach to, and understanding of, how the assessments work, and to ameliorate legitimate concerns of parents. It would be terrific to see this true professionalism being acknowledged.

Teachers' interests are represented by powerful and well-resourced professional bodies with significant political interests. For the benefit of our children, we ask them to tone down their NAPLAN approbrium until NAPLAN 2018 is done, dusted and put to bed. Please consider the impact of this angry rhetoric and overt activism on our children's wellbeing.

NAPLAN has been here for the last ten years and is unlikely to disappear at any point in the near future. There is everything to gain and nothing to lose by supporting our children's participation in NAPLAN with compassion and true professionalism that are defining tenets of teaching, and save any activism for where it will have the least impact on our children.

...

Interestingly, during my role as ACSSO President, I cannot recall any instance where an education professional's representative body has consulted with any parent body before developing and launching a campaign on behalf of its members. There is, however, a tacit expectation that parents and parent representative bodies at all levels will fall in behind any such initiative and offer their unequivocal and unwavering support.

In closing, Mr President, I threw that into the mix of the debate. I know what it is being debated here is whether we should look at joining three other states in their review, but at the same time, we have to acknowledge that NAPLAN plays a role in our education system. We need to ensure that at this stage our students and our schools continue in a positive way while all those factors are being worked through. One in particular is going to online assessment. We talk about assessing on how well they can write and read, and yet most of the time they are at a computer putting in that, and they know that symbol represents that, and if they press the wrong button, it gets changed so it is incorrect.

People have to now decide whether the NAPLAN of 10 years ago is going to be useful in the NAPLAN in perhaps 10 years time or in the assessment of our students. How much are we putting into our curriculum to make certain there is the time? Our expectations are so high about what we are forcing our kids to learn, but is there the time? While I agree with the idea we should look at it, we should also make certain that in looking there, we do not lose and take away the confidence from our community that NAPLAN does play a role. It can show how other schools in similar places have improved their teaching. It can show different styles of learning how to read and write because school *x* has put in the program for the last 18 months and it has received this much increase in the performance of its students in that time. Surely this school over here in Western Australia will say, 'They did it in Tasmania. What are they doing? We need to look at that.' While there are deficiencies in our education system and NAPLAN - and yes, we should be looking at going to and reviewing anything that comes up - that would be an advantage to our students and our schools.

I support what we are doing with NAPLAN. I agree we should be looking at a review if it is in the best interests of moving our education system forward and we can learn from that situation. For the discussion and contribution, I thank Mr Phillip Spratt for his words of wisdom.

[5.02 p.m.]

Ms WEBB (Nelson) - Mr President, I thank the member for Elwick for bringing this issue relating to the education of our children to this Chamber. I acknowledge the member's previous experience as an educator in Tasmania. It offers a valuable opportunity for an issue to be raised by a member who has direct experience in the field. As a parent of children who attend government schools, I am particularly interested in what happens in education. Like so many in our community, I follow results and reports about NAPLAN closely. This year I feel fortunate to be in a position to discuss this issue, not just as a parent but as the member for Nelson, in this place.

Today the member for Elwick has raised his concerns about NAPLAN and asked us to support the motion that Tasmania join other states in undertaking a comprehensive review of the program. What a healthy debate we are having on this matter. Before speaking in more detail on this motion, however, I want to take a moment to note that this has been brought here into the upper House by a member who is not of the Government during private members' time and it has enjoyed a fulsome debate and discussion. The motion was brought by a member of the Labor Party and I would take the opportunity to remind the Labor Party of its own words in this place only last month when a motion similarly was brought on for debate by the member for Murchison during private members' business. I am going to quote what the Labor member for Rumney said at that time and I am going to substitute the words 'reviewing NAPLAN' in that quote for the words 'pill testing' -

Mr Acting President, the only way to achieve the outcome supporters of reviewing NAPLAN want is for the Government to lead on this issue. This motion will not make reviewing NAPLAN any more or less likely to be introduced in Tasmania. That power rests solely with the Government. It will not work if they are backed into a corner. It will not work if they are forced into a position. On this they cannot be forced into a position. Legislative change will not compel the Government to act. Motions in the parliament will not compel the Government to act. None of us here today can compel the Government to act on this issue.

I did not agree with what the member for Rumney said at that time, but if the Labor Party stands by what it said at that time, I see no reason that the same rationale would not be applied here with this motion. In the same way the Labor members then failed to engage in a genuine and considered debate on pill testing, following the argument they made, we would similarly absent ourselves from considered debate on this motion. Fortunately, we have not. The pill testing motion called on the Government to consider something; this motion now calls on the Government to consider something. I highlight this not to undermine this particular motion, which I squarely support, but to remind those who moved this motion that this - what we are doing right now - is our job. That job is raising issues of importance brought to us by the community, engaging in a high standard of good faith debate, as exemplified today here, arguing for positions we believe are good public policy, evidence-informed and in the best interests of the Tasmanian people.

When we shirk the opportunity to do that or when we seek to undermine the very value of our Chamber to do that, we weaken our democratic process and we let down those who elected us to represent them here. I hope never again to hear an argument put by a member of this Chamber that suggests our time and efforts here are for naught.

I now move back to the motion at hand, which raises the concern about NAPLAN and asks us to support the motion that Tasmania join other states in undertaking a comprehensive review of the program. This is something that I support in principle, for two key reasons: first, because Tasmania and our unique circumstances in this state should not be ignored when doing this timely comprehensive review; and second, because comprehensive evaluation is part of good policymaking and there have been enough concerns raised about NAPLAN that this review is warranted. I do not believe the other reviews currently in play or recently completed fit the bill as a comprehensive review at this time.

Before I speak to concerns, I reflect on what NAPLAN is intended to do, very briefly. When national standardised testing was first implemented in 2008, policymakers hoped NAPLAN would help provide quality data that could be used by parents, schools and policymakers to improve

education outcomes in Australia. Proponents of NAPLAN will point out that helps identify strengths and the needs of students and therefore helps improve resource allocation.

The member for Mersey spoke about and quoted material on the positive contribution it is hoped that NAPLAN provides. I agree that potentially that is there and we have seen a good effect in many ways from the testing. An argument made about NAPLAN is that it can help identify schools that are maximising student learning. As the member for Mersey pointed out, we can learn from schools that are doing well and apply that in other schools. Achieving this, however, can be more challenging than it sounds, given there are so many factors at play that make every cohort and every school different.

NAPLAN clearly has potential merits, in my mind, but intent is always moderated by design and implementation, and by the passage of time, which is likely why we have seen a number of well-publicised issues with the policy's rollout and, over time, its implementation. There are issues that I would like to mention and add my voice to, speaking both as a member of this parliament and as a parent of children who have sat many NAPLAN tests.

One issue that concerns me, and which has been raised here today already but I will repeat, is the pressure felt by students around NAPLAN time. It seems every year there are more reports telling of stress among students sitting NAPLAN tests. Tests are no doubt a part of life, tests are hard to avoid and throughout our life we will have to sit them at one time or another. It is perhaps understandable that some hold the view that students should simply learn to deal with it. I believe this risks understating the importance and the impact that anxiety and stress have on young people and children.

In supporting this motion, I am not calling for an end to NAPLAN testing or testing altogether; what I am asking is perhaps that through a review we can conduct we can find a way to improve standardised testing and to undertake standardised testing, or other testing that is meaningful, in a way that does not generate an increasing level of stress amongst students, particularly when some of those students we are testing are as young as eight years old.

As it has already been noted, technology concerns in regards to NAPLAN are regularly raised. With the shift to online testing this year we saw widespread chaos in its rollout here in Tasmania. Technical issues affected so many schools. I understand that educators of students were not able to access the test on time and then, once students had been able to access the test, there were serious issues that meant students were being dropped out for several minutes or having work lost. I can only imagine the additional stress that it caused those students in those schools - not just to those who may have been experiencing the issues directly, but to those around them who were also trying to undertake their test in the midst of that disruption.

Following this year's move to online testing, the federal government claimed that 97 per cent of the online tests were unaffected. That may be so in other states, but from what I hear and have been told about the situation in Tasmania, many schools were affected. Technology issues were a cause of havoc in those schools. I think that clearly has an impact, not just on our students and our educators but also on the quality of the results.

I was pleased Tasmania did not repeat the testing as a result of those disruptions. I think it was a good decision from the minister not to repeat the testing.

Something that concerns me quite distinctly is that before NAPLAN tests come around each May, we know that classroom time is spent on preparing for or teaching to the test. This takes away time not just from the curriculum but also from other learning areas. It also means the data we collect is not necessarily a well-rounded reflection of our students' abilities. We have potentially taken away valuable teaching time for other important aspects of the curriculum.

I also think that potentially this teaching-to-the-test tendency contributes to the importance and the potential for stress that is put on the testing when it does arrive in May. The fact that this happens is understandable, given the growing pressure on principals, senior leaders and teachers to perform well in NAPLAN testing. Educational experts make the point that this pressure is only made worse by the competitive nature of the MySchool website where school performance is compared and is a tool used quite often and regularly in a school selection.

Concern about ranking does, unfortunately, appear to be contributing to reports of students being taken out of testing for fear of performing poorly in the tests. That goes against all advice and all aspiration we have for inclusion in our schools.

It is important not to forget the teachers at these schools already test students in order to determine student achievement. Yes, for administrators NAPLAN helps provide a snapshot indication of how education is being delivered and outcomes are happening in this country, but I am prompted to ask to what degree it materially helps our teachers and our students?

The member for Elwick spoke to this in detail in his contribution. I will mention briefly some of the points of concern. NAPLAN results are not released until several months after the test. In that time, teachers and students will have moved on, making it difficult to work with the data that is collected. The data itself is also weakened by the fact that it focuses on attainment rather than growth. The first priority of the latest Gonski report emphasises the need to shift from attainment to growth. This simple idea recognises that we are all different, we learn differently, we start at different points and we progress at different rates.

In order to achieve the shift, the latest Gonski report states -

... teachers must be given practical support by creating an online, formative assessment tool to help diagnose a student's current level of knowledge, skill and understanding, to identify the next steps in learning to achieve the next stage in growth and to track student progress over time against a typical development trajectory.

NAPLAN is a summative assessment tool. As we have already heard today, it is focused on attainment and, unfortunately, does not fit with this recommendation of the latest intelligence in this educational space. This is an important point. I worry that we are failing to listen to evidence on this issue.

A second key recommendation from Gonski 2.0 highlights the need for Australia to establish a national research and evidence institute focused on improving educational delivery. I understand that the United Kingdom is leading the way in this. Perhaps Australia should follow their lead or take note. In the UK they have the Education Endowment Foundation. This institute funds and collates independent research into education policies from across the UK. It measures them against three very simple criteria: how much the policy costs; how much impact it has; and what the strength of the evidence that supports it is.

An institute like this in Australia, which is dedicated to bottom-up research, could provide independent analysis on what really works in schools and promote more school-to-school learning that the member for Mersey spoke about. By adapting this research into practical advice for educators, we may actually be able to fulfil the vision of NAPLAN which sees schools learn from other successful schools. Indeed, at a local level, I wonder at the potential for the Peter Underwood Centre at UTAS to more actively perform the function. Education in Australia has unfortunately been a policy area which has been too often used for political point scoring and division. Working towards improved evidence-based policy and practice is a step forward not only in taking the politics out of education but ultimately in improving how we educate our children.

The motion we are discussing today is potentially a step in that direction. It is not calling upon the Government to throw out NAPLAN altogether. Instead, it calls upon the Government to consider joining a comprehensive review. This would mean Tasmania joining Queensland, New South Wales and Victoria in implementing a comprehensive review of NAPLAN at this time to inform in the most constructive way for the benefit of our children. I support this because it would give Tasmania a voice at the table to ensure we, as a smaller and unique state, have our experiences and concerns heard and listened to and built into the structure of the review. I support it also because enough concerns have now been raised about NAPLAN by a variety of stakeholders that a thorough evaluation is due.

It is a real shame the federal government has ruled out a full review of NAPLAN at this stage. It concerns me a government may be so against a process which ultimately is aimed at improving policy and outcomes for our children. Their reluctance has led to this push towards a breakaway review which I would prefer to see led by the federal government as a national review. However, in the absence of that, Tasmania should consider being involved in the breakaway review being developed currently.

Mr PRESIDENT - Before I call the person, I remind members to be aware of standing order 99(5) in reference to previous debates - it can get a little untidy - and for interjecting members to address comments through the Chair.

[5.17 p.m.]

Mr FINCH (Rosevears) - Mr President, most of what is contained here has been mentioned already so there is no need to go over that, although there are some good observations about the education system and what is happening here in Tasmania and generally. I will save that for another time when we might be talking about education.

There seems to be plenty of evidence supporting much of the criticism of NAPLAN, including the member for Elwick's points. The aim of NAPLAN was to improve student educational outcomes in literacy and numeracy. However, over the 10-year period we have not seen NAPLAN improve the student outcomes. It has failed in its main purpose. One of the people I spoke to was the former principal of the Launceston College, Keith Wenn. Over the years he was part of my electorate and I dealt with him on education issues. He had a lot of opinions about the education system. This may come as no surprise to you.

Mr Dean - It probably got him transferred.

Mr FINCH - He has been a close observer of NAPLAN since its inception and says it is a waste of time. He sent me an email that said good teachers and good schools already undertake diagnostic testing. What we really need is to replace the generally ineffective Principal Network

Leaders in the Tasmanian Education department with capable skilled professionals who have the position power to ensure all teachers are providing learning programs and specialised diagnostic testing in line with the diverse needs of their class. Many teachers need that support, given the enormity of the tasks teachers face.

Keith Wenn put forward an alternative plan to NAPLAN. I said earlier that NAPLAN has failed in its purpose to improve educational outcomes in literacy and numeracy. It must be modified or replaced. There are a number of alternative tests available around the world, tests which better reflect students' needs, and the important role of tests is to influence and guide the individual student's learning program. It is not to compare schools or states, which is totally counterproductive and becomes a political tool.

The member for Elwick's motion points to the cooperation we have already debated between Victoria, Queensland and New South Wales. On that comprehensive review he suggests Tasmania should join them. I agree with the situation, as I have already suggested.

It is time to ditch a process that, as the member points out, has led to a decade of debate on standardised testing with little improvement as a result. We will not go over that word again.

I want to truncate the notes I have here and see if there is something that might add some new aspect.

About the nationwide division of opinion with regard to the value of the NAPLAN assessment strategy, there also seems to be a flawed assumption that students bring their best to NAPLAN testing. After a decade of implementation, attitudes towards NAPLAN have become more negative and cynical, and therefore the validity of the level of application by students during the assessments themselves is in question. There are also ongoing concerns by educators that the NAPLAN assessment should not be the defining strategy upon which to measure literacy and numeracy standards. Schools already have a vast amount of data based on formative and summative assessments, accrued over time, that is more valuable and reliable as a measure upon which to determine students' literacy and numeracy ability.

Ms Rattray - That was exactly the response to a question we asked, or the member for Windemere asked, through the Estimates process, about what else schools do in assessing students. They made it very clear in their contribution that they do not only use NAPLAN, they also use a number of other tools.

Mr FINCH - I wanted to declare my vested interest as I have two sons who are teachers. Do I win?

Ms Rattray - Yes, I think you do. One daughter, one sister.

Mr FINCH - I highlight teaching is becoming harder and a less appealing career. Not the case with my two sons, I might point out. Both are enjoying their time. But generally, teachers have increased workloads, high expectations, crowded curriculum, and are working with a more diverse range of students and high levels of accountability. The teaching profession is struggling to retain teachers and keep them healthy. There is a high turnover in teaching staff, which limits schools in adopting effective whole-school approaches to developing literacy and numeracy. Data suggests almost 50 per cent of trained teachers leave the profession after five years. Can that figure be disputed?

Mr Dean - Is that right - 50 per cent?

Mr FINCH - Okay. I can go on about the hours our primary teachers are required to spend in schools during a year 1 to year 6 period and how elevated that is compared to other countries like Finland, which we have already heard some discussion about. The Organisation for Economic Co-operation and Development in its report on classroom instruction suggested the hours that should be spent in classrooms during those periods is far less -

Mrs Hiscutt - Before you move on, I would like to clarify your last comment about teachers leaving is not the case in Tasmania.

Mr FINCH - Okay, that was a general comment.

Mr Willie - What is the figure in Tasmania?

Mr FINCH - Can we take that on notice?

Mrs. Hiscutt - We can get that figure for you.

Mr FINCH - Thanks very much. That was a general part of the presentation. I did not come in with the Australian Council for Educational Research 2016 report which talked about the five challenges in Australian school education. The curriculum was referred to as mile-wide, inch-deep and being perceived as crowded. That was part of that report.

One of the other problems is the hours that teachers need to spend in schools. I will not go down that track. We have the importance of first years of life as a learner. Therefore, programs and facilities specifically targeting these early years and the quality of experience they receive, like child and family learning centres, Parenting for Life, Launching into Learning and so on, are crucial in the holistic approach to improving literacy and numeracy. However, engagement by preschool children in learning programs and initiatives is somewhat problematic because of issues such as autism and the increase in trauma and mental health disorders. The impact of technology - I did have a lot of evidence on that and also the importance of the home environment. These are all part of this issue of the changing environment in the education system.

As a general statement, it may be prudent to consider the holistic approach to all aspects that impact the learning of literacy and numeracy. It could be part of the review we have talked about. In general, we need to acknowledge that the recent NAPLAN data suggests that focusing too narrowly on literacy and numeracy will not bring results. It may be time to broaden our focus of support to improve the cognitive development of very young children, to support parents with learning more about their impact as role models, and teachers to support schools with whole-school approaches to teaching literacy and numeracy that actually work, to advance the recruitment and retention of high-quality teachers, and to use a more appropriate range of assessment data upon which to base broad statements of student achievement.

I will leave my contribution there. I support what is now an amended motion, Mr President.

[5.27 p.m.]

Mr DEAN (Windermere) - Mr President, like my colleague, the member for Rosevears, I had quite a lot written about this as well, but I will just make some general comments.

What does NAPLAN do just for the individual student? The schools do their NAPLAN assessments. NAPLAN sets and gauges the capacity and the abilities of that school in those areas. But what does it do for the individual student who is undertaking that test?

Mr Willie - They get a report on their achievement.

Mr DEAN - What happens as a result of that? If they are below the standard, are they given extra tuition to try to bring them up to the required standard of a student?

Mr Willie - I was going to clarify this in summing up. NAPLAN is a summative test, a standardised test that records achievement. That said, it is used as a diagnostic tool in schools. They look at the data comprehensively. They look at grade cohorts, individual class, areas for improvement. Teachers' practices are adjusted.

Mr DEAN - That is another point. I think the member for Rosevears went down this path of the teachers themselves. I suppose it really is a form of assessment for the capacity and ability of the teachers in a school. They have a requirement to meet a certain level with the students that they are responsible for. If they are not achieving that level, what then happens to the teacher? Are they spoken to about it, to find out why their students have not met the necessary levels in numeracy and literacy?

Mr Valentine - Through you, Mr President, I think that is part of the issue, isn't it? The student who has taken the test may be a low achiever, and may not have full capacity to reach high levels. Isn't this part of the problem?

Mr DEAN - That is true. One point I wanted to make was a sad thing, particularly a few years ago - this was specifically looking at the schools and putting the schools in a pecking order. A good example was the Rocherlea Primary School, which no longer exists. It was close to the worst performing primary school in the state. One can look at why that would be the case. Was it because of the capacity of the teachers within that school or the capacity of the students themselves? If you look at Rocherlea, and I do not want to put the people down in Rocherlea at all because there are some good people there, but it is the lowest socio-economic area in this state. The larger number of students at Rocherlea were from that area so one could probably gauge it is not going to be the best performing high school in the state. Sadly, people got to know about that and as a result they bypassed Rocherlea Primary School. The numbers at Rocherlea Primary School dropped off significantly. Children were going to other schools in and around the area, with the numbers continually each year dropping off until it came to the stage that they had to close the school. I was involved in the process and it was done with some good results. People accepted it and the children moved off to the East Tamar Primary School or what became the East Tamar Primary School but was the Mayfield Primary School, which is now performing well. It is a good school.

It was being used for all the wrong purposes and has been discussed here today at some length. It is sad when we have that. There is a school in the member for Launceston's area that has performed quite well in that area, and as a result students from all over the place want to go there. That is the East Launceston Primary School. As a result of it performing well - good staff quite obviously - student numbers outgrew the school to the extent they have had to put in additions and changes to the school and goodness knows what else. I raised the issue a number of times. I thought it was not right students from well out of their areas were able to go to that school and bypass their own local schools where they ought to be going. I raised it a number of times. That is what happens as a result of NAPLAN and some of this testing. Parents are astute and 90 per cent want the very

best for their children so they will look at this closely. That has been raised by other members here. We need to make sure NAPLAN is done for all the right reasons.

It is interesting when you look at levels of education today. I do not know who else watched a program recently. It was not a documentary; it was on one of the news programs - it might have been the *7.30 Report*. Students who had gone through year 12 and received high ATARs and could have gone into any course in the universities if they wanted to were saying they were not going to go to university, not going to get a degree and some of them could have had a degree in medicine, their ATAR was so high, and certainly engineering and some of those other areas of study. What they said was they were better off doing a trade. One of them said that the trade he was going to undertake was to become an electrician. He had worked it out that he would be much better off. I think he was married with a family, or he might have had a partner and a child. As he said, he needed to earn a good wage and he had worked out that if he went through university to get his degree, it would have been another four to five years of study. He would have come out of that course owing quite a large debt and it would have taken him so many more years to even get to a stage of where he would be anywhere near what he would be if he took on a trade.

It was interesting, I was sitting around talking about it and some you might have seen it.

Ms Forrest - We need to get away from that notion that university is the only pathway. Vocational training is just as important and it can lead you on a pathway. We need smart electricians.

Mr Willie - It's nation-building.

Ms Forrest - It is a nonsense to suggest there is only one pathway.

Mr DEAN - I am not sure what part of that he was going to go into, but I am pretty certain he said that he could be earning almost \$100 an hour almost straight off. This is what he said.

Ms Forrest - Not as an apprentice; once he had finished his training he would.

Mr DEAN - He had obviously worked it out well and was setting himself up to move forward quickly. I recall my eldest son, when he was doing engineering at university, he had trouble grappling with the fact that his best mates were out there doing trades. They were able to buy cars, they were earning a good wage and they were living it up, whereas he was spending his time studying and doing those things, to come out at the end with a debt. It does raise some issues.

I do not have any problem with supporting the motion as it is now. I am happier with the amended motion we have before us. I raised the point about (6), but I am not going to be pedantic about that. I am happy to accept that.

The amendment to (7) certainly makes it more acceptable to me in going down the path of asking the Government to consider it rather than demanding that it do something. I would probably take up the Leader's offer of a briefing because I really did not know enough to want to force this House to demand the Government take a certain course of action. I would need to know a lot more about the reviews and the costs - many things.

Ms Rattray - The cost and resources.

Mr DEAN - I would have needed to know a lot more to have supported the motion as it was.

Mrs Hiscutt - I would be happy to organise a briefing. Maybe the member for Elwick would consider adjourning the debate until next Tuesday and take up a briefing. That is your call. However, member for Windermere, we will certainly raise a briefing time.

Mr DEAN - I certainly would ask for a briefing because NAPLAN is very important. It has been talked about so much and today we have heard a lot about it. I commend the member for bringing it forward and I am surprised that others had not brought it forward before.

Mr Willie - I am more than happy for a briefing but I do not want an adjournment. I do not think it is necessary.

Ms Forrest - We can have a briefing anyway.

Mrs Hiscutt - It was your call, member for Elwick.

Mr DEAN - I am of the view that we should conclude the motion today. I do not have a problem with that, but I would certainly ask for a briefing at the first opportunity after this. I would like to know more about it and where we are going with it. That is all I wanted to say. I will be supporting the motion as it is now.

[5.39 p.m.]

Mr WILLIE (Elwick) - Mr President, I rise to summarise and thank members for their thoughtful contributions. It is very clear that members have gone away and done a lot of reading, talked to their constituents, and talked to educators and people who have experience. I thank members for doing that work. It has been a constructive debate.

I have written a lot of notes. I might just make a comment on one point each member made, otherwise we will be here for a very long period of time.

The member for Murchison made many good points, including that testing happens in schools despite NAPLAN, but the point that really resonated with me was defensive pedagogy. I have seen that in schools. Despite what the department says - that it is a snapshot and that we should be concentrating on our practice - the focus is on NAPLAN. There is defensive pedagogy around it. It depends on the leadership in the school on how much emphasis is put on it, but it does happen so we cannot be in denial about that. I thought that was a good point.

There are a lot of great things happening in our schools. I am not afraid to admit that. Some of the things mentioned by the Government are really positive: Learning in Families Together, working with families and literacy frameworks. I know there is a numeracy framework in the pipeline. A lot of these are department-led, some are Government-led. From Opposition, I will support good ideas.

But this is the point: despite all those supports going into schools, the data is flatlining. I acknowledge some of the measures that were mentioned by the Leader, but I will be clear: this is about comprehensive review as well. The Leader mentioned that two reviews have taken place. One has already been completed. One was looking at the data and reporting and the other was looking at online NAPLAN. It is not a comprehensive view of the test itself, I make that clear. I thank the Leader for her contribution.

The member for Hobart is right - no doubt through talking to Mrs Valentine and her experience.

Mr Valentine - I was not just talking to my wife.

Mr WILLIE - There are concentrations of learning difficulties in some schools. They make them particularly difficult schools to work in. Teachers need more support. Some of the national Gonski reforms were to have needs-based funding that went into difficult schools. The gains can be small but we also want to make school enjoyable. While we have a focus and high expectations, we need to make sure that learning is fun and students have learning to celebrate. That is why I am a big fan of learning growth and tracking student growth over time rather than an achievement test.

There are, unfortunately, kids under the current system who will go through school and get an 'E' or a 'D' on most subjects every single year because there is no learning progression. It has gone backwards a little because the Tasmanian curriculum had a learning progression and kids could see their learning growth over time. Talking about this at a national level is back to the future, in a way.

I thank the member for McIntyre for her contribution. I think all debate is good - I agree with you, as long as it is respectful and is in the best interest of Tasmania or Australia. Clearly many people in this Chamber care about education. I thank you for your amendment.

The member for Mersey obviously has much experience in schools, more than I do and probably in more senior roles at times. You talked about the direction of resources and how NAPLAN needs to play a role. I agree with you. The motion does not say we should drop testing altogether. Testing has happened in schools since their inception. There will always be a role for a test. National reporting around a test is a good thing.

Mr Gaffney - It will be interesting to see what the review of the other three states suggests the role should be for NAPLAN. Once that happens, the Tasmanian Government may have to make a decision. That would be where the rubber hits the road.

Mr WILLIE - The member for Nelson talked a lot about stress on students and your own personal experience with your kids in a state school, which I am pleased to hear, but teaching to the test does happen at schools. I have seen colleagues do it. I have seen principals, while not sanctioning it, be very encouraging of that huge focus in April before the NAPLAN test. It does happen in schools and we cannot be in denial about this.

The member for Rosevears talked about teaching being a tough job - it is. You have obviously heard that from your sons. Every year it becomes more difficult; more responsibilities are put on teachers and there are more community issues to deal with. It is not only teaching and learning teachers are focusing on. Everything happening in the community comes through the school gate every single day. It is a difficult job.

I am often asked: what is more difficult - being a pollie or being a teacher? I would say they are probably about the same. I sat up last night writing my speech till late, but I used to sit up late writing school reports and making lesson plans.

Last, the member for Windermere talked about demographics, and he has obviously a lot of experience with his electorate, similar to me. Windermere probably has very similar demographics to Elwick and I know you have been into many of those schools and seen what goes on each day.

There are teachers, students and parents trying their best, but they are dealing with a lot of other issues, whether trauma or intergenerational poverty, and all these things have an impact on learnings. It is Maslow's hierarchy of needs. You need basic needs met first. Trauma has an impact on regulation of your emotions and trust in relationships, and they are all key in the classroom. You would see that; I see that.

I know members were very comprehensive in their contributions and I thank them for that and thank members for their support of the motion.

Motion agreed to.

ADJOURNMENT

[5.48 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, 11 September 2019.

Before I put the motion, I remind members of a 9 a.m. briefing tomorrow on the State Revenue Base Review, which was requested through the President's Office, followed by a 9.30 a.m. briefing on Engender Equality requested by the member for Murchison.

Our next briefing unfortunately was cancelled due to the illness one of the presenters, so I have moved the Land Acquisition Act Amendment Bill departmental briefing to 11 o'clock. We will be starting at 9 o'clock and go through as usual.

Right to Information Annual Report - Clarification

[5.49 p.m.]

Ms RATTRAY (McIntyre) - Mr President, to clarify a matter I spoke of in my motion to note and consider the right to information annual report. I referred to a table and I was talking about - I have taken a photo of this because I have handed over my report - applications determined, and this was by entities. I indicated that Tasmanian Irrigation had a number for 1 to 20 working days resolved, with issues of 24, and more than 20 days, 25, and then over 20 days plus 15 and so on. According to the adviser, who was listening to the debate, that is not right. The numbers 24 and 25 belong to the Tasmanian Health Service. That should have been on the line above. I apologise to Tasmanian Irrigation for assuming they had a number of queries because I made the point at the time that where it said 'Applications determined', it had zero, so I wondered how it could have this number of 68. I have reallocated the 24 and the 25 to Tasmanian Health Service, but I have a lonely 19 that has not yet been accounted for and I will follow that up. As it stands, the table is inaccurate about that.

I apologise to Tasmanian Irrigation in regard to making that reference, but it makes it in the report. That has been clarified and I will find out where that other 19 belongs at a later time, but not with Tasmanian Irrigation or the Tasmanian Health Service.

Land Acquisition Act Amendment Bill 2018 - Clarification of Briefing

[5.51 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, a point of clarification. It was mentioned to me that I may have given the wrong time for the briefing on the Land Acquisition Act Amendment Bill 2018. It will be at 10 a.m. I may have said 11 a.m. It will be at 10 a.m. because we will be sitting at 11 a.m.

The Council adjourned at 5.52 p.m.