



PARLIAMENT OF TASMANIA

House of Assembly Government Administration Committee A

Inquiry into Discrimination and Bullying in Tasmanian Schools

MEMBERS OF THE COMMITTEE

Mr Mitchell (Chair)
Ms Burnet (Deputy Chair)
Mr Bayley
Ms Dow
Mr Ferguson
Ms Johnston
Mr Shelton

CONTENTS

Contents	3
Chair’s Foreword	5
Findings	7
Recommendations	13
1 Background, Appointment, Terms of Reference and Conduct of the Inquiry	17
Background	17
Appointment and Terms of Reference	18
Conduct of the Inquiry	19
Structure of this Report	20
2 Context and Causes	21
Lived Experiences.....	26
Findings	49
3 Impacts of discrimination and bullying	53
Impact on Students, Families and Support Networks	53
Impact on Staff and Institutions	59
Findings	65
Recommendations	66
4 Prevention and remedies for Discrimination and bullying.....	67
Current Approaches.....	67
Further Potential Measures	81
Findings	114
Recommendations	115
5 Anti-Discrimination Act.....	117
Obligations and Duties of Schools	118
Anti-Discrimination Act Legislative Reforms	133
Findings	139
Recommendations	140

6. Other Relevant Statutes, Policies and Their Reform.....	141
Education Act 2016 (Tasmania)	141
Disability Discrimination Act 1992 (Commonwealth).....	143
Work Health and Safety Act 2012 (Tasmania)	143
Fair Work Act 2009 (Commonwealth)	144
General Legislative Reform	145
Policy Reform	147
Findings	149
Recommendations	149
Joint Dissenting Statement - Michael Ferguson MP and Mark Shelton MP.....	146
Appendix A - List of Submissions	156
Appendix B - List of witnesses.....	160
Appendix C - Minutes of the Committee	162
Appendix D – Transcripts of Evidence	225

CHAIR'S FOREWORD

At the heart of this inquiry is pain.

Pain suffered by young people. Pain suffered at a time when they should be learning, making friends, being given the space and opportunity to grow into adulthood mentally and emotionally healthy, unencumbered by the stresses that adulthood inevitably provides.

It is pain we should not ignore and do our utmost to prevent.

Happily, most Tasmanian students go through school life unscathed by bullying, harassment or discrimination, but just because the inquiry's focus was on the minority of students who suffer does not diminish their suffering, nor our responsibility to address it.

Sadly, the rate of bullying, harassment and discrimination in Tasmania is higher than elsewhere across Australia.

Amidst the experts and others, our inquiry heard directly from young people who have suffered the pain of being bullied and harassed, of being ostracised, isolated and humiliated. They bravely provided evidence and submitted themselves to inquisition. The magnitude of their contribution cannot be over-estimated, and I thank them.

While this inquiry covered a lot of ground on a broad range of matters, including discrimination of students who are gifted, discrimination of students with disability, bullying and discrimination of teachers, and bullying of students in government schools, public focus will, I predict, be on the bullying and discrimination faced by LGBTIQA+ students in Tasmania's Catholic schools.

There will be criticism from some quarters the inquiry has focused too intently on Catholic education and targets religious freedom, etc. Such criticism is simplistic, unfair and untrue.

Many Tasmanian parents choose faith-based schools so their children can be educated in accordance with a particular religious tradition and ethos, even if they themselves are not of that faith, and such schools play an important role in teaching, modelling and practising the beliefs and values of their faith communities.

This has not been an inquiry into the merits or otherwise of faith-based education. Where this inquiry has intersected with faith-based education has related specifically to our terms of reference in terms of investigating bullying, harassment and discrimination.

It is simply a fact that evidence was presented relating to the negative experiences of young LGBTIQA+ people in faith-based, particularly Catholic, schools. That evidence has been heard and interrogated.

It is not the inquiry's role to enter a liturgical debate but it is fair to say the intersections of biology and faith and sexuality and gender identity are difficult to

navigate: These are highly complex matters and young people would be poorly served by simplistic “for or against” sloganeering, or of those who may seek to use this report to prosecute vicious culture wars.

We owe it to every young Tasmanian to provide schools that are both temples of learning and sanctuaries, where they feel nurtured, heard, safe and secure, not dread, fear and anxiety.

The inquiry has sought to focus on identifying root causes of bullying, harassment and discrimination that affect students and teachers, and proposing ways forward. We encourage the Government to consider adopting our recommendations.

I’d like to thank everyone who provided a submission and particularly those who came before the inquiry to provide evidence in person. Thank you also to my colleagues on the committee in this parliament, and to members of the inquiry in its first iteration in the previous parliament, and last but absolutely not least to the indefatigable committee secretariat Fiona Murphy and Mary de Groot.

A handwritten signature in black ink, appearing to read 'B Mitchell', with a long, sweeping horizontal line extending to the right.

Brian Mitchell MP

CHAIR

6 August 2026

This report includes topics and content of sensitive matters. Anyone who needs support can contact:

Lifeline Tasmania 1800 98 44 34

Kids Helpline 1800 55 1800

Beyond Blue 1300 22 4636

FINDINGS

The Committee finds:

1. Bullying, discrimination and harassment are real and persistent problems in Tasmanian schools across all sectors.
2. Bullying, discrimination and harassment have damaging impacts on individuals, and the wider community, and can have lasting and devastating impacts.
3. The vast majority of staff and students at Tasmanian schools are supported at schools across all sectors. This is testament to the effort and care provided by education administrators and frontline staff, including principals, teachers and support staff. Community organisations working in partnership with schools also provide important support for staff, students and families.
4. Safe and respectful environments and relationships are the objective of all Tasmanian schools across all sectors. Bullying, discrimination and harassment are officially viewed as unacceptable.
5. While Tasmanian schools across all sectors pledge commitments to the anti-discrimination and anti-bullying policies of their institutions, evidence received suggests the application of these policies may vary between schools and sectors.
6. The Government has substantially agreed to the national definition of bullying, which is implemented in Department for Education, Children and Young People policies and procedures.
7. Evidence to the Committee suggests discrimination and bullying are experienced in schools to a greater extent by certain cohorts, particularly students and staff with disability, gifted individuals and LGBTIQ+ community members.
8. There is little data available regarding the nature and frequency of discrimination and bullying experienced by Tasmanian students with disability. Lived-experience evidence suggests a lack of adequate accommodations for, and understanding of, the needs or experiences of students with disability.
9. Teachers can encounter discrimination and bullying from their employer, staff, students and parents and carers.
10. Some students with disability are not provided appropriate accommodations that meet their needs and this contributes to negative impacts on learning, feelings of isolation, and lower self-esteem.
11. The inclusion of family members and external carers in the planning for accommodations and care of students with disability in Tasmanian schools is not always facilitated.

12. Transgender or gender-diverse students in Tasmanian schools are not always appropriately supported in matters such as; the acceptance and management of name changes; appropriate bathroom and changing facilities; and the handling of instances of discrimination and/or bullying.
13. The impacts of discrimination and bullying in schools can be extensive and long lasting. Impacts can include disengagement with learning, social exclusion, feelings of social isolation, poor mental health, a sense of hopelessness, feeling unsafe and effects on families.
14. National data indicates a disproportionate number of LGBTIQ+ people and Aboriginal people experience discrimination and bullying.
15. Bullying affects the victim, the perpetrator and bystanders.
16. Some Tasmanian families cannot access adequate support staff in Government schools, leading to them seeking external support for their children through private providers.
17. Parents experience difficulties when seeking assistance to continue their child's education in instances when students are unable to attend school due to discrimination or bullying.
18. There are significant barriers to parents enrolling their child in eSchool to continue education if they are unable to attend school in person.
19. Tasmanian students experience bullying outside school, including online or in transit to or from school. These occurrences often do not fall within the remit of schools to manage and respond, leading to a lack of action.
20. Due to a focus on perpetrators of bullying, current restorative practices can lead to victims feeling unsupported.
21. Discrimination and bullying in schools can have impacts on educational institutions themselves, leading to reputational damage, decreased morale, impacted enrolments, higher staff turnover, legal consequences and reduced diversity of teaching cohorts.
22. Ineffective resolutions to discrimination and bullying in schools can further traumatise complainants and lead to increased workers' compensation claims.
23. There is no transfer policy in place for certain school support staff in the Department for Education, Children and Young People.
24. Worker representatives are concerned about potential misuse of the State Service Code of Conduct as a silencing mechanism by the Department for Education, Children and Young People.
25. There is a need for clearer publication of data regarding workers' compensation claims or workplace injuries of teachers and support staff in Tasmanian schools.

26. Psychological injuries suffered by school staff in the workplace may not be recognised, reported and treated with the same regard as physical injuries.
27. Tasmanian schools across all sectors provide suites of policies and procedures regarding discrimination and bullying.
28. Existing policies and procedures, and their implementation across educational sectors, as they relate to members of the LGBTIQ+ community are inadequate and inconsistent. This can lead to a lack of adequate support for students and staff.
29. There is a lack of training for teaching and school support staff regarding the LGBTIQ+ community in the areas of inclusion, understanding and the management of discrimination and bullying.
30. Disability advocates, individuals and families, experience difficulties accessing the support they require to be able to advocate for disability accommodations in schools.
31. Appropriate accommodations for students with disability are lacking in some Tasmanian schools, including physical infrastructure and products, support staff, awareness and staff training.
32. There is a lack of mental health support for students and staff in Tasmanian schools. This impacts experiences of discrimination and bullying and may also impact and influence their prevalence.
33. Students face barriers in being referred to external support services.
34. External providers of support programs face difficulties accessing Tasmanian schools.
35. Teachers and support staff feel undervalued and unsupported in some Tasmanian schools.
36. There is a lack of adequate education and training regarding the rights of school staff under the *Anti-Discrimination Act 1998*.
37. The role of principals in Tasmanian schools is multifaceted, with duties exceeding traditional scope.
38. Tertiary studies do not equip graduate teachers with the skills required to manage discrimination and bullying in the workplace, including LGBTIQ+ matters. This can then be compounded by a lack of support at a school and departmental level.
39. Some school staff are inadequately trained to manage escalated conduct by students. Some effective measures exist, such as external on-call support providers, but these are not offered at all schools.

40. The structure of the Department for Education, Children and Young People leaves some school staff feeling unsupported, due to the transition away from individual school-based supports.
41. Former structures of the Department for Education, Children and Young People, such as the district model, provided a stronger sense of community within schools.
42. Teacher and staff training and support for managing discrimination and bullying, and the outcomes of these actions in Tasmanian schools, is inadequate and ad hoc. There is a lack of behavioural management and conflict resolution training.
43. The Department for Education, Children and Young People teacher transfer policy does not provide sufficient opportunity for a teacher to transfer as a result of bullying in the workplace.
44. Increased training for school staff in relation to the *Anti-Discrimination Act 1998* could assist in providing proactive and responsive resolutions and education for students in relation to matters of discrimination.
45. Different models of teacher training provide varying levels of understanding and preparation to address bullying and discrimination. For example, teacher training that has a greater practical component, as that provided by Alphacrucis College, can better prepare graduate teachers for the challenges of the workplace.
46. The Office of the Anti-Discrimination Commissioner has experienced significant barriers to the progression of complaints about the Department for Education, Children and Young People including failure to adhere to timeframes and inconsistency with Model Litigant Guidelines.
47. The Department for Education, Children and Young People acknowledge its aim is to achieve the 21-day return timeframe of the Office of the Anti-Discrimination Commissioner for complaints and it states it adheres to the Model Litigant Guidelines.
48. There is broad support for changes to the *Anti-Discrimination Act 1998*, but views differ markedly as to what the changes should seek to achieve.
49. Catholic Education Tasmania has discriminated against staff on the basis of sexual orientation and marital status. *Prima facie*, discrimination against such protected attributes contravenes the *Tasmanian Anti-Discrimination Act 1998*. However, Catholic Education Tasmania asserts it is compliant with the *Commonwealth Sex Discrimination Act 1984*. This assertion has been contested in evidence provided to the Committee but has not been determined in a court of law.

50. Tasmanian and Commonwealth anti-discrimination legislation operate concurrently, with their application into matters of employment in faith-based schools not yet determined before a court of law.
51. The *Anti-Discrimination Act 1998* has no positive duty to prevent sexual harassment.
52. The *Anti-Discrimination Act 1998* does not provide for the right to certain accommodations for individuals with disability or neurodiversity, such as autism assistance dogs.
53. Catholic Education Tasmania states its hiring processes enable the provision of Catholic education which meet the moral, legal, juridical and ecclesiastical obligations of the institution.
54. Schools and administrators have legislative obligations and duties to prevent discrimination, bullying and harassment under the *Education Act 2016*, the *Disability Discrimination Act 1992* (Cth), the *Work Health and Safety Act 2012* and the *Fair Work Act 2009* (Cth).
55. The Tasmanian Law Reform Institute's report titled *Bullying*, released in 2016,⁸⁸ provides recommendations on the basis of legal frameworks to address bullying.

RECOMMENDATIONS

The Committee recommends:

1. All schools actively implement their anti-discrimination and anti-bullying policies.
2. All schools implement policies, procedures and upgrades that deliver appropriate accommodations to meet the needs of students with disability.
3. All schools ensure that family members and external carers be consulted in the planning for accommodations and care for students with disability.
4. All schools implement policies and procedures that support the use of transgender or gender-diverse students' preferred names. Where a preferred and legal name are the same, schools must ensure compliance with the legal name.
5. All schools provide individual stall unisex bathrooms as part of upgrades and redevelopments or when budgets otherwise allow.
6. The Government liaise with the Non-Government school sector to endorse the provision of appropriate and consistent policies and facilities across the Government and Non-Government school sectors for transgender or gender-diverse students in Tasmania.
7. The Department for Education, Children and Young People implement processes to increase awareness in schools for students about what discrimination and bullying is, how to identify it and how to report it.
8. The Government increase specialist support staffing, including mental health support, in all Tasmanian public schools.
9. The Government increase mandated and ongoing training and support for teachers on behaviour management and conflict resolution to address and handle discrimination and bullying as issues arise.
10. The Government improves access for students to the eSchool program, particularly where students are unable to attend local schools as a result of discrimination and bullying.
11. The Department for Education, Children and Young People develop a transfer policy for support staff.
12. The Department for Education, Children and Young People review policies and procedures regarding psychological work injuries.
13. The Government increase funding for mental health and wellbeing support staff in schools.

14. The Department for Education, Children and Young People develop a mechanism for the consistent application of its policies and procedures across Tasmanian schools.
15. The Department for Education, Children and Young People consider the provision of access to Headspace's 'Be You' initiative in all Government schools.
16. The Department for Education, Children and Young People review and improve the external support provider policy for Government schools to facilitate better access.
17. The Government recognise the value of non-government organisations, such as Blind Citizens Australia, and consider how Government can support their contribution to policy and advocacy.
18. The Government audit Tasmanian education facilities against 'disability ready' criteria. If necessary, the Government should review and amend practice, policies, procedures and legislation to address the findings of this audit.
19. The Government make available to staff in all Government schools on-call support services to assist in managing inappropriate classroom behaviour.
20. The Government work with tertiary education providers to ensure undergraduate teaching courses provide adequate training regarding discrimination and bullying, particularly in relation to LGBTIQ+, gifted and disability matters, with increased practical opportunities and mentorships.
21. The Department for Education, Children and Young People investigate developing mentorship programs for newly graduated teachers.
22. The Department for Education, Children and Young People increase professional development and training opportunities for school staff regarding discrimination and bullying policies and procedures and their implementation.
23. The Government fund the Office of the Anti-Discrimination Commissioner to perform widespread training in schools in relation to the *Anti-Discrimination Act 1998* and respectful behaviours.
24. The Department for Education, Children and Young People review and further develop processes that enable teachers to provide support to students and ensure appropriate measures are undertaken in instances of discrimination and bullying.
25. The Department for Education, Children and Young People review and amend the teacher transfer policy to provide for appropriate transfers in cases of bullying and discrimination.
26. The Department for Education, Children and Young People and the Non-Government Schools Registration Board audit the application of, and

adherence to, discrimination and bullying policies, procedures and legislation across all Tasmanian schools.

27. The Government review the *Anti-Discrimination Act 1998* and include a focus on obligations and duties to prevent and prohibit discrimination and bullying in Tasmanian schools.
28. The Government proactively ensures all Tasmanian schools are compliant with the obligations and duties of the *Anti-Discrimination Act 1998*.
29. The Department for Education, Children and Young People prioritise adherence to Model Litigant Guidelines and the timely conclusion of complaints under the *Anti-Discrimination Act 1998*.
30. The Government consider taking action to resolve the ambiguity between Tasmanian and Commonwealth law in relation to employment discrimination.
31. The Government investigate the effectiveness of legislation in other Australian jurisdictions in relation to best practice remedies to address discrimination, bullying and harassment where workers are not covered by the *Fair Work Act 2009* (Cth).
32. The Government consider amending the *Work Health and Safety Act 2012* to impose a duty on employers to prevent bullying.
33. The Government consider amending the *Education Act 2016* to provide for inclusion requirements and mandatory training of Non-Government Schools Registration Board members in bullying and discrimination identification, management and prevention.

1 BACKGROUND, APPOINTMENT, TERMS OF REFERENCE AND CONDUCT OF THE INQUIRY

Background

1.1 In 2023 in Tasmania, a total of 81,057 students were enrolled in primary and secondary schools.¹ The National Report on Schooling in Australia for 2023 further details that of these students, 67 per cent were enrolled in Government schools, 19 per cent in Catholic schools and 14 per cent in Independent schools.²

1.2 With the passage of time, the experiences of students in school changes, adapting to a raft of wider societal changes. In her submission to the Inquiry, Acting Commissioner for Children and Young People, Isabelle Crompton noted the following:

Children and young people, parents and carers have been telling us about for [sic] a long time that bullying and discrimination in schools is a problem in Tasmania. Recent data has shown that bullying is more prevalent in Tasmania than in any other state or territory in Australia.^{3 4}

1.3 As will be discussed later in this report, discrimination is defined in the Tasmanian Anti-Discrimination Act 1998 (the Act), as follows:

it is discrimination when a person is treated less favourably (worse) than other people because they have a particular characteristic, such as their age, race, sex or disability. It is also discrimination when a person is disadvantaged compared to other people because they have a particular characteristic.⁵

1.4 There are different definitions of bullying. A common definition is that adopted in 2018 by the former Education Council of the Australian Government, a national definition of bullying which continues to be used by Australian schools:

¹ Australian Curriculum Assessment and Reporting Authority. 'National Report on Schooling in Australia.' 2024,

<https://app.powerbi.com/view?r=eyJrIjozMzY1M2JkMTgtYTA0Ni00ZjJlLThlYjEtMjJjNWY2OWFmZjYyYywidCI6ljZjZjc2YTNhLWE4MjQtNDI3MC05MjAwLTNkNzE2NzNIYzY3OCIsImMiOjEwfQ%3D%3D&pageName=ReportSection7dd7a76e133bd085cb19>

² Australian Curriculum Assessment and Reporting Authority. 'National Report on Schooling in Australia.' 2024,

<https://app.powerbi.com/view?r=eyJrIjozMzY1M2JkMTgtYTA0Ni00ZjJlLThlYjEtMjJjNWY2OWFmZjYyYywidCI6ljZjZjc2YTNhLWE4MjQtNDI3MC05MjAwLTNkNzE2NzNIYzY3OCIsImMiOjEwfQ%3D%3D&pageName=ReportSection7dd7a76e133bd085cb19>

³ Footnote 2, PISA2022_National Report (Volume II) Student and school characteristics (acer.edu.au), from Submission No. 278, Commissioner for Children and Young People, p.1.

⁴ Submission No. 278, Commissioner for Children and Young People, p.1.

⁵ Office of the Anti-Discrimination Commissioner, 'What is discrimination', https://www.antidiscrimination.tas.gov.au/discrimination/what_is_discrimination

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm.

Bullying can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

Bullying can happen in person or online (cyber bullying), via various digital platforms and devices and it can be obvious (overt) or hidden (covert).

Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records).

Bullying of any form or for any reason can have immediate, medium and long-term effects on those involved, including bystanders.

Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.⁶

Appointment and Terms of Reference

1.5 On 12 June 2024, the House of Assembly resolved to refer an inquiry into discrimination and bullying in Tasmanian schools to the Government Administration Committee A.

1.6 The Terms of Reference the House resolved the Committee was to inquire into and report upon were as follows: -

(a) inquire into and report upon direct and indirect discrimination, prohibited conduct, unequal and disadvantageous treatment, bullying and harassment in Tasmanian schools in regard to students and staff;

(b) inquire into and report upon the measures necessary to prevent and remedy discrimination and bullying in Tasmanian schools in regard to students and staff;

(c) examine the obligations and duties of Tasmanian schools under the Anti-Discrimination Act 1998 and other relevant statutes and policies in regard to students and staff;

(d) examine and recommend what efforts are being made and should be made towards meeting those obligations by Tasmanian schools in regard to students and staff;

(e) examine what other legislative or policy reforms may be required to address discrimination and bullying in regard to students and staff;

⁶ Bullying No Way, 'Understanding Bullying', 19 June 2023, <https://bullyingnoway.gov.au/understanding-bullying>

(f) determine the impact of discrimination and bullying on student participation, retention and educational outcomes, and on staff recruitment, retention, workplace safety and career development;

(g) ensure appropriate public consultation is conducted on all matters;

(h) any other matter incidental; and

(i) that the Committee reports by 28 November 2024.

- 1.7 This report should be read in conjunction with the attached documents.
- 1.8 A list of submissions is available in Appendix A.
- 1.9 A list of hearing witnesses is available in Appendix B.
- 1.10 The minutes of the Committee are attached as Appendix C.
- 1.11 The Transcripts of Evidence received by the Committee are attached as Appendix D.

Conduct of the Inquiry

- 1.12 The Committee resolved to invite, by way of advertisement on the Parliament of Tasmania website, a link on the Parliament of Tasmania Facebook page, the three major Tasmanian newspapers, interested persons and organisations to make a submission to the Committee in relation to the Terms of Reference. In addition to this general invitation, the Committee directly invited a number of persons and organisations to provide the Committee with any information they deemed to be relevant to the Inquiry.
- 1.13 The Committee received 294 submissions, 173 of which were proforma submissions received through One Click Politics and CiviClick. Individual submissions were also received from 37 Tasmanian Catholic schools which followed a similar template and contained responses unique to their school or college. The Committee held seven public hearings in Hobart, with 47 witnesses. The Committee held several confidential hearings attended by private witnesses.
- 1.14 The Committee takes this opportunity to acknowledge the nature of Submission 44. Submission 44 was received in July 2024 from the-then Equal Opportunity Tasmania, as written by former-Anti-Discrimination Commissioner Sarah Bolt. In September 2024, Equal Opportunity Tasmania changed its name to the Office of the Anti-Discrimination Commissioner. Since November 2024, Pia Saturno has fulfilled the role of Acting Anti-Discrimination Commissioner. To ensure accuracy at the time of publication, Equal Opportunity Tasmania will be referred to as the Office of the Anti-Discrimination Commissioner throughout this report.

- 1.15 The Committee originally had a reporting date of 28 November 2024. This date was extended on 10 September 2024 to 4 April 2025. On 11 March 2025 the-then Committee Chair, Ms Anita Dow MP, moved a further extension to the reporting date to 19 August 2025.
- 1.16 The Committee had not yet concluded its Inquiry, nor reported, when the House of Assembly was dissolved and the Parliament of Tasmania prorogued on 11 June 2025.
- 1.17 On 24 September 2025, the newly established Government Administration Committee A established a new version of the Inquiry to operate within the Fifty-Second Parliament. The Committee authorised the Inquiry to receive all evidence and papers of the former inquiry.
- 1.18 The new Inquiry of the Fifty-Second Parliament first met on 10 December 2025 with the following Members: Mr Mitchell (Chair), Ms Burnet (Deputy Chair), Mr Bayley, Ms Dow, Mr Ferguson, Ms Johnston and Mr Shelton.
- 1.19 The Committee acknowledges the work of the Committee of the Fifty-First Parliament and its Members, Ms Dow (Chair), Mrs Beswick (Deputy Chair until 11 June 2025), Mr Bayley, Mr Fairs (until 5 March 2025), Mr Ferguson (from 5 March 2025), Ms Johnston, Mr Shelton and Mr Willie (until 11 June 2025).

Structure of this Report

- 1.20 This report consists of the following Chapters:
- Chapter 1 provides a background to the Inquiry, including the appointment and conduct of the Inquiry.
 - Chapter 2 assesses the context and causes of discrimination and bullying in Tasmanian schools in relation to the evidence received by the Committee, including lived experiences of Tasmanians.
 - Chapter 3 considers the impacts of discrimination and bullying in Tasmanian schools, including impacts on students, families and support networks, as well as on staff and educational institutions.
 - Chapter 4 focuses on proposed mechanisms for the prevention or remedying of discrimination and bullying.
 - Chapter 5 considers the Tasmanian *Anti-Discrimination Act 1998*, including potential legislative reforms.
 - Chapter 6 includes the assessment of other relevant statutes and policies which are applicable to the setting of Tasmanian educational institutions. It also assesses legislative or policy reforms which may contribute to the alleviation of discrimination and bullying in Tasmanian schools.

2 CONTEXT AND CAUSES

- 2.1 This Chapter provides a basis of understanding regarding the establishment of the Inquiry and the broader context in the Tasmanian setting in which it arises. The Chapter discusses the motion establishing the Inquiry and provides insight into the scope of discrimination and bullying noted to the Committee in evidence.
- 2.2 This Inquiry was initiated via a motion⁷ by Ms Kristie Johnston MP in the House of Assembly, following data being released from the Australian Council for Educational Research that indicated Tasmania had the highest rates of schoolyard bullying of any state or territory.⁸ Ms Johnston MP's motion was supported by letters from several stakeholders who were in favour of a parliamentary inquiry. These stakeholders included; Leanne McLean, then-Commissioner for Children and Young People; Sarah Bolt, then-Anti-Discrimination Commissioner; Equality Tasmania; A Fairer World; Disability Voices Tasmania; Concerned Catholics Tasmania and Robin Banks, former-Anti-Discrimination Commissioner.
- 2.3 Following the agreement of the House to Ms Johnston MP's motion, the Government Administration Committee A commenced its Inquiry on 25 June 2024. The Committee received submissions providing a wide range of views and extensive personal examples of discrimination and bullying.
- 2.4 The Department for Education, Children and Young People (DECYP/the Department) submission notes Tasmania has adopted substantially the same definition as the national definition of bullying for Australian schools which is outlined in the DECYP Student Behaviour Management Policy.⁹
- 2.5 The Department further notes that under Tasmanian law, bullying can be illegal:
It is a crime if someone is physically violent, threatens, stalks or damages or steals property.¹⁰ It is important to note that not all challenging or anti-social behaviour is bullying, for example conflict between people or disliking someone is not bullying. For some students with disability not all behaviours or language are intentional.¹¹
- 2.6 The DECYP submission further provided information regarding the status of discrimination and bullying within Tasmanian Government schools. Specifically, the submission indicated data and information was collected in relation to

⁷ House of Assembly, Parliament of Tasmania, Hansard, 12 June 2024, p. 35.

⁸ *The Programme for International Student Assessment (PISA) 2022 Reporting Australia's Results: Volume II Student and School Characteristics*, Australian Council for Educational Research (ACER), 2022, p. XV, [PISA2022_National Report \(Volume II\) Student and school characteristics](#).

⁹ Submission No. 74, Department for Education, Children and Young People, p. 4.

¹⁰ Footnote 5, Criminal Code Act 1924 (Tas), from Submission No. 74, Department for Education, Children and Young People, p. 4.

¹¹ Submission No. 74, Department for Education, Children and Young People, p. 4.

discrimination and bullying from the perspective of both staff and students in Tasmanian Government schools.¹² The 2023 DECYP Student and Wellbeing and Engagement Survey showed:

- *Verbal (20 per cent) and social (15 per cent) bullying were more commonly identified as leading to low wellbeing compared with physical (9 per cent) and cyberbullying (8 per cent)*
- *83 per cent of students feel safe at school most of the time*
- *69 per cent of students felt that teachers and students care about each other and treat each other with respect.*¹³

2.7 The Committee notes the DECYP Student and Wellbeing Engagement Surveys 2023 and 2024 cover topics within the categories of how loved, safe and valued students feel, if they are healthy, if their material basic needs are met, engagement with learning, participation and to what extent they feel a positive sense of culture and identity within their school environment. Results were received from students in Year 4-12, with an additional cohort of unknown ages also included. Links to the relevant surveys are available in the footnotes below.¹⁴

2.8 The DECYP submission also cited the Tasmanian State Service (TSS) annual Employee Survey as its measure of inclusion in the workplace and the experiences of employees of bullying or sexual harassment in the workplace:

Results from the 2023 TSS report (whole of TSS)¹⁵ showed:

80 per cent of respondents agree employees from diverse cultural backgrounds are welcomed and supported

58 per cent agree employees with disability are welcomed and supported

over 70 per cent agree gender or age is not a barrier to success at work

21 per cent experienced workplace bullying, predominantly intimidation, exclusion or isolation, psychological harassment or verbal abuse

*60 per cent did not report the bullying.*¹⁶

2.9 The Tasmanian Principals Association (TPA) commented in its submission on the degree of bullying experienced by students in Tasmania:

¹² Submission No. 74, Department for Education, Children and Young People, p. 5.

¹³ Submission No. 74, Department for Education, Children and Young People, p. 6.

¹⁴ <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/2023-SWES-All-Tasmanian-Government-Students-Report.pdf>;
<https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/All-Tasmanian-Government-School-Students-2024-SWES.pdf>.

¹⁵ Footnote 15, Whole-of-TSS-Results-Report-PDF.pdf (dpac.tas.gov.au), from Submission No. 74, Department for Education, Children and Young People, p. 7.

¹⁶ Submission No. 74, Department for Education, Children and Young People, p. 7.

As detailed by Australia's Safe and Supportive School Communities Working Group (2015) 'There is no single 'student population' prevalence rate for bullying that can be used across contexts with confidence. All research on this topic includes cautions and limitations about the use of prevalence figures.'

TPA members reported low levels of bullying of students in their schools/colleges with an average of 2.5 on a 1- low to 10-high scale. This indicates that from the perspectives of principals that bullying, as interpreted by the definition, is experienced by a small percentage of students at levels relative to or less than the general population. It's important to acknowledge that every public education school leader is committed to positively supporting the wellbeing of young people in their care.

It should be acknowledged that DECYP's annual Student Wellbeing & Engagement Survey captures the perspectives of students from years 4-12. Responses to an absence of bullying (physical, verbal, social, cyber) showed that 13% of students reported low wellbeing averaged across these areas. We would encourage student perspectives to be explored further by the Parliamentary Inquiry with a deeper understanding of these datasets from a Tasmanian context, particularly in investigating longitudinal trends and the age and demographics where higher or lower rates are reported by students.¹⁷

- 2.10 In its submission, the Tasmanian Association of State School Organisations (TASSO) provided data which had been collected as a result of a survey of 65 respondents including parents, children and adult survivors of bullying. This survey was conducted to supply the Committee with relevant findings regarding experiences of discrimination and bullying. The survey found the following:

- 44% of respondents indicated that their child experienced bullying while in primary school.
- 56% reported that the bullying occurred during high school.
- There were no reports of bullying through our consultations in college[s].¹⁸

- 2.11 TASSO's survey further provided data surrounding how bullying was dealt with by schools and the broader impact on children and their education:

Our consultations revealed significant concerns about the support provided by schools in addressing bullying:

- 58% of respondents felt unsupported by the school in dealing with bullying issues.
- 25% were unsure of the level of support due to these being still active incidents.
- Only 16% felt that the school provided adequate support.

¹⁷ Submission No. 73, Tasmanian Principals Association, p. 2.

¹⁸ Submission No. 247, Tasmanian Association of State School Organisations, p. 5.

Additionally, the impact of bullying on school attendance and participation was notable:

- 69% of respondents reported that their child had missed school because of bullying.
- 44% indicated that their child had been excluded from standard school activities due to bullying, while the bully continued to participate in these activities.

Furthermore, we learned of three instances where parents decided to start home schooling their children because the bullying could not be effectively addressed by the schools.

This underscores the critical need for more robust and supportive measures to ensure that all students can safely attend and participate in their educational environment.¹⁹

- 2.12 The Committee also heard evidence from Headspace in relation to the impact of social media on the lives of students, including in relation to discrimination and bullying. Headspace witnesses discussed the complexity of the lived experience of students in the technologically advancing world, which operate simultaneously alongside their experiences within the physical education and social setting:

Mr SHELTON - ...Every parent wants their child to be safe and therefore contactable and so forth, but it introduces them to what we all know does all sorts of things. How do we now somehow reverse this attitude about everybody needs to be looking at their phone every five minutes? I don't know, but does Headspace have any ideas about that?

Ms THAIN - ... Reede and I were talking about this earlier, that bullying and discrimination has occurred for the longest time, however with online platforms like social media, unfortunately we see with young people like Reede experiencing bullying and discrimination and that experience then continues not just on the school ground but follows them online. That is why it's so much more intense and has more detrimental effects on young people's mental health, like it did to Reede. I hear what you're saying, that social media plays a big role, unfortunately in bullying and discrimination, but young people find it hard to switch off and it can follow them outside of a physical environment and into an online environment.

... It's a complex problem and it's not helpful to have simple answers like, 'We'll just cut that', 'We'll just ban', or 'We'll just increase the age'. We also understand and see for young people the huge benefit the online world can have in terms of healthy connection and in terms of engagement. Our view is that it's actually about helping young people manage those platforms. I also come back to what you were saying, Rob, about parenting and also advising our families about how they can support their young person to manage these platforms. It's a complex thing and it's not going away. It's a part of our social network and young people's social network and

¹⁹ Submission No. 247, Tasmanian Association of State School Organisations, p. 5.

it's a really important piece, but I think it's about helping young people and parents and guiding them in ways to manage that...

Mr ADAMS-BECKETT - ... there is the positive part of social media, where you can go on, say, TikTok or Instagram and you can find creators who talk about their experiences. For me, that was my only way of actually getting connection with anyone else who'd had that same experience. I'd hidden myself so far away from people but I'd found someone on Instagram who had spoken about bullying and discrimination within their school setting, and it was one of the only things I was able to hold onto and go, 'There is hope. There is a way for me to move on in life. This is not how it ends'. There are always the negatives to it, but with the negatives I really think we shouldn't forget the positives of social media.²⁰

- 2.13 Our Watch, a not-for-profit organisation focused on the prevention of violence against women, shared data from existing research regarding bullying in schools. Lisa De Bortoli et al's research study found:

... students in Tasmania report the highest levels of bullying across Australia.^{21 22}

- 2.14 The Our Watch submission further provided data from Mission Australia's 2023 Youth Survey Report which:

... found 30% of females aged 15 to 19-year-olds in Tasmania reported experiencing unfair treatment or discrimination in the last year compared to 23% of male 15 to 19-year-olds.²³ Of those who had been unfairly treated, the most common reasons for this were physical appearance (female: 38%, male: 28%) and gender (female: 28%, male: 9%).^{24 25}

- 2.15 Also relevant to the context of discrimination and bullying in Tasmanian schools is the Anti-Discrimination Act 1998 (the Act), which defines the following:

Prohibits both direct²⁶ and indirect²⁷ discrimination, offensive, humiliating, intimidating, insulting or ridiculing conduct²⁸, sexual harassment²⁹, incitement

²⁰ Transcript of Evidence, 3 September 2024, Headspace, p. 23.

²¹ Footnote 9, De Bortoli, L., Underwood, C., Friedman, T., & Gebhardt, E. (2024). PISA 2022. Reporting Australia's results. Volume II: Student and school characteristics. Australian Council for Educational Research. <https://doi.org/10.37517/978-1-74286-726-7>, from Submission No. 149, Our Watch, p.7.

²² Submission No. 149, Our Watch, p. 7.

²³ Footnote 10, McHale, R, et al. (2023). Youth Survey Report 2023: Tasmania sub-report. Mission Australia., from Submission No. 149, Our Watch, p. 149

²⁴ Footnote 11, McHale, R, et al. (2023). Youth Survey Report 2023: Tasmania sub-report. Mission Australia, from Submission No. 149, Our Watch, p. 149.

²⁵ Submission No. 149, Our Watch, pp. 7-8.

²⁶ Footnote 1, As defined in section 14 of the *Anti-Discrimination Act 1998* (Tas), from Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 1.

²⁷ Footnote 2, As defined in section 15 of the *Anti-Discrimination Act 1998* (Tas), from Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 1.

²⁸ Footnote 3, As defined in section 17 (1) of the *Anti-Discrimination Act 1998* (Tas), from Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 1.

²⁹ Footnote 4, As defined in section 17 (2) of the *Anti-Discrimination Act 1998* (Tas), from Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 1.

to hatred, serious contempt or severe ridicule³⁰, publishing, displaying, or causing or permitting the display of any sign, notice or advertising matter that promotes, expresses or depicts discrimination or prohibited conduct³¹; as well as other types of conduct.³²

- 2.16 The Act prohibits this conduct in relation to certain attributes, including the following: age, sex, race, disability, gender, intersex status, gender identity, sexual orientation, lawful sexual conduct, pregnancy, breastfeeding, family responsibilities, parental status, marital status or relationship status.³³

Lived Experiences

- 2.17 The Committee heard from witnesses who had had both positive and negative experiences in Tasmanian schools, including in relation to instances of discrimination and bullying, or the management of these matters.
- 2.18 Evidence was received which supported and provided positive experiences in schools across the spectrum of education providers in Tasmania. Notably, submissions were received from 37 Catholic schools, 2 Catholic school associated organisations, 2 Christian schools, and 3 Christian school associated organisations. In addition to this, the Committee received 47 individual submissions, including proforma-style submissions, which supported, in varying forms, Catholic or Christian education in Tasmania. In the main, these submissions highlighted a zero tolerance for bullying, anti-bullying policies and procedures and curriculums, including education and wellbeing programs, which prompt kindness and respect.
- 2.19 However, the Committee also heard from witnesses about experiences of discrimination and bullying in Tasmanian schools. Examples were provided from former students, teachers, and education-related organisations and advocates.
- 2.20 A number of these experiences were from the perspective of students, parents and support people around discrimination and bullying of Tasmanians who live with disabilities, gifted individuals, members of the LGBTIQ+ community and the experiences of school staff.

Disability

- 2.21 The Association for Children with Disability Tasmania (ACD Tas), in its submission, noted repeated key areas of concern raised by individuals and families when contacting the organisation for advocacy support in educational

³⁰ Footnote 5, as defined in section 19 of the *Anti-Discrimination Act 1998* (Tas), from Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 1.

³¹ Footnote 6, as defined in section 20 of the *Anti-Discrimination Act 1998* (Tas), from Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 1.

³² Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 1.

³³ *Anti-Discrimination Act 1998* (Tas) s 17(1).

settings. This included advocacy for bullying, harassment, victimisation, exclusion, denial of access to education, negative responses from schools regarding provisions for disability, institutional barriers, intimidation from schools, unmet needs and resource gaps:³⁴

*Families seeking advocacy for Education issues often identify concerns about their children with disability experiencing 'unequal and disadvantageous treatment, bullying and harassment in Tasmanian schools.' There are also concerns about school staff and decision makers, who are not disability experts, mistaking and misinterpreting disability-related behaviour as bullying, or dismissing parents' bullying concerns as parental anxiety. There is little reporting of the lived experiences, nature and frequency of bullying experienced by Tasmanian students with disability. However, the limited data available indicates that students living with disability are statistically greatly overrepresented in restricted school attendances, suspensions, and exclusions.*³⁵

- 2.22 ACD Tas further specified the extent of its advocacy work in relation to education issues:

*Education issues continue to dominate as the primary reason for accessing ACD Tas advocacy. In our 2022/2023 data, Education issues (267) was the main reason for accessing advocacy assistance for over half (52%) of referrers. This was an increase of 4 percentage points from 2021–22 and the same rate as in 2019–20. The sustained rate of Education issues over the last three years possibly reflects the Tasmanian education system has struggled to return to pre-COVID health. Education issues were resolved in a timely way, with advocates assisting 90% of parents and carers within 6 months of referral (up 5 percentage points on the previous year). However, 60% (up by 23 percentage points) of cases took between 3 and 12+ months to resolve due to the complexity of issues.*³⁶

- 2.23 At a hearing of the Committee representatives of ACD Tas also discussed the experiences of families with children with disability who have accessed the organisation as a result of difficulties in receiving appropriate support within schools:

Mr McMURTRIE - ... We often hear from principals that, on the one hand, they have a child with disability who has many challenges and behavioural issues. Their first response is, 'Well, our responsibility is to all of the other students and family and staff members'. Our response is always, 'Well, of course, that is a primary responsibility of the principal, but you have a legislative obligation to ensure that all the needs of this child have already been met, including addressing their behaviour before you get to the pointy end of restricting or excluding that child'. It is one of the most common things that we see.

The other thing we always hear is that, 'We don't have the resources'. Our standard response to schools is that that's a matter for schools to resolve. That's not a

³⁴ Submission No. 136, The Association for Children with Disability Tasmania, p.3.

³⁵ Submission No. 136, The Association for Children with Disability Tasmania, p.3.

³⁶ Submission No. 136, The Association for Children with Disability Tasmania, p.3.

matter that a family can settle. It should never be raised with families. All it does is undermine the confidence of the relationship between the two.

One of the things that does happen is families who have children with challenging behaviour are often encouraged to seek a fresh start, to look at a new school. That often involves a transfer into the public sector from other areas. We would suggest that that's part of the wider, if you like, institutionalised practices of discrimination, particularly when it is also implied that the school cannot meet the student support needs. All schools are funded for the likes of disability. They all share the same legal framework obligations. That transfer in itself should be a matter of concern, if schools aren't actually meeting individual needs of students.

One of the other factors that often comes up - and it is the reason that we are most often involved with families - is that they feel they are being dismissed as a parent or a carer. That can go as far as schools actually disputing the professional advice of specialists. We appreciate that everybody who works in schools are professional educators. That does not mean that they are professionals across all dimension[s] of disability, which is an incredibly diverse, complex area that, even for those of us who work in it on a daily basis, can't be across all dimensions.

It is an absolute imperative that all views, particularly those of the family who know the child best, and those who are external to schools, who are the experts in the field, have a legitimate voice. It is actually required under things like the disability education standards, but it's often not reflected in the professional practices of schools.³⁷

- 2.24 In her submission to the Inquiry, Melinda Oogjes included contributions from two ACD Tas Youth Connection workers, who work in the ACD Tas YEP (Youth Empowering Peers) network. The YEP network is a leadership training course for young people aged 14-25 who have a disability.³⁸ One of these contributors, Britt Wilson, discussed her own experiences in high school and college as a wheelchair user:

I was constantly name-called by students, or confronted whenever I wheeled through the school grounds and this made me hide myself away any chance I got – staying inside during breaks, finding a quiet corner of the library, purposely being late for class so I could go through the corridors when they were empty, etc.

Some examples of these interactions are:

- My first day of High School (year 7), I was leaned over by a male year 10 student who said some disgusting and explicit things while trying to block my path before my cousin stepped in to protect me, and his apology later was 'I am sorry, I thought you were a retard that couldn't understand me anyway'.*
- Students attempting to sneak up on me and jump on the back of my powered wheelchair for a 'ride' without my consent.*

³⁷ Transcript of Evidence, 22 October 2024, The Association for Children with Disability Tasmania, pp. 7-8.

³⁸ Submission No. 264, Melinda Oogjes, p. 1.

- Students I didn't know, screaming out "Hey Big Wheels!" or singing "they see me rolling, they hating..." (or getting a speaker out and playing the song loudly as they followed me around campus).
- A student calling me a cripple, buckteeth, spitting spit balls at me, stealing my belongings and drawing a mocking picture of me on the whiteboard – all during class as a teacher watched. It was another 3 students that stepped in to protect me, get my belongings back and erased the picture. And got in trouble for cussing out the bully.³⁹

2.25 In her submission, Ms Oogjes also drew upon her discussions with participants of the YEP network, who shared details of their current experiences within Tasmanian schools. She noted the students raised social isolation and the fear of humiliation due to a potential lack of required accommodation, as major concerns affecting their experiences at school.⁴⁰ She further shared that even through ongoing attempts for inclusion, YEP network participants felt an ongoing lack of support and access was available to them:

Some people made their own safe zones, away from bullying and discrimination by forming or joining clubs at school. Others did not feel they could, through fear of further ridicule about the group they chose (for example LGBTIAQ+ or gaming groups) or rejection if they did join.

One YEP member joined the SRC but found it difficult to attend meetings because their access needs were not met. They noted that the irony was that they were elected to address access issues within the school.⁴¹

2.26 Participants in the YEP network shared with Ms Oogjes they felt unable to request needed accommodations to assist with their participation in the classroom and this impacted their school experience:

Many members were unable to articulate their needed accommodations to teachers or peers. Sometimes the consequence of not having their needs met looking like disruptive behaviour, inability to follow instructions or not paying attention. Disconnection with the rest of the class led to less engagement with learning, exacerbated isolation, low self-esteem, and entrenched a belief in many that as students they had little of value to contribute. This belief once embraced by the person and their fellow students, meant that speaking up in class was unsafe.⁴²

2.27 The submission of Blind Citizens Australia Tasmanian Branch states the impact of discrimination and bullying on students with vision impairment is profound:

It affects their educational outcomes, social inclusion, and emotional well-being. Persistent bullying can lead to anxiety, depression, and a loss of confidence, further marginalising these students and impeding their ability to thrive in school.⁴³

³⁹ Submission No. 264, Melinda Oogjes, p. 8.

⁴⁰ Submission No. 264, Melinda Oogjes, p. 2.

⁴¹ Submission No. 264, Melinda Oogjes, p. 3.

⁴² Submission No. 264, Melinda Oogjes, p. 3.

⁴³ Submission No. 40, Blind Citizens Australia Tasmanian Branch, p. 2.

Gifted Individuals

- 2.28 The Tasmanian Association for the Gifted (TAG) highlighted the scope of discrimination which can occur in relation to the development and education of gifted individuals:

Our members indicate that such disadvantageous treatment often occurs in Tasmanian schools. This may take the form of indirect discrimination in which schools (erroneously) maintain that what is appropriate for the rest of the class (or age peers) is also appropriate for the gifted student - that interventions are not necessary, even in the face of negative impacts or student feedback. Gifted students also face direct discrimination, experiencing disadvantageous treatment due to expression of their innate characteristics e.g. completing work quickly due to their rapid learning ability can lead to exclusion from learning, and asking 'too many' questions due to heightened curiosity can lead to reprimand.⁴⁴

- 2.29 TAG further provided case studies regarding discrimination in schools within its submission, noting the interplay of institutional decisions upon a child's experiences:

The effects of discrimination can snowball, leading to further discrimination when gifted students begin to exhibit known consequences of inadequate educational interventions, such as disengagement, underachievement, and behavioral issues. These students then face additional discrimination as a response to these challenges.

"..we had a very negative experience in [...] where our child was first ignored and later bullied by educators due to lack of support and understanding of their giftedness.. Regardless of the information and documentation we provided to the school outlining our child's needs and assessment placing them at the exceptionally gifted spectrum, the educators showed very little understanding of the concept of giftedness and no interest to explore it further.

Our child's engagement very quickly faded as all curriculum offered was way below their academic level. However, the school treated it as failure to learn and insisted on psychiatric assessment, potential learning disability, and medicated treatment to make the child more engaged in class. When we requested that the curriculum be somewhat tailored for their needs, we were refused "because it is not done". We were told that "the pupil will only be given a curriculum assigned to their age and grade as it is prescribed in Tasmanian state guidelines", which even at the time we knew was not true... The psych assessments on giftedness that we completed prior did not make any difference and were not taken seriously.

Our child was excluded from class activities, as they kept blurting out all the (right) answers, and put in a corner desk with a support teacher. Within the first couple of months they were no longer offered to join class activities of any kind and were generally seen as a nuisance. We had daily calls from the school going into detail of how much the child has failed today to be engaging and obedient."

⁴⁴ Submission No. 282, Tasmanian Association for the Gifted, p. 3.

“The result of this discriminatory, exclusionary, and often bullying attitude from the school was that our child developed extreme anxiety and sleeping disorders, which took months to recover from.”^{45 46}

- 2.30 The submission from TAG also noted the understanding of some education providers towards the lack of adequate support provision:

In some cases, schools admit to discriminatory behaviour. One member writes: “We have been affected by school refusal. We are lucky that she is only young so we can get her there, but I hate leaving her crying and upset. I am dreading what will happen as she gets bigger and older. I feel that it will be very hard to get her there. They (the school) admitted that they let students down who needed extension work and would try to do better, but their concern was to catch the ones up that were behind.”⁴⁷

- 2.31 The Committee received data regarding ratios of support staff to students and student waits time for support from the Hon. Jo Palmer MLC, Minister for Education and DECYP, which was calculated as at 31 March 2025:

Ratio of Support Staff to Student Enrolment (as at 31 March 2025) *

Discipline	Ratio of Students per 1.0 FTE
School Psychology	1:743**
Social Work	1:659**
Speech and Language Pathology** (Kindergarten to Grade 6, excluding Support Schools)	1:682***

*Professional Support Staff ratio data is collated annually to inform Budget Estimates. This means that the most recent data available is at 31 March 2025.

** Ratios are based on enrolment figures that include Kindergarten, Primary, Secondary, Senior Secondary and Support Schools. These ratios do not include the separate Professional Support Staff allocations to Child and Family Learning Centres (0.2 FTE for each of the three disciplines to each CFLC).

*** Speech and language pathologists are allocated from Kindergarten to Year Six only, as well as to Support Schools from Kindergarten to Year 12 (a separate 2.8FTE budgeted allocation)

⁴⁵ Footnote 17, TAG Member correspondence received 2/8/24, from Submission No. 282, Tasmanian Association for the Gifted, p. 4.

⁴⁶ Submission No. 282, Tasmanian Association for the Gifted, p. 4.

⁴⁷ Footnote 31, TAG Member correspondence received 1/12/22, from Submission No. 282, Tasmanian Association for the Gifted, p.6.

Average Waiting List Times (April 1, 2024, to March 31, 2025) *

Discipline	Average in Days
School Psychology	• 280 days for assessment • 176 days for intervention***
Social Work	• 6.5 days** (1825 students referred externally due to caseload capacity)
Speech and Language Pathology	• 156 days

*Professional Support Staff average wait list time data is collated annually to inform Budget Estimates. This means that the most recent data available is at 31 March 2026.

** Social workers prioritise students and refer them to other services if they are unable to see students directly. The capacity to refer to other services, however, has diminished since COVID-19.

*** Students are supported during this time with school-level supports. Effective triaging ensures that students with serious or complex needs access student support services in a timely manner.⁴⁸

LGBTIQA+ Community

- 2.32 The Committee received evidence from a number of individual stakeholders of the LGBTIQA+ community, as well as stakeholder organisations, detailing experiences within Tasmanian schools.
- 2.33 Sam Watson, a former Tasmanian school student on the northwest coast, told the Committee:

Mr WATSON - ... As I said, I'm a former Tasmanian school student from the northwest coast. I came out at about age 14 or 15 in year 9 at a Catholic school in the northwest. Whilst most staff and students were supportive, I experienced a number of comments and other actions that simply wouldn't have occurred for non-LGBTIQA+ students. Shortly after I came out, the Archdiocese circulated the Don't Mess With Marriage booklet, not just around Tasmania, but around Australia as a whole. This made it clear to me as a young student who had been questioning my sexuality that my school system didn't want my rights to be equal. It was quite a sad thing to have reinforced at the time, having just gone through that struggle.

This booklet was not dissimilar to the letter that's just been circulated, We are Salt to the Earth, which actually says that if a student comes to terms with their sexuality or gender identity and hence finds their beliefs at variance with those of the Catholic faith, they should seek alternative educational institutions. This is really quite a sad thing to hear, given that perhaps one of the hardest things a person can do is come to terms with their sexuality or gender identity, and this

⁴⁸ Letter from Hon. Jo Palmer MLC, Minister for Education, dated 16 April 2026.

often coincides with many other challenges of being in high school and being a teenager, puberty, et cetera.⁴⁹

- 2.34 Mr Watson further detailed his experiences in schools as a young LGBTIQ+ student:

Mr WATSON - ... I would say it did feel like there was a level of almost permission that was being communicated, that our rights didn't have to be equal because here's this document that's been circulated, not just to every school in Tasmania - or every Catholic school in Tasmania, but around the nation. That that's sort of a level of permission. On the counter, I would say I heard stories, for example on the mainland, of people taking these books and protesting, like, students taking these books and protesting. So, it had the impact of, in some areas, giving permission and, in other areas, galvanising people against this sort of messaging from a senior body. This is the leadership of, I think there's almost a million students in Catholic schools across Australia, and it really galvanised people to say, 'Actually, we love our Catholic schools, we love and espouse a lot of the Catholic values', but, frankly, it's not okay to tell students that because of who they love, they don't deserve the rights to be equal, and you have a duty of care over those students and you shouldn't be saying these things."⁵⁰

- 2.35 Lexi Rockliffe shared with the Committee her experiences in a Catholic school prior to, and during her gender transition, noting that while some students and teachers were supportive, the broader institutional environment was not:

From the years 2018 to 2022, I was a student of ... During that period, I was subject to an extreme amount of bullying and harassment, directly and indirectly, from both students and faculty on the basis of my queer identity, which caused both short-term and long-lasting mental health disturbance, including trauma which still affects my daily life. In the first year, from the ages 12-13, I had yet to begin transitioning in any way, thus identifying as a bisexual male, though closeted – not openly disclosing any queer identity – despite my conventional outwards identity, I was still the target of bullying and harassment by my cohort thanks to my academic inclination, ASD-related behaviours (such as difficulty in picking up humour and social cues), and body type. Most of this included verbal bullying or teasing, and there were no severe incidents, though it still strained my mental health and likely damaged my social development. Later in that year, I began identifying as transgender and using an alternate preferred name (though not the one I use currently).

In the second year, from ages 13-14, I was subject to an extreme increase in incidents of harassment, bullying, and some occurrences of assault. By my student cohort, I noticed an uptick in behaviour by my male classmates which I would describe as toxically masculine, which included quite a lot of machismo, and policing of 'the norm' – gender roles. As a transgender woman, I was seen as male by these people, and thus ideas of masculinity served as the basis for the way my behaviour and presentation was policed. In essence, I was repeatedly harassed, verbally and

⁴⁹ Transcript of Evidence, 3 September 2024, Sam Watson, p. 26.

⁵⁰ Transcript of Evidence, 3 September 2024, Sam Watson, p. 29.

physically, for my feminine presentation and “girly” behaviours. At some point that year, I came out as transgender and consolidated my identity.⁵¹

- 2.36 The Committee received evidence from Amilie Courtney, a transgender student who attends a Catholic school in Tasmania. Ms Courtney shared her experiences of bullying and discrimination in her school:

Ms COURTNEY - ... Since the age of 12, I've had to navigate an education system that treats my existence as a problem to be managed rather than a person to be supported. The impact of this is not abstract; it is daily, practical and exhausting...

For a long time, I was not able to use the girls' bathrooms. I was required to use staff or disabled toilets. That meant every time I needed to go to the bathroom, I had to leave the normal student spaces and visibly separate myself from everyone else. Halfway through year 8, I was finally able to use the girls' bathrooms, but only if the toilet had a fully solid door rather than a normal cubicle door and only if the walls were fully solid. No other student is subject to this rule. It sent a clear message that I'm different, that my presence is considered a risk. In fact, I quote, 'I may have a threatening presence to other students'.

On days when we had physical education, students were expected to change into their sports uniforms at school. I'm not allowed to use the girls' change rooms, even though they have cubicles. There is no unisex change room, so I'm instead forced to wear my sports uniform for the entire day. This removes my ability to choose how I present myself and draws questions and attention that is extremely personal.

Another constant battle is my name. When I started year 7, my birth name appeared on the roll. After raising it, the school changed it to show my preferred name in brackets next to my old name. That meant teachers could still see and often used the wrong name. Eventually, it was finally replaced on the roll, but even then, report cards and other documents still come home under my dead name.

...

If you look at the document, it states my name given at birth. This is not my current legal name, and it does not fit with my preferred name.

CHAIR - To state clearly for the record, you've changed your name legally to Amilie, yes?

Ms COURTNEY - Yes.⁵²

- 2.37 In discussing her experience, Ms Courtney provided strong support for equitable treatment at her school:

Ms COURTNEY - When you put all this together, the message is very clear: I'm not seen as a normal student. I'm a problem to be managed, separated and restricted. I follow the rules, I show up, I do the work, I try to keep my head down and still I am treated as if my existence is something that needs special containment. This does real harm. It affects how safe you feel. It affects how you see yourself. It affects

⁵¹ Submission No. 290, Lexi Rockliffe, pp. 1-2.

⁵² Transcript of Evidence, 28 January 2026, Equality Tasmania, pp. 8-9.

whether school is a place where you feel like you belong, or a place where you've just got to survive.

*I'm not asking for special treatment, I'm asking for equal treatment. I'm asking to be allowed to go to the bathroom, to get changed, to go on camps, to be able to be called my name in a way that I feel proud of the same way that other students are. No child should have to trade their dignity for an education. No child should be isolated to make adults feel more comfortable. No child should grow up learning that who they are is a problem.*⁵³

- 2.38 Ms Courtney also discussed the responsibility she feels to provide support to other queer students at her school and what recommendations she thinks could make a substantial change to the experience of school for these students:

Ms DOW - ... [how has] your experience ... made you question whether you wanted to continue participating in Catholic education?

Ms COURTNEY - The only reason that I've stayed at the school is because I know of at least 12 other students who have been afraid to come out at the school for the risk of bullying or hatred. There was no-one there for me; no other student there for me, so I had to take it all on the chin. By having these students who can't be properly identified with themselves due to the policies the CET has put in place, the only reason I've stayed is to protect them and to make sure that they don't have to go through the vicious hatred and bullying that I went through.

...

CHAIR - ... What would you like to see happen, Amilie?... We have the systemic issue to do with the institution itself - the Catholic education institution. What would you like to see be the practical steps that are changed to make sure trans kids can have a full education life?

Then in terms of the bullying that's experienced at the hands of other students ... what practical steps would you like to see happen there? What changes need to be made to have that stamped out?

Ms COURTNEY - In terms of making schools safer for transgender students: most schools already have the architecture to be able to just turn their separate toilets into unisex toilets, especially if they're single cubicle rooms. I see no need for them to be individually gendered. That would allow access without fear and it removes any idea that Catholic Education has of there being a risk to other students if they're all unisex.

Using preferred names, as I've previously stated, using preferred gender documentation, unisex change rooms, all things that can be easily put in place. The Department for Education, Children and Young People has policies on how to include gender diverse students and I think we should see those policies implemented in all Tasmanian schools, rather than just government-run schools.⁵⁴

⁵³ Transcript of Evidence, 28 January 2026, Equality Tasmania, pp. 9-10.

⁵⁴ Transcript of Evidence, 28 January 2026, Equality Tasmania, pp. 13-14.

- 2.39 Leon Pecl, a transgender man and former student of a Catholic all-girls school, provided evidence as to his experience at the time, as a young gay woman. Mr Pecl transitioned after his schooling years:

Mr PECL - ... My school was Roman Catholic and preached traditional values from a young age. There was an official no bullying policy, and it was outlined in the school rules in a book that every student was given that we were not allowed to be homophobic to each other. It was written in the no bullying policy: no transphobia, no homophobia.

...

In reality, this was never enforced. LGBT[QIA+] students face daily bullying, ostracism, harassment and hostility from their peers, often with staff clearly witnessing it happen. I clearly recall an incident in maths class where I was being loudly interrogated by a fellow student about my sexual orientation. She repeated invasive, vulgar and sexually explicit questions that no 14-year-old should be expected to answer at all, let alone in front of their entire class. This happened a metre and a half from our teacher who continued grading work at her desk as though nothing had occurred and this was 'typical'.

Incidents like this were commonplace and not limited to only me. Not all staff, but the majority of staff, ignored loud and explicit homophobia and transphobia. Reporting homophobic bullying did more harm than help, as a lot of the staff did not care and all it ever did was, in their mind, confirm that you were gay and that that was a problem.

This meant that every friendship you had was under constant scrutiny and suspicion. My childhood friends and I were banned from physical contact such as hugging or holding hands, all at an age where I think that is quite developmentally normal for young girls to do. Other girls were, of course, allowed to engage in these friendly behaviours and were allowed to form and keep close friendships without suspicion because they were heterosexual. If a queer person had any friends, it was suspicious. On several occasions, my friends and I were physically separated by teachers, whilst other students were, of course, not.

...

No queer Tasmanian that I have ever spoken to, and I have been to quite a lot of queer events, reports having had a good experience at a Catholic school. It is an environment that enables and sometimes even encourages hostility toward queerness. You are not able to go to school, learn, make friends like any other student. Queer identity was a weight on your shoulders and a mark against your character. Growing up gay, it meant being labelled as a sexual deviant and a sexual threat before you even developed sexual thoughts or even fully understood what sex was. Queer men were considered disgusting and queer women inherently dangerous. All young Australians should have the right to be educated in a safe environment and go to school with security of knowing that real action will be taken against discrimination.⁵⁵

⁵⁵ Transcript of Evidence, 28 January 2026, Equality Tasmania, pp. 15-16.

- 2.40 Mr Pecl explained that his experiences of bullying and discrimination also affected his ability to partake to the full extent in the academic pursuits of his schooling:

Mr PECL - Well, in terms of actual schoolwork, it was very difficult to even get the will to go to school when you would face these people yelling these things ... you can't do your schoolwork to that, it's impossible. I wouldn't want to go to school. I really struggled to focus because you're so hypervigilant about what's going on around you, like, am I going to face anything right now? You wouldn't want to show up at all.⁵⁶

- 2.41 Mr Pecl called for the enforcement of anti-bullying and anti-homophobic policies as a key recommendation for positive change to the school experiences of queer students:

Ms BURNET - ... What would you like to see ... if you had your time again?

Mr PECL - Real action. I would like to see real action taken against bullying - all bullying in general, of course. There was very severe homophobic and transphobic bullying at my school. I was not the only student who experienced this; many, many students did. No action was ever taken. In fact, often when you reported the homophobic bullying, the teachers would then take you out of class, tell you that you're 'acting too masculine', 'you need to walk like a girl', 'your hair is too short', and that 'you're making yourself a target'. Essentially, they made the only option to just be in the closet. I don't think that that is an appropriate thing.

...

Teachers doing something about homophobic bullying, I think, would probably be a big impact. Also not ignoring the existence of queerness, not acting as though that is something that can't be mentioned, that it has to be swept under the rug. It should be okay.⁵⁷

- 2.42 Equality Tasmania, in its submission, pointed to the Tasmanian Government commissioned survey of Tasmania's LGBTIQ+ community in 2021 which indicated the prevalence of discrimination and bullying against LGBTIQ+ students and teachers in schools:

*"While 20% of respondents did not report having negative experiences at school, the majority reported a range of abusive experiences (Table 14). The most common form of abuse was insults and hurtful comments which were indicated in 63% of cases and comprised one quarter of all responses. This was followed by threats of abuse or violence. Being left out of activities was reported in 30% of cases and 11% of responses. In addition, students or staff telling others was reported in 40% of cases which comprised 15% of responses. In 20% of cases, respondents reported having none of the negative consequences listed. Overwhelmingly, other students were responsible for any abuse, occurring in 89% of cases and 50% of responses. This was followed by teachers, principals, and administrative staff."*⁵⁸

⁵⁶ Transcript of Evidence, 28 January 2026, Equality Tasmania, pp. 17-18.

⁵⁷ Transcript of Evidence, 29 January 2026, Equality Tasmania, p. 16.

⁵⁸ Submission No. 285, Equality Tasmania, p. 3.

- 2.43 Further, Equality Tasmania pointed to examples from a national survey ‘Writing Themselves In 4’:

“Over three-quarters of participants reported sometimes or frequently hearing negative remarks regarding sexuality in their educational setting in the past 12 months, while over three-fifths sometimes or frequently heard negative remarks relating to gender identity or gender expression. Over a third of participants at secondary school...reported missing day/s at their educational setting in the past 12 months because they felt unsafe or uncomfortable. This experience of missing days of education was more commonly reported by trans and gender diverse participants, compared to cisgender men and women.”⁵⁹

- 2.44 Equality Tasmania also commented on discrimination and bullying for LGBTIQ+ school staff:

Bullying and discrimination also have a negative impact on LGBTIQ+ school staff. “Telling Us the Story” found that, “Just under half of all teachers (45.7%) reported no negative experiences from being ‘out’, significantly more than students (Table 15). Of those who had, 30% of cases reported hiding their identity. Verbal abuse was reported in 21% of cases, while telling other people was reported in 22% of cases.”⁶⁰

- 2.45 In addition to citing survey data, Equality Tasmania provided the Committee with insight into reports made to the organisation regarding patterns that may suggest a lack of inclusion in faith-based schools in Tasmania:

Reports to us indicate the following patterns: -

- Failure of principals and school communities to respond to discrimination, bullying and physical violence against students or staff*
- Victim blaming of LGBTIQ+ students and staff*
- Refusal to allow students in same-sex relationships to attend school events*
- Refusal to allow students to wear their gender affirming uniforms and failure to address students by their gender appropriate pronouns*
- Monitoring of teachers and parents for sexual and gender conformity*
- A proposed solution for discrimination and bullying being for LGBTIQ+ students and staff to move to other schools*
- Refusal to allow staff to attend LGBTIQ+ inclusion professional development*
- Overtly discriminatory policies, a ban on all pride groups and inclusion policies, and inappropriate “support” for gender diverse students*⁶¹*
- The distribution of materials that overtly discriminate against and*

⁵⁹ Submission No. 285, Equality Tasmania, p. 4.

⁶⁰ Submission No. 285, Equality Tasmania, pp. 4-5.

⁶¹ Reference on page 10 of Submission No. 285, Equality Tasmania to information in the Submission under heading ‘Discriminatory policies, bans on peer groups and inappropriate treatment of trans students,’ found on page 11.

denigrate LGBTIQA+ people**⁶²

- Advocacy by church and school authorities against discrimination protections for LGBTIQA+ staff and students***⁶³⁶⁴

- 2.46 Equality Tasmania, in an additional submission to the Committee, also expressed concerns around the notion that faith-based schools have lower levels of discrimination and bullying:

Lobby groups for faith-based schools also cite surveys conducted by faith-based schools themselves, or by faith-based school associations. These surveys have returned very low levels of discrimination and bullying against LGBTIQA+ teachers. We have a number of concerns about these studies.

Some are self-selecting, i.e. only students and teachers who wish to fill them in do so. They therefore do not give an accurate or representative snapshot of conditions in the classroom.

Added to this concern is one about safety. LGBTIQA+ students and teachers in faith-based schools may not feel safe responding to surveys that could identify them, particularly in smaller school communities.⁶⁵

- 2.47 The Committee heard evidence regarding a pastoral letter written by then-Archbishop Julian Porteous, titled *We Are Salt to the Earth*. This letter was distributed throughout Catholic parishes and Catholic Education Tasmania (CET) schools. Evidence received by the Committee presented opposing views and considerations on the content of the letter, including its distribution.

- 2.48 At his appearance before a hearing of the Committee, Mr Watson discussed the pastoral letter, reflecting upon his own previous experiences in a Catholic school and how such a letter may be received by students and staff:

Mr WATSON - *I think the biggest impact was that it became very clear to me and my parents at the time, if I wanted to continue speaking out about the need to have supportive schools, and the need for marriage equality and equal rights, that I simply couldn't do it at my school. My school at the time was not comfortable. I was going against the school that I was at. I think the biggest impact it had on me was the fact that I had to leave my friends, my family, my teachers that I knew, and relocate to somewhere that would facilitate that. And that is a huge impact on anyone. I would say this is even reflected in the recent letter, *We Are Salt to the Earth*, where it says:*

If they come to terms with their sexuality or gender identity, et cetera, whilst attending a Catholic school and find their beliefs at variance

⁶² Reference on page 10 of Submission No. 285, Equality Tasmania to information in the Submission under heading 'Materials that overtly discriminate against and denigrate LGBTIQA+ people,' found on page 13.

⁶³ Reference on page 11 of Submission No. 285, Equality Tasmania to information in the Submission under heading 'Advocacy against Tasmania's discrimination protections,' found on page 14.

⁶⁴ Submission No. 285, Equality Tasmania, pp. 9-10.

⁶⁵ Submission No. 285A, Equality Tasmania, p. 3.

with those of the Catholic faith, then they should seek alternative educational institutions.

I made a comment about this in my opening statement. It is really scary to think that a leading institution that is responsible for educating thousands of students is telling students when they're teenagers, when they're coming to terms with one of the hardest things that they might grapple with - their sexuality, gender identity, et cetera - on top of grappling with all of that, telling their family, perhaps risking ostracisation from their family or friends and community, that, on top of that, they should actually consider moving schools and leaving the teachers they know, the support networks they have.⁶⁶

- 2.49 The pastoral letter and its distribution were also discussed by the Committee with Concerned Catholics Tasmania (CCT):

Dr HINDMARSH - *Allowing for the reality that the Archbishop has the right within his own authority and his appointment to make statements that reflect the current doctrine of the Church and support that. Allowing for that, the exception that I and others on the committee, and I believe parents and principals would take to that letter, is the tone and the reiteration of what is termed by the Church as gender ideology.*

To reiterate that idea, which is not a well substantiated concept. To reiterate that, in terms of exclusion of certain students and staff, if not exclusion, at least very strong embarrassment, loss of self-confidence, when an edict like this comes, but particularly the concern is that that letter was to be distributed by students, put in their hands to take home to their families to be read together with their parents.

Extraordinarily unpastoral in terms of looking after those members of the community, not only who might identify or have children who are LGBTIQA, but also the school community who have a very strong need to be in support of those siblings, and adolescents are particularly committed to support, with some exceptions, of course. They're not all angels, but in general, adolescents strongly support their peers who identify in this way. Teachers will always go out of their way to respect and protect them, with very few exceptions.⁶⁷

- 2.50 Fear of repercussions for acting outside of directives from CET, was also raised by CCT. Witnesses from the organisation noted matters raised with them by school staff:

Ms JOHNSTON - *The repercussions that principals are concerned with, I think you've identified their concern that they might not have their contracts renewed. Are there any other repercussions that have been expressed to you, perhaps Peter, through principals at that retreat, what they're concerned about might happen to them?*

Br FLINT - *... I was surprised and concerned at the depth of passion from the staff. It just came out of the blue. Individual staff approached me. It was variations of when I said I was part of Concerned Catholics, 'Tell them what it's like for me,' 'Tell*

⁶⁶ Transcript of Evidence, 3 September 2024, Sam Watson, pp. 29-30.

⁶⁷ Transcript of Evidence, 22 October 2024, Concerned Catholics Tasmania, pp. 3-4.

them what it's like for us.' I know, in relation with that particular girl that I mentioned there, the principal was determined to hide it from the Catholic Education Office. I was glad when she got a scholarship out of the system. That's about all I can say, I think.

Mr SMITH - I think there's a cultural issue here. There are rules and there is conscience. Whereas it's quite right for someone in authority to be able to say, 'Well, these are the rules, you must follow them,' on the other hand, if that person following the rules is put in the position the instruction is either against the law of the land (discrimination legislation) or against what they would consider the pastoral care and mental and physical wellbeing of their students, then obviously they're going to be torn by that and would want to return to their conscience, which is 'I don't think this is the right thing to do, if I send this out.' However, as has been said, that can be detrimental to their career possibilities.⁶⁸

- 2.51 Reverend Dr Angus McLeay provided a submission to the Inquiry which discussed the findings of his PhD thesis, titled *Seeking Clarity: How Christian Organisations Manage Rights to Religious Freedom and Non-Discrimination for LGBT+ Employees*. In his submission, the Reverend Dr raised a finding of his PhD which considered that the attitudes, beliefs or identities of teachers within faith-based schools may differ to those from the related institutions:

A third important finding is that the attitudes of school leaders about LGBT+ equality may differ, sometimes sharply, from attitudes among institutional church leaders (6.4; 9.3; 9.6). As a result, evidence to inquiries such as this one is prone to distortion because conservative church leaders can suppress contrary views, or encourage support, within their related schools (10.3.2; 9.5.2). In the case of some schools, such as the Themelic type, there can be much closer alignment of viewpoints concerning how LGBT+ employees are to be treated (8.5; 5.5).⁶⁹

- 2.52 The Reverend Dr's submission reflects the evidence of Equality Tasmania and its concerns of the veracity of institutional surveys and also Mr Chris Smith's evidence regarding the potential conflict of teachers in acting within or outside of the views of the overarching institutions they work for.
- 2.53 At a hearing of the Committee, then-Archbishop Porteous replied to responses and reactions to the *We Are Salt to the Earth* pastoral letter:

Archbishop PORTEOUS - ... Finally, I'd just like to address what was really the catalyst to the establishing of this particular inquiry. In May last year, I wrote and distributed through Catholic parishes and Catholic schools a pastoral letter entitled 'We Are Salt to the Earth'. I'd like to make it clear I do stand behind what I said in that particular pastoral letter.

The letter gave attention, I think it's important to say, to certain fundamental beliefs and values that we hold as Catholics. This was done in the context of changes that were being mooted at the time by the federal Labor government to actually make changes to section 38 of the Sex Discrimination Act, which would

⁶⁸ Transcript of Evidence, 22 October 2024, Concerned Catholics Tasmania, p.7.

⁶⁹ Submission No. 274, Rev Dr Angus McLeay, pp. 4-5.

have effectively removed our rights to maintain full mission alignment with regard to what we believe and what we want to teach in our schools.

Now, thankfully, these proposed changes have not been pursued and have been abandoned by the federal government. Although at the same time we still do not have any promised religious freedom legislation which would enshrine freedom of religion as a positive right, particularly in our schools.

Now, unfortunately, in response to that pastoral letter, some people have really sought to verbal me and to impugn motives in what I said which do not exist at all. I'd like to say very clearly that we treat every person with great respect. They are children of God and we uphold their human dignity and always ensure to do that.

I might conclude by saying that nobody really should be surprised that education in our schools is underpinned by our Catholic faith. That inspires the great good that we're able to achieve in our schools. At the same time, as I mentioned before, our schools abide by the same education standards and relevant laws as any other school in the state, be it public or otherwise independent.

One of the great strengths of our state's education system is the choice it offers to parents - that they're able to choose the type of schooling they see is best suited to their children. I think we could agree this is a good thing...⁷⁰

- 2.54 At her appearance before the Committee, Ms Rockliffe discussed her experience of being referred to a therapist by the Catholic school she was attending at the time:

Ms ROCKLIFFE - ... What essentially happened was there was a very formal recommendation by the principal of the school. The principal made not only the recommendation but also contacted this person on my family's behalf, on my behalf, and there was an appointment made, one singular appointment. It was over the internet; a Zoom call, I believe. It was simply an introduction.

I was told that it was an introduction and was just to outline the issues we may go over. I was told nothing about this person before, only that they specialised in queer issues as a whole. Afterwards, I had been given notice that according to my mother - and this information may or may not be true; I am unsure of exactly what happened - supposedly the principal of the school had received correspondence from that person, that 'therapist', indicating several things, including statements that I believe violated doctor-patient confidentiality laws and the confidentiality agreement we went over within the meeting.

The 'therapist' also proposed a reconsideration of several of my diagnoses, including Asperger's Syndrome or Autism Spectrum Disorder and suggested that I did not suffer from gender dysphoria. This was all in correspondence to the principal of the school, which is something that I believe definitely violated the confidentiality agreement we had gone over and was entirely unethical.

Ms JOHNSTON - Thank you, Lexi, for sharing that. I think you said in your submission that you later googled the therapist's name and found that they were

⁷⁰ Transcript of Evidence, 14 February 2025, Catholic Education Tasmania and Archdiocese of Hobart, p. 25.

an advocate for conversion therapy practices. Was that something that was made aware to you prior to that? Were you aware that was the particular slant of that therapist? ...

Ms ROCKLIFFE - No, I was not, and my mother was also not. She wouldn't have let the appointment go forward if that were the case. On her website she had several articles about the dangers of transgender ideology, that kind of dogma and dog-whistling. It was very worrying. She was also openly in support of conversion therapy practices, which I believe, as of now, the United Nations Council has agreed fits under the definition of torture. That was something which deeply concerned me. I never felt truly at risk of being inducted into something along the lines of conversion therapy, but I definitely felt fearful about what this person could do in regards to my schooling life. Her corresponding directly with the principal of my school, I believe, may have been done in order to justify that school's actions and I believe it was very unethical.⁷¹

- 2.55 The Committee later questioned then-Archbishop Porteous and Dr Gerard Gaskin, then-Executive Director of CET, in relation to CET's use of external therapists and/ or psychologists for students:

Ms JOHNSTON - I'd believe you'd be aware of a psychologist named Dianna Kenny. I note that Dianna Kenny believes transgenderism is a cult and a disorder comparable to anorexia that is caused by an underlying psychopathology and it is transmitted by social contagion similar to the inquisition and the madness of crowds. She's also said on the record that 88 per cent of young gender dysphoric individuals would desist by late adolescence or early adulthood, when, globally, and Australian research shows, the figure is 1 per cent or less. She has opposed the Tasmanian Law Reform Institute's proposed bans on conversion practices and repeated the conversion belief that trans and gender diverse identity is flawed and can be fixed.

Dr Gaskin, is it the case that from about approximately, again, 20 March 2021, Catholic Education began referring students in Catholic schools who came out as trans or gender diverse to the psychologist Dianna Kenny?

Dr GASKIN - I'm not sure that I can answer based on the clinical relationship that would occur between a psychologist and the person that they're helping. I'm not sure I'm free to divulge that kind of information.

Ms JOHNSTON - Does Catholic Education Tasmania have a policy of preferred psychologists that they refer students to for assistance and support?

Dr GASKIN - No.

Ms JOHNSTON - So, there's nothing written or provided to schools and guidance to schools in terms of who they should be referring students to for psychological assistance?

Dr GASKIN - There is not.

⁷¹ Transcript of Evidence, 7 November 2024, Lexi Rockliffe, pp. 44-45.

Ms JOHNSTON - So you're unaware that there's been anyone within Catholic Education Tasmania schools who has been referred to Dianna Kenny as a result?

Dr GASKIN - I didn't say that.

Ms JOHNSTON - To go back, are you aware that there are students within Catholic schools who have been referred to Dianna Kenny as a result of a reference or referral or a suggestion from someone within a Catholic school?

Dr GASKIN - Again, I don't think I'm free to comment on a clinical relationship.

Ms JOHNSTON - Do you agree with the views of Dianna Kenny?

Dr GASKIN - No, I do not.

Ms JOHNSTON - Would you be concerned then if you became aware that there were students who were being referred to Dianna Kenny for psychological assistance based on their need to be converted?

Dr GASKIN - Again, we deal with every student's particular and specific needs on a case-by-case basis, so I'm not able to comment on a hypothetical future case.

Ms JOHNSTON - In response to your question for Mr Bayley earlier, you spoke about the principal's retreat or meeting where you asked principals to refer to the truth, and you said what the truth is. What do you consider to be the truth when it comes to transgenderism and gender-diverse people?

Dr GASKIN - The truth is that God made people male and female. That's the underlying truth.

...

Ms JOHNSTON - ... how does that sit with people with innate variations of sex characteristics, or transgender or gender-diverse people?

Dr GASKIN - Do you mean people who are gender-diverse, or people who have various manifestations of being one sex and having different reproductive organs, for example?

Ms JOHNSTON - Both.

Dr GASKIN - I think those things have to be separated. One is a clinical medical condition and the other is a personal matter.

Ms JOHNSTON - A personal matter?

Dr GASKIN - Yes, a personal matter for the person who is experiencing gender-diverse thinking ideation.

Ms JOHNSTON - Is it Catholic Education's policy in providing support to transgender or gender-diverse students that they are regularly referred to psychologists outside of Catholic Education schools?

Dr GASKIN - I'm sorry, are you asking me do I know that they are regularly referred outside Catholic Education?

Ms JOHNSTON - Yes. I'm assuming schools provide psychological services within the schools. Do you refer outside of the school?

Dr GASKIN - We can when we need to, yes. We have in-house psychologists, but we often use external practitioners.

Ms JOHNSTON - Is Dianna Kenny one of those practitioners?

Dr GASKIN - I said I can't comment on an individual therapeutic relationship.

Mr WILLIE - With respect, Dr Gaskin, that's a question about your system, whether she's used across the system, not individual cases. We're not after that.

Ms JOHNSTON - Yes. Is she on your referral list?

Dr GASKIN - We have referred her once.

Ms JOHNSTON - At the time of referral were you aware of her beliefs around transgenderism?

Dr GASKIN - Not in the detail that you've provided them today.

Ms JOHNSTON - Does it concern you now that you've been made aware of her views? Will you rethink the appropriateness of referring transgender students to her in the future?

Dr GASKIN - We may. You've given me a particular point of view and perspective on what she has written. That's your perspective. You're entitled to that. That may not be shared by other people.

Ms JOHNSTON - It's not my view. It's what Dianna Kenny has said publicly. It's based on what she has said herself. Are you concerned about referring students to her and would you preclude her from referral services in the future?

Dr GASKIN - That would be a decision I would take advice on.

Ms JOHNSTON - And who would you take that advice from?

Dr GASKIN - In the case of our organisation, my leadership team.⁷²

2.56 The Committee asked how external psychologists were selected for use by CET:

Ms JOHNSTON - How are psychologists selected to be on a panel appropriate to refer students to?

Dr GASKIN - There is no such panel. We don't have a panel of psychologists that we [use]- we publish, for example, a list of preferred psychologists... We engage psychologists as required, particularly based on their skillset. There are psychologists who specialise in various areas of human behaviour.

Ms JOHNSTON - So that one instance where you said that there had been a referral to Dianna Kenny, how was she selected for that particular student? ... How was she selected? If there's no panel, how was it identified that she was the appropriate person to refer that student onto?

Mr WILLIE - To clarify the question, is it done on a school-by-school basis, that the school leadership team or the school make a decision around what services are required? Or is it something more centralised and more prescribed?

⁷² Transcript of Evidence, 14 February 2025, Archdiocese of Hobart and Catholic Education Tasmania, pp. 29-32

Dr GASKIN - In these matters we provide the support that the principal requires in their particular cases in their schools. They seek advice from us and support, and we provide that as best we can.

Ms JOHNSTON - Just to try to understand that process a bit further, are you suggesting that the principal in this case would have contacted Catholic Education and said, 'I have a student who I need to refer for psychological assistance - who do you suggest I refer to?', and Catholic Education would have given one person's name, or possibly more than one person's name, as a suggestion for that principal? Is that what happens?

Dr GASKIN - On that occasion we would have provided her name.⁷³

- 2.57 DECYP representatives also provided insight to the Department's general process and administration of psycho-social supports within the Government system and their utilisation of external providers of psychological support:

Ms DAVIDSON - ...There's a range of supports that can come together, and the expectation the school has that wellbeing lead...

... Keeping this child well and learning is the role of the staff that we have and then our expertise around our professional support staff. I think the school health nurse has been an amazing program in growing that program across schools where we can, in terms of adding an additional support for the whole school culture, around especially mental health and wellbeing...

... We have a program that convenes senior directors across the agency to look at children of high vulnerability that may need to have access to CAMS [Child and Adolescent Mental Health Service, now Child and Youth Mental Health Service (CYMHS)] in a very urgent way, that perhaps we were not able to elevate that as quickly as possible.

... Heartening to hear about the MSO (multi-school organisation) commitments within the IER (independent education review). I think that will only benefit that understanding across schools need and how working collaboratively to do that.

I think from my view and our view in the wellbeing space is that we are much more open to where we know our own need for young people and then where we need to partner and get that external expertise. I think it's been a real improvement over the most recent times.⁷⁴

School Staff Experiences

- 2.58 The Committee also heard evidence regarding experiences of teachers with discrimination and bullying. The TPA noted specific examples of occurrences of ill treatment specifically towards principals:

⁷³ Transcript of Evidence, 14 February 2025, Archdiocese of Hobart and Catholic Education Tasmania, pp. 31-32.

⁷⁴ Transcript of Evidence, 14 February 2025, Archdiocese of Hobart and Catholic Education Tasmania, pp. 12-13.

Parental Harassment Over Policy Decisions: A principal in consultation with their whole-staff made a decision to cancel camps, which led to months of harassment by a group of unhappy parents. The situation escalated to involve the Legal Services and was discussed at the ministerial level, causing significant stress for the principal.

Threats and Serious Claims: A principal was subjected to a violent and aggressive parent's threat to get them sacked, followed by a serious code of conduct claim. The principal's mental health was severely impacted, leading to two suicidal episodes. Principals have received verbal, text and social media messages with death threats, threats of violence to approach them in their home or in public.

Media Misrepresentation and Defamation: A principal was defamed by inappropriate comments on social media and misreported information by media outlets. Despite being offered a facilitated conversation with the parent responsible, this wasn't accepted by the parent.

Destabilising Harassment: A group of staff and representatives engaged in sustained harassment, including spreading false information, stalking, and encouraging a boycott of the school. This extended ordeal left the principal feeling unsafe, caused significant mental health issues, and undermined the school's culture.

Verbal Abuse and Legal Threats: A principal was verbally abused by a parent in front of others, threatened with media exposure and legal action, and subjected to defamatory statements on social media.

Physical Assault: A principal was physically assaulted by a parent, leading to a legal process and causing significant stress for both the principal and their staff.⁷⁵

- 2.59 The Committee received confidential submissions from former teachers who had experienced bullying within schools, many of whom experienced substantial mental distress and no longer teach as a result. Common themes included the way in which bullying complaints were handled by school administration and DECYP.
- 2.60 Sam Johnstone, a teacher and former Deputy Principal of a Catholic school, told the Committee a change in his relationship status negatively affected his employment:

Mr JOHNSTONE - ... I want to begin by saying this is not easy to speak about, but it matters.

During a period of extreme personal hardship, including marital breakdown, I continued working as a deputy principal within Catholic Education Tasmania. At the same time, I was a practising Catholic, deeply involved in my parish, present in the life of the Church and committed to raising my children within the faith

⁷⁵ Submission No. 73, Tasmanian Principals Association, p. 5.

community I had served for years. While struggling profoundly on a human and family level, I remained committed to my students, my staff and my vocation.

During that time, I relied on a close, supportive relationship with a colleague. That support was critical to my wellbeing while I tried to hold myself together and continue leading responsibly.

Acting with honesty and integrity, I proactively disclosed that relationship to the then principal because I believed transparency was not only expected but required of someone in my role. That disclosure became the catalyst for everything that followed.

From that point on the focus shifted. It was no longer about my professional conduct, my leadership or my years of service. It became about my personal life or how it was perceived. I was judged not on behaviour but on relationship and marital status, not on evidence but on assumption, not with care but with process and power. There was no finding of professional wrongdoing. There was no evidence-based assessment of misconduct, yet I was stood down from my position.

I was treated as though I was morally compromised and had been involved in criminal-type behaviour at a time when I was already deeply vulnerable and needed support and care. At that point the discrimination became explicit. I was told I could not continue as a leader and even a teacher in my school, nor could I teach in any other Catholic Education Tasmania school. That was not based on professional competence, conduct or substantiated finding of wrongdoing. It was a blanket exclusion from my profession.⁷⁶

- 2.61 Archbishop Ireland, who replaced former-Archbishop Porteous in June 2025, provided a letter to the Committee on 2 February 2026 which strongly disputed some evidence provided to the Committee. Archbishop Ireland referenced a non-disclosure agreement constraining further contributions. This letter was received after Archbishop Ireland had been invited to provide evidence before the Committee in January 2026, which was declined. The letter is available in full on the Inquiry webpage.⁷⁷
- 2.62 Mr Johnstone told the Committee the treatment of staff and students should be more supportive:

CHAIR - ... what would you like to see happen out of this committee process in terms of a practical outcome?

Mr JOHNSTONE - For me, it's understanding that people shouldn't live in fear around these types of things, whether it be young males or females who are either heterosexual, homosexual, gender fluid or whatever it is they're dealing with, or their marital status does change - leaders, people in these places feel safe to live their life.

⁷⁶ Transcript of Evidence, 28 January 2026, Equality Tasmania, p. 3.

⁷⁷ Available at

https://www.parliament.tas.gov.au/data/assets/pdf_file/0012/102423/Archbishop_02022026_Redacted.pdf

*I am a very specific, religious man who's Catholic, who goes to church every Sunday, who receives the sacrament, who understands all of this and then lots of these things were brought upon me without any surety or clarity in coaching and teaching and compassion. From this, I think people need ... to feel safe and they feel that there's an arm-around approach as opposed to a punitive, out the door - ...*⁷⁸

- 2.63 Private Witnesses with experiences in Government schools said management could play a significant role in school culture. They raised concern with isolating actions, such as ignoring an individual in person or leaving them out of important email communication.⁷⁹ A lack of appropriate grievance mechanisms outside of direct reporting to senior staff, who may in some cases be the perpetrators of inappropriate behaviour, was also cited as a significant concern.⁸⁰

- 2.64 Mat Grining, President of the TPA, was asked at a hearing of the Inquiry about the potential barriers to managing bullying in Tasmanian schools:

Mr GRINING - One of the biggest barriers or challenges is the influence, and resources, and support, and connection that we have with families. Across a number of different social services and agencies other than education, they would report that it is increasingly difficult to engage families for a range of reasons. The societal structure is quite different for this current generation of students that we see coming through, and the access to family supports. Whether it be being able to physically have parents come in and have a conference with a family or being able to have phone contacts, or even around having some clear and consistent messages between home and school to support the young people that we're committed to. That is a real challenge. The way that we can connect with and engage with families continues to be a real challenge that that can be a real enabler, but also a real barrier as well.⁸¹

Findings

The Committee finds:

1. Bullying, discrimination and harassment are real and persistent problems in Tasmanian schools across all sectors.
2. Bullying, discrimination and harassment have damaging impacts on individuals, and the wider community, and can have lasting and devastating impacts.
3. The vast majority of staff and students at Tasmanian schools are supported at schools across all sectors. This is testament to the effort and care provided by education administrators and frontline staff, including

⁷⁸ Transcript of Evidence, 28 January 2026, Equality Tasmania, p. 7.

⁷⁹ Transcript of Evidence, 13 February 2025, Private Witnesses, p.6.

⁸⁰ Transcript of Evidence, 13 February 2025, Private Witnesses, pp. 2-3.

⁸¹ Transcript of Evidence, 22 October 2024, Tasmanian Principals Association. p. 31.

principals, teachers and support staff. Community organisations working in partnership with schools also provide important support for staff, students and families.

4. Safe and respectful environments and relationships are the objective of all Tasmanian schools across all sectors. Bullying, discrimination and harassment are officially viewed as unacceptable.
5. While Tasmanian schools across all sectors pledge commitments to the anti-discrimination and anti-bullying policies of their institutions, evidence received suggests the application of these policies may vary between schools and sectors.
6. The Government has substantially agreed to the national definition of bullying, which is implemented in Department for Education, Children and Young People policies and procedures.
7. Evidence to the Committee suggests discrimination and bullying are experienced in schools to a greater extent by certain cohorts, particularly students and staff with disability, gifted individuals and LGBTIQ+ community members.
8. There is little data available regarding the nature and frequency of discrimination and bullying experienced by Tasmanian students with disability. Lived-experience evidence suggests a lack of adequate accommodations for, and understanding of, the needs or experiences of students with disability.
9. Teachers can encounter discrimination and bullying from their employer, staff, students and parents and carers.
10. Some students with disability are not provided appropriate accommodations that meet their needs and this contributes to negative impacts on learning, feelings of isolation and lower self-esteem.
11. The inclusion of family members and external carers in the planning for accommodations and care of students with disability in Tasmanian schools is not always facilitated.
12. Transgender or gender-diverse students in Tasmanian schools are not always appropriately supported in matters such as: the acceptance and management of name changes; appropriate bathroom and changing facilities; and the handling of instances of discrimination and/or bullying.

Recommendations

The Committee Recommends:

- 1. All schools actively implement their anti-discrimination and anti-bullying policies.**
- 2. All schools implement policies, procedures and upgrades that deliver appropriate accommodations to meet the needs of students with disability.**
- 3. All schools ensure that family members and external carers be consulted in the planning for accommodations and care for students with disability.**
- 4. All schools implement policies and procedures that support the use of transgender or gender-diverse students' preferred names. Where a preferred and legal name are the same, schools must ensure compliance with the legal name.**
- 5. All schools provide individual stall unisex bathrooms as part of upgrades and redevelopments or when budgets otherwise allow.**
- 6. The Government liaise with the Non-Government school sector to endorse the provision of appropriate and consistent policies and facilities across the Government and Non-Government school sectors for transgender or gender-diverse students in Tasmania.**

3 IMPACTS OF DISCRIMINATION AND BULLYING

- 3.1 The Committee received evidence from submitters about the severe impacts discrimination and bullying can have on individuals. Submissions outlined experiences of students and teachers across Government and other school institutions.

Impact on Students, Families and Support Networks

- 3.2 The Headspace submission noted the impact of discrimination and bullying on young people's mental health:

Young people tell us that bullying and discrimination can impact significantly on their mental health. Experiencing bullying can be traumatic and have a lasting impact. As the member of hyNRG [Headspace Youth National Reference Group] said:

The impacts bullying has on young people is far larger than it may seem. Many people like myself come out on the other side a completely different person than before, some don't even make it out. The effects can last a lifetime.

Bullying, harassment and discrimination can affect a person's performance at school, university, TAFE or work, and can increase the risk of depression, anxiety, self-harm and suicide.⁸² Our hyNRG member described the impact of his experiences at school:

Bullying was a constant throughout my high school years... The impacts this had on my life have been vast and lasting, many of which I still battle with today.

(During Year 8) I was on track for professional academy trials but started to face panic attacks and fear being seen as less than I was. This devastated my dream of being a professional footballer and largely amounted to hatred of playing a game I had once loved.

After another year of abuse, I began failing in school. I would return home with bruises all over my body and grazes from where I had been thrown, punched and kicked. I began to show signs of depression, difficulty leaving my bed and the house. I started to have thoughts of suicide and stopped planning for any future as I wasn't sure I would have one.

I lied to my parents out of fear that speaking out would only make the treatment worse. This resulted in my parents and I falling out, a relationship I still haven't been able to repair today.⁸³

- 3.3 Through the lens of complaints received to its Office, the Office of the Anti-Discrimination Commissioner said the following:

⁸² Footnote 1, cited in Submission No. 71, Headspace, p. 1. - See for example: Suicide Prevention Australia, *Social-economic and environmental determinants of suicide: Background paper*, August 2023.

⁸³ Submission No. 71, Headspace, pp.1-2.

...it is clear that students who experience discrimination and/or prohibited conduct in schools experience the following repercussions:

- *Disruption to learning due to disengagement with, or exclusion from, school*
- *Social impacts, such as being ostracised by peers, and loss of connection from the school community*
- *Mental health impacts, including the development of anxiety and depression*
- *Effects to the family unit, parental distress, separation of siblings, confusion as to why one sibling has been suspended or expelled but not others*
- *Impacts on parents who become viewed as problematic for advocating for their child, parents disclosing suicidal ideation of their children*
- *Impacts to student learning where staff leave the workplace due to discrimination or prohibited conduct in their employment.*⁸⁴

3.4 The DECYP submission outlined the negative impact discrimination and bullying can have:

*Many of the negative impacts of bullying and discrimination are similar between those experienced by students and their families, and those experienced by school staff and their families.*⁸⁵ *These include:*^{86 87}

- *Mental health (shame, anxiety, depression, self-esteem, cognitive difficulties, panic attacks)*
- *Physical health (muscular tension, headaches, fatigue, digestive problems)*
- *Relationships and social disconnection*
- *Feel unsafe*
- *Sense of hopelessness or powerless*
- *Long term implications for health and achievement.*⁸⁸

3.5 Headspace highlighted there are some cohorts likely to experience higher rates of discrimination and bullying:

*For example, a disproportionate number of LGBTIQ+ young people experience poor mental health, and this has been directly related to experiences of stigma, prejudice, discrimination and abuse because of identifying as LGBTIQ+.*⁸⁹

First Nations young people also experience high rates of bullying and discrimination. In Mission Australia's 2019 Youth Survey, three in ten (30%) of First Nations young people said they had experienced bullying during the past 12

⁸⁴ Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 20.

⁸⁵ Footnote 16, Violence Harassment and Bullying. Australian Human Rights Commission, from Submission No. 74, Department for Education, Children and Young People, p.7.

⁸⁶ Footnote 17, Bullying. No Way! Australian Schools Anti-Bullying Collective, from Submission No. 74, Department for Education, Children and Young People, p.7.

⁸⁷ Footnote 18, Guide to Preventing and Responding to Workplace Bullying. Safe Work Australia, from Submission No. 74, Department for Education, Children and Young People, p.7.

⁸⁸ Submission No. 74, Department for Education, Children and Young People, p. 7.

⁸⁹ Footnote 2, LGBTIQ+ Health Australia, Beyond urgent: National LGBTIQ+ mental health and suicide prevention strategy 2021-2026, 2023., from Submission No. 71, Headspace, p. 2.

months, compared to two in ten (20%) of non-Indigenous respondents.⁹⁰ Nearly three-quarters (73%) had experienced bullying at school, TAFE or university:

As a First Nations young person, in school it was hard for me to be open about my culture. I was forced to hide that side of me out of fear. There were many times where I was discriminated against by schoolmates for being too 'fair' to be an aboriginal person. This made me feel as if I had to prove myself to be aboriginal, but without mentors or any connection to my mob I felt isolated. Eventually, I felt embarrassed to be aboriginal and had thoughts to stop declaring that I was.⁹¹

- 3.6 The Office of the Anti-Discrimination Commissioner also drew upon this in its submission, quoting the Mission Australia Youth Survey Report 2020 which noted:

Discrimination against young people who identify as lesbian, gay, bisexual, transgender, intersex, queer/questioning or asexual (LGBTQIA+) was also identified as an issue by survey respondents. The implications of this discrimination are significant. People who identify as LGBTQIA+ are six times more likely to attempt to end their life compared to their peers. Discrimination, prejudice, isolation and family rejection because of their sexuality and gender identity may increase the risk of suicide and suicidal ideation.

Schools are an important site of efforts to eradicate this discrimination and ensure young people of different gender identities are safe and included. LGBTQIA+ people should be specifically recognised and included in the development of strategies, programs and policies for young people. It is also important that services and supports including physical and mental health professionals, community services and other sports and recreation services create welcoming environments sensitive to the needs of LGBTQIA+ young people.⁹²

- 3.7 In her submission, the Acting Commissioner for Children and Young People, Isabelle Crompton, reflected upon findings from the Australian Institute of Health and Welfare (AIHW), noting that effects of bullying can be felt by both victim and perpetrator:

Research has shown that bullying in schools has negative impacts not only for those who are on the receiving end of bullying behaviours, but for those who use bullying behaviour, and those who witness bullying behaviours.⁹³ Negative impacts of bullying may include lower levels of engagement with school, poorer academic

⁹⁰ Footnote 3, Mission Australia, *Youth Survey Report 2019*, 2019, from Submission No. 71, Headspace, p.2.

⁹¹ Submission No. 71, Headspace, p. 2.

⁹² Footnote 23, Tiller, E., Fides, J., Hall, S., Hicking, V., Greenland, N., Liyanarachchi, D., and Di Nicola, K. 2020, *Youth Survey Report 2020*, Sydney, NSW, Mission Australia <http://www.missionaustralia.com.au/media-releases/young-australians-greatest-concerns-unmasked-equity-and-discrimination-covid-19-mental-health-education-and-employment>, from Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 20.

⁹³ Footnote 11, Research snapshot – what are the impacts of bullying? (bullyingnoway.gov.au), from Submission No. 278, Commissioner for Children and Young People, p. 4.

performance, poorer physical health, and poorer mental health, including a higher risk of suicide.^{94 95}

3.8 Reede Adams-Beckett, a member of the Headspace Youth National Advisory Group, outlined his experience of discrimination and bullying in school:

Mr ADAMS-BECKETT - ... [as] a young person with many experiences of bullying and discrimination during my years attending high school, I believe this inquiry is of high importance.

I would like to give a brief introduction to my experiences in high school. I began year seven in 2016 and faced bullying and discrimination almost immediately. As a 13-year-old, I was not aware this was happening to me or the effects that this would have in my life. In 2017 I realised what was really happening. I was later told that this was 'boys just being boys'. This was not that. I was punched, kicked, spat at and verbally abused almost every day for five years. What made the situation worse was that this was my friends. I felt trapped and embarrassed. I was made the laughing stock of an entire grade.

In year 10, I had my lowest year. I thought about suicide for the first time, I lost all confidence, I didn't want to attend school anymore and I even fell out of love with my hobbies. You see, bullying and discrimination has impacted every aspect of my life, from my home life, personal relationships, my education, my connection to culture and, crucially, how I view myself. I was forced into becoming someone I didn't want to be as a protective mechanism. As a result, I still struggle with anxiety, I'm still reminded of the events of high school and I find it hard to trust the people in my life.

During the years since, I've had the time to reflect on what has helped and what I wished I had when I was still in school. I believe that support from a clinician, whether that be Headspace or another organisation, was my turning point. I was able to speak to someone outside my family for the first time. For the first time I felt I could talk to someone without my family being worried about me.

Although I believe there is more that needs to be done for young people, I feel teachers may not be adequately trained to support a young person in this delicate situation. I'm certain many teachers want to assist but are scared to make the problem worse by taking action.

I feel very honoured to speak on this topic today, although there was a time I didn't think I would make it here. If there's anything I want you to take away from what I've just said, it's that bullying and discrimination ruins the lives of young people and it's time our young people and our teachers are supported properly. Thank you.⁹⁶

⁹⁴ Footnote 12, Australia's children, Bullying – Australian Institute of Health and Welfare (aihw.gov.au), from Submission No. 278, Commissioner for Children and Young People, p. 4.

⁹⁵ Submission No. 278, Commissioner for Children and Young People, p. 4.

⁹⁶ Transcript of Evidence, 3 September 2024, Headspace, pp. 15-16.

3.9 The Tasmanian Association of State School Organisations (TASSO) spoke to the Committee about the impacts of bullying on families and support networks:

Ms BENNETT - The biggest thing that we'd to talk about is the impacts of bullying on families, and the impacts of an under resourced system, potentially, that doesn't offer the supports within the structure of schools that is often needed. The predominant story that we hear - and it seems to be the same story from every family that contacts us - is if bullying restorative practices within schools don't work, the impact that that has on the family life, and the impact that it has on the student.

What we see is that restorative play in primary school, restorative conversations in high school - when they break down, and they're not working, and bullying continues, parents will often start advocating for their student within that school space, seeking consultation with the principal or senior staff...

We hear parents say that they go in and speak to senior staff and they're told that the child that's perpetrated the bullying has had their punishment issued and, 'We can't do anything more because we can't suspend them', often because of a family situation at home. Parents are told that, that the child that's causing harm to my child can't be punished any further because it's a suspension, and that's not the best place for that student at home, which is understandable. We're all very understanding that that is an issue. Then what happens is that the child who is the victim of the bullying will sometimes retaliate and cop a harsher penalty than what has been issued, in the eyes of the student, than the bully themselves...

Then it continues on, and we get kids with school refusal, lack of attendance, and that's not what we want. We need to come up with a solution that really gives a fix to bullying. Let's fix it. I don't know what the answer is.

I also find that often students don't have the power to do the advocacy themselves. There's no means to advocate on your own. If your parents aren't able to step in and advocate in, say, a grade 7 environment, where we know that kids don't have safe adults within schools yet, and they've got that transition - it's obviously a little different in district schools. You don't have that safe environment to go and talk to somebody, there's no way for that student to raise a concern early, so there's no early intervention.

We need a mode that students can have their voice heard, and also speak on behalf of their friends... I think that's really lacking within the system.⁹⁷

3.10 Attending the hearing with TASSO was Rosalind Wharton who spoke about her experience with the bullying of her daughter at a Government school:

Ms WHARTON - ... Most relevant probably to this particular hearing is her most recent experience was she started grade 7 in high school at a regional school, and she didn't actually even make it to school. She just got on the bus. That was enough - got on the bus and took a seat and then started getting abused and it just grew from there. She didn't do anything and there was no purpose for any of it. She

⁹⁷ Transcript of Evidence, 22 October 2024, Tasmanian Association of State School Organisations, pp. 19-20

didn't know the girl who had abused her but the girl was a senior girl so she knew everybody at school. It just escalated until halfway through term 2. She was afraid to go back to school because everybody was going to bash her.

We held her back for a week and I thought we'd just let things settle down. At the end of that week, on the night before she went to school, a group of them had passed her mobile number around, which is private and she's been very protective of, but there was a very calculated attack - cyber. I'll call it a 'text message'. It was just all text messages, and the language and the threats - I don't know very many adults who would be able to deal with that, so she didn't return to school. She hasn't returned to school.

We enrolled in an e-school but she's actually currently unable to learn at all. She basically has PTSD. We can't take her anywhere where there are teenagers. She just won't go to the supermarket if it's school's-out time. She won't go to watch her friend play football because there are going to be other kids there.

I've had to stop work and be home full-time... ⁹⁸

3.11 She continued:

Ms WHARTON - Our daughter is quite resilient. She's very empathetic and compassionate and we've had very many conversations over the years. Because we live in a smaller community, there are kids and friends from every background. Some kids are more disadvantaged than others, and some kids are more supportive than others. We've had lengthy conversations around what different families look like and what different levels of privilege might look like.

We are privileged because we are able to seek medical help for her. We can pay for a psychologist, we can pay for a counsellor, we can take her to the doctor and the paediatrician and that sort of thing. We make choices that are in her best interest, not necessarily always popular, but every choice we make is in her best interest. ⁹⁹

3.12 Ms Wharton also discussed with the Committee the difficulties she experienced with continuing her daughter's education outside of school, noting the school was unable to provide resources for her daughter.¹⁰⁰ The process for getting her daughter access to eSchool was also discussed:

Ms JOHNSTON - You spoke earlier about problems with eSchooling and that gap between being able to enrol in eSchool. Is that on an individual teacher basis, is that a decision the school makes or the principal makes, in terms of providing - were you given a reason why they couldn't provide you?...

Ms WHARTON - ... No, I did ask several times for work to be sent home. Again, it was always, 'We'll need to talk to' and 'we'll get to', and nothing eventuated. I had no clue about eSchool. This has come out of the blue for us. I didn't know that eSchool existed; I just thought there was either school or home school. The doctor told me about eSchool and said, 'This is what we'll do.' It was like, 'Okay, right.'

⁹⁸ Transcript of Evidence, 22 October 2024, Tasmanian Association of State School Organisations, p. 20.

⁹⁹ Transcript of Evidence, 22 October 2024, Tasmanian Association of State School Organisations, p. 21.

¹⁰⁰ Transcript of Evidence, 22 October 2024, Tasmanian Association of State School Organisations, p. 25.

Ms BENNETT - How long had she not been at school at that point?

Ms WHARTON - A month. To be able to enrol in eSchool we needed to be able to see the paediatrician. We needed a letter from him. We couldn't see him for three months, he was away, and he doesn't read emails or do anything in between, other than prescriptions, if need be. So, we had to suffice with a report from the psychologist. She was amazing and, thankfully, she had been seeing somebody for long enough that she was able to be comprehensive in her recommendation, and that was enough - but we were lucky.¹⁰¹

- 3.13 The TASSO representatives went on to further describe how students and families provided their own support to each other in the absence of a lack of support from educational institutions:

CHAIR (Ms Dow)- Did you feel that you were well supported from the Education Department point of view, with their support staff and the support network around your family?

Ms WHARTON - I wasn't, no. Not at all. Not for lack of wanting. I need to be clear that everybody who I dealt with wanted to help but were unable to.

CHAIR (Ms Dow)- Was that due to the lack of those specialist staff?

Ms WHARTON - Lack of specialist staff, lack of support staff, lack of agency to be able to make the call. We had started before the school year started. We had asked to be referred through to the school psychologist and social worker, and by the middle of term 2, once everything had escalated, that still hadn't happened.

Mr ALLAN - I want to add to the point around the support group, that in doing our consultation for this submission, we found that there were a lot of very common themes from people where they had the same experience. Or 'person A' - even during our calls, 'person A' knew about a particular pathway to get services or support, and nobody else knew. Those kinds of things are valuable when you do have a support group of any kind, and that's talking to our submission.

We also were discussing this morning about students - the students themselves being part of a support network for each other as well.¹⁰²

Impact on Staff and Institutions

- 3.14 Launceston College Student Representatives supplied a submission to the Inquiry and noted a number of issues they saw as predominant concerns in their education environment, as well as more broadly across schools in the Launceston area:

Firstly, in some schools there is “an assumption that behaviour is okay,” because students are not made adequately aware of reporting and support measures put in place to address their concerns and experiences. Students have reported raising concerns around bullying with their teachers, who either did not have the time or

¹⁰¹ Transcript of Evidence, 22 October 2024, Tasmanian Association of State School Organisations, pp. 25-26.

¹⁰² Transcript of Evidence, 22 October 2024, Tasmanian Association of State School Organisations, p. 26.

resources to follow up the concerns. This problem is particularly pronounced in public schools, which continue to be under-resourced.

There are several issues that arise from the lack of processes to address bullying in schools. One student reported that “at my high school, there were some people picking on me and stabbed me in the yard. To sweep it under the rug, the teachers deleted the camera footage [of the incident].”

We are deeply concerned that teachers may be dodging accountability for student bullying getting out of hand. We further note that many teachers do not receive comprehensive behaviour management training or conflict resolution training to handle violent or discriminatory situations in the classroom.

Additionally, we note that we have students at Launceston College who left Catholic schools due to discrimination and a lack of support for their gender and sexual identities.

LBTQIA+ [sic] discrimination has also been an issue within our own schools. In two separate instances, on days organised to celebrate LGBTQIA+ inclusion and awareness, the displayed Pride flags were torn down. On one occasion, it was defiled and shoved into a toilet by a student overtly motivated by transphobia.

Instances such as these send a message that LGBTQIA+ students are not welcome or respected by their peers. It makes students feel less safe to express themselves or want to be at school at all.

We believe that bullying and harassment is one of the driving factors behind a lack of attendance at schools.

We note that a lack of safe spaces in some schools is having an impact on LGBTQIA+ students, as well as other students experiencing bullying and discrimination.

We further note that a safe, supportive and inclusive environment is a requisite for engagement in learning and of academic performance. Therefore, improving the culture and processes around bullying and discrimination is essential if the Year 12 attainment rate is to be raised, or if our schools’ literacy and numeracy standards are to be raised.¹⁰³

3.15 The Inquiry also received evidence regarding potential impacts of discrimination and bullying on staff and institutions.

3.16 DECYP outlined such matters in relation to school staff and leadership, alongside further suggestions regarding impacts on students and families:

Specific impacts on students and families

Negative impacts on students and their families have been observed relating to:

- School engagement and attendance (school refusal)
- Academic achievement
- Long-term impacts for physical and mental health
- Experiences of contempt and exclusion from peer relationships
- Stress arising through the reporting and disciplinary processes.

¹⁰³ Submission No. 280, Launceston College Student Representatives, p. 1.

Specific Impacts on school staff and leadership

Negative impacts have been observed relating to:

- Parental bullying of school staff (physical violence and online)
- Reputational damage (particularly in small communities)
- High staff turnover and low morale
- Leaving the education sector.¹⁰⁴

3.17 The Office of the Anti-Discrimination Commissioner also outlined examples of the repercussions for staff experiencing discrimination and/or prohibited conduct:

- *Impacts to wellbeing, psychosocial safety in the workplace*
- *Disengagement from the profession, which for teachers flows on to impact students*
- *Economic loss from impacts of discrimination*
- *Development of medical conditions (anxiety, depression etc)*
- *Changing jobs, stagnation of career, impacts to confidence and capacity.*¹⁰⁵

3.18 Additionally, the Office of the Anti-Discrimination Commissioner detailed repercussions that could occur for educational institutions as a result of such matters:

- *Overall decrease in employee moral and impact on team dynamics*
- *Reduced diversity and a staffing cohort which does not reflect the student population*
- *Increased turnover of staff and inability to retain staff (which can be disruptive to learning)*
- *Legal consequences (workers compensation and anti-discrimination matters)*
- *Damage to reputation and public perception of the educational institution*
- *Discrimination undermining organisational structure and values, leading to a toxic workplace.*¹⁰⁶

3.19 The Australian Education Union (AEU) Tasmanian Branch provided in its submission information on the status of issues regarding conduct and their interconnection to increased workers' compensation claims:

A lack of effective options to resolve bullying or discrimination results in people having to remain in a workplace where issues are unresolved. Over time the situation often deteriorates and the impacted staff member, who tries to 'tough it out', ultimately suffers an injury for which they then need to make a workers compensation claim. The workers compensation process is further traumatising for people who claim an injury due to bullying. In almost all instances, DECYP will ask for a statement from the person who is accused of bullying or harassment. In most cases the accused will deny the accusations and then the workers compensation claim is disputed based on a 'factual dispute'. Better support must be provided to

¹⁰⁴ Submission No. 74, Department for Education, Children and Young People, p. 7.

¹⁰⁵ Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 21.

¹⁰⁶ Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 21.

workers making a workers compensation claim, as part of a systemwide bullying framework.¹⁰⁷

- 3.20 The AEU further expanded upon its concerns regarding workplace health and safety for education staff:

Under the Work Health and Safety Act 2012 the DECYP, as the Person Conducting a Business or Undertaking (PCBU), has a primary duty under the Act to manage risks associated with exposure to hazards arising from work that could result in psychological harm. That is a duty to identify, assess and manage risks to workers' health and safety arising from employment, including risks of psychological harm caused by bullying. Workers experiencing bullying, harassment and discrimination in Tasmanian schools and colleges understand that the PCBU has failed them in this duty. Psychological injury claims from DECYP workers continue to rise at an alarming rate – up from 54 in 2021 to a shocking 149 in the year to March 2024.

...

DECYP must enter a transparent process with workers and their union representatives to improve workplace health and safety across schools and colleges, including supporting the implementation of work groups, Health and Safety Representatives, Mental Health First Aiders and HSR training. Workers and their representatives must be given release time to contribute to improved policies, practices and responses to health and safety risks in our workplaces, especially psychosocial risks associated with bullying, discrimination.¹⁰⁸

- 3.21 The AEU also provided information regarding student-on-staff bullying, harassment and violence:

Bullying and harassment of educators and other workers in our schools and colleges contributes to current workforce shortages by negatively affecting retention and recruitment. In turn, workforce shortages negatively affect student engagement, and result in long wait times for assessment and intervention. We must break the cycle. Educators report growing instances of toxic masculinity and gendered harassment driven by external, often online, influences and influencers. Teacher Assistants especially, but workers across the board in schools and colleges, experience violence from students far too often and are inadequately supported by their employer. Changing DECYP reporting systems for incidents and inadequate induction and training into reporting procedures and tools means there is a severe under-reporting of health and safety hazards and incidents. Simple things like a lack of paid 'off-class' time for Teacher Assistants, a lack of access to technology at work to complete electronic reports, and excessive workloads across the board all create barriers to all hazards and incidents being reported.¹⁰⁹

- 3.22 Mr David Genford and Mr Brian Wightman, President and State Manager of the AEU Tasmanian Branch respectively, further drew on the pressures on staff

¹⁰⁷ Submission No. 78, Australian Education Union Tasmanian Branch, p. 7.

¹⁰⁸ Submission No. 78, Australian Education Union Tasmanian Branch, p. 7.

¹⁰⁹ Submission No. 78, Australian Education Union Tasmanian Branch, p. 9.

experiencing negative workplace occurrences in relation to bullying and/or discrimination when appearing before the Committee:

Mr BAYLEY - One thing that jumped out at me in your submission was the statement that as Tasmanian State Service employees, AEU members, teachers in schools and colleges, do not have access to a systemic bullying remedy which, for me, is a remarkable failure that would compound and contribute to the pressures that we've just heard you explain. Can you unpack that for us? ...

Mr GENFORD - I think it also says in the submission that there is a grievance policy, but how successful it is in the culture around it probably prevents the recourse from actually happening. There is a fear of speaking out both within your school and externally as well... If bullying is coming from people of power within the school there is a severe reluctance to report it. We have seen cases where things get reported and in the ED5 process, employment directive 5, which is around code of conduct, you actually don't find out what happens. The people making the claim never actually find out the result of that claim to the person. I've seen a whole school - and I prefer not to name the school; I can after the broadcast - basically lose almost all their staff because an ED5 process went through and nothing happened. The principal remained, and what options are there? It shouldn't be a case of because you get bullied, you're the one who then needs to move. That's victim blaming but that's the situation.

Mr BAYLEY - When was that situation?

Mr GENFORD - That was recently, if not last year, within the last two years. That's the concern as to where that takes place.

In our submission we talk about a lack of a transfer policy for support staff. Support staff are great, they're so valuable, but it is a workforce that does not find it easy to speak up against a school business manager or principal who is even saying something they know is not true. We give a lot of support saying, 'This is what you're entitled to', and if an SBM or a principal disagrees with that, it's very difficult for them to stand up to them. We have a lot of people not on full-time permanent hours, so they feel as though they're at risk of having their hours reduced or losing their position and they're not comfortable in that environment. Sometimes teachers are a little bit more argumentative and happy to speak up, but for our support staff there's no transfer policy in place for them to go, 'Can this happen for me? What can we actually do?'. In our last agreement, we negotiated for a pilot to take place. It still hasn't happened. There's been nothing put in. The part of our submission we are predominantly concerned about is around our support staff's inability to do anything. Apart from quitting, what option do they have?

Mr WIGHTMAN - Our support staff experience the power imbalance that is hierarchical in nature in school and college settings. They are disempowered to speak up in those situations, so they either tolerate it, leave or have blow-ups, arguments or whatever it might be in a school context.¹¹⁰

¹¹⁰ Transcript of Evidence, 7 November 2024, Australian Education Union Tasmanian Branch, pp. 26-27.

- 3.23 Mr Genford and Mr Wightman continued, claiming the State Service Code of Conduct can be used as a threatening mechanism:

Mr WIGHTMAN – *Teacher’s code of conduct is a very powerful tool and it can be wielded in industrial disputes, for example, or when we're bargaining and things like that. I would say teachers generally are pretty scared of the code of conduct.*

Mr BAYLEY - *Weaponised?*

Mr WIGHTMAN - *I'll let you infer that - sounds like House of Cards, doesn't it? - but it is used in a way to prevent people from speaking out. The threat of the code of conduct is so serious and for someone where it's a vocation rather than just a job, that is certainly detrimental to people raising concerns.*

Mr GENFORD - *That culture doesn't exist in all jurisdictions around Australia. I have colleagues from other states who can't believe we have a culture where we have staff so reluctant to speak out and say exactly what's going on, because if they say something against the state government, they're at risk of a code of conduct breach. We understand that technically they're allowed to speak, they can be factual and they can talk about what's going on and as long as they're not criticising the government they can say stuff, but because there's a grey area, people don't want to do it. People don't want to speak up unless they have the backing of the union. If you're an elected representative, we feel as though there's the ability to say more, but staff don't want to take that risk, which I think means you're ingraining a culture of people who aren't going to let people know when things aren't working.¹¹¹*

- 3.24 The above comments were substantiated in confidential evidence to the Committee given by a number of former teachers and support staff. This evidence discussed concerns with reporting incidents to senior staff due to a fear of retaliation or lack of appropriate action. Support exterior to the internal school environment, such as through DECYP and their policies, was considered lacking by a number of individuals who participated in a confidential capacity with the Committee.

- 3.25 Mr Mat Grining, President of the Tasmanian Principals Association (TPA), provided evidence to the Committee regarding the ongoing concerns for education staff and what changes may be useful for consideration and adaption into the future:

CHAIR (Ms Dow)- *...I am interested if you think that this type of culture and the high incidences around harassment, bullying, particularly for principals and teachers, is leading them to leave the profession, and what you think we can do about that?*

Mr GRINING - *... I guess I need to say that it is not the overwhelming majority of principals who have those sorts of experiences and it is important that that is not lost. The data from the national survey with the Australian Catholic University is really quite compelling. It has sustained over 13 years now that we are seeing those*

¹¹¹ Transcript of Evidence, 7 November 2024, Australian Education Union Tasmanian Branch, pp. 26-27.

trends and they do cover government and non-government school leaders. I guess that needs to be highlighted as well, whilst our members survey was just with government school leaders.

Certainly though, with respect to bullying, and so not with discrimination, around those highest levels that were of intensity that were from parents, that there certainly is some significant and long-lasting impacts as well. Whilst we do not have access to workers compensation or work injury data, it may be worth exploring that further as part of the inquiry as well so that we do have something tangible around understanding the impact, and also understanding and respecting that not everybody does report a workplace injury when it is a psychological injury. We have some work to do around that, around appreciating that a workplace injury with emotional/psychological is just as valid and warranted for support and for documentation and follow up and review as a physical injury would be as well.¹¹²

Findings

The Committee finds:

13. The impacts of discrimination and bullying in schools can be extensive and long lasting. Impacts can include disengagement with learning, social exclusion, feelings of social isolation, poor mental health, a sense of hopelessness, feeling unsafe and effects on families.
14. National data indicates a disproportionate number of LGBTIQ+ people and Aboriginal people experience discrimination and bullying.
15. Bullying affects the victim, the perpetrator and bystanders.
16. Some Tasmanian families cannot access adequate support staff in Government schools, leading to them seeking external support for their children through private providers.
17. Parents experience difficulties when seeking assistance to continue their child's education in instances when students are unable to attend school due to discrimination or bullying.
18. There are significant barriers to parents enrolling their child in eSchool to continue education if they are unable to attend school in person.
19. Tasmanian students experience bullying outside school, including online or in transit to or from school. These occurrences often do not fall within the remit of schools to manage and respond, leading to a lack of action.
20. Due to a focus on perpetrators of bullying, current restorative practices can lead to victims feeling unsupported.

¹¹² Transcript of Evidence, 22 October 2024, Tasmanian Principals Association, p. 36.

21. Discrimination and bullying in schools can have impacts on educational institutions themselves, leading to reputational damage, decreased morale, impacted enrolments, higher staff turnover, legal consequences and reduced diversity of teaching cohorts.
22. Ineffective resolutions to discrimination and bullying in schools can further traumatised complainants and lead to increased workers' compensation claims.
23. There is no transfer policy in place for certain school support staff in the Department for Education, Children and Young People.
24. Worker representatives are concerned about potential misuse of the State Service Code of Conduct as a silencing mechanism by the Department for Education, Children and Young People.
25. There is a need for clearer publication of data regarding workers' compensation claims or workplace injuries of teachers and support staff in Tasmanian schools.
26. Psychological injuries suffered by school staff in the workplace may not be recognised, reported and treated with the same regard as physical injuries.

Recommendations

The Committee recommends:

7. The Department for Education, Children and Young People implement processes to increase awareness in schools for students about what discrimination and bullying is, how to identify it and how to report it.
8. The Government increase specialist support staffing, including mental health support, in all Tasmanian public schools.
9. The Government increase mandated and ongoing training and support for teachers on behaviour management and conflict resolution to address and handle discrimination and bullying as issues arise.
10. The Government improve access for students to the eSchool program, particularly where students are unable to attend local schools as a result of discrimination and bullying.
11. The Department for Education, Children and Young People develop a transfer policy for support staff.
12. The Department for Education, Children and Young People review policies and procedures regarding psychological work injuries.

4 PREVENTION AND REMEDIES FOR DISCRIMINATION AND BULLYING

- 4.1 This Chapter considers the current approaches and potential further measures for the prevention or remedy of discrimination and bullying in Tasmanian schools.

Current Approaches

- 4.2 The DECYP submission outlined its current approaches to preventing and responding to discrimination and bullying in Tasmanian Government schools:

DECYP has implemented a range of resources, policies, professional learning and behaviour change initiatives to help prevent and respond to discrimination and bullying in our schools.

The Student Behaviour Management Policy and Procedure ensures minimum standards in preventing, responding to and reporting negative behaviours such as bullying across all schools.

The Disability Standards for Education (DSE) play a key and prominent role in shaping our approach to inclusive education. These standards aim to promote equal opportunities for students with disability in educational settings, eliminate discrimination, ensure reasonable adjustments are made, and foster an inclusive educational environment.

The DSE applies to a wide range of educational settings - from preschools and kindergartens to public and private schools, vocational education providers, higher education institutions, and adult and community education providers. This comprehensive coverage ensures that students with disabilities are supported throughout their educational journey.

Our procedures and approach reflect and embed the DSE in five key areas - enrolment, participation, curriculum development, accreditation and delivery, student support services, and the elimination of harassment and victimisation.

The Use of Mobile Phones by Students at School Policy outlines restrictions for student use of mobile phones during school hours in Tasmanian Government Schools. Research on the use of mobile phones by students and the impact of cyber-bullying and student wellbeing was considered in the development of the policy. The Tasmanian policy aligns with the growing evidence that excessive use negatively impacts mental health and wellbeing.

The DECYP Work Health and Safety Policy outlines our obligations under the Work Health and Safety Act 2012 to provide and maintain a safe and healthy working environment. This is supported by the Managing Psychosocial Hazards and Risks Procedure, which sets out expectations for designing and managing working environments and behaviours to reduce psychological harm including from bullying, harassment, discrimination, aggression and violence.

All employees are expected to comply with the State Service Act 2000 Code of Conduct which reinforces and upholds the principles by establishing standards of behaviour and conduct that apply to all employees, including everyone is to be treated with respect and without harassment, victimisation or discrimination. It also requires employees to establish procedures for investigating and determining breaches of the Code.

The DECYP Inclusive Language Guidelines outline how to communicate in Tasmanian government schools to promote respectful relationships to support inclusion and diversity, as required under the Anti-Discrimination Act 1998.¹¹³

- 4.3 The DECYP submission noted it has provided targeted funding to schools in relation to trauma informed practice:

Under the Model for Supporting Students Impacted by Trauma noted above, DECYP has provided targeted funding to 77 schools to build whole-school trauma informed practice, including access to a new interactive online hub with a range of resources and network opportunities. The Government's commitment and the increased investment (\$24 million in the 2023-24 Budget and the Forward Estimates) to support individual students impacted by trauma has enabled greater support over time, with 455 individual students now supported annually.¹¹⁴

- 4.4 The submission further outlined what staff wellbeing supports are available in the state system for DECYP staff:

The DECYP Staff Wellbeing Framework provides guidance and expectations for creating inclusive workplaces where diversity is supported and celebrated, and where staff feel safe, supported and able to flourish, implemented through the Staff Wellbeing and Inclusion Action Plan.

All DECYP staff are expected to comply with the DECYP Work Health and Safety Policy and the Managing Psychosocial Hazards and Risks Procedure, including eliminating risks from bullying, harassment, discrimination and violence.

All Tasmanian government school Principals undergo mandatory induction training which includes legislative obligations, ethical conduct, and professional standards. These resources are available through the Principal Accountabilities Toolkit and an online hub which includes key resources such as the Respectful Communication Toolkit and obligations under the Disability Standards for Education.

The staff Psychosocial Hub includes policy and regulatory obligations, risk assessment and management resources, and the Safety Reporting System. The Legal Services Unit provides relevant legal and policy information to DECYP employees.¹¹⁵

¹¹³ Submission No. 74, Department for Education, Children and Young People, pp. 10-11.

¹¹⁴ Submission No. 74, Department for Education, Children and Young People, p. 13.

¹¹⁵ Submission No. 74, Department for Education, Children and Young People, pp. 13-14.

4.5 DECYP indicated it makes available resources such as access to the eSafety Commissioner's online portal, the school Principal portal and the Australian Government's Bullying No Way! website.¹¹⁶

4.6 Equality Tasmania noted several positive aspects to DECYP policies and programs that have developed over time:

Since the decriminalisation of homosexuality in 1997 the Department of Education (later the Department of Education, Children and Young People), has engaged in LGBTIQA+ inclusive policy development and program implementation chiefly through its LGBTIQA+ Issues-in- Education Working Group.

This has included several editions of the sexuality and gender guidelines, several editions of the inclusive language policy, the implementation of the classroom Pride and Prejudice program, the implementation of teacher training in LGBTIQA+ inclusion, the fostering of Pride Groups and better support for individual students.

DECYP funds organisations like Working It Out to implement the latter's Valuing Diversity Framework in support for LGBTIQA+ young people.

On a number of occasions, the Department has led the nation when it comes to LGBTIQA+ school inclusion policy development.¹¹⁷

4.7 Equality Tasmania continued:

However, despite these positive developments there are still significant problems faced by LGBTIQA+ students and staff in the state school system.

Reports to us indicate that these patterns include:

- Patchy and inconsistent support for students and teachers within and between school communities*
- Failure of some regional and rural schools to conduct any professional development for teachers or foster any support for students*
- The assumption that "everything is fine now we have marriage equality", when this is clearly not the case*
- The assumption that no out LGBTIQA+ students or staff means there are no LGBTIQA+ students or staff at all*
- Action by school communities only when a problem arises*
- The assumption that discrimination and bullying are the fault of the student for being too "loud", "overt" or "political".*
- Inappropriate responses to anti-LGBTIQA+ mistreatment such as keeping the victim inside during breaks rather than tackle the attitudes of the victimisers*
- Lack of professional development for principals and school counsellors in how to effectively challenge anti-LGBTIQA+ prejudice.*

¹¹⁶ Submission No. 74, Department for Education, Children and Young People, p. 14.

¹¹⁷ Submission No. 285, Equality Tasmania, p. 9.

*In summary, while the state education system has very good policies, discrimination and bullying against LGBTIQ+ staff and students still occurs and the response to that mistreatment remains ad hoc. A more systematic approach to dealing with anti-LGBTIQ+ discrimination and bullying in state schools is required.*¹¹⁸

- 4.8 The submission from the Acting Commissioner for Children and Young People noted the response from the education system is often viewed as inadequate, as found in ongoing consultation work in the Commissioner's office:

As detailed in 'We call it happy...', a CCYP consultation report, children and young people have spoken about needing a more responsive education system:

*'Schools' responses to bullying were often identified as absent, inappropriate or insufficient. Many students also felt that systems and/or policies for dealing with bullying needed not only to be implemented, but continuously enforced, monitored, and reviewed for their effectiveness, and integrated with external support services.'*¹¹⁹

The Department for Education, Children and Young People's Behaviour Management Policy¹²⁰ and Procedure outline the steps to be taken when responding to bullying incidents. However, recent enquiries made by parents and carers with this Office suggest that these steps are not consistently applied in practice. Several parents and carers have spoken to us about the barriers and lack of support they have experienced when raising concerns about bullying on behalf of their child.

*It is important for schools to have in place transparent and accessible systems to support students and their parents/carers where bullying occurs. Wrap-around supports are also required for those children and young people who use bullying behaviour in order to prevent continuation or escalation of their behaviour. Well-resourced and timely supports for children, parents/carers, and educators alike, are critical to preventing and responding to bullying behaviours.*¹²¹

- 4.9 A Fairer World, a community organisation that provides ways and supports to learn, connect and act for positive change for schools, workplaces and the general Tasmanian community, noted in its submission some schools hold diversity training and have anti-bullying policies, however there is a need for consistency across schools:

Current efforts include some schools implementing diversity training and anti-bullying policies. However, there is a need for a more standardised and comprehensive approach across all schools. A Fairer World recommends

¹¹⁸ Submission No. 285, Equality Tasmania, pp. 9-10.

¹¹⁹ Footnote 13, Wellbeing-Consultation-Report-We-Call-It-Happy.pdf (childcomm.tas.gov.au) (p.24), from Submission No. 278, Commissioner for Children and Young People, p. 4.

¹²⁰ Footnote 14, <https://publicdocumentcentre.education.tas.gov.au/library/Document%20Centre/Student-BehaviourManagement-Policy.pdf>, from Submission No. 278, Commissioner for Children and Young People, p. 4.

¹²¹ Submission No. 278, Commissioner for Children and Young People, pp. 4-5.

*mandatory training programs, regular audits of school policies and practices, and the establishment of dedicated diversity and inclusion officers in schools.*¹²²

- 4.10 Mr Mat Grining, President of the Tasmanian Principals Association (TPA) outlined how students who require adjustments for learning can be better supported in schools:

Ms JOHNSTON - ... How do you feel principals are supported in advocating to the Department, particularly when it comes to supporting students with great need, whether they live with a disability or whether they have unique needs or addressing bullying? How well do you think the Department is in terms of being responsive to unique suggestions from principals, for instance?

...

Mr GRINING - We do have some processes that are unique to Tasmania, which we should be proud of. One of them is around trauma funding and trauma supported processes. We can nominate students, recognising they may sit outside of the current disability adjustments moderation process that we have.

We've seen great improvements in both of those areas, both in disability adjustments and how we gather evidence for and advocate for resources for students in that space. We also have a trauma moderation process to ensure there are appropriate levels of resource aligned to students, whether it's recognised trauma. Ultimately, we want to align some resources so they have appropriate access to curriculum and school level experiences as well. Those are two areas that we have seen fundamental changes, which is worth celebrating. When we're around a national table, we have some stronger processes than what some of our state and territory colleagues would report as well.

With respect to some other groups and, for the purpose of this conversation I'll describe as minority groups or groups that may be marginalised or not as well represented in particular school communities, there probably still is a level of autonomy that the school leaders have at a school level around either providing access to supports or access to resources more so than advocating at a Departmental level, if that makes sense.

The challenge is the access on the ground, whether you're in Hobart, a regional area or an isolated area. The access to the supports and resources or specialists really is post code dependent. We really do see the impacts of that as well. Whether that be with respect to social work or school psychology services, even private services through NDIS or any other complementary or allied health services, we are greatly impacted at a geographical level at the moment in ways that we haven't seen before.¹²³

¹²² Submission No. 42, A Fairer World, p. 2.

¹²³ Transcript of Evidence, 22 October 2024, Tasmanian Principals Association, p. 12.

4.11 Christian Schools Australia representatives spoke about what they have in place to address bullying:

CHAIR (Ms Dow)- ... I wondered if you could provide some examples of things that you have in place that provide a supportive learning environment and how you address bullying across school communities.

Mr BOSKER - All the schools have strong anti-bullying policies. There is zero tolerance for bullying in every school that I represent and I'm pretty sure there's the language of zero tolerance for bullying but it's how that's practised in the playground, because that's where it actually makes a difference.

I know from my experience, but I also know from the accounts of others, that bullying is taken seriously. For anti-bullying policies to be effective, taking steps early is the most important part. That means knowing what your policy says, knowing that you are teaching kids about relationships, about respect, about how to be kind to each other, and when that doesn't happen because kids are kids and people have differences, sometimes they take that out, and in a school setting it's complicated because kids come to school with a whole lot of disadvantages or situations that we don't necessarily know about and sometimes they have no control over. It's hard for kids to be able to relate well to each other when you've just walked out the door after seeing mum and dad having a fight or you haven't had a decent meal last night or you've had a lousy night's sleep. There's a whole lot of things that come into that.

At the schools I've been to, there's intention about understanding how kids come to school...

That's one practical prevention strategy. Sometimes it's good to bring kids together and sometimes it's not, because necessarily facing someone who has bullied you and expecting them to then have the maturity to reconcile that, that can be putting kids into risky situations, and we don't want to see that. We want to see resolution, but we want to be able to see that done in an effective way and often that means having a guided conciliation meeting.

I could give you an example. There was serious bullying of one kid, it was targeted and it fitted the proper definition of bullying. Two kids having an argument about whether the ball was in or out and having a bit of fisticuffs about it is not bullying, but it's different when it's targeted and this was, so we walked through that with these two boys and it had some effectiveness, but it ended up in exclusion and that stops the bullying but doesn't actually fix the problem. We got the parents together to talk through and make some real commitments on how they can have their boys get on with each other and be kind to each other. One of the outcomes of that was these two dads, both of their boys played basketball and they're both fairly good and the dads agreed that they would co-coach the team to show their boys that, 'We're okay with each other, we know how to get on with each other, let's demonstrate that so that our boys can see that that can happen', and that's been a really successful partnership.¹²⁴

¹²⁴ Transcript of Evidence, 3 September 2024, Christian Schools Australia, Christian Education National and Adventist Education, pp. 4-5

- 4.12 Evidence from a number of individuals spoke to issues in relation to inclusion of LGBTIQ+ students, particularly in faith-based schools. The Committee asked Christian Schools Australia about policies in Christian schools that provided inclusiveness for LGBTIQ+ students and staff:

Ms JOHNSTON - What programs, policies or practices do you have in place to ensure an inclusive environment for the LGBTIQ+ community that we know must be in faith-based schools?

Mr BOSKER - In the employment processes they have - like any job that you are applying for - there are criteria that you need to meet to be able to work in a particular working environment. Christian schools have a set of beliefs and values that are important to a particular school community, just like an employment place would have beliefs and values that are important to that, and then it welcomes applications from people. They would go through that process of application and work through that process. If your question is asking about what the employment processes in place are, schools would have those available on their websites as to what the process for is applying for a position at the school.

Ms JOHNSTON - And for students? What kind of programs and policies? I know you said you'd provide some examples of programs of bullying, but do you have any off the top of your head in place for the LGBTIQ+ community?

Dr CARLING - We would have a number of students in our schools in Tasmania who identify as LGBTIQ+, and we are very inclusive in welcoming all students. All students are expected to follow our codes of conduct, just as in any school, and there is an example in the submission on page 7 where a teacher talks about the school being welcoming of a non-Christian student who was struggling with their gender identity and allowing them the freedom to try out different identities.

I'm sure Mr Bosker has other examples within his schools of where we do provide that loving Christian environment which is nurturing and protecting and allowing children to have their freedom of expression. We would treat all children in a Christlike way. Just as Christ looks at all of us, we look at our students, and we don't have a discrimination policy against students with different identities.

Mr BOSKER - I can give you a story if that's helpful.

Ms JOHNSTON - I think that'd be great.

Mr BOSKER - I finished my term of principal two years ago. These journeys are usually long journeys of children understanding their identity and working that out for themselves. ... was a kid who you could see there were some things that she was uncertain about, and she came to her parents, and her parents weren't sure how to deal with the fact that she would want to identify as a boy rather than a girl. That led to some conversations in pastoral care and student wellbeing units who then walk that journey with There are ways to help and support kids through that.

One of the big things for ... was just to be recognised and, 'I want to be named ... because I identify as a boy. I'm not sure if I really want to be a boy, but if it would help me cope with life if people would just accept that I'm ... and not' Well,

that's an accommodation that can be made. Then you need to walk through that with their peers because some of their peers would say, 'That's stupid. You're a girl. How can you be a boy?' You need to walk the other kids through that. It's not just the individual child, it's that whole community to accept that person and to walk with them through that.

I'm no longer at the school, but ... was one of the lead roles in the production that the school has just put on, and I coach a basketball team, and I see kids in the playground. I went up to ... and I said, 'Gee, you did a great job in that lead role.' I said, 'So, what are you doing for year 11 and 12?', because that's a good question to ask kids. She said, 'Oh, look, some of my friends who are a bit like me have been asking me to come along to Launceston College for year 11 and 12, but I don't want to because I know that I'm cared for and loved as I walk through my gender confusion.' She's questioning, and we ought to support kids through that. We shouldn't be bringing a particular sledgehammer approach to something that's a really delicate thing, and we want to walk with kids through that.¹²⁵

4.13 This was further elaborated on as the hearing continued:

Mr BAYLEY - Can I ask you a follow up on that? That's a really positive example, thank you very much. Do the schools have that approach written in protocol and articulated, and staff trained in that? Is it systemic and across the organisation and the school, or was that positive example based on your experience and your capacity to guide them through? Do you have systems in place that ensure that every child, if they're going through that situation, is treated in an appropriate way such as you have explained?

Mr BOSKER - Thanks for the question. When that process was starting, particularly with [...] and working through that, we wanted to make sure that we have a structural approach to that, not just an ad hoc approach. I sat down with a social worker, a GP, a paediatrician and a legal person and we worked together on a gender policy - how are we going to approach this so that there's clarity and certainty about how we need to train and teach our teachers? That gender policy was drafted and then sent to lawyers to make sure that it was doing the right things.

I then called a series of staff meetings to introduce that policy to our staff so that they were clear on that. People have different opinions on those things. There were some interesting questions that I needed to field in that. I said in the end that we need to be together so that our kids understand that we're on the same page on how we approach that, so that there is certainty for parents and for kids in how we journey together in that. We're doing that with [...] and her parents. They're really appreciative that there's clarity and guidelines in how we're working through this.¹²⁶

¹²⁵ Transcript of Evidence, 3 September 2024, Christian Schools Australia, Christian Education National and Adventist Education, pp. 6-7.

¹²⁶ Transcript of Evidence, 3 September 2024, Christian Schools Australia, Christian Education National and Adventist Education, p. 7.

- 4.14 Vanessa Cheng, Executive Officer from the Australian Association of Christian Schools (AACS) and David Gillman, CEO of Christian Schools Tasmania appeared. Ms Cheng represented the 11 independent Christian schools in Tasmania which fall within the AACS network. Mr Gillman attended as a representative of the four schools within the Christian Schools Tasmania Network. Mr Gillman shared detail with the Committee regarding the policies which are operational at these four schools:

Mr BAYLEY - You mentioned the policies that Christian schools have and that they're consistent with the organisation integrity of each school. There are obviously different policies for each school. Number one, are you able to share those policies with the committee? I'd be interested to compare them to government ones. Also, I'm interested in collaboration across your network. Are there a lot of consistencies and do you get together to discuss and digest and dissect policies and improvements?

Mr GILLMAN - We've got a bullying prevention policy, discrimination prevention policy, and we have a victimisation prevention policy. These are some, because we have a whole suite of safeguarding policies. I think we may have been one of the first schools to get child safe certification because we really were intentional on being ahead of the game on this when we realised the royal commission's recommendations. We did a lot of work on revising our policies, changing our practices. We wanted to be certified because it wasn't just something that we were saying to our board, 'Oh, we've got a great suite of policies'. We wanted that to be interrogated and validated by a third party.

Mr BAYLEY - That's Calvin?

Mr GILLMAN - No. This is CST. So, all of our schools –

Mr BAYLEY - You share those policies?

Mr GILLMAN - No, they are the key policies. They're consistent across all our schools and then some of our schools like Northern [Christian School], they put that into more child friendly –

Mr BAYLEY - Local.

Mr GILLMAN - Yes, local.

Ms JOHNSTON - Are you happy for those to be tabled publicly. Is that all right?

Mr GILLMAN - Absolutely. Well, they're on our website so you can actually access it. It'd be pretty silly for me to not let you access them if you can access them on the website. All our four schools have gone through registration in the last year or two. We've all received the maximum term from the OER. Actually, one of the comments that the OER made was that we have some of the most robust child safe policies, standards and practices in Tasmania. I was really proud of our team for that.

In answer to your question, yes, we've got a really good structure because we have a central support office in our four schools. In our central support office, we provide support for all the key services that a school would normally have to

manage themselves. We have an OH&S manager, an operations manager, someone that manages all the compliance, puts together the policies and then we meet monthly as an executive team, senior leadership team. One of the key things that we talk about that's always on our agenda is child safeguarding. We talk through how our policies are. Are there any updates or changes in legislation? What's happening at the school base? We talk about key issues of behaviour and child safety. That's a real collaborative approach. We have the luxury of being able to have four schools get together on a monthly basis, which is wonderful. We sometimes go away once a year and have a high level strategic session based on these and other things. Yes, there's a lot of support to the principals and a lot of collaboration, but we are blessed with having a really, really good compliance operations manager who is totally over all these. Her job is to know if there's a legislative change, update the policy, bring it to the team, discuss it and then disseminate that to the schools. We need to make sure that we're informing the schools and having teacher inputs, et cetera. So, that's working quite well.

Mr BAYLEY - Do you get external advice when they are developing those?

Mr GILLMAN - Yes. We have run some of our policies through an external legal firm just to make sure that we're complying with all the legal legislative standards. I've got a pretty good relationship with the OER. Sometimes I'll flick across something and say, 'Hey, listen, is this actually in line with what you're wanting?' They're really good to work with.

Mr BAYLEY - Legal as opposed to sort of best practice bullying advice. Do you draw on that from elsewhere, from outside?

Mr GILLMAN - We do. We have consultants. We've got one consultant that comes and works with us and does our school audits. It's an external school audit that we call a health audit. He'll actually survey our entire community, our students, our staff, our parents, to give us a real health check on what the hotspots are, and that will include bullying and are kids feeling valued. Are they feeling included? Are they feeling safe? All those sorts of things. Because he's worked with about 50 schools around Australia he has a real depth of knowledge around schools and behaviour and culture, so we float those things past him. However, he makes it very clear, 'I'm not here to give you legal advice, but this is best practice'. Then if we need legal advice, we've got a couple of legal firms that will actually run –

Mr BAYLEY - Couple of go-to people.

Mr GILLMAN – Yes.¹²⁷

- 4.15 The Committee received submissions from 37 Catholic Education Tasmania (CET) schools which outlined policies and programs each school has in relation to discrimination and bullying. The CET submission also outlined its policy framework, including procedures. The policies are inclusive of those aimed at staff, students and the community. The submission notes that the framework

¹²⁷ Transcript of Evidence, 7 November 2024, Adventist Schools Australia and Christian Schools Australia, pp. 71-72.

allows all relevant stakeholders to understand their obligations and that policies are formulated in the following manner:

It is Catholic Education Tasmania's practice to seek legal advice on policies and procedures to ensure that they are compliant with Catholic Education Tasmania's legal obligations and are aligned to overarching Archdiocese of Hobart Policies.¹²⁸

The policies detailed in the submission are as follows:

Staff

- Child Safety Policy;
- Child Safety Code of Conduct;
- Mandatory Reporting Policy;
- Reportable Conduct Policy;
- Working with Vulnerable People Policy; and
- Work Health and Safety Policy.

Students

- Student Equity Policy;
- ICT for Students Policy;
- Cyberbullying Policy; and
- Response to Unacceptable Student Behaviour Policy.

Community

- Adult Behaviour Policy; and
- Acceptable Use of Images Guidelines.¹²⁹

- 4.16 In addition to the policies and procedures for stakeholders engaged with CET, the organisation also has Student Enrolment Policy and Procedures, which operate in the following manner:

All Catholic schools operate under the Catholic Education Commission Tasmania Enrolment Policy and Enrolment Procedures to ensure a system approach to enrolments. Under this policy, Catholic Education Tasmania does not discriminate against families and children seeking to enrol in Catholic schools.

The Enrolment Policy recognises exceptional circumstances where flexibility and discretion are required. For example, Catholic schools may give priority to the enrolment of children with special pastoral circumstances, social or educational needs, including students with additional needs. The Enrolment Procedures provide information on the enrolment process for families of Humanitarian Entrant Background and the additional support available from Catholic schools including provision of an interpreter, uniform assistance and fee relief. The Enrolment Procedures also provide information on pastoral care, mental health and wellbeing support that can be offered to students and families in Catholic schools.¹³⁰

¹²⁸ Transcript of Evidence, 7 November 2024, Adventist Schools Australia and Christian Schools Australia, p. 16.

¹²⁹ Submission No. 233, Catholic Education Tasmania, pp. 33-35.

¹³⁰ Submission No. 233, Catholic Education Tasmania, p. 19.

4.17 The submission from CET also detailed the Complaints Management Policy and Procedure, including specifically in relation to instances of discrimination and bullying:

Catholic Education Tasmania’s Complaints Management Policy and Procedure provide clear direction to students, parents/guardians, staff, and members of the community to raise concerns and complaints.

All individuals have the right to raise a complaint and to have their concerns treated with equity, dignity and respect during the process. Catholic Education Tasmania has a strict ‘no tolerance’ policy towards bullying and discrimination in managing complaints and commits to thorough investigation.

Under the Complaints Management Procedure, an individual can raise a complaint in the following ways:

- a) To a school or school staff member*
- b) By contacting their manager or your next in line manager (if a staff member)*
- c) To the Tasmanian Catholic Education Office*
- d) To Catholic Education Commission Tasmania (which is the Governing Body)*
- e) Via the Catholic Education Tasmania Feedback Portal*

Catholic Education Tasmania offers multiple avenues in acknowledgment that people have varying degrees of comfort in raising complaints. If required, additional support, including language translators for individuals with limited English, will be made available to assist.

The Catholic Education Tasmania Feedback Portal was created for individuals to also be able to raise a complaint through an online channel and is also where all complaints raised with, and investigated by, the Tasmanian Catholic Education Office are recorded.¹³¹

4.18 In its additional submission, Equality Tasmania argued faith-based schools do not have strong anti-bullying policies:

Another argument made by faith-based schools and their advocates is that they have anti-bullying policies.

In their submissions they often cite these policies and how they seek to reduce bullying on the grounds of aboriginality, disability, socio-economic disadvantage, cultural and linguistic diversity, and religious affiliation or lack of affiliation.

But not a single submission cites a policy dealing with discrimination and bullying on the basis of sexual orientation or gender identity.

This is consistent with the finding of Equality Australia in its report, “Dismissed, Denied, Demeaned: a national report on LGBTQ+ discrimination in faith-based schools and organisations”, March 2024. The report found that:

“9 in 10 of the Catholic educational authorities we reviewed...publish so little information about their position on LGBTQ+ inclusion that prospective parents,

¹³¹ Submission No. 233, Catholic Education Tasmania, p. 17.

students or employees are not able to know...whether they will be welcome or included as LGBTQ+ people. That's also the case for 1 in 3 independent schools.”¹³²

Faith-based schools that cite all the disadvantaged students and staff they seek to protect from discrimination and bullying, but are silent about LGBTIQ+ people, make a case that is the opposite of the one they think they are making.

Their case is that there do not care about discrimination and bullying against LGBTIQ+ students and staff, or at least they do not care nearly as much as they do about other groups that face mistreatment.¹³³

- 4.19 Then-Archbishop Julian Porteous and Dr Gerard Gaskin, then-Executive Director of CET, discussed the general Catholic ethos, its teachings and its influence on CET and its associated schools, including upon students, families and staff:

Ms DOW - The question was, from those that we've heard talk through this committee process, there does seem to be a perception that the values and principles of Catholic education have changed somewhat over the years, from having more of a social justice focus to having a different focus in more recent years. I wondered, as heads of the organisation, whether you would agree with that and, if you do, what you would attribute that to?

Archbishop PORTEOUS - Maybe I could answer that initially. Thanks, Anita. I think firstly, I could probably say very confidently that the focus on social justice, which has I think been one of the elements that people have very appreciated in our Catholic school system, continues to be a very strong element to our schools. At the same time, schools have an essential role of helping the individual to personally flourish. And, I think, certainly, that's been my personal interest, how can we best help individual students. So, social justice can be a very good thing to do and can be inspiring and very helpful for young people to be involved in social justice, but I think the primary task of education is the nourishment and nurturing the individual. So, I would say we're putting a strong emphasis on that area while, at the same time, not diminishing our commitment in social justice.

Mr WILLIE - Dr Gaskin, do you have something further to add?

Dr GASKIN - Yes. I can't comment on the statement that I think was made, was that people say there's been a change in culture. I simply have no ability to comment on that. If you're referring to the submission made by Concerned Catholics, yes, they made that allegation and we strongly refuted it, and we produced a document, which we made available to the committee, that clarified that those allegations were not true.

Further to that, as you will probably know, we have 38 Catholic schools in our system, 37 Catholic school principals wrote individual submissions to this committee,

¹³² Footnote 1, <https://equalityaustralia.org.au/resources/dismissed-denied-and-demeaned-a-national-report-on-lgbtq-discrimination-in-faith-based-schools-and-organisations/>, from Submission No. 285A, Equality Tasmania, p. 4.

¹³³ Submission No. 285A, Equality Tasmania, pp. 4-5.

speaking with pride about the education that we provide, emphasising the high levels of pastoral care that we provide for our students.

You've also seen in our submission that our students, through the various portals and research that we do, indicate that they're very happy in our system. We have also shared with you significant data from parent surveys and indicated the high level of confidence the parents who responded to that survey have in our school system. Questions like, 'Would you recommend this school to your friends,' - the numbers are there in the document, so I won't go through them now.

I would simply underline what His Grace has already said, that an educational organisation that is founded on Christian principles and the teachings of Christ will definitely have a Christian culture and will have a culture that pays great attention to the Gospel and to the teachings of Christ and we're very proud of that. We know that every parent who enrolls their students in our system knows that and that is the basis for their enrolment.

*Other than that, I can't comment on what other people might have been saying. I can certainly point to significant data that indicates a high level of satisfaction by parents in our system, by our students in our system and, as His Grace shared with us earlier, the Australian data from PISA (Programme for International Student Assessment) indicating that across Australia students report much lower incidences of bullying and unfair treatment, and believe that their teachers treat them well. If those things go to culture, I'm very happy to stand behind those things.*¹³⁴

4.20 Equality Tasmania's additional submission suggested parents who enrolled their children in faith-based schools did not necessarily do so because of ethical and religious standards:

Many of the faith-based schools, school authorities and religious lobby groups that made submission to this inquiry argued that parents expect faith-based schools to maintain a set of ethical and religious standards. The implication in each case was that these standards include allowing discrimination against LGBTIQ+ students and staff.

But the evidence gives a very different picture. In 2024 researchers at Curtin University conducted a study titled,

"What do Australians really think about religious school LGBT discrimination? Attitudes amongst the public, teachers, students, parents and school sectors"

The study found the following,

"The contention that most or all parents at Australian religious schools seek to discriminate against LGBT people is found to be robustly false. A social license for such discrimination does not exist. Most religious and religious-school parents clearly support LGBT inclusivity. While a very small cohort of parents undoubtedly choose a religious school for the purpose of LGBT discrimination, most parents choose religious schools for other reasons such as perceived school facility quality, teaching quality, and attention to discipline."

¹³⁴ Transcript of Evidence, 14 February 2025, Catholic Education Tasmania and Archdiocese of Hobart, pp. 33-34.

We have included the study as attachment one.

The conclusion that parents of students in faith-based schools oppose discrimination on the grounds of sexual orientation and gender identity should not come as a surprise.

Whatever their varied reasons for choosing faith-based schools, almost all parents want their child to be safe and accepted and their child's teachers to be selected on the basis of competence, not sexual orientation or gender identity.¹³⁵

- 4.21 Equality Tasmania noted there was more work to do to improve inclusion in faith-based schools:

Much less work has been done in Tasmanian faith-based schools to promote inclusion for LGBTIQ+ students and staff, and challenge prejudice against them. Under Archbishop Adrian Doyle, the Pride and Prejudice program was implemented in a number of Tasmanian Catholic colleges. This program was intended for all schools, but it was first trialled in Catholic colleges in Victoria. Its trials were so successful it was taken up with enthusiasm in the Catholic and state education systems in Tasmania.

However, we are not aware of any other professionally designed and evaluated classroom programs dealing affirmingly with LGBTIQ+ issues that have been implemented in Tasmanian faith-based schools, including those from a Catholic perspective.¹³⁶

Further Potential Measures

- 4.22 The Committee heard evidence regarding what further measures may be implemented to increase capabilities within schools to prevent or address discrimination and bullying. Specific legislative or policy reforms will be discussed in detail in Chapter 6.

Increased Training and Supports

- 4.23 Headspace noted many Tasmanian schools are working to build positive school environments, but more could be done, including training to identify and respond to discrimination and bullying:

Training for teachers and school staff in identifying and responding to bullying and discrimination is essential. Beyond knowing the school's policies and processes, staff must feel they have the skills and capacity to respond when a student is experiencing bullying. Our hyNRG member described his experience in reporting the bullying he was experiencing:

I had spoken with many teachers about what was happening to me. No action was ever taken. I believe that this was less about teachers not knowing what was happening and more about teachers not understanding how to help someone in that position. In one instance I was even punished for finally sticking

¹³⁵ Submission No. 285A, Equality Tasmania, pp. 6-7.

¹³⁶ Submission No. 285A, Equality Tasmania, p. 10.

up for myself after I had warned teachers that was what I was going to do if they didn't take action. As a result, I never spoke to anyone about what was happening to me again.¹³⁷

- 4.24 A Fairer World summarised in its submission the necessity and benefit of providing ongoing training and supports for staff and students in addressing diversity and inclusion as key pillars to prevent and address discrimination and bullying:

Preventative measures should include comprehensive diversity and inclusion training for all staff and students. Our organisation's training programs focus on unconscious bias, cultural competency, and strategies for fostering inclusive environments. Additionally, schools should implement robust reporting and support systems for victims of discrimination and bullying, ensuring timely and effective interventions.¹³⁸

- 4.25 In his personal submission to the Inquiry, Daniel Howard provided policy recommendations:

Requiring teacher training courses at UTAS to include content / units on LGBTIQ+ inclusion, cultural safety and valuing diversity.

Adding specific language to employee agreements / contracts that explicitly states DECYP employees are expected to overtly abide by the anti discrimination act and to not bring any personally held beliefs.¹³⁹

- 4.26 Ongoing training in policy implementation, professional development and support services were suggested by the TPA as mechanisms to address discrimination and bullying:

1. Whole-School Approach: Engaging all stakeholders—students, staff, parents, and the community—in creating a positive, inclusive school culture.

2. Policy Implementation: Ensuring all schools rigorously implement the Department of Education's policies on anti-bullying and anti-discrimination.

3. Professional Development: Regular, comprehensive training for all staff on recognizing, preventing, and addressing discrimination and bullying.

4. Support Services: Enhancing access to counsellors, psychologists, and support staff trained to handle incidents of bullying and discrimination.¹⁴⁰

- 4.27 Mr David Genford, representing the Australian Education Union (AEU) Tasmanian Branch, raised the matter of workload and how training requirements, including mechanisms such as inductions, must be conscious of the competing demands staff face:

Ms JOHNSTON - ... Can you talk a bit about how teachers are experiencing the pressure on them to be the champion of policies, particularly when it comes to

¹³⁷ Submission No. 71, Headspace, p. 3.

¹³⁸ Submission No. 42, A Fairer World, p. 1.

¹³⁹ Submission No. 277, Daniel Howard, p. 5.

¹⁴⁰ Submission No. 73, Tasmanian Principals Association, p. 2

policies around inclusion, discrimination or bullying in a particular environment, on top of all their educating workload that they actually have to do. How are teachers managing that? ...

Mr GENFORD - Yes, when you prioritise everything, you prioritise nothing. How do you do that? I fully agree that the policies and procedures are there. Who is aware of those policies and procedures is another thing. From my background, before taking on this role, I cannot remember a time when I would have read a policy or procedure as a teacher because there is no time. I am trying to do my job and kind of leave the policy and procedure to the Department and the principals to be aware of, of what's going on and you'll be told what's important.

We are told about mandatory reporting, we are told about the need to be making sure that if we think something's happening, to report it, et cetera, and there are other things that are prioritised, but the reality is that there is such a focus on everything, that it is hard for them to be looked at. In this role and working with different round tables and different working groups, you see the policies that are there, but we have continued to give teachers, support staff and principals more and more to do without taking anything away.

When is the last time a Department or a minister has said 'Okay, we want teachers to stop doing that' or, 'Let us have the principal not do that.' It is more about, 'Are you doing this?' as opposed to, 'How are you doing and what is working?'...

We welcomed the creation of an induction period for teachers, which never happened until this year. Previously, it was relied upon schools to just say, 'Here, I'm just going to induct the teacher, make sure they know of all this'. Now there is a proper four days of induction that was negotiated through our agreement, where the people are paid to attend and the Department has the ability to actually go through some of these policies and procedures if they choose to do so. They have got four days to really identify what they want new staff to see.

I think that is a start but there are a lot of teachers that would have missed that and are probably unaware, so how do we try and put that in place, and we are still calling for, and it was agreed upon there would be a review into how we do a similar induction for our support staff, because our support staff are often those that are dealing with our most vulnerable students, either through a disability or through learning difficulties or kids that have been identified with anger management issues. We need to make sure that we are inducting them and putting that in place so we can make sure they are aware of what is the priority and the importance that are in some of the policies that we talk about.¹⁴¹

- 4.28 The Office of the Anti-Discrimination Commissioner said more training of school staff about the Anti-Discrimination Act 1998 (the Act) would be desirable and beneficial:

¹⁴¹ Transcript of Evidence, 7 November 2024, Australian Education Union Tasmanian Branch, pp. 23-24.

In order to prevent and address discrimination and prohibited conduct, schools need to be proactive and responsive and such actions need to be visible and have measurable impact for staff and students.

One way to achieve this is through a training program developed in order to address discrimination and prohibited conduct. For effective and fulsome staff training to be achieved, it is not satisfactory to require staff to simply complete a webinar which briefly explains the complex topics which fall under the anti-discrimination Act. Training should be tailored and specific, recognising that discrimination and prohibited conduct can manifest in different ways across different operating environments. For education institutions, understanding behaviours amongst young people which may constitute discrimination, sexual harassment or other unlawful conduct requires a different approach to understanding such conduct in the context of staff interactions.

Further to this, teachers should be trained and supported to directly discuss discrimination and forms of prohibited conduct with students. Due to their relationship with students, teachers are often the first point of contact for a student who is experiencing unsafe behaviours. In order to more effectively support students, teachers should have the benefit of targeted training of the types of behaviours which fall within the scope of the Anti-Discrimination Act.¹⁴²

- 4.29 The matter of increased training was further discussed before a hearing with the-then Anti-Discrimination Commissioner:

CHAIR (Ms Dow) - ... You've talked about the pressure on teachers and, in your submission, you talk about the fact that you would like to do more work in Tasmanian schools. I wonder if you would elaborate to the committee what that might look like, what you're currently doing, and how you could improve on that and add value to antidiscrimination training across schools, whether that be with teachers and students or the school community.

Ms BOLT - I think it's both. There's two things. If you have disrespectful behaviours and a culture of disrespect, it's a breeding ground for discrimination and bullying. Part of our training is about the need to respect diversity and difference and all sorts of other things that can lead to sort of bullying behaviours. Also, understanding for children even at a young age that there are parameters around your behaviour which are guided by legislation. It's a bit hard to swallow when you're young, but the fact is it still applies.

It equally applies to parents. To be able to work within the parent network would be helpful because a lot of parents don't quite understand the confines that they have as well, and their behaviours, and the fact that they really need to work closely with the school and the teachers, and that we all have rights and responsibilities under the legislation.

We go into schools - we have a community and education officer. Sometimes I've been into certain schools and talk to students around racism and what that might look like. Even things like, being wary of how you use your Facebook page and your

¹⁴² Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 16.

mobile phone because it can be that something done in jest may well have a strong impact on somebody else.

*The more you can get into that respectful behaviours and the expectation to treat people kindly, the more difficult it is to discriminate against someone or to bully them. That's something that we work on. I've always been a great champion for kindness and respect as two virtues and the more we can push that in the school arena the better, I think.*¹⁴³

- 4.30 The AEU noted its support for the Act, but said school staff needed a broader understanding of the obligations of their employer which could be provided by ongoing professional learning:

AEU members are proud of Tasmania's Anti-Discrimination Act 1998 and support its full implementation across our education system.

Indirect discrimination is not always obvious, and even direct discrimination can be conducted or overlooked by people not trained or knowledgeable in the functions of the Anti-Discrimination Act 1998.

AEU members have experienced unlawful discrimination as DECYP employees in schools and colleges. One example was a teacher denied a contract based on their pregnancy. Without the support provided through union membership, this example of discrimination may not have been addressed and it highlights a need for improved training, induction and professional learning around the Anti Discrimination Act 1998.

*Additional professional learning, induction and training must be conducted in paid time, requiring additional release time and centrally funded replacement staff.*¹⁴⁴

Mental Health, Relationships and Wellbeing

- 4.31 The Headspace submission noted a need for schools to improve support for the mental health and wellbeing of young people more broadly:

*Beyond addressing bullying and discrimination, schools support young people's mental wellbeing more broadly. Having trusted relationships with supportive adults is a protective factor for a young person's mental health, and many educators fulfil this role for young people.*¹⁴⁵ *Educators are also well positioned to observe and respond to signs of poor mental health and wellbeing (such as students acting out of character, avoiding friends, or talking more about difficulties).*

In addition, schools can:

- *help build mental health literacy within school communities, providing tools and strategies when young people experience challenging life events and transitions*

¹⁴³ Transcript of Evidence, 4 September 2024, Office of the Anti-Discrimination Commissioner, pp. 10-11.

¹⁴⁴ Submission No. 78, Australian Education Union Tasmanian Branch, p. 4.

¹⁴⁵ Footnote 6, State of Victoria (2021). *Royal Commission into Victoria's Mental Health System, Final Report, Volume 2: Collaboration to support good mental health and wellbeing*, Parliamentary Paper No. 202, Session 2018–21 (document 3 of 6), from Submission No. 71, Headspace, p. 3.

- foster school connectedness, by encouraging positive relationships and providing safe and supportive learning environments
- adopt a trauma-informed approach to support student wellbeing
- promote mental health literacy and implementing wellbeing initiatives within schools, such as the Be You initiative or headspace's Mental Health Education Program.¹⁴⁶

4.32 Headspace noted the importance of linking schools with mental health services:

While educators are well positioned to recognise and respond to students' mental wellbeing needs, it is not a role they can – or should – undertake in isolation from professional health services.

Students are best supported when there are strong links between schools and local health and mental health services, who can provide access to multidisciplinary, holistic mental health care.

A role of school and community-based mental health practitioners is to work with other services and coordinate supports for students with more complex needs. This needs to be resourced and promoted by schools and education departments.

Many schools in Tasmania – particularly in regional and rural areas – find it difficult to partner with local mental health services because they often struggle to recruit and retain mental health clinicians and maintain capacity to meet local needs. While digital services such as eheadspace and online supports can mitigate this gap to a degree, increased investment in local youth mental health services (particularly through sufficient and sustainable funding) is vital to create capacity within communities to respond to the needs of young people.¹⁴⁷

4.33 This was further discussed with Headspace representatives in public hearings:

CHAIR (Ms Dow) - ... The last thing I wanted to ask you was about the wellbeing teams that you mentioned. What would that model look like in a school and what would those wellbeing teams be comprised of in your ideal world?

Ms THAIN - In an ideal world - gosh, that would be amazing - I think they would be multidisciplinary, so you'd have access to occupational therapy, speech therapy, social work and also peer work. I know Reede is an amazing example of someone who is an advocate for his peers. I think often when young people, particularly in secondary schools, are struggling, they really want to hear from another young person. They don't necessarily want to access formal support, so I think there should be more peer work - that peer model of sitting alongside and intersecting with.

At the moment, because of their low numbers, they are very much doing a lot of crisis work and, as I understand, there's no room to do the preventative work. I think as well, wellbeing and trauma-informed practices should be really embedded

¹⁴⁶ Submission No. 71, Headspace, p. 3.

¹⁴⁷ Submission No. 71, Headspace, p. 4.

across the curriculum. I know that's really tricky when you're under-resourced to be able to do that consistently and effectively.¹⁴⁸

- 4.34 Ms Johnston MP asked Headspace what a preventative model of wellbeing might look like in schools, rather than the current reactive, crisis response model:

Ms THAIN - I think they would be involved in actually talking to young people from primary school right through about things like self-regulation, coping skills, understanding, and giving young people mental health literacy so they've got language to talk about how they're feeling. I think we've got a bit of a stereotype of what bullying is, and actually when we think about bullying as being about somebody who often has more complex issues - for somebody who is bullying, it's often a symptom of a broader mental health picture.

I think the wellbeing teams would be used, as I said before, as a way to embed wellbeing curriculum across, so it's not just when you hit your lowest ebb in your mental health that you access that support, but that actually you're given the tools to be able to function more in your life and cope with life. They're coping skills. Again, it's really hard for educators to do that in their day-to-day classrooms because there's so many demands upon them already.¹⁴⁹

- 4.35 Mr Josh Willie MP asked Headspace about its work in relation to its Be You platform:

Mr WILLIE - What states are doing as well - I'm aware Victoria's got a drop-down menu and schools can access different services and programs depending on their needs. Is that a good model or are there other states that are - and I think Headspace is involved in that heavily in Victoria?

Ms DOUGLAS - We're funded by the Commonwealth Government to support every school in Australia through an initiative called Be You, which is a mental health literacy platform and wellbeing for every school in terms of training, language skills, knowledge, competence. We've rolled that out in every state. States like Victoria in particular have invested heavily in the school mental health menu, which is what you're talking about. They've also invested in packages like Respectful Relationships, and this is where schools can pick a subsidised program off a menu and free of charge put it into their school.

Some of those are mental health programs; some are bullying; some are trauma-informed practice; some are around self-harm. It creates easier and better access to funded training packages that have been selected and evaluated, but it's a very costly strategy from Victoria. I know that there are great differences in terms of resourcing and sometimes between education departments.

Mr WILLIE - Is that a standout, Victoria, across the country?

Ms DOUGLAS - I would say there's components in all states and territories of things that are doing well. New South Wales also has a drop-down menu of subsidised programs and packages. I think one of the quickest and easiest things I could say to

¹⁴⁸ Transcript of Evidence, 3 September 2024, Headspace, p. 17.

¹⁴⁹ Transcript of Evidence, 3 September 2024, Headspace, p. 18.

the committee is that our funded Commonwealth initiative, Be You - if we had better and easier access to Tasmanian schools - that is, free of charge - we could come in and do much deeper mental health literacy. I would also encourage what Caroline was talking about - a trauma-informed approach, which requires schools to think about all of their audiences, from parents to students to staff. If we're going to solve relational issues or bullying issues and inclusion issues, it has to be a component of how we're supporting parents, how we're supporting the students and how we're supporting teachers and educators.¹⁵⁰

- 4.36 Our Watch provided detailed evidence in its submission about how the Australian Government's Consent and Respectful Relationships Education Measure may provide an effective vehicle for systemic change and improvement:

*The Australian Government's Consent and Respectful Relationships Education measure, linked to significant funding, is a demonstration of the priority and urgency being placed on preventing gender-based violence, discrimination and inequality through the delivery of high quality, age-appropriate, evidence-based respectful relationships education, including consent and sexuality education, ideally supported by a whole school approach. It provides a unique opportunity for school sectors and jurisdictions to evaluate, review and build upon their current approach to RRE. Tasmania is a member of the NRREEWG and recipients of this grant funding, which means there are important opportunities to ensure approaches to RRE in Tasmania are aligned to the evidence base and accessible to all Tasmanian students.*¹⁵¹

...

RRE provides an opportunity to reach young children early in their development and shape their attitudes, beliefs and behaviour around gender equality and respect. By continuing this education in later years, it provides crucial support and skills to adolescents who are experiencing their first intimate relationships. RRE also supports the creation of safe learning environments for all young people, through the transformation of school cultures to create environments that promote gender equality, respect, and non-violence. The positive, safe and empowering school cultures that can be fostered through whole-of-school RRE supports both student and teacher wellbeing.^{152 153}

¹⁵⁰ Transcript of Evidence, 3 September 2024, Headspace, pp. 18-19.

¹⁵¹ Submission No. 149, Our Watch, p.11.

¹⁵² Footnote 38, Konishi, C., Y. Miyazaki, S. Hymel, & T. Waterhouse (2017). 'Investigating associations between school climate and bullying in secondary schools: Multilevel contextual effects modelling'. *School Psychology International*, 38(3): 240–63; DeGue, S., Niolon, P. H., Estefan, L. F., Tracy, A. J., Le, V. D., Vivolo-Kantor, A. M., Little, T. D., Latzman, N. E., Tharp, A., Lang, K. M., & Taylor, B. (2021). Effects of Dating Matters® on Sexual Violence and Sexual Harassment Outcomes among Middle School Youth: a Cluster Randomized Controlled Trial. *Prevention science : the official journal of the Society for Prevention Research*, 22(2), 175–185. <https://doi.org/10.1007/s11121-020-01152-0>, from Submission No. 149, Our Watch, p. 12.

¹⁵³ Submission No. 149, Our Watch, p. 12.

- 4.37 The Consent and Respectful Relationships Education Measure has seven core elements which are each taught within the program. The seven elements are as found in the infographic below¹⁵⁴:



Institutional Change

- 4.38 The TPA made recommendations for reform:

Based on the experiences and feedback from Tasmanian school principals, the following changes to the Department for Education, Children, and Young People (DECYP) practices are proposed:

- 1. Strengthening Confidentiality and Consequences:** Enhance confidentiality in handling complaints and implement stronger consequences for staff who do not fulfill their primary duties, particularly those involved in behaviours not in-line with the Professional Standards or State Services Code of Conduct.
- 2. Support for Handling Vexatious Complaints:** Address the issue of vexatious parents by calling out and pushing back against repeated behaviours that demonstrate an imbalance of power. DECYP should consistently back school staff when handling student behaviour issues.
- 3. Managing Underperforming Staff:** Implement more robust mechanisms to manage underperforming and poorly behaved staff, allowing principals to maintain a positive and productive work environment and workforce.
- 4. Clarifying Roles and Improving Support for Challenging Student Cases:** Clarify the roles within the department to ensure that support is provided at the point of need. Increase allocations of Student Support Leaders in each region to provide leadership support for schools, particularly for managing

¹⁵⁴ Submission No. 149, Our Watch, p. 12.

challenging students and their families. The allocation isn't commensurate with the increased system level accountabilities across the past ten years eg Compulsory Conciliation Conferences, Concern Notices, and the expectation to respond to greater levels of data that we have on student wellbeing and safety.

5. *Reforming the Complaints Process:* Revise the complaints process to provide real support for principals, especially in isolated or rural areas. When a complaint is found to be malicious, there should be a clear process to address its impact, including ongoing support for the affected principal. When it is found that there is no case to answer for the principal and they have acted in line with DECYP expectations, the power remains with the complainant as they can continue to use other means eg ministers, media or Right to Information to pursue and validate their complaint
6. *Timely Response and Education for Parents:* Ensure timely responses from DECYP to requests for support from school staff to prevent escalation of issues. Intensify efforts to educate parents that bullying or threatening staff is unacceptable. Provide more support for senior staff members when they experience internal bullying.
7. *Maintain and Build on Current Practices:* Some principals believe that the current values, policies, and support structures in place provide sufficient direction and should be maintained as they are.¹⁵⁵

4.39 The AEU highlighted areas for improvement to existing policies, including the teacher transfer policy:

The current teacher transfer process does not enable a staff member to easily transfer to another school in the case of a bullying issue. An employee can apply for a compassionate transfer, but in our experience, they rarely granted for reasons of bullying and harassment. If a member being bullied doesn't meet the transfer eligibility, then their only options are to resign or remain in the workplace where they are being harassed.

It is important to note that the Teacher Transfer Agreement 2013 does not cover non-teaching staff in schools and colleges, and a similar industrial agreement is required to be negotiated to ensure that non-teaching staff also have access to this as one option when experiencing bullying or harassment at work.¹⁵⁶

4.40 The AEU also indicated the Department's policy is for staff to raise a 'grievance' in the case of bullying or harassment:

Rather than a clear process to raise bullying or harassment, teachers are encouraged to submit a 'grievance' which usually results in mediation and continuing work in the same or similar environment. Many members who have experienced bullying or harassment in their workplace do not see the internal

¹⁵⁵ Submission No. 73, Tasmanian Principals Association, p. 6.

¹⁵⁶ Submission No.78, Australian Education Union Tasmanian Branch, p. 5.

grievance process as an effective solution and so often choose not to submit a grievance.

In addition, when a complaint or concern is made about a manager or someone in a higher position than the complainant, the process should outline the support available to both parties, the process, workplace rights and timelines. If the complainant resigns or leaves the department, the support and process should continue regardless.

The evidence requirements of a grievance procedure must recognise the complexity of psychosocial safety issues at work. The experience of victims must be properly heard and considered.

Equal Opportunity Tasmania (EOT) and the Australian Human Rights Commission (AHRC) recommend grievance handling procedures include “a list of approachable staff that people can contact if they have a grievance in the workplace. These may include contact points such as Supervisors, Contact Officers, Diversity or EEO Officers.”¹⁵⁷

- 4.41 Tasmanian Association of State School Organisations (TASSO) provided evidence about an international reinterpretation of bullying that had potential benefits:

Ms BENNETT - *I've heard some really positive things out of the UK, where there's not suspensions, that they actually go to another facility and they have a lot more restorative practice around having the additional mental health supports in place. It's not just teachers; they're receiving their education but also having the mental healthcare. If you're suspended from school, you're removed from your school but you're not out of school itself. I haven't looked into whether that's actually a positive. They certainly do things a lot differently over there, with police action and all sorts of things happening.*

Ms WHARTON - *Change the language a little bit too. Rather than the bullying being a bad behaviour, the bullying is a symptom of somebody who needs help. Bullying does not equal power; bullying means weak, need help, that sort of thing.¹⁵⁸*

- 4.42 The TPA submission outlined effective strategies to prevent and address bullying among students:

1. *Relationship Education and Social Skills Training: Implementing programs that teach relationship education and social skills, along with resources to support restorative practices.*
2. *School Values and Celebrations: Conducting weekly whole-school assemblies that focus on school values, complemented by lessons that demonstrate these values in action. Opportunities that embed this language and understanding in to the wider community.*
3. *Promoting Positive Behaviors: Actively promoting positive and expected behaviors while reinforcing these behaviors as integral to student wellbeing and*

¹⁵⁷ Submission No. 78, Australian Education Union Tasmanian Branch, pp. 5-6.

¹⁵⁸ Transcript of Evidence, 22 October 2024, Tasmanian Association of State School Organisations, pp. 24-25.

learning. This includes tight behavior management processes and direct parental engagement.

4. *Respectful Relationships and Restorative Practices: Focusing on respectful relationships and utilizing restorative practices to address conflicts. Encouraging problem-solving conversations and open communication with parents.*
5. *Monitoring and Educating About Social Media: Monitoring students' social media usage and educating both students and parents about responsible online behavior and the potential impacts of social media misuse.*
6. *Create Time & Space for Teaching of Social Skills: Providing additional resources to support the understanding and acceptance of diversity, reducing the crowded curriculum to allow for targeted teaching of social skills, and offering alternatives during recess and lunch such as support rooms, clubs, and activities.*
7. *Building a Safe and Inclusive Culture: Teaching positive pro-social skills, emphasizing school and Department values, fostering openness in communication with families, and building a culture where every child feels valued and safe to talk to caring adults.¹⁵⁹*

- 4.43 The Hon. Jo Palmer MLC, Minister for Education, attended two hearings with representatives from DECYP. Department representatives discussed potential work to consider the structure of governance and support in schools, including workload and supports available for principals:

Ms DOW - Something that's come to light throughout these hearings, minister, is the growing role of principals across our state and the growing pressure on principals as well. I think during your last hearing we touched on that. I wondered, in your role as minister, whether you've given thought to the principal role and how that might change into the future? ...

Ms PALMER - ...Certainly, a huge part, as I mentioned at the beginning of the hearing, is spending time with our principals and our principal association. We've been able to, just through really good robust conversations, identify where there might be some low-hanging fruit for right now - levers that we may be able to pull to lighten the load on our principals.

Schools have become really complicated places, to be fair, as we see society change and community change. So much more is put on the shoulders of principals and our school staff and our teachers - things that used to be taught in the family home or at church or at Scouts or Girls' Brigade, whatever it might be. We're now seeing that the buck stops at schools. Society, I think, in my opinion, seems to be putting all that responsibility for aspects of raising great young people, the responsibility of that on our schools.

One of the things that is said to me the most by principals and teachers is, 'I got into this to teach, not to fill in mountains and mountains of paperwork'. We've had a real focus on that. Through the independent review, we heard about the

¹⁵⁹ Submission No. 73, Tasmanian Principals Association, pp. 2-3.

workload on teachers, the workload on principals. We've got a real focus on that at the moment. Certainly, in that wellbeing space, I've already made a commitment that I've asked the secretary to immediately look at what can we do in the wellbeing space for principals and school staff to ensure that they are supported.

One of the things that I've said to the secretary is that we need to have a really robust plan here. I can't wait for a year's worth of work to be done so that we end up with a new, beautiful, fantastic wellbeing system for our principals and our school staff. I've asked this to be rolled out in stages at the beginning of term 2. What can we implement right now to show real support across our school staff? What can we implement in term 3, what can we implement in term 4, so that our school staff and our principals feel that we are really responding to what they are telling us about their workload, how that's impacting their wellbeing as well?

One of the other really exciting things that we're just starting to explore is actually the multi-school organisations, where you have an executive that sits over the top of schools. We still have principals in our schools; they still have that autonomy within their school. But we're pulling out of that, you know - let's say all the IT that needs to be done, all the actual management of the school, all of that executive back-office work that we know lands in our school staff laps. We've seen this in the UK, how it's played out, which is actually releasing principals to have that real focus on mentoring, on curriculum, on the things that principals want to be doing. It's allowing teachers to actually teach.

We know that there is this model out there. We've seen it in play in the UK. We've been really impressed with what that looks like. We're really excited to be sharing that with schools, with our principals' association, with education stakeholders, to say maybe this is a new way that we could look at having families of schools in Tasmania where we're taking a lot of that administrative burden away from our schools, which is what they're saying to us: 'Please don't give us one more form to fill in.' There are a number of things in play at the moment. We are not waiting until we have a whole perfect package to start rolling these things out. We're, particularly in that wellbeing space, which will really impact, I believe, our principals, rolling that out in stages so they know we have a clear focus on this in this space. I'll just see if the Associate Secretary had any more she wanted to add around support for principals.

...

Ms BURGESS - Certainly, the Minister has charged us, in response to the Independent Education Review, to look at staff wellbeing holistically, and I'm sure that Ruth can talk to that in more detail. Initially, at this point in time, we do have quite a comprehensive principal wellbeing approach that involves mentoring proactive wellbeing support, alternative dispute resolution support, and professional learning support.

In addition to that, we have been gathering quite a lot of information through 2024 from all stakeholders - the Tasmanian Association of State School Organisations (TASSO), the Australian Education Union (AEU) and the Tasmanian Principals Association (TPA) about what we need to be doing to support the principalship to focus on the business of teaching and learning. So, a couple of things there.

The Minister has also asked us to think about how we prioritise information and work that goes into schools - can the department be doing more work so that it's less administratively burdensome on schools? In response to that, we're standing up a schools coordination unit that will act as a triage point and make sure that the department corporate side of the business is doing as much as it can for schools, so that when it does get to the principal level, their response is as streamlined and as time-reduced as possible.

In addition to that, and to complement the multi-school organisations work that the minister talked about from the UK, we are looking at our leadership structures within schools. We're thinking about giving consideration to, for the here and now: are there different business management approaches that we could set up, either individually within schools or within groups of schools, to take that administrative burden away from those? They're part of the discussions that we're having with the minister at the moment and will continue to have, and any decisions that we make there will complement the multi-school organisations approach.¹⁶⁰

- 4.44 The Committee heard evidence from a cohort of Private Witnesses discussing the organisational structure of DECYP. The Private Witnesses had worked in Government schools across a range of teaching and administrative roles. The group provided the Committee with an overview of the former 'districts' model within the Department. The districts model facilitated five districts across the state, which encompassed schools within a shared geographic area. The district model provided dedicated resources for each district, including senior staff, an overseeing superintendent, human resources and professional development opportunities. The model was disbanded, with the Department now providing Department-wide units for areas such as human resources and learning services.¹⁶¹

Having worked under the district model and the new system, the Private Witnesses spoke to the difference in culture between the two. They spoke to the Committee of a proud, personable and professional culture under the district model which enabled a strong feeling of community to develop within schools, and then across the district. This sense of community also included a keen understanding of the specific experiences and needs of the students and families attending the schools, which may have differed district to district.¹⁶²

- 4.45 Having heard evidence about the district model, the Committee asked DECYP representatives why the model had been abandoned:

Mr WILLIE - *I might go back to some of the conversation we were having at the start around the structure of the department. It obviously got centralised some time ago. You've got, I think, five deputy secretaries and different units that fit underneath that. What we've heard is that sometimes they don't talk to each other*

¹⁶⁰ Transcript of Evidence, 14 February 2025, Minister for Education and Department for Education, Children and Young People, pp. 9-11.

¹⁶¹ Transcript of Evidence, 13 February 2025, Private Witnesses, pp. 10-11.

¹⁶² Transcript of Evidence, 13 February 2025, Private Witnesses, pp. 10-11.

very well and they're not as responsive. There was some suggestion that the old district model, where you had five district officers, was far more responsive. You had leaders from those district officers in schools regularly mentoring principals and even in classrooms of teachers, and that smaller, decentralised model was far more responsive. Have you got some comments around that, minister, and perhaps you could explain the rationale of moving to that centralised system in the past?

...

Ms BURGESS - Certainly, over time and with my longevity in the department, we have seen a number of approaches for regions going into the north and the south - the centralisation and the decentralisation of resources.

...

In our current thinking, and in fact, we have some sessions planned where we are going to talk through our structures and our approaches and, in particular, a regionalised approach. We know that our libraries have moved to four regions and we understand that being able to respond at a regional level has its advantages, so we are looking into what that might look like and setting ourselves up for success.

Having smaller units and then those units being regionalised, and then having north and south, with the centralised office really playing a role around high-level policy direction and accountability, and then contextualise that into smaller units within, potentially, regions, and north and south. Certainly that's under some active discussion at the moment, because of course you'd be aware that joining up school services and child safety and youth justice services to be operating in small, localised areas would be beneficial for students and young people to make sure that they've got familiar and relational connections that meet and fit their needs.

Certainly we're having those discussions around what that might look like. Of course, at the back end of that, we've also had reports and reviews in the past that have given us direction around how we need to organise ourselves to set ourselves up for success.

So, it's balancing that together with how many lines of decision-making do you need to get until you get to the peak person of the secretary? Advice that we've had in the past is that you need three levels, so that's very much topical and on our mind at the moment - how do we reduce the layers of middle leadership to make sure that we've got the most streamlined, leanest approach to our organisation so that voices on the ground can be heard all the way up through to the secretary very quickly, and then up to our minister, to make sure that the centre is being responsive to the needs of schools. We've certainly got that under active discussion at the moment.

Mr WILLIE - Yes, because what I'm hearing today is there are really good initiatives - student wellbeing teams, principal network leaders, inclusive practice. There's all of these things happening, but what we hear is they don't necessarily translate to responsive, good outcomes in schools. I am interested in -

Ms BURGESS - I was just going to say, we've absolutely heard that. We're working to operationalise, and we're listening to our principalship, to our teachers, to the unions and to our parents as well. We've got all of that data collected and it's

helping us to move forward in that space. We're under active discussion with our principals advisory group about how we need to set ourselves up for success.

...

Mr WILLIE - What was the rationale for moving away from that district model in the past? Was it a budget consideration? Is the department more lean now than it was back then?

Ms BURGESS - Certainly in the early days, there was a notion around streamlining supports. There was a notion, too, about how much do you reinvent the wheel in a local context and duplicate resources, energy and effort. Then there was more of a move back to the centre just to coordinate that, and I think what we're seeing now is we probably haven't got the balance quite right.

To be responsive to the needs of those on the ground and have a streamlined service of support, we're also giving consideration to a hub-and-spoke model. We still have to mitigate the risk of reinventing the wheel to have centralised supports that might be outposted. So, the policy guidance is consistent, yet the resource to meet the immediate need on the ground is there in the local context. I think it's about balancing those and where that scale is right to make sure that we're responsive to need, but also to manage risk.¹⁶³

- 4.46 The Private Witnesses advocated a return to the district model within DECYP but, if the model was not reinstated, they suggested leadership in schools transition to two senior positions to separate tasks now undertaken by principals. The role of principal would remain, with a focus on teaching and learning. The second role, a CEO or similar, would focus on administration.¹⁶⁴ These matters were discussed by Ms Burgess, Associate Secretary DECYP, earlier in this Chapter.

Diversity and Inclusion

- 4.47 Blind Citizens Australia Tasmanian Branch noted Tasmanian legislation and policies on discrimination and bullying can be inadequate in addressing the specific needs of students with vision impairment, highlighting a need for more targeted measures to ensure students are supported and protected.¹⁶⁵ Measures to prevent and address discrimination and bullying against students with vision impairment were proposed:

- Enhanced training for educators on disability awareness and inclusive practices.
- Implementation of comprehensive anti-bullying programs that specifically address the needs of students with disabilities.

¹⁶³ Transcript of Evidence, 14 February 2025, Minister for Education, Hon. Jo Palmer MLC, and Department for Education, Children and Young People, pp. 17-18.

¹⁶⁴ Transcript of Evidence, 13 February 2025, Private Witnesses, pp. 11-12.

¹⁶⁵ Submission No. 40, Blind Citizens Australia Tasmanian Branch, p. 2.

- Development of clear guidelines for schools on accommodating students with vision impairment.¹⁶⁶

- 4.48 Blind Citizens Australia further drew upon changes that could be made to develop wholly inclusive educational settings:

*Educators play a pivotal role in fostering inclusive school environments. Training programs should be implemented to enhance their understanding of vision impairment and equip them with the skills to support these students effectively. Additionally, promoting general awareness in classroom environments and extracurricular activities is essential to create a culture of respect and inclusion. There is an opportunity to increase awareness that vision impairment is a spectrum of experiences and while a person may be able to read their phone they may have trouble engaging in crucial activities such as team sports.*¹⁶⁷

- 4.49 The organisation said it was essential to engage stakeholders:

*To effectively address discrimination and bullying, there must be enhanced collaboration between disability advocacy organisations, schools, and government agencies. This requires adequate funding and resources for organisations like BCA to actively participate in decision-making processes and provide valuable insights and support. Unfortunately, recent defunding of disability advocacy organisations has hampered our ability to contribute fully to these critical discussions.*¹⁶⁸

- 4.50 Blind Citizens Australia emphasised the necessity for accommodations for students with vision impairment within schools:

*It is crucial to ensure that students with vision impairment have access to reasonable accommodations and support within the school environment. This includes accessible learning materials, assistive technologies, and physical modifications to the school premises.*¹⁶⁹

- 4.51 The Association for Children with Disability (ACD) Tasmania noted barriers to adjustments exist, are typically not overcome and a plan is often not developed to facilitate adjustment.¹⁷⁰ The organisation makes the following recommendations:

- *Identification of adjustments and accommodations needed but not made due to resources (e.g., environmental changes in schools re space, sound, class size)*
- *Pathways for school principals to escalate concerns about resource gaps and unmet need, within each schooling sector*¹⁷¹

¹⁶⁶ Submission No. 40, Blind Citizens Australia Tasmanian Branch, p. 3.

¹⁶⁷ Submission No. 40, Blind Citizens Australia Tasmanian Branch, p. 3.

¹⁶⁸ Submission No. 40, Blind Citizens Australia Tasmanian Branch, p. 3.

¹⁶⁹ Submission No. 40, Blind Citizens Australia Tasmanian Branch, p.3.

¹⁷⁰ Submission No. 135, The Association for Children with Disability Tasmania, p. 13.

¹⁷¹ Submission No. 135, The Association for Children with Disability Tasmania, p. 13.

4.52 Blind Citizens Australia told the Committee increased consultation with people with disability could positively influence changes in schools:

Ms JOHNSTON - ... Duncan, you talked about - it was a lot of luck and a bit of roulette in terms of the access to appropriate educational resources and often the need for parents to be strong advocates. Could you speak a little bit to the importance of organisations, such as Disability Voices Tasmania, in advocating for a more systemic approach to anti-discrimination measures in schools - and, obviously, they have received a cut in their funding recently - to be able to do that. How important is it for organisations and peak bodies to be able to advocate where people experiencing disability don't have the ability to do that for themselves?

Mr MEERDING - Thank you for your question. I think part of the reason for the recommendation of the longitudinal study is that the advocacy sector is severely underfunded and under-supported. It is really important to have an independent advocacy sector that is able to keep government and its entities and different arms to account. When Disability Voices Tasmania was underfunded, the entire sector felt it, because it was a unique advocacy group. I'm the president of Blind Citizens Australia, I've been on the committee for a number of years now, and I do this as a pro bono voluntary position. To expect advocacy to happen by volunteers will no doubt not give you as good a quality as if you had advocacy done by someone doing it as their full-time gig. Not having that will impact things like this parliamentary inquiry because you don't have the chance for somebody to sit on the phone and start talking to multiple people. That's what we did a little bit, but we had to say, 'Okay, who do we start going through?' I would really like to reiterate the importance of something like Disability Voices Tasmania to have funding. It's great because it is a cross-disability advocacy organisation. It's something that would be good to be highlighted as something that would impact inquiries like this.

Ms JOHNSTON - That's - without putting words in your mouth - a recommendation you'd like to see from this committee. As you said, I want to draw out that, in informing committees like ours, for instance, how important it is for peak bodies and advocacy groups to be able to do that liaison work with memberships and membership bases to inform committees like this. That's incredibly important.

Mr MEERDING - Yes, that is probably a good way of putting it.¹⁷²

4.53 The Office of the Anti-Discrimination Commissioner noted the need for organisations to be disability-ready:

In relation to students and staff with a disability, I note that disability ready organisations have some of the following key elements:

- Proactive identification and removal of potential barriers for people with a disability:
 - What changes to our infrastructure and methods of doing things need to be made?
 - What are the current barriers we are aware of?

¹⁷² Transcript of Evidence, 4 September 2024, Blind Citizens Australia Tasmanian Branch, p.6.

- What have previous complaints identified and have we responded to them?
- The development of knowledge and skills to respond appropriately and inclusively:
 - Knowing how to recognise disability
 - Producing information in a variety of relevant formats
 - Appropriate signage and access
 - Appropriate and inclusive language
- All staff made aware of procedures and embedded organisational culture:
 - Preparedness to make adjustments to meet individual needs
 - Basic knowledge about alternative communication systems or how to make adjustments to suit the needs to the person with the disability (advocates, communication assistants, longer meetings)
 - Staff awareness of flexible approaches and elimination of negative attitudes and stereotypes

Based on complaints and reports received by my office, it is clear that new and innovative measures to ensure inclusion of students with a disability remain engaged in the schooling system are required.

Further it is clear that both public and private education institutions are often not equipped to support staff with a disability and that when those staff make complaints about disability discrimination, as is their right, that they are regularly met with hostile and combative responses.¹⁷³

4.54 Mr Howard, LGBTIQA+ Schools Inclusion Officer at Working It Out, provided evidence. Working It Out deliver its Value and Diversity Framework program in Tasmanian schools by providing advocacy and support for members of the LGBTIQA+ community. Mr Howard provided recommendations:

Mr BAYLEY - If you were in charge and had five or more things that you could change in policy, structure, funding, or anything, the world is your oyster – have, given your level of experience, survey's you've done, knowledge of the system, what are the top things you would change, not necessarily the services you offer better but the services children receive more broadly, whether from Working It Out or the Department, what are the five or six top things you would seek to change if you could wave your magic wand?

Mr HOWARD - I wasn't informed I could bring a wish list. It's a good question. One would be an increase in staffing, as already mentioned, to allow for that capacity. That would include people based on the ground in the north west region. This would be wonderful. I would also want that external support provider policy to be reviewed. Even to make principals or school leaders have the ability to approve a visit from an approved external support provider without requiring that parental signature when it is in the best case of a young person's wellbeing. I would like to

¹⁷³ Submission No. 44, Office of the Anti-Discrimination Commissioner, pp. 16-17.

see some of the policies that have been introduced in the last couple of years, including that supporting sexuality, sex and gender diversity policy for schools. I would like to see that strengthened a bit so we're not just talking about staff who have access to professional learning or, schools who will engage in professional learning, but to firm that up.

So our belief is that ideally schools will be engaging that personal learning every three years. With the rate of change in this particular field and with the rate of change in staff in schools, we feel that would be a sensible kind of number.

I'm not sure if it was in the Working It Out submission or in the personal submission that I wrote, but pride groups play a pretty major role for supporting LGBTIQ+ young people in high schools and colleges especially. The reality is that a lot of these pride groups- so they're meeting weekly or sometimes fortnightly during lunchtime often - but the reality is they're often one of those things in schools that only happens because there's a staff member who's willing to give up their lunchtime or give up their free lesson or give up some of their money to resource it and so forth.

And while it's incredibly admirable, it doesn't tend to make things sustainable. So some funding specifically to enable those groups to run and not run off - like so many things do in schools - off the goodwill of individuals, I think, would be an extremely positive thing.

I guess there's one more thing that has come up for me a bit recently, certainly an issue for me personally as a teacher in the classroom, but in meeting with teachers in primary schools, especially recently, but we still have in 2024 gay, lesbian, bisexual, asexual, non-binary teachers and teacher aide and staff in schools who do not know if they will be supported if they are out about who they are in the school environment.¹⁷⁴

4.55 Equality Tasmania provided recommendations to address discrimination and bullying against members of the LGBTIQ+ community in Tasmanian schools:

School authorities

It is the responsibility of law makers and statutory authorities to act on discrimination and bullying in schools. But school authorities also have a responsibility...

We recommend,

DECYP, CET and other school authorities commission independent, external audits of their compliance with existing anti-discrimination law and anti-bullying policies.

Develop and make available a range of resources relevant to professional development and classroom programs dealing with anti-LGBTIQ+ discrimination and bullying.

Allow and encourage staff to attend professional development in how to reduce levels of anti-LGBTIQ+ discrimination and bullying, and promote safety and inclusion.

¹⁷⁴ Transcript of Evidence, 7 November 2024, Working It Out, pp. 5-6.

Allow and encourage classroom programs that reduce anti-LGBTIQA prejudice and promote understanding.

Develop and ensure the delivery of sex and relationships education that addresses the needs of, and meaningfully includes, LGBTIQA+ people's experiences. Include LGBTIQA+ people's experiences and contributions more comprehensively across curriculum, including history and literature. [This is a recommendation of the Telling Us the Story report.]

Encourage people of all genders, sexes, and sexualities to work in the sector. [This is a recommendation of the Telling Us the Story report.]

Regularly evaluate curriculum and staff and student experiences to monitor and develop LGBTIQA+ inclusion. [This is a recommendation of the Telling Us the Story report.]¹⁷⁵

4.56 The submission from Equality Tasmania further emphasised particular actions schools could implement:

Ultimately, schools are responsible for implementing anti-discrimination and anti-bullying policies and programs. We recommend,

The adoption by all schools of LGBTIQA+ inclusion policies that explicitly address discrimination and bullying and are based on the schools' obligations under the Anti-Discrimination Act, the Education Act and other legislation and frameworks. These policies should include examples of policies and practices that are not acceptable and referrals to resources that will help foster inclusion. [This is a recommendation of the Telling Us the Story report.]

Professional development for all teaching and other staff in how to reduce levels of anti-LGBTIQA+ discrimination and bullying, and promote safety and inclusion.

Classroom programs that reduce anti-LGBTIQA prejudice and promote understanding. Visible promotion of LGBTIQA-inclusion in educational facilities (e.g. rainbow stickers, flags). [This is a recommendation of the Telling Us the Story report.]

Providing approval of, and resources for, pride and diversity groups. [This is a recommendation of the Telling Us the Story report.]

We recognise that some faith-based schools and school authorities will wish to challenge discrimination and bullying from within their own faith traditions. We respect and support this. We note that Edmund Rice Education Australia, a Catholic education organisation, has well-respected programs promoting LGBTIQA+ inclusion.¹⁷⁶ Similar resources exist for other Christian denominations and other faiths.¹⁷⁷

¹⁷⁵ Submission No. 285, Equality Tasmania, p. 19.

¹⁷⁶ Footnote 13, <https://www.erea.edu.au/safeandinclusive/>, from Submission No. 285, Equality Tasmania, p.21.

¹⁷⁷ Submission No. 258, Equality Tasmania, pp. 19-20.

4.57 Working It Out suggested actions to promote supportive educational environments for all participants:

Actions to improve outcomes for Tasmanian LGBTIQ+ students and staff include:

- *A rich, diverse and representative curriculum – from the early years onwards*
- *A re-think of “ways of doing” that divide students on the basis of sex assigned at birth*
- *Strong and vocal leadership and support from DECYP and government to overtly signal safety for LGBTIQ+ students and staff*
- *Normalise the sharing / communicating of pronouns in school protocols*
- *Professional learning on LGBTIQ+ cultural safety and inclusive practice for all school staff (aligned to the Supporting Sexuality, Sex and Gender Diversity Policy for DECYP schools)*
- *Opportunities to celebrate LGBTIQ+ students, staff and community*
- *Establishing of pride groups in schools, with support (funding, staffing, training, space) to make them successful and sustainable.*
- *Visible messaging on anti-discrimination rights in Tasmania.*
- *Ensuring schools have, effectively distribute, and make visible LGBTIQ+ affirming policies.*
- *Specifically for intersex students:*
 - o *Continue rolling out the Better Lives project (intersex capacity building within health and education) to professionals employed to observe where reasonable adjustments and supports are needed for students.*
 - o *Enacting and writing policy, procedure and protocol that addresses The Darlington Statement points on education needs (intersex human rights consensus document).¹⁷⁸*

Student and Community Engagement

4.58 Headspace noted more involvement of students and families was needed to enhance positive school cultures:

Students and families need to be involved in developing positive school cultures and addressing bullying and discrimination. Young people are experts in their own lives and experiences, and have the right to be actively involved in decisions that impact them. Supporting young people to help design and implement antidiscrimination measures and bullying prevention helps ensure these activities are relevant, trusted and effective.

Youth advocacy is especially important in addressing this issue as young people have the power to take action in their own schools. They have the power to speak

¹⁷⁸ Submission No. 75, Working It Out, p. 16.

*up about what is happening to others, and they have the power to advocate for additional training for teachers to better support students in need.*¹⁷⁹

- 4.59 Mr Julian Punch, President of Rainbow Communities Tasmania (RCT) addressed the Committee:

Mr PUNCH - ...encouraging parents, giving them a forum, possible funding to them, particularly in the public school system, developing a pathway there for LGBTIQ+ people as a safer environment, all those elements of the community...¹⁸⁰

- 4.60 Student Representatives from Launceston College noted in their submission that a broader system of pastoral and community supports may reduce bullying in schools, by providing positive networks and understandings for all students, including those at a higher risk of undertaking negative social behaviours:

An ongoing solution to bullying and harassment is education. For example, delivering programs about resilience and mental health is a positive step in high schools. However, in Year 11/12 colleges, much of this pastoral focus is lost. Continuing the delivery of these support programs in students' home group time could be a positive step.

*Additionally, many students would benefit from ongoing education about the consequences of behaviour if dealt with outside school. Facilitating positive interactions between students and members of the police force would encourage students to take responsibility for their actions in a legal context, as well as ensuring that students view law enforcement members in a positive light, as people available to support them and the community.*¹⁸¹

- 4.61 The Australian Council for Student Voice supplied reflections from its members in its written submission noting practices and policies in schools across Australia, which could be implemented in Tasmania:

Our members have shared some examples of practice with us and have highlighted the disparity across schools. Some schools have robust policies and proactive measures, while others lag. Some great examples we have seen include:

- *Peer Support Programs: Establishing a student-led peer mentoring and support groups where students can share their experiences and support each other. See Joseph Banks Secondary College (WA).*¹⁸²
- *Whole-School Approach: Fostering a school culture that supports all students and staff contributing to whole-school approaches to mental health and wellbeing promotion. See Promote a Culture of Kindness (Project Rockit)*¹⁸³

¹⁷⁹ Submission No. 71, Headspace, p. 3.

¹⁸⁰ Transcript of Evidence, 28 March 2025, Rainbow Communities Tasmania, p. 8.

¹⁸¹ Submission No. 280, Launceston College Student Representatives, p. 3.

¹⁸² Hyperlink, <https://jbsc.wa.edu.au/student-hub/peer-support/>, from Submission No. 68, Australian Council for Student Voice, p. 2.

¹⁸³ Hyperlink, <https://www.projectrockit.com.au/blog/bullying-prevention-promote-a-culture-of-kindness/>, from Submission No. 68, Australian Council for Student Voice, p. 2.

- *On-site practitioners: Employing on-site mental health practitioners who are easily accessible to students and staff and provide confidential support, including early intervention for specific cohorts. See Mental Health Practitioners in Schools (VIC)*¹⁸⁴

- *Online Support: Enabling access to anonymous online support platforms that provide immediate assistance and resources. See My Circle (Kids Helpline)*^{185 186}

4.62 The Australian Council for Student Voice recommended initiatives to empower students to prevent and address discrimination and bullying:

- *Regular Feedback Mechanisms: Establishing and conducting regular opportunities and mechanisms to gather feedback from students about their experiences and perceptions of safety and inclusivity in schools. The results should inform policy and practice at a systemwide level.*

- *Student Advocacy Programs: Empowering and supporting students to become advocates and leaders who can champion anti-bullying and anti-discrimination initiatives within their schools.*

- *Inclusive Decision-Making: Ensuring that students are a consistent part of the decision making process at a school-, region-, and system-wide level when developing and implementing policies related to bullying and discrimination.*¹⁸⁷

4.63 Headspace spoke about programs that can address discrimination and bullying, including with a focus on the broader environment and community which surrounds young people:

Mr FAIRS - ... My, question is, and you did bring it up: parents. It's in my space and yours as well with disadvantaged youth. You well know that breaking generational change, the parents and the kids, a lot of it, in fact, most of it starts from home, as you well know. This is a wonderful model for free in schools, but a lot of kids I come across and deal with, as I'm sure you do, don't have computer skills and they don't have the confidence to talk to anyone when this is going on.

What suggestions do you have, because a lot of kids fall through the cracks no matter what we do? And, obviously, we've got to try and close those cracks to reduce it to the bare minimum that fall through. But we need to, obviously, have the parents come along for the journey, and you and I both know that's not an easy task. Obviously, community engagement is very important with this as well with parents and things like that, with their kids possibly, but again, there's no guarantee. Any ideas on how we can? I know it's very hard.

Ms DOUGLAS - It's a good question, Rob. I think the earlier age and stage that we can start working with families, obviously early maternal child health. Our partners

¹⁸⁴ Hyperlink, <https://www.vic.gov.au/mental-health-practitioners-secondary-and-specialist-schools?Redirect=1>, from Submission No. 68, Australian Council for Student Voice, p. 2.

¹⁸⁵ Hyperlink, <https://kidshelpline.com.au/my-circle>, from Submission No. 68, Australian Council for Student Voice, p. 2.

¹⁸⁶ Submission No. 68, Australian Council for Student Voice, p. 2.

¹⁸⁷ Submission No. 68, Australian Council for Student Voice, pp. 2-3.

in delivering Be You are Early Childhood Australia, so kindergartens engaging parents.

I think part of the complexity is when schools do try to address things about bullying or violence or discrimination, sometimes you bring the parent into the school community and there is a reluctance to support the school in that process. And there is a divide between what the parent thinks of their child versus what the school's trying to address and support.

I think these days parents have less adequate supports than they did a number of decades ago. We know when we see economic downturn, we see increased rates of family separation and violence. We've got lots of issues with violence all over the country. Youth crime. It is a very complex thing. It must be done at a community level. It must be done early age and stage. I think we need to create better ways for parents to be engaged, but also for them to have mental health training and trauma-informed practice, capacity and confidence built. Maybe it's a question for Reede about, you know, what role does this family play?

We have a number of young people watching this play out, these violent acts, these bullying acts, these discriminative acts, and some young people are filming them, putting them online and they go viral. In some ways, it gives tacit approval or endorsement that another child could do that. They're very complex things.

The Commonwealth Government and some state governments have also heavily invested in parent programs like Triple P and many others. Again, it's more about creating less confusion for schools and making it very simple. Do this, choose this one, choose that - they're overwhelmed with the choice, to be fair. I think we need to make it much more simple and much more sophisticated for schools to be able to choose what is good and what is easy to access and lean into.¹⁸⁸

Support for Teachers

4.64 Mr Reede Adams-Beckett, representing Headspace, reflected upon increased support for teachers:

CHAIR (Ms Dow) - ... Reede, as we draw the committee hearing to a close - you've obviously got the ear of the Tasmanian parliament, so is there one thing that you could leave with us about what you think is the most important thing for us to know? We would really appreciate it.

Mr ADAMS-BECKETT - Wow, huge question. I think it's probably on supporting teachers. In my experience, I'd spoken out multiple times, once in year 7 and once in year 9, and both times I had been listened to and then nothing had happened. I don't put that down to the teachers at all. I actually put that down to the situation.

If you put yourself in that perspective, it's a scary place to be, being a teacher and having a young person come to you and talk about the issues they're having with other students. The only thing that I would think of is, 'Oh, we need to punish this student', but I don't actually think that's the case. I think that actually makes it worse. In my experience, that did make it worse. I'd spoken out in year 7, and I had

¹⁸⁸ Transcript of Evidence, 3 September 2024, Headspace, pp. 19-20.

a teacher actually say to the four boys that were doing that to me to apologise, and said they needed to write a 'sorry' letter to me. They argued back to the teacher and eventually the teacher said, 'No, you don't have to do any of this'.

That kind of gave me enough proof to say it's less about the teachers not caring, it's more about the teachers being scared of taking action because of what happens to the young person afterwards. After that moment, my treatment got way worse.

I spoke out one more time. Nothing happened, and after that I never spoke again. Year 10 came around and I started to have suicidal thoughts, and I think we could have solved that earlier. I think it comes down to supporting teachers.¹⁸⁹

- 4.65 Launceston College Student Representatives highlighted the interconnected nature of additional supports for staff and students and the inherent complexities of managing discrimination and bullying if these areas are not matched equally:

Firstly, we would encourage the need for security camera evidence to be accessible to staff members to verify misconduct by students. This would ensure that students are able to be held accountable for bullying and victims of this behaviour will not have their experiences “swept under the rug” or invalidated.

Secondly, we acknowledge that there is a lack of desire and resources to punish students with internal suspensions, as it can detract from their educational experience, or because sufficient resources to facilitate these measures are not available. We stress the need to make sure schools are well-resourced with teacher aides, senior-staff and spaces where internal suspensions can be facilitated. When the perpetrators of severe bullying and discrimination cannot be removed from classrooms, it is the victims of bullying and discrimination who bear the consequences of continuing to feel unsafe, and commonly, reducing their attendance in order to avoid further harassment.

In relation to this, we commend the widespread implementation of restorative practices around the state. However, we note that they are often applied in inappropriate circumstances that further put the victim at risk. There are many cases of restorative practices where the perpetrator of bullying or harassment is unwilling to learn from the impact on their victim. There are also cases where the victim finds it unfair to participate in a restorative practice after they have experienced significant distress already. This is particularly the case for racist and other discriminatory abuse. We do not think it is appropriate for victims of this behaviour to have to continuously engage with or empathise with its perpetrators. In order to protect victims, we stress the need for other disciplinary measures that adequately protect victims.

Teachers also need far more support in order to competently facilitate this process. Brooks High School, for example, has on-call support available to teachers to assist with deescalating bullying and harassment in classrooms, and quickly and effectively dealing with it.

¹⁸⁹ Transcript of Evidence, 3 September 2024, Headspace, p. 25.

Furthermore, ensuring teachers are given consistent, ongoing professional development about managing and responding to bullying and discrimination is also vital, and we firmly believe that teachers do not currently have enough support in this area.

Another crucial measure to combat bullying and discrimination is the increased employment of dedicated support officers, to address the underlying causes of bullying, which is often neglect and trauma in the home. Supporting vulnerable students with their mental health and coping strategies in schools is a vital step to preventing bullying before it happens.¹⁹⁰

- 4.66 The Committee heard from Private Witnesses to the Inquiry, who had fulfilled teaching and administration roles in DECYP, that additional support is required for all members of staff. This includes appropriate support mechanisms to allow staff to manage the impact of their work on their personal lives and their personal lives upon their work.¹⁹¹
- 4.67 The Private Witnesses also endorsed a focus on mentorship and engagement with qualified teachers for training teachers. This could occur both in the school setting with practicums and through the provision of additional contact with qualified teachers during the theoretical aspects of tertiary education. Such engagement allows training teachers, or newly qualified teachers, to be exposed to everyday teaching experiences to further develop their theoretical and practical knowledge for the classroom.^{192 193}

The Private Witnesses said it was common for teachers to feel undervalued. Based on their experiences, feedback was often only provided in a critical manner, after a negative event had occurred, rather than in a supportive manner to positively reflect upon an individual's work. They suggested the continued devaluation of teachers and other school staff may impact staff retention rates.¹⁹⁴

- 4.68 The Committee asked the Hon. Jo Palmer MLC, Minister for Education, and relevant Department representatives about onboarding supports for new teachers as they transition to teaching and supporting students, as well as their own wellbeing:

Mr BAYLEY - ... We've heard a bit of evidence about senior staff and principals in particular. Before I get to that, I'm interested in you talking through the mentoring-type approach that the department has with teachers as they enter the schooling system, and what steps you take to support new and emerging teachers to be the best they can and gain as much experience and knowledge from older teachers as

¹⁹⁰ Submission No. 280, Launceston College Student Representatives, p. 2.

¹⁹¹ Transcript of Evidence, 13 February 2025, Private Witnesses, p. 8

¹⁹² Transcript of Evidence, 13 February 2025, Private Witnesses, pp. 13-14.

¹⁹³ Transcript of Evidence, 13 February 2025, Private Witnesses, pp. 16-17.

¹⁹⁴ Transcript of Evidence, 13 February 2025, Private Witnesses, pp. 13-14.

possible. What sort of structures are in place to facilitate and make the best of the experience of other teachers in the school system?

Ms PALMER - I'll get either Jen or Ruth to talk to the specifics of that, but I certainly agree that's just so important. The level of success for a new teacher can often depend on the support that they receive in those early years of their education, and I think also the way that they are set up to begin that journey as a teacher through their university as well. That's certainly something we're having discussions with the university about: what does it look like to - what do our teachers and our new students going through the uni to study to be teachers - is that fit for purpose for 2024 moving forward? How can we refine that and have real confidence that we are setting up these teachers for absolute success as they move into the first years of their teaching? I can hand over to Jen or Ruth with some more detail on what specifically we do to support our new teachers.

Ms BURGESS - We certainly do have a teacher induction program that we work with new and early-career teachers to make sure that they have the supports that they need when they come into our schools. I know that the leadership teams within schools also have mechanisms in place to make sure that teachers are supported.

Mr BAYLEY - How would you describe that program and approach compared to decades past? You may not know, but are you getting any feedback anecdotally about the adequacy of the mentoring and approach, and the positive impact it's having on teachers compared to how it was in the past? We've heard that mentoring is different these days, and concerns raised around it.

Ms PALMER - Vica, you're talking about that mentoring in how to manage bullying and discrimination - that aspect of training? I assume that's where you're going. I might hand to Ruth. I think she's probably got some contribution to make around that.

Mr BAYLEY - Obviously that's a specific interest of the committee, but I would have thought it's an important element of any teacher's training across the board - not only their approach to bullying and discrimination, but their teaching style and their response to issues and other things.

Ms DAVIDSON - Yes, definitely. I can speak to them related to this area as well. We've worked closely with the university around our trauma-informed practice as an example. The trainees coming out of the university, or the grad students, may not be as ready for our schools as we would hope, and so working with the university on our professional learning and the Australian Childhood Foundation, in particular, around that trauma-informed practice has been really great, I think, to really start that early and ensure that that's coming through, as well as coming and starting ready in our schools. We've had that program now in place, the trauma-informed practice, for a couple of years, and we've had evaluation done through the university. We've also got that feedback from first year-out teachers, how valuable that has been to really understand trauma and behaviour, and then why - what are some of the drivers. That really helps us in terms of that reactivity to behaviour, and also helping young people - young teachers, I should say, as an old one - with moderating your own regulation in that situation. Because we know going into an environment of a classroom that's busy and active, managing your

own regulation and behaviour is one of those important skills that you may not be really ready for or understand.

Mr BAYLEY - Is that only offered to early-career teachers?

Ms DAVIDSON - No, it's across the board.

Mr BAYLEY - There are refreshers and –

Ms DAVIDSON - Yes, exactly. But we've been really aware of schools targeting and really wanting their first-year-out teachers to participate in this professional learning. There's both in-person and onsite, as well as modules to continue that learning and growth. As you said, experienced teachers are really coming back to that and going, 'Oh, I understand that', and it could be also teachers moving into a different school and that environment really being different and understanding that.

We have the trauma-informed practice work. We have the restorative practice professional learning, which has been really interesting this year with more and more schools wanting to work in clusters and groups around the restorative practice, which I think is a really powerful way for first-year-out teachers, too, to understand they're not alone if you're in a smaller school as a first-year-out teacher, if you're working within a collective of professional learning and sharing some of that experience.

I know we've been working with a cluster in the north-west, I believe it is, that have had a lot of first-year-out teachers, as you can imagine, going through this professional learning. We also have a partnership with AERO and its classroom management tool resources, which was interesting. We were on a working group establishing those resources that experienced teachers can make assumptions that first-year-out teachers come ready with a lot of those classroom basic practice behavioural management tools and that is an assumption that we need to continue to test. Our partnership with the classroom management resources has been great because we've been able to feed in the design and development of them.

Tasmania led the way in getting them into schools and now continues to offer sessions where people can come along. They start at a very basic level classroom rules, setting up boundaries, setting up times, which sounds for an experienced teacher who would look at it and say, 'I don't need that'... We do have to remember that it is tough, some of those things, and having a basic entry resource for teachers and the AERO one in particular has been a great foundational piece. We then go on with that really experienced teacher that can engage with that trauma-informed level with the childhood foundation at range of levels.¹⁹⁵

- 4.69 Mr Willie MP asked the Minister and Department representatives about the retention of staff. The Minister supplied the following breakdown on the dropout rates of new graduates:

¹⁹⁵ Transcript of Evidence, 14 February 2025, Minister for Education and Department for Education, Children and Young People, pp. 5-6.

Teacher Separation with 5 or Less Years' Service (as of March 2024)*

Year	Permanent Teachers with 5 or less Years' Service	Resigned		Retired ^		Other #		Total	
April 2023 – March 2024	1,104	61	(5.5%)	11	(1.0%)	2	(0.2%)	74	(6.7%)
April 2022 – March 2023	1,055	56	(5.3%)	9	(0.9%)	1	(0.1%)	66	(6.3%)
April 2021 – March 2022	717	54	(7.5%)	11	(1.5%)	1	(0.1%)	66	(9.2%)
April 2020 – March 2021	945	35	(3.7%)	4	(0.4%)	0	(0.0%)	39	(4.1%)
April 2019 – March 2020	912	31	(3.4%)	3	(0.3%)	0	(0.0%)	34	(3.7%)
5 Year Average	946.6	47.4	(5.1%)	7.6	(0.8%)	0.8	(0.1%)	55.8	(6.0%)

* This data is collated annually to inform Budget Estimates. Consequently, the most recent data available is from March 2024.

Note: Teacher separations with five or less years' service, by separation type and percentage of total permanent teaching workforce with five or less years' service.

^ Retired - also includes Ill Health Retirements

Other - includes deceased employees, transfer to another agency, etc.

4.70 The Minister's additional information also provided further context to existing and anticipated new supports for beginning, or graduate, teachers:

- The Department for Education, Children and Young People (the Department) has a range of proactive support strategies for early career teachers, including:
 - Intensive induction and personal development before the start of Term 1 each year for all beginning teachers.
 - Mentor support from experience teachers at the school level.
 - The BeTTR time release program, which reduces instructional time for beginning teachers over their first two years.
 - Wellbeing programs, including access to the Employee Assistance Program, together with arrangements that involve referral to a psychologist.
- Steps are being taken to strengthen collaboration with the University of Tasmania to ensure Initial Teacher Education is preparing teachers for all aspects of the role. This was a key recommendation of the Independent Review of Education in Tasmania to support educators and we welcome it.¹⁹⁶

¹⁹⁶ Additional Information in response to Questions on Notice, Minister for Education, Hon. Jo Palmer MLC, dated 17 March 2025.

- 4.71 The Committee received evidence from representatives of Christian Schools Tasmania, regarding the development of graduate teachers and ongoing relationships with tertiary education providers:

Mr BAYLEY - ... from a national perspective... do your schools see a lot of diversity in graduates from the different institutions? Have you a read on what those institutions that are turning out better graduates are doing right, compared to the others? Especially..., in the inclusion and diversity space -

Ms CHENG - I can speak from personal experience. I was a mid-career teacher who went back and did a graduate diploma about six years ago and can agree with what you're saying that there was really no training provided on behaviour management. Maybe it was one lesson. So I didn't feel equipped when I was thrown into the deep end with a bunch of rowdy year 9s to know how to manage them and had to really just learn on the job, which is quite intimidating. For some of our schools that I see do really well in this, I'll talk about the St Phillip's teacher training model, which is a group of schools up in the Hunter region. They have initiated this fantastic program where students from day one are also not only studying but in the classroom teaching and they are being paid as teacher rates, one or two days a week. They are mentored the whole way through that four-year teacher program. So they are watching by learning from the teachers and learning all those practical skills and it's having some great results. I think that's the program you have started here in Tasmania.

Mr GILLMAN - That is exactly the program we started a few years ago and it's reaping benefits. As Vanessa said, one of the challenges I think with universities and obviously graduates do their practicums, they work in schools for a few months here or there, but they don't have that deep immersion. This program allows students if they're doing either their masters which is a two-year course, or their bachelor, which is four years, to actually be in the classroom with the teacher for those two years or those four years learning what it actually means to be a teacher, observing the behaviour management strategies. We provide them with opportunities to participate in the same professional learning that our teachers do so it's a really effective way, by the time they go through the two years or the four years, they're far more equipped to actually be a teacher than if they just get thrown into the deep end. Quite often, these teachers are like deer's in headlights. They've never actually managed a class, never had a full-time load and that's probably one of the reasons that we're seeing the percentage of attrition in the teaching profession. You know, it's hard to attract teachers now. It's becoming harder, but we're also losing, the profession is losing a lot of teachers, because of that burnout because they're not actually prepared.

Mr BAYLEY - So is that something you've had to structure with the university here to change the curriculum at all or?

Mr GILLMAN - We work with Alphacrucis [University College]. This program is done through Alphacrucis.

Mr BAYLEY - So it's online?

...

Mr GILLMAN - Yes. Then there's weekly insight sessions that our teacher development innovation coordinator, who heads up that program - he'll actually do an online session that goes for an hour or two with each of the students just to talk about their wonderings and what are their challenges and what they are finding difficult.

Ms JOHNSTON - How many would you put through that program a year?

Mr GILLMAN - We're putting about five people through per year. Part of that program we're paying 50 per cent of their course fees as an incentive, plus giving them a job as a teacher [aide] for two to three days a week. It's becoming pretty popular. We're up to 10 students in the program at the moment. Our first student will be graduating this year, which is exciting.

Mr BAYLEY - Does that mean do you employ many graduates?

CHAIR (Ms Dow) - Is that right across the state?

Mr GILLMAN - ... That's an initiative that we started with the Christian schools around the state. So the schools that are part of Christian Education National, that's our four schools and the six schools in the north of the state, one at Launceston, Devonport, Circular Head, Newstead, Burnie and Ulverstone. All those schools are involved in that program.¹⁹⁷

4.72 Mr Bayley MP continued this line of questioning in specific reference to University of Tasmania (UTAS) graduate teachers:

Mr BAYLEY - Do you have much visibility of UTAS graduates? Would you employ many and –

Mr GILLMAN - We employ quite a few UTAS graduates.

Mr BAYLEY - What would your anecdotal assessment be of the readiness of those graduates?

...

Mr GILLMAN – I'm concerned. A lot of the graduates that are coming to our schools that I'm interviewing, we're asking them just basic questions that they should understand about curriculum planning and what not. Some of them are just not able to answer them.

Mr BAYLEY - That's your observation, so do you know why?

Mr GILLMAN - I'm not a teacher so I need to be very careful stating that. So that's why when I'm in a panel, we'll always have educational specialists sitting on that panel to assist the teachers' qualifications or readiness. But yes, I have found that trend. There's a lot of teachers that are coming into the system that don't really seem to be well equipped and well prepared.¹⁹⁸

¹⁹⁷ Transcript of Evidence, 7 November 2024, Adventist Schools Australia and Christian Schools Australia, pp. 77-78.

¹⁹⁸ Transcript of Evidence, 7 November 2024, Adventist Schools Australia and Christian Schools Australia, pp. 77-79.

- 4.73 Xris Reardon discussed training for teachers, specifically in relation to identity, and at what point in training or careers should this education occur:

Mr WILLIE - You talked a bit about the curriculum for students. I'm interested in one of your recommendations, which is mandatory training for educators in LGBTIQ+ education. I'm interested in your experience: the capacity of educators currently, how that is across systems and what your observations are in that regard.

Ms REARDON - It would be remiss of me not to acknowledge the workload our educational staff have. It would be remiss of me and not have a lot of compassion for the fact that our teachers are overburdened and overstretched and, quite frankly, probably underpaid, and their profession is misunderstood as well. We saw a whole notion of them; they have a lot of free holidays, right? They're constantly under pressure.

However, I think something - and I just want to make this point clear - something as fundamental as your gender and sexuality. I'm not even talking about trans now. Like, who you are in the world with all the misinformation that circulates and all the disinformation. It's a very fundamental professional learning package that needs to be taken in because it's the one that's not talked about, but it is actually who you are. You bring your gender into a school, you bring your sexuality into a school, I'm just going to say, even in a primary school. We loathe to think that about primary schools, but we actually bring into a primary school that sexuality... We're talking about liking and who I might like, which is a very normal conversation in primary schools, right. I think that gets confused because we think, generally, if we talk about sexuality in schools in a primary school context, that means activity, and that's a whole another conversation. That's not to say we should neglect that, but that's another conversation.

I think it's a fundamental part of what we need to be training teachers in: how do we have those conversations? ... Because right now, most of them are really good teachers, but when a homophobic attack comes up, their response to me is, 'I just don't know how to handle it, so I just ignore it.'

... It's very difficult. Same as racism, same as disability, same as any other ism. It's a tough gig, but I would think that it needs to be compulsory, and we need to also develop a lot of curriculum and resources around that. My hope is that we reach a saturation point. The tricky thing is, and what I experienced is, we have changes of leadership. I know that there were good schools doing great work. The principal leaves; we start again. Sometimes, year after year, I'd start again. Or a cohort of teachers would leave and we would start again. That is why I think it is absolutely imperative that we do mandatory training for teachers.

Mr WILLIE - Would it be better sitting in the education degree, at a graduate level or both?

Ms REARDON - Both. I tell you why I think both. Yes, I think it absolutely. We did do that work very early on in my time at Working It Out. I used to go into UTAS ... I would talk to the students. Those students were from all over; they weren't just Tasmanian. I think that's why it's important to go into a school because you want

to build the cultural capacity of the school. If we just do individual teachers but you don't know whether I'm homophobic or transphobic, you don't know what my politics are, you don't know what you might say that might offend me.

In some schools that I was working with these more regional schools, we would have one or two teachers who would be really transphobic and I want to say ignorant. It wasn't deliberate hate. Sometimes it can be, but it was just a kind of pushback. We're in that room with 180 people. It was really important for me not to alienate that one person because I needed the whole school culture to know that this was a whole cultural issue and we needed to work together. That's why I think it needs to happen in schools as well.¹⁹⁹

Findings

The Committee finds:

27. Tasmanian schools across all sectors provide suites of policies and procedures regarding discrimination and bullying.
28. Existing policies and procedures, and their implementation across educational sectors, as they relate to members of the LGBTIQA+ community are inadequate and inconsistent. This can lead to a lack of adequate support for students and staff.
29. There is a lack of training for teaching and school support staff regarding the LGBTIQA+ community in the areas of inclusion, understanding and the management of discrimination and bullying.
30. Disability advocates, individuals and families, experience difficulties accessing the support they require to be able to advocate for disability accommodations in schools.
31. Appropriate accommodations for students with disability are lacking in some Tasmanian schools, including physical infrastructure and products, support staff, awareness and staff training.
32. There is a lack of mental health support for students and staff in Tasmanian schools. This impacts experiences of discrimination and bullying and may also impact and influence their prevalence.
33. Students face barriers in being referred to external support services.
34. External providers of support programs face difficulties accessing Tasmanian schools.
35. Teachers and support staff feel undervalued and unsupported in some Tasmanian schools.
36. There is a lack of adequate education and training regarding the rights of school staff under the *Anti-Discrimination Act 1998*.

¹⁹⁹ Transcript of Evidence, 13 November 2024, Xris Reardon, pp. 8-9.

37. The role of principals in Tasmanian schools is multifaceted, with duties exceeding traditional scope.
38. Tertiary studies do not equip graduate teachers with the skills required to manage discrimination and bullying in the workplace, including LGBTQIA+ matters. This can then be compounded by a lack of support at a school and departmental level.
39. Some school staff are inadequately trained to manage escalated conduct by students. Some effective measures exist, such as external on-call support providers, but these are not offered at all schools.
40. The structure of the Department for Education, Children and Young People leaves some school staff feeling unsupported, due to the transition away from individual school-based supports.
41. Former structures of the Department for Education, Children and Young People, such as the district model, provided a stronger sense of community within schools.
42. Teacher and staff training and support for managing discrimination and bullying, and the outcomes of these actions in Tasmanian schools, is inadequate and ad hoc. There is a lack of behavioural management and conflict resolution training.
43. The Department for Education, Children and Young People teacher transfer policy does not provide sufficient opportunity for a teacher to transfer as a result of bullying in the workplace.
44. Increased training for school staff in relation to the *Anti-Discrimination Act 1998* could assist in providing proactive and responsive resolutions and education for students in relation to matters of discrimination.
45. Different models of teacher training provide varying levels of understanding and preparation to address bullying and discrimination. For example, teacher training that has a greater practical component, as that provided by Alphacrucis College, can better prepare graduate teachers for the challenges of the workplace.

Recommendations

The Committee recommends:

- 13. The Government increase funding for mental health and wellbeing support staff in schools.**
- 14. The Department for Education, Children and Young People develop a mechanism for the consistent application of its policies and procedures across Tasmanian schools.**

15. The Department for Education, Children and Young People consider the provision of access to Headspace's 'Be You' initiative in all Government schools.
16. The Department for Education, Children and Young People review and improve the external support provider policy for Government schools to facilitate better access.
17. The Government recognise the value of non-government organisations, such as Blind Citizens Australia, and consider how Government can support their contribution to policy and advocacy.
18. The Government audit Tasmanian education facilities against 'disability ready' criteria. If necessary, the Government should review and amend practice, policies, procedures and legislation to address the findings of this audit.
19. The Government make available to staff in all Government schools on-call support services to assist in managing inappropriate classroom behaviour.
20. The Government work with tertiary education providers to ensure undergraduate teaching courses provide adequate training regarding discrimination and bullying, particularly in relation to LGBTIQ+, gifted and disability matters, with increased practical opportunities and mentorships.
21. The Department for Education, Children and Young People investigate developing mentorship programs for newly graduated teachers.
22. The Department for Education, Children and Young People increase professional development and training opportunities for school staff regarding discrimination and bullying policies and procedures and their implementation.
23. The Government fund the Office of the Anti-Discrimination Commissioner to perform widespread training in schools in relation to the *Anti-Discrimination Act 1998* and respectful behaviours.
24. The Department for Education, Children and Young People review and further develop processes that enable teachers to provide support to students and ensure appropriate measures are undertaken in instances of discrimination and bullying.
25. The Department for Education, Children and Young People review and amend the teacher transfer policy to provide for appropriate transfers in cases of bullying and discrimination.
26. The Department for Education, Children and Young People and the Non-Government Schools Registration Board audit the application of, and adherence to, discrimination and bullying policies, procedures and legislation across all Tasmanian schools.

5 ANTI-DISCRIMINATION ACT

- 5.1 This Chapter considers the obligations and duties of Tasmanian schools under the *Anti-Discrimination Act 1998* (the Act).
- 5.2 Under the Act, it is discrimination when a person is treated less favourably than other people because they have a particular attribute (titled direct discrimination). Attributes could include age, sex, race, disability, gender, intersex status, gender identity, sexual orientation, lawful sexual conduct, pregnancy, breastfeeding, family responsibilities, parental status, marital status or relationship status.²⁰⁰ It is also discrimination when a person is disadvantaged compared to other people because they have a particular attribute (titled indirect discrimination).
- 5.3 Then-Anti-Discrimination Commissioner, Sarah Bolt, spoke at a public hearing to the principle and objectives of the Act and why it is important in the educational setting:

***Ms BOLT** - The whole preface of the Anti-Discrimination Act is really about fostering an inclusive and tolerant, kind society where everybody is able to go about their ordinary business and feel safe in the process of doing that. It also covers so many areas of discrimination, across education, health, accommodation, the whole gamut - and has so many different attributes. It also enables a positive discrimination in certain areas, with exceptions, so you can have a balanced playing field for people who may be a little bit more disadvantaged.*

It's incredibly subjective, unusually so for legislation, which is often not. The Act always and this is where people trip up with it the Act has very little, in fact, it has no interest in what the intention of the respondent was. It only has an interest in the impact that actions, words, behaviours, policies or procedures have on an individual or a group of individuals.

It is a rights protection piece of legislation. One of the good things about it is the fact that it is a beneficial piece of legislation; it doesn't have an interest in punitive outcomes. People often don't quite get that. They think it's all about punishing people, whereas it is very restorative in its nature. The idea is to restore relationships that may have broken down rather than send people to purgatory.

That is completely different to the purpose of the tribunal, which actually hears matters and makes determinations on questions of law. The commissioner only has an administrative function in administering the legislation and dealing with questions of fact but not making a determination as to a piece of law.²⁰¹

²⁰⁰ *Anti-Discrimination Act 1998* (Tas) s 17(1).

²⁰¹ Transcript of Evidence, 4 September 2024, Office of the Anti-Discrimination Commissioner, pp. 11-12.

- 5.4 Ms Johnston MP questioned then-Anti-Discrimination Commissioner about the interactions between the attributes listed in the Act:

Ms JOHNSTON - Can you talk to the committee about the interaction between the different attributes? For instance, if I understand some of the submissions correctly, they're wanting to seek a religious exemption on, as you talk about, the grounds person, for instance, maybe not subscribing to particular religious faith but wanting to apply. That's clearly an attribute on religion and religious belief. If the religious organisation was discriminating on the basis of another attribute, for instance marital status, sexual orientation, all those kinds of things, how do those two or three attributes actually interact in terms of the application of the act? There might not be an easier answer, sorry.

Ms BOLT - I don't think there is an easy answer, in the sense if somebody is behaving in a way that goes outside the tenets and the beliefs of that particular organisation, then they would say that they could use the exception to discriminate against that person. That's really putting it as bluntly as it is. That is what has led to a lot of the issues around the LGBTIQ+ students who come out while they're at school. They may have started off at that school as a child with no idea about what their sexual or gender orientation were going to be. Then, as they emerge into a youth or young person, their position changes. That then becomes, you no longer fit within the ethos of this religious institution. They would say this, and then therefore you could discriminate against this person by either not accepting them, or treating them different, or perhaps, even being a bystander while other people within that school - as has happened to people - subject that person to discriminatory and bullying behaviours.²⁰²

Obligations and Duties of Schools

- 5.5 In its submission, the Office of the Anti-Discrimination Commissioner pointed to section 104 of the Act as outlining the obligations of organisations under the Act. These obligations include ensuring an organisation's 'members, officers, employees and agents are made aware of discrimination and prohibited conduct to which the Act relates.'²⁰³ An organisation is also required to take reasonable steps to ensure no member, officer, employee or agent of the organisation engages in discrimination or prohibited conduct.²⁰⁴
- 5.6 The Office of the Anti-Discrimination Commissioner further noted in relation to section 104 that:

In relation to organisational liability for breaches of the Anti-Discrimination Act, section 104 clearly includes staff of educational institutions, by vicarious liability applying to members, officers, employees and agents. A plain English reading of section 104 is that students are 'members' of an educational institution and a school can be liable for their conduct, however there is no case law to affirm this.

²⁰² Transcript of Evidence, 4 September 2024, Office of the Anti-Discrimination Commissioner, p. 12-13.

²⁰³ *Anti-Discrimination Act 1998* (Tas) s 104 (1)(a).

²⁰⁴ *Anti-Discrimination Act 1998* (Tas) s 104 (2).

*Specifically including organisational liability where students have engaged in discrimination and/or prohibited conduct (such as sexual harassment) in circumstances where a school has failed to take reasonable steps to remedy the issues after it has become aware of students engaging in the conduct, should be contemplated.*²⁰⁵

5.7 The Committee was provided with examples of complaints received by the Anti-Discrimination Commissioner, including disability discrimination and complaints regarding religious educational institutions. Complaints were from both staff and students. Further detail regarding the complaints can be found in full in Submission 44 from the Office of the Anti-Discrimination Commissioner.

5.8 The Office of the Anti-Discrimination Commissioner commented on the way the Department for Education, Children and Young People have dealt with complaints:

Another mechanism by which discrimination and prohibited conduct is prevented (at least from continuing) and remedied, is via complaints under the Anti-Discrimination Act.

However, there are significant barriers posed by the Department for Education, Children, Young People which impede the progression of complaints. I have recently written to the Secretary of the Department and requested a review of the Departments approach to complaints.

I received a reply from the Secretary dated 5 July 2024 noting an Independent review of current processes would be undertaken.

The issues as summarised for the Secretary are as follows:

- *The length of time it takes the Department to respond to a complaint*
- *Whether indemnity for individual respondents is sought which is contrary to the Tasmanian Government's policy and Guidelines for the Grant of Indemnities and Legal Assistance to Public Officers of the State of Tasmania*
- *Whether the person attending conciliation conferences on behalf of the Department has the appropriate delegated authority to resolve the complaint*
- *Whether the Department's approach to responding to complaints follows trauma-informed principles.*

*It is my view that the conduct of the Department is not consistent with the Model Litigant Guidelines.*²⁰⁶

5.9 The claimed inconsistency with Model Litigant Guidelines was further explored in public hearings with then Anti-Discrimination Commissioner, Ms Bolt:

²⁰⁵ Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 14.

²⁰⁶ Submission No. 44, Office of the Anti-Discrimination Commissioner, p.10.

Ms JOHNSTON - On that response line, you talk in your submission a lot about the fact that a lot of complaints go to conciliation and are dealt with then. The few that don't, often go to the tribunal and sometimes the complainant will withdraw because of the cost associated with that. Can you expand on some of the issues with that? I'm sure it's not confined to the educational setting, but it's obviously impactful there.

Ms BOLT - We talk about the model litigant guidelines and also, the other issues around the indemnity, of being granted indemnity. That has been an issue of concern and I have spoken to the then chair of the committee and the latter chair, Ginna Webster, about the granting of indemnity at such an early stage in the process because it creates an enormous disparity - if you have two employees, one of them is granted indemnity who has the expertise and the whole weight behind them of the Solicitor General's Office and the other person is floating around in no-man's land. Invariably, it's the teacher who is in that position and the principal who will be granted indemnity.

My argument has been and has always been - I think of the 42 applications for indemnity, 42 of them were granted at the very early stage, whereas you would think you don't need indemnity when you're in a conciliation process where you are trying to remedy and heal that relationship as opposed to fracture it further. It's premature at that point to have indemnity granted. It would be much easier to restore those relationships if it wasn't.

Then again, often it's a different story when a matter is going to a tribunal and there is a veracity of evidence and the credibility of witnesses and all of those things that are going to be put toward a court. That I think is when the panel should turn its mind to whether indemnity is granted to one person over another.²⁰⁷

5.10 Then-Anti-Discrimination Commissioner, Ms Bolt, also talked about the impacts of delays within the Department:

Ms JOHNSTON - In terms of the model litigant, obviously you've provided us with some correspondence on the length of delays that the Education Department has imposed on conciliation and also on hearings. Can you speak to the impact of that on complainants and if there's a deterrent value on pursuing complaints?

Ms BOLT - Absolutely. I think the act is very clear. We have six months to send it off to tribunal. We can get extensions. Once a complaint has been accepted, it will be set down for conciliation within six weeks. For both parties, frankly, if you have something that's languishing in the legal department of the education or health or whoever it happens to be education is not an orphan in all of this - it sits over both the respondent and the complainants like a dark shadow for a long time, where people really just want to have some form of resolution. In one matter, it was 208 days or something to get a response when the conciliation is the next day.

It is stressful. It fractures relationships. It digs people into a deeper hole. People's memories fade. Often people just either want to get back to work or have something to move on to, or to have an apology. It's astounding at how many conciliations the heartbeat that makes it work is the apology. If you're waiting for

²⁰⁷ Transcript of Evidence, 4 September 2024, Office of the Anti-Discrimination Commissioner, pp. 16-17.

*half a year for someone just to get into the room, that is not satisfactory. I've written to the secretary about that and have had correspondence in return. Hopefully, they will look at it rather than becoming combative in the first instance, simply to say, 'Yes, let's just get together and have a chat'. That's effectively what it is.*²⁰⁸

5.11 Ms Johnston MP questioned the Minister and the Department in relation to the comments of then-Anti-Discrimination Commissioner, in a later hearing held on 14 February 2025.²⁰⁹ The question was placed on notice, and the following reply was received:

- *The Independent Review of the Department's discrimination complaints management processes has been completed by the Department's Internal Audit team. Following this, the Department's Secretary met with the Anti-Discrimination Commissioner on 6 December 2024.*
- *The Department is committed to resolving complaints with a collaborative approach and at the lowest appropriate level. The Department is continuing to review and refine its complaints management processes internally.*
- *The Department aims to meet the Commissioner's 21-day response timeframe, noting this often requires consultation with multiple business units and operational staff with competing priorities. Responses adhere to the Model Litigant Guidelines, and Legal Services advocates for detailed initial responses as a trauma-informed approach to reduce distress for complainants.*
- *In formal dispute resolution, the Department is usually represented [sic] a member of the Legal Services unit. The resolution sought by complainants is often unclear before a conciliation conference, and the requested actions may require authorisation from different areas within the Department. The Model Litigant Guidelines include that the obligation to act as a model litigant does not prevent the State from acting in the public interest or firmly pursuing a legitimate claim or defence to protect its interests. Therefore, it is not always possible to resolve a complaint at a conciliation conference, and such complaints may need to be referred for inquiry pursuant to the Anti-Discrimination Act.*²¹⁰

5.12 In hearings Ms Johnston MP asked then-Anti-Discrimination Commissioner Ms Bolt, about faith-based school organisations' submissions that the Act needs change:

Ms JOHNSTON - ... *This committee has received a number of pro forma submissions and submissions from organisations, in particular faith-based school organisations, which suggest that there needs to be a change to the Anti-Discrimination Act. They speak to a concern about the Anti-Discrimination Act limiting freedom of speech and freedom of expression of religion. Can you perhaps expand on whether that's*

²⁰⁸ Transcript of Evidence, 4 September 2024, Office of the Anti-Discrimination Commissioner, p. 17.

²⁰⁹ Transcript of Evidence, 14 February 2025, Minister for Education and Department for Education, Children and Young People, pp. 16-17.

²¹⁰ Additional information responses to Questions on Notice, Minister for Education, Hon. Jo Palmer MLC, dated 17 March 2025, pp. 5-6.

a legitimate concern in your view, the current provisions, and what perhaps a change in legislation might look like in practice?

Ms BOLT - It's covered in the submission in relation to section 51, which allows for the exemption around religion, religious beliefs, and employing people. The difficulty is, as was highlighted in there, that there's very little case law about the application of section 51 and how far it should go. We talk about the fact that somebody who might be employed as a groundsman but doesn't have a strong link to a religious faith might be either terminated or not employed because of that. Whereas the act, we would interpret that it should be more narrowly confined to the teachers within a school who are having an impact upon students. Similarly, the example in relation to marital status, living with someone which is not in a religious union being problematic in some instances.

The argument was around the religious discrimination bill. I was pretty opposed to that and made submissions to that effect because it went so far to enable discrimination to happen on the basis of religion. I also think that, to be frank, when there's a change of the current Archbishop, which is happening, there may be a lessening of tensions, depending upon who is appointed to that role because it is a very conservative view that has been taken over the last sort of 20 years. That may soften depending upon the belief of the person who is in that role.²¹¹

5.13 Concerns that faith-based schools were not adhering to the Act were raised with the Committee. Equality Tasmania provided examples:

... the complaints we receive from students, parents and teachers in faith-based schools show that the Anti-Discrimination Act is frequently ignored and violated. This is a strong allegation, so we have included further information expanding on it.

**Discriminatory policies, bans on peer groups and inappropriate treatment of trans students*

Reports we have received from LGBTIQ+ teachers include references to a Catholic Education Tasmania policy not to employ LGBTIQ+ school staff in leadership positions. We have no direct, written evidence of this policy, only second-hand reports.

However, indirect evidence that it exists includes media reports of a Catholic school teacher being offered a Vice Principal's position at St Virgil's College and then having that offer withdrawn when it was discovered he was divorced and in an unmarried heterosexual relationship. In the letter of withdrawal the Acting Principal wrote,

"In accordance with the mandates of CET, Canon law and Catholic Doctrines, the College is required to only employ staff in senior leadership positions if they have an active parish life, and if they have a regular relationship, as defined by the Catholic doctrines and Canon law."²¹²

²¹¹ Transcript of Evidence, 4 September 2024, Office of the Anti-Discrimination Commissioner, p. 12.

²¹² Footnote 5, <https://www.abc.net.au/news/2022-07-27/teacher-catholic-school-job-offervetoed/101270816>, from Submission No. 285, Equality Tasmania, p. 11.

It is reasonable to assume that “a regular relationship” would not include a same-sex relationship, married or otherwise, and to infer that the LGBTIQ+ staff cannot be employed “in senior leadership positions”.

As made clear above, discrimination in employment, be it on the basis of relationship status or sexual orientation, is against Tasmanian law.

We have also received several reports that cite a Catholic Education Tasmania policy that bans all school LGBTIQ+ inclusion policies, and all pride groups and diversity groups. Instead, these groups must be called “mental health groups” and be open to all students.

Again, we have no direct evidence of this, only the second-hand testimony of a number of former staff and students. However, it is a serious enough allegation to warrant further investigation. We say “serious” because pride and diversity groups, along with school LGBTIQ+ inclusion policies, have been shown to have a positive impact on the mental health and wellbeing of young LGBTIQ+ people.²¹³

5.14 Equality Tasmania outlined concerns relating to the treatment of trans- and gender-diverse students in faith-based schools:

Reports we have received from trans and gender diverse students and their parents include references to a range of inappropriate policies and practices. These include,

- Not allowing students to affirm their gender through appropriate uniforms, pronouns and/or use of toilets and change rooms, or allowing some forms of affirmation but not others.*
- Erecting hurdles to affirmation such as requiring a student to amend their preferred name and pronouns on school records at the beginning of every new school year, or only allowing students to socially affirm their gender identity after a clinical assessment that lack of social affirmation would result in “severe mental health problems”.*
- Referring students with gender incongruence to priests untrained in gender counselling.*
- An instruction to all principals at a meeting in March 2021 that schools are not to provide support for students with gender incongruence and that students identifying as trans or gender diverse from the time of the meeting must all be referred to Catholic Education Tasmania.*
- At about the same time, the referral of students with gender incongruence to a psychologist who has views about gender incongruence and transgender people that are not shared by mainstream Australian medical or psychological organisations. The person in question believes trans and gender diverse identities are disorders that can be cured, whereas the Royal Australian and New Zealand College of Psychiatrists (RANZCP) has explicitly said they are not disorders...²¹⁴*

²¹³ Footnote 6, Fetner, T., & Elafros, A. (2015). The GSA Difference: LGBTQ and Ally Experiences in High Schools with and without Gay-Straight Alliances. Soc. Sci. 4(3), 563-581., from Submission No. 285, Equality Tasmania, p. 12.

²¹⁴ Submission No. 285, Equality Tasmania, pp. 12-14.

- 5.15 A particular concern was raised in relation to the employment of senior staff in Catholic schools. Mr Bayley MP questioned then-Archbishop Julian Porteous and Dr Gerard Gaskin, then-Executive Director of Catholic Education Tasmania (CET) in a public hearing on 14 February 2025:

Mr BAYLEY - Do you discriminate in relation to the appointment of senior positions based on either sexual orientation, marriage status, or any other factor?

Dr GASKIN - In 2022, the Vatican issued a document an instruction - called *The Identity of the Catholic School for a Culture of Dialogue*. That document sets out the expectations that the Catholic Church has for those who teach in our system. We obviously abide by that document. That document says that people who teach the Catholic religion, they would expect them to be people who believe that religion and who live it. That's all we ask of anyone. More than half of our staff are not Catholic. We don't ask them to be Catholics. We welcome them into our system because they contribute so much, in every classroom, in every school. We don't discriminate on the basis of religion.

Mr BAYLEY - What about on the basis of sexual orientation and/or marital status? In this regard, I know that the principal of St Virgil's College, in correspondence to a staff member in a heterosexual de facto relationship - whose promotion to vice principal was withdrawn because of that relationship the principal wrote:

"In accordance with the mandates of Catholic Education Tasmania, Canon law and Catholic doctrines, the college is required to only employ staff in senior leadership positions if they have an active parish life and if they have a regular relationship as defined by the Catholic doctrines and Canon law."

In this context, can you tell me whether the Catholic Education Tasmania considers a regular relationship quote to include or exclude a same-sex marriage or a de facto relationship?

Dr GASKIN - The contractual requirements of senior leadership in Catholic education indicate that a person who applies for the role would be an active Catholic and faithful to Catholic teaching and in their personal lives. If they're in a situation that falls outside of Catholic moral teaching, we would not be obliged to employ them because they are supposed to be examples of the highest value.²¹⁵

- 5.16 Committee Members further questioned then-Archbishop Porteous and Dr Gaskin in relation to the employment of senior staff at schools in the CET system:

Mr BAYLEY - If a gay man or woman in a same-sex marriage who had the equivalent qualifications to a heterosexual man or woman in a heterosexual relationship were to go for the position, would their sexual orientation or marital status have an impact on your decision as to whether they would be promoted?

²¹⁵ Transcript of Evidence, 14 February 2025, Catholic Education Tasmania and Archdiocese of Hobart, p. 37.

Dr GASKIN - It would preclude them from applying for the position or from being granted that position.

Mr BAYLEY - It would preclude them?

Dr GASKIN - If it was publicly known that the life they were living was outside of Catholic moral precepts, we would not be able to employ them as a senior leader.

Mr WILLIE - Isn't that discrimination to employment though?

Archbishop PORTEOUS - One of the issues, of course, we have here is that we have competing rights. One of the arguments I've been putting forward for some time is because we don't have an articulation of religious freedom and religious rights, we are disadvantaged in this regard. There are rights associated with religion; they're well established in international documents. We don't have anything in Australia. This is a concern for me personally because we don't have ground upon which we can present our response to these particular situations.

Mr BAYLEY - Dr Gaskin, is that a formal policy position that someone in a non-regular relationship couldn't be promoted and could you table that policy position?

Dr GASKIN - There is no formal policy position. There is simply a contract which the person signs. At the point of signing the contract they undertake to live a life according to Catholic moral teaching. There is no formal policy; there doesn't need to be. It's written into the contract of employment.²¹⁶

- 5.17 In response to a Question on Notice during the above hearing, Dr Gaskin provided the Committee with a copy of the principal contract of employment for a Catholic school which has been published on the Committee webpage.²¹⁷ Under Section 8 of the contract, being 'Employee's Obligations,' the following relationship to the Catholic faith is noted, amongst other matters to be upheld:

The Employee must:

- (a) Uphold Catholic belief, identity and practice in all the Employee's professional activities and refrain from expressing public opinions or engaging in public activity that, in the reasonable opinion of the Employer, would bring the Employer into disrepute;
- (b) reasonably model and uphold the precepts of the Catholic Church;
- (c) be familiar with, have an understanding of and uphold the implementation of the Archbishop's Charter for Catholic Schools, and the Vatican Instruction "The Identity of the Catholic School for a Culture of Dialogue," (both as amended from time to time);...²¹⁸

²¹⁶ Transcript of Evidence, 14 February 2025, Archdiocese of Hobart and Catholic Education Tasmania, pp. 37-38.

²¹⁷ https://www.parliament.tas.gov.au/_data/assets/pdf_file/0024/92382/CET-contract-of-employment-for-publishing_Redacted.pdf

²¹⁸ Catholic Education Tasmania, Contract of Employment, principal, pp. 11-12, https://www.parliament.tas.gov.au/_data/assets/pdf_file/0024/92382/CET-contract-of-employment-for-publishing_Redacted.pdf

- 5.18 Then-Archbishop Porteous and Dr Gaskin were further questioned regarding the hiring of senior staff at CET:

Ms JOHNSTON - ... you've repeated a number of times about the Catholic faith and that, in your expectation, that staff and students operate within Catholic faith in doctrine. In recent years, Pope Francis has stated a number of things, including that priests are allowed to bless same-sex couples, gay men are allowed to be priests if they obey the same rules as other priests, homosexuality should be decriminalised, transgender people should be included in church communities, and in the papers, he supports same-sex civil unions. Have you disseminated any information to your school students and staff and communities promoting these positive messages?

Archbishop PORTEOUS - I'd have to examine each one of them, contextualise each one of those statements individually because they all have a particular state at different times, they have different standings. We have, within the church, a hierarchy of teaching, if you like, and including by the Pope, things that are formal statements of faith. Comments that are made on an aeroplane coming back from a trip - it's a different status to what is being presented as a formal teaching. Our basic guidance is to look at the formal teachings of the church that are recognised and established in papal documents that are captured in the Catholic catechism. That is the rule of faith that actually guides us.

Ms JOHNSTON - Archbishop, are you suggesting that it is impossible, or impractical maybe, to be faithful to the Catholic doctrines and be a homosexual?

Archbishop PORTEOUS - Absolutely a person can have same-sex attraction and be a good, practising, committed Catholic, and I know many in that situation personally.

Ms JOHNSTON - In the context of employment, then, how is that a person can be, as you said, a good, practising Catholic and a homosexual but be denied promotion because of their homosexual beliefs that you suggested beforehand are incompatible with the Catholic faith?

Archbishop PORTEOUS - No. I make a distinction there. Where you've got somebody who has a same-sex attraction, committed Catholic, they can readily be advanced right through Catholic Education.

Mr BAYLEY - But not senior leadership positions?

Archbishop PORTEOUS - Even senior leadership. Same-sex attraction is not the issue.

Ms JOHNSTON - It's the act of being homosexual. Is that the problem? That you don't want to be seen to be homosexual?

Archbishop PORTEOUS - If someone is a practising, committed Catholic and has same-sex attraction - as I said, I know a number of them - they are and they can be fully involved in all aspects of the life of the church. Not a problem at all.

Mr BAYLEY - As long as they don't exercise that attraction.²¹⁹

- 5.19 The relationship between the Act and the Commonwealth Sex Discrimination Act 1984 (Cth) was raised by Dr Gaskin at the hearing in the further discussion of employment practices:

Ms JOHNSTON - So you're saying that you're compliant with Tasmanian Anti-Discrimination Act? By precluding anyone with a certain marital status or sexual orientation from promotion within your organisation, that is compliant? Is that what you're suggesting?

Dr GASKIN - We're compliant with federal law and federal law -

Ms JOHNSTON - Yes, but on Tasmanian law though, with respect -

Dr GASKIN - As I understand it, and I'm not a lawyer, but this is what I understand to be the case. If there's a conflict between state law and federal law on a particular matter, federal law always abides, overrules the state law. We understand that to be the case.²²⁰

- 5.20 In an additional submission to the Committee, Equality Tasmania commented further on the interaction between the Tasmanian and Commonwealth laws, quoting a former-Anti-Discrimination Commissioner, Robin Banks:

"Each state and territory has developed discrimination laws to protect people within the jurisdiction from discrimination. Alongside this the federal parliament has developed a more limited range of discrimination laws that operate across Australia. The federal laws expressly indicate that they are designed to operate in concert with the state and territory laws. So, for example, the Sex Discrimination Act 1984 (SDA) states in section 10(3):

"This Act is not intended to exclude or limit the operation of a law of a State or Territory that is capable of operating concurrently with this Act."

"This indicates that the federal Act is not intended to 'cover the field' and therefore override any state or territory laws in the same area. It is not true to say that 'federal law always abides'.

"So, for example, the SDA provides an exemption from the operation of that Act for voluntary bodies (section 39), while the Anti-Discrimination Act 1998 (Tas) protects against discrimination by voluntary bodies, including, for example, in the specifically protecting against discrimination in the 'membership and activities of clubs': section 22(1)(e). 'Club' is defined in the Tasmanian Act as follows: 'club means an incorporated or unincorporated association of at least 30 persons associated together for a lawful purpose that provides and maintains its facilities, wholly or partly, from the funds of the association.'

"There is no suggestion that the protection under state law here is inoperative because the federal Act provides an exemption for that sector.

²¹⁹ Transcript of Evidence, 14 February 2025, Archdiocese of Hobart and Catholic Education Tasmania, pp. 40-41.

²²⁰ Transcript of Evidence, 14 February 2025, Archdiocese of Hobart and Catholic Education Tasmania, pp. 39-40.

“Other exemptions found in the SDA similarly do not limit the operation of the Tasmanian Act.”²²¹

- 5.21 Mr Bayley MP also questioned then-Archbishop Porteous and Dr Gaskin as to whether their practice of not employing teachers as senior leaders if they do not ‘live a life according to Catholic moral teaching’, leads to disadvantaging students:

Mr BAYLEY - Putting aside discrimination, doesn't this do your students a disservice? They're not necessarily getting the best possible teachers and leaders in Catholic education. Aren't you shooting yourselves in the foot because you are ruling out a percentage of the population who have immense skills and contributions to make and you simply won't look at them because of a religious opposition to their status and the relationships and the choices they make? Aren't you underselling your students?

...

Dr GASKIN - We are absolutely getting the best teachers and leaders in our system.

Mr BAYLEY - How can you say that when you rule out some teachers?

Dr GASKIN - Sorry, if I may continue answering.

Your question went to the denial of our students the very best teachers, and no-one is for, one moment, believing that we are denying our students the best teachers.

Now, look at it from the other perspective entirely. Don't those parents who enrol their children in Catholic schools have a right to expect that those who teach their children are exemplars of the Catholic faith? That's the basis on which our school system is built: that we exist for the sole purpose of teaching Christ's love and teaching excellent secular results as well, excellent secular education. So I can't accept that by excluding, as you suggest, a cohort of people, that I'm disadvantaging the students.

I would say the very opposite: that we have a moral, a legal and a juridical, an ecclesiastical obligation to ensure that the students who enrol in our school system are being given the very best of Catholic education, being given the very best of faith formation, and that goes to the example of the lives of those who teach them. That's what the Vatican document is requesting - that's what we're absolutely committed to doing.

To do otherwise is for us to cease to be a Catholic organisation; we become something else. So we must stay true to our Catholic faith.²²²

²²¹ Submission No. 285A, Equality Tasmania, p. 12.

²²² Transcript of Evidence, 14 February 2025, Archdiocese of Hobart and Catholic Education Tasmania, pp. 38-39.

- 5.22 In their submission to the Inquiry, CET outlined the faith demographics that attend schools within the system:

*We do not discriminate on the basis of religion, sex, race or status. This is reflected in our present enrolment profile which includes: 33% Catholics, 17% other Christians, 29% no religious affiliation and 21% other or unknown religious affiliation.*²²³

- 5.23 Rodney Croome, representing Equality Tasmania, responded to this evidence during a later session of the public hearing, with an emphasis on the potential impact on the quality of teaching provided due to the policies:

Mr CROOME - ... regardless of that legal point, of course, there's still the moral issue that if discrimination is wrong - and I had a sense from the Catholic Education Tasmania and the Archbishop this morning that they believe it's wrong - then not to promote gay teachers simply because they're gay or in a sexual relationship, regardless of their individual merits, is discrimination.

*And as Mr Bayley pointed out, it means that schools, students and parents don't get the best person for the job. If people are selected on the basis of their piety rather than their professionalism, they're not the best person for the job - particularly if they're teaching science or history or physical education.*²²⁴

- 5.24 In a later appearance before the Committee in January 2026, Mr Croome provided further evidence to his understanding of the interconnection of state and Commonwealth laws, in reference to the work of the Australian Law Reform Commission:

Mr CROOME - ... I just wanted to note that this is also the view of the Australian Law Reform Commission. In its inquiry into this issue, which was put out last year at the behest of the federal government:

... if a state or territory law provides greater protection from discrimination than the Commonwealth Sex Discrimination Act (for example, because it has a more restrictive exception for religious educational institutions...) religious educational institutions in that state or territory must comply with the more restrictive state or territory law.

Is there a greater authority on which law should apply than the Australian Law Reform Commission? The only authority would be the High Court and it hasn't been asked this matter.

*Again, when it's so clear that our state law is valid and continues to apply, how can we be in a situation where there's uncertainty about this, where it hasn't been enforced and an institution that receives millions of taxpayer dollars a year and is responsible for the education of thousands of students and the employment of hundreds of teachers can just say 'No, not us'? I don't understand how that's possible.*²²⁵

²²³ Submission No. 233, Catholic Education Tasmania, p. 5.

²²⁴ Transcript of Evidence, 14 February 2025, Equality Tasmania, p. 47.

²²⁵ Transcript of Evidence, 28 January 2026, Equality Tasmania, p. 22.

- 5.25 Clarification had been sought on this legal point by the Committee prior to Mr Croome's evidence, through a request to the Office of the Anti-Discrimination Commissioner. The Acting Anti-Discrimination Commissioner, Ms Pia Saturno, provided a written response to the Committee's query regarding the relationship between the state and federal anti-discrimination laws. The Acting Anti-Discrimination Commissioner first provided context to the understanding of the terminology of exceptions and exemptions in both acts:

Under the Federal Act, there are two different types of exemptions. These are temporary exemptions,²²⁶ which, like in Tasmania, are granted for a limited period of time, and permanent exemptions, which operate like exceptions in Tasmania, as defences to complaints.²²⁷

The Tasmanian Act contains limited exceptions²²⁸ on the basis of some of the above attributes, none of which are relevant²²⁹ to the information sought. For religious educational institutions, the Tasmanian Act sets out exceptions permitting discrimination only on the basis of religious belief, affiliation or activity.

This differs to the Federal Act, where some exemptions permit discrimination on the basis of a number of the attributes above, namely the other person's sex, sexual orientation, gender identity, marital or relationship status or pregnancy.^{230 231}

- 5.26 The additional information provided to the Committee went on to define exceptions in the Act, which are specified under section 51. The Acting Anti-Discrimination Commissioner assessed these exceptions in the following manner within the Committees requested context:

The phrasing of the exceptions under section 51 limits their applicability to certain circumstances. These are circumstances where it is a 'genuine occupational qualification or requirement' or 'if the discrimination is in order to enable, or better enable, the educational institution to be conducted in accordance with those tenants, beliefs, teachings, principles or practices.'

²²⁶ Footnote 7, *Sex Discrimination Act 1984 (Cth)* s 44., from Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 2.

²²⁷ Footnote 8, Australian Human Rights Commission, Information Sheet: Religious exemptions under the SDA, 2017, https://humanrights.gov.au/sites/default/files/document/publication/AHRC_2017_Religious_Exemptions_SDA_Info.pdf, from Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 2.

²²⁸ Footnote 9, *Anti-Discrimination Act 1998 (Tas)* Part 5, from Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 2.

²²⁹ Footnote 10, For example, the *Anti-Discrimination Act 1998 (Tas)* section 27 (1) provides exceptions on the ground of gender in a religious institution, and in shared accommodation, etc, which may also be relied upon, however are not the focus of this letter, from Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 2.

²³⁰ Footnote 11, *Sex Discrimination Act 1984 (Cth)* s 38., from Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 2.

²³¹ Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 2.

...

Notwithstanding such difficulties, legislative protections for LGBTIQ+ teachers, divorced teachers, teachers cohabiting with partners etc. are contained within the Tasmanian Act.

The question arises as to whether the Federal Act operates to remove such protections against discrimination on the grounds of sex, sexual orientation, gender identity, marital or relationship status or pregnancy (as per section 38 which is set out below).

As contained in your letter of 27 February 2025, at the hearing of the Committee Inquiry on 14 February 2025, Archbishop Porteus and Dr Gaskin from CET indicated that CET is permitted to preclude employment in some circumstances, as the Federal Act overrides the Tasmanian Act.

Below, I provide some matters that may challenge CET's position:

2. The Federal Act explicitly addresses the concurrent operation in section 10, which is supported by expert bodies including the Australian Human Rights Commission, which administers the provisions of the Act.
3. Section 38 acts as a defence to a complainant and is narrow in scope, meaning the application of the exemption is limited.

There are additional protections under the Tasmanian Act, which are not covered by the exemption in section 38 of the Federal Act.²³²

- 5.27 Furthermore, the Acting Anti-Discrimination Commissioner provided an explanation of the Commonwealth Act, noting that under section 38 permanent exemptions operate as defences to complaints which then require factual circumstances to confirm the claim:

As permanent exemptions operate as defences to complaint, the mere assertion that an exemption exists is not necessarily binding, as its' [sic] application would depend on the factual circumstances of the matter. For example, a religious educational institution may have a complaint made against it by a divorced teacher who has been denied employment and has been subject to statements as to their lifestyle choice.

While that institution can argue the applicability of section 38 in relation to refusing that individual an offer of employment, arguably, any offensive remarks made in the course of the recruitment process, would not be protected by the limited scope of the exemption.

It follows that section 38 does not provide broad protections enabling a religious educational institution to engage in other unlawful conduct, for example,

²³² Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 6.

*offensive, humiliating, intimidating, insulting or ridiculing conduct or sexual harassment*²³³ under the Tasmanian Act, going to point 2 above.²³⁴

- 5.28 The Acting Anti-Discrimination Commissioner provided an interpretation of the concurrent operation of state and Commonwealth anti-discrimination legislation:

*The ALRC's*²³⁵ *position*²³⁶ *is that:*

... Commonwealth, state, and territory laws that prohibit discrimination may overlap, and may differ in scope. Commonwealth anti-discrimination laws indicate that they are intended to operate concurrently with state and territory anti-discrimination laws, and a person may seek remedies under the law most favourable to them. In the context of this Inquiry, the practical effect of this is that, if a state or territory law provides greater protection from discrimination than the Commonwealth Sex Discrimination Act (for example, because it has a more restrictive exception for religious educational institutions or covers additional attributes), religious educational institutions in that state or territory must comply with the more restrictive state or territory law.

*The ALRC goes on to explain that the 'practical effect' on religious educational institutions of repealing s 38 of the Sex Discrimination Act 'would be minimal because state and territory anti-discrimination laws operate concurrently with the Federal Act. Anti-discrimination laws in most states and territories already prohibit discrimination against staff and students of religious educational institutions.'*²³⁷ ²³⁸

- 5.29 The final conclusion of the Acting Anti-Discrimination Commissioner was as follows:

*As the Committee will conclude itself, the above does not provide certainty in relation to the application of the Tasmanian Act and the Federal Act and the intersection of both, however, I hope the above information provides some clarity as it related to the Committee's question of whether CET are able to preclude employment of senior employees on the basis of certain protected attributes, and confirm that, without determination by a court of law, or legislative reform, the question remains open.*²³⁹

²³³ Footnote 16, *Anti-Discrimination Act 1998 (Tas)* s17, from Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 7.

²³⁴ Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 7.

²³⁵ Australian Law Reform Commission

²³⁶ Footnote 21, See note 15 at 12.84 (Footnote 15: Australian Law Reform Commission (4 November 2022) Religious Educational Institutions and Anti-Discrimination Laws, www.alrc.gov.au/inquiry/anti-discrimination-laws/), from Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 9.

²³⁷ Footnote 22, Ibid (See note 15 at 12.84 (Footnote 15: Australian Law Reform Commission (4 November 2022) Religious Educational Institutions and Anti-Discrimination Laws, www.alrc.gov.au/inquiry/anti-discrimination-laws/), from Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 9.

²³⁸ Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 9.

²³⁹ Additional Information, Acting Anti-Discrimination Commissioner, dated 17 March 2025, p. 11.

Anti-Discrimination Act Legislative Reforms

5.30 The Committee received evidence from multiple participants regarding potential legislative reforms to the Act.

5.31 A Fairer World shared its thoughts on legislative reforms:

*Legislative reforms should focus on strengthening the Anti-Discrimination Act to include clearer guidelines for schools and harsher penalties for non-compliance. Policy reforms should mandate regular training, transparent reporting mechanisms, and independent reviews of school practices.*²⁴⁰

5.32 The Office of the Anti-Discrimination Commissioner called for a review of the Act to ensure it achieves its intended aims:²⁴¹

While once considered a 'gold standard' piece of legislation, the Anti-Discrimination Act has now fallen behind other states and territories. Tasmanians need greater protections, and such protections are relevant to staff and students in schools in a multitude of ways.

In addition to the consideration of section 104 of the Anti-Discrimination Act ... employers should have a positive duty to prevent sexual harassment and discrimination under Tasmanian laws, and assistance animals should be specifically included in state anti-discrimination legislation.

I note that Autism Assistance Dogs are increasingly being utilised to support autistic children. Without clear legislation protecting assistance animals, a child with autism who uses one at school does not have the same legislative protections as a child who used a guide dog as defined in the Guide Dogs and Hearing Dogs Act 167 (Tas).

*If a review of the entirety of the anti-discrimination act is not supported, I would be pleased to see consideration of amendments which would address some of the issues highlighted in this submission.*²⁴²

5.33 The Chair questioned Ms Sarah Bolt, then-Anti-Discrimination Commissioner in relation to the request for a review of the Act:

CHAIR (Ms Dow) - ... The last question I was going to ask you was a number of people that have made submissions to this committee have called for a review of the Anti - Discrimination Act in Tasmania. Ms Johnston highlighted a few of those before, but you've also mentioned that within your submission to us. I wondered if you'd elaborate on the changes that you'd like to see. You say that if a wholesale review wasn't to be implemented, whether there were amendments that you see should be made. The inclusion of autism dogs and support dogs in legislation was one of those, but are there others that you think are important to highlight on the record for the committee?

²⁴⁰ Submission No. 42, A Fairer World, p. 2.

²⁴¹ Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 18.

²⁴² Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 19.

Ms BOLT - A recent letter that was sent to all the members of parliament included a matrix of 136 recommendations to change. I wouldn't want to rattle through all of those, but some of the ones regarding disability are very clearly about therapeutic devices not being a way to describe a dog or some other form of help. One that's completely irrelevant, but maybe not to this particular hearing, is about the introduction of an attribute for domestic violence to give people protection in that area if they find themselves terminated or other things because of that. There is a plethora of them and some of them relate to the complaint mechanism itself.

Also, to be brought up to speed with some of the other states that deal with almost elder abuse and things which are also incorporated within the human rights act in the ACT in particular.

Right to protection - and that includes for younger people - we're still way behind in some of those things. That's adult safeguarding legislation.²⁴³

- 5.34 The Office of the Anti-Discrimination Commissioner concluded its submission with a suggestion of broader changes to the Act:

*Where a reactive response is required (such as in relation to a complaint), there is significant room for improvement in both the public and private sphere. Best practice and model litigant methods should be utilised by a respondent in matters under the Anti-Discrimination Act. This would greatly contribute to facilitating restorative justice, achieving more positive outcomes for staff and students of educational institutions in Tasmania.*²⁴⁴

- 5.35 Other evidence also addressed potential reforms to the Act. Representatives from Christian Schools Australia were questioned about what changes they would like to see to the Act:

CHAIR (Ms Dow) - Dr Carling, in your opening statement you talked about how, obviously, the network and your schools want to focus on education and not be caught up in unnecessary litigation. In your submission you've referenced some suggestions and proposed redrafting of the Anti-Discrimination Act, and some issues and suggestions you've put forward there. Can you give us an example perhaps of where the current Tasmanian Anti-Discrimination Act has prevented you from doing something or causing issue for schools in your network?

Dr CARLING - I can't give you a specific example. I guess our fear is, with the way some of the laws are going, that we don't want things to be made harder for us. We actually really appreciate the Tasmanian Constitution as it stands at the moment and the right that is enshrined for religious freedom. We want that protected. We want to continue to operate according to the international laws that we are signatories to here in Australia. While it's a continuation of what I guess the status quo in a lot of ways here in Tasmania, but if you are considering looking deeper and putting in amendments, then we have our suggestions on that.²⁴⁵

²⁴³ Transcript of Evidence, 4 September 2024, Office of the Anti-Discrimination Commissioner, pp. 18-19.

²⁴⁴ Submission No. 44, Office of the Anti-Discrimination Commissioner, p.22

²⁴⁵ Transcript of Evidence, 3 September 2024, Christian Schools Australia, Christian Education National and Adventist Education, p. 9.

5.36 The Committee received evidence from religious organisations supporting additional exceptions or exemptions for religious institutions, including a joint submission from Christian Schools Australia, Christian Education National and Adventist Education:

If the Committee is to propose amendments to the Anti-Discrimination Act 1998 (TAS) (“the Act”), it would be appropriate to consider the recommendations of the most comprehensive independent review of religious freedom in Australia which was completed at the Commonwealth level in 2018.²⁴⁶ An expert panel considered more than 15,000 submissions and consulted with 180 organisations in face-to-face meetings in every State and Territory.

The Expert Panel Review had a broad scope, including to ‘consider the intersections between the enjoyment of the freedom of religion and other human rights’ and was charged with consulting ‘as widely as it considers necessary’.

After the extensive consultation by the panel of independent experts, the final report of the Expert Panel Review recommended, inter alia:

- ‘Commonwealth, State and Territory governments should have regard to the Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights when drafting laws that would limit the right to freedom of religion’ – Recommendation 2.*
- ‘Commonwealth, State and Territory governments should consider the use of objects, purposes or other interpretive clauses in anti-discrimination legislation to reflect the equal status in international law of all human rights, including freedom of religion’ – Recommendation 3.*

The existing provisions of the Act may have the effect of undermining that equal status, instead placing non-discrimination above other human rights. In particular, the broad definition of discrimination in sections 14 and 15 and the narrowly defined exceptions and exemptions in Part 5 a pre-eminence is being placed on non-discrimination rights.

This approach will also assist in overcoming, in an operational sense, some of the problems inherent in the Act, and may assist in ensuring that the protections for religious freedom in the Tasmanian Constitution can be achieved.

This aim of meeting the requirements for protections for religious freedom in the Tasmanian Constitution could also be addressed by the adoption of an alternative

²⁴⁶ Footnote 15, Religious Freedom Review: Report of the Expert Panel (May 2018) (‘Expert Panel Review’), from Submission No. 60, Christian Schools Australia, Christian Education National and Adventist Education, p 9.

definition of 'discrimination'. The proposed drafting included below provides a balancing of different human rights within a comprehensive definition.^{247 248}

5.37 The joint submission went on to further explain the specific amendments proposed to replace sections 14 and 15 of the Act:

(1) *Discrimination means any distinction, exclusion, preference, restriction or condition made or proposed to be made which has the purpose of disadvantaging a person with a protected attribute or which has, or is likely to have, the effect of disadvantaging a person with a protected attribute by comparison with a person who does not have the protected attribute, subject to the following subsections.*

(2) *A distinction, exclusion, preference, restriction or condition does not constitute discrimination if:*

(a) it is reasonably capable of being considered appropriate and adapted to achieve a legitimate objective; or

(b) it is made because of the inherent requirements of the particular position concerned; or

(c) it is not unlawful under any anti-discrimination law of any state or territory in the place where it occurs; or

(d) it is a special measure that is reasonably intended to help achieve substantive equality between a person with a protected attribute and other persons.

(3) *The protection, advancement or exercise of another human right protected by the International Covenant on Civil and Political Rights is a legitimate objective within the meaning of subsection (2)(a).*

(4) *Without limiting the generality of subsection (2), a distinction, exclusion, preference, restriction or condition should be considered appropriate and adapted to protect the right of freedom of religion if it is made by a religious body, or by an organisation that either provides, or controls or administers an entity that provides, educational, health, counselling, aged care or other such services, and either:*

(a) it is reasonably necessary in order to comply with religious doctrines, tenets, beliefs or teachings adhered to by the religious body or organisation; or

(b) it is reasonably necessary to avoid injury to the religious sensitivities of adherents of that religion or creed; or

²⁴⁷ Footnote 16, The drafting is taken from Patrick Parkinson and Nicholas Aroney, Submission to Attorney-General's Department, Consolidation of Commonwealth Anti-Discrimination Laws, January 2012., from Updated Submission No. 60, Christian Schools Australia, Christian Education National and Adventist Education, p. 9.

²⁴⁸ Updated Submission No. 60, Christian Schools Australia, Christian Education National and Adventist Education, p. 9.

(c) in the case of decisions concerning employment, it is reasonable in order to maintain the religious character of the body or organisation, or to fulfil its religious purpose.

(5) Without limiting the generality of subsection (2), a distinction, exclusion, preference, restriction or condition should be considered appropriate and adapted to protect the right of ethnic minorities to enjoy their own culture, or to use their own language in community with the other members of their group, if it is made by an ethnic minority organisation or association intended to fulfil that purpose and has the effect of preferring a person who belongs to that ethnic minority over a person who does not belong to that ethnic minority.²⁴⁹

5.38 In his appearance before the Committee representing the Australian Christian Lobby, Mr Christopher Brohier provided support for these proposed amendments:

CHAIR (Ms Dow) - ... Does the ACL have any recommendations or thoughts they would like to leave with the committee on policy changes, really getting back to the terms of reference of this committee?

Mr BROHIER - We would support the recommendation by Christian Schools Australia. They've set out a detailed recommendation for an amendment which recognises the importance of Article 18 in the ICCPR. They spelled that out in the submission. We would support that.²⁵⁰

5.39 Reverend Dr Angus McLeay provided the Committee with a copy of his PhD *Seeking Clarity* which provided a 'current and comprehensive analysis of how Christian schools in Australia manage discrimination in the employment of LGBT+ staff'.²⁵¹ Reverend Dr McLeay made the following key findings:

A central finding from my study is that existing anti-discrimination law is not significantly impairing the exercise of religious freedom (10.1.1). This applies to all Australian jurisdictions, including Tasmania where exceptions to anti-discrimination duties are more limited than most other jurisdictions (1.7.5; 4.3.4).

A second key finding is that most Christian schools do not condone discrimination against LGBT+ employees; rather most support non-discrimination on religious grounds.

Two significant caveats to this finding must be noted:

- A class of Christian school, referred to in the thesis as 'Themelic' (4.3.3), have an employment system that is structured to discriminate against LGBT+ people, most evidently on an indirect basis (8.6; 10.2; 10.2.4).
- Other 'mainstream denominational' Christian schools can experience pressure to be discriminatory towards LGBT+ people from their related institutional church (9.3; 9.6; 10.1.3).

²⁴⁹ Updated Submission No. 60, Christian Schools Australia, Christian Education National and Adventist Education, p.10.

²⁵⁰ Transcript of Evidence, 4 September 2024, Australian Christian Lobby, p. 21.

²⁵¹ Submission No. 293, Reverend Dr Angus McLeay, p. 1.

- Notably, the degree of pressure on schools to accept LGBT+ discrimination is linked to how theologically conservative the related institutional church and/or leaders may be (9.3; 9.5.1; 9.5.3).²⁵²

- 5.40 The Australian Education Union (AEU) Tasmanian Branch noted concerns regarding the treatment of active union members within DECYP schools and potential discrimination based upon industrial activity:

*Union membership and participation are essential to safe and healthy workplaces and a protected characteristic under the Anti-Discrimination Act 1998. AEU members have reported a perception of discrimination against active, visible union members within schools, colleges and DECYP that stifles a protected attribute under the Act. The State Service must always maintain a practice and perception of meritorious employment and promotion, including taking active steps to address any perception of discrimination based on protected characteristics, including union membership and activity.*²⁵³

- 5.41 The Committee received evidence opposing the interpretation of potential exemptions or exceptions in the Act. Equality Tasmania proposed a review of relevant clauses:

*A review by the Tasmanian Law Reform Institute or other body of existing exemptions in the Anti-Discrimination Act, especially in relation to discrimination on the grounds of religious adherence in student enrollment [sic] and staff employment in faith-based schools, to determine if these exemptions are being abused to justify discrimination on other grounds such as sexual orientation, gender identity, relationship status etc.*²⁵⁴

- 5.42 Xris Reardon, a former LGBTIQA+ Schools Inclusion Officer at Working It Out, provided a recommendation:

*Safeguard the Anti-Discrimination Act 1998 (Tas) to ensure religious schools remain unable to discriminate in matters of gender, sexual identity or bodily status*²⁵⁵. *Rationale: This amendment would ensure that all schools, regardless of religious affiliation, are held to the same standards of nondiscrimination, creating a more inclusive environment for all students.*²⁵⁶

- 5.43 Ben Dudman, a lived experience witness, shared with the Committee his recommendation for legislative reform to the Act:

The Anti-Discrimination Act 1998 leads our nation in best practice to prevent bullying, harassment, and unfair treatment in our society. It is integral that Tasmania maintains this tradition of leading the way in protecting its people from adverse behaviour. To this end, I make two recommendations to the Committee.

²⁵² Submission No. 293, Reverend Dr Angus McLeay, p. 1.

²⁵³ Submission No. 78, Australian Education Union Tasmanian Branch, p. 4.

²⁵⁴ Submission No. 285, Equality Tasmania, p. 18.

²⁵⁵ Footnote 24, [24] Ciancanelli, L. (2022). Anti-Discrimination Act 1998 (Tas): A Review of Religious Exemptions in Education. University of Tasmania Law Review, 40(2), 55-79, from Submission No. 265, Xris Reardon, p.6.

²⁵⁶ Submission No. 265, Xris Reardon, p. 6.

The first, is that the Committee recommends that the Anti-Discrimination Act 1998 is maintained in a manner which upholds the values of the current legislation and resistance is had to amendments which would leave discrimination law in Tasmania worse off. These means, that amendments which could be proposed allowing discrimination based on faith, such as the right for staff within a faith-based school to be selected based on their sexuality or gender identity, is rejected. Proposals which feign discrimination protection, but cause discrimination in our community cannot be permitted to take hold within our legislation.

Secondly, I believe that the Committee, within the scope of this Inquiry, recommends a review of the Anti-Discrimination Act 1998, to ensure that the Act remains fit for purpose, and adequately provides protection for Tasmanians in a modern context. The current Act is in its 26th year and as such, would greatly benefit from a review. This review, with the principle in mind that the Act can only be amended to provide further discrimination protection, not reverse it, will ensure that Tasmania maintains its status as having the best Anti-Discrimination Act in the country.²⁵⁷

Findings

The Committee finds:

46. The Office of the Anti-Discrimination Commissioner has experienced significant barriers to the progression of complaints about the Department for Education, Children and Young People including failure to adhere to timeframes and inconsistency with Model Litigant Guidelines.
47. The Department for Education, Children and Young People acknowledges its aim is to achieve the 21-day return timeframe of the Office of the Anti-Discrimination Commissioner for complaints and it states it adheres to the Model Litigant Guidelines.
48. There is broad support for changes to the *Anti-Discrimination Act 1998*, but views differ markedly as to what the changes should seek to achieve.
49. Catholic Education Tasmania has discriminated against staff on the basis of sexual orientation and marital status. *Prima facie*, discrimination against such protected attributes contravenes the Tasmanian *Anti-Discrimination Act 1998*. However, Catholic Education Tasmania asserts it is compliant with the Commonwealth *Sex Discrimination Act 1984*. This assertion has been contested in evidence provided to the Committee but has not been determined in a court of law.
50. Tasmanian and Commonwealth anti-discrimination legislation operate concurrently, with their application into matters of employment in faith-based schools not yet determined before a court of law.

²⁵⁷ Submission No. 263, Ben Dudman, p. 3.

51. The *Anti-Discrimination Act 1998* has no positive duty to prevent sexual harassment.
52. The *Anti-Discrimination Act 1998* does not provide for the right to certain accommodations for individuals with disability or neurodiversity, such as autism assistance dogs.
53. Catholic Education Tasmania states its hiring processes enable the provision of Catholic education which meet the moral, legal, juridical and ecclesiastical obligations of the institution.

Recommendations

The Committee recommends:

- 27. The Government review the *Anti-Discrimination Act 1998* and include a focus on obligations and duties to prevent and prohibit discrimination and bullying in Tasmanian schools.**
- 28. The Government proactively ensures all Tasmanian schools are compliant with the obligations and duties of the *Anti-Discrimination Act 1998*.**
- 29. The Department for Education, Children and Young People prioritise adherence to Model Litigant Guidelines and the timely conclusion of complaints under the *Anti-Discrimination Act 1998*.**
- 30. The Government consider taking action to resolve the ambiguity between Tasmanian and Commonwealth law in relation to employment discrimination.**

6. OTHER RELEVANT STATUTES, POLICIES AND THEIR REFORM

- 6.1 The Committee heard additional evidence regarding other legislation relevant to the obligations of Tasmanian schools.

Education Act 2016 (Tasmania)

- 6.2 The DECYP submission outlined the obligations of Tasmanian schools under the *Education Act 2016*:

The Education Act 2016 outlines the right of every child to receive an education and the provision by the State of universal access to education through a government education system, with requirements including eliminating or ameliorating risks to health and safety of students and staff on school premises or attending school activities elsewhere. The Secretary's Instructions under the Act relating to unacceptable behaviours in Tasmanian government schools and discipline include:

- *Secretary's Instruction No 3 for Unacceptable Behaviour of Students and Volunteers at, and visitors to, State schools or school activities*
- *Secretary's Instruction No 4 for Suspension, Exclusion, Expulsion or Prohibition of State school students.*²⁵⁸

- 6.3 The Australian Association of Christian Schools provided an assessment of the obligations of non-government schools under the *Education Act 2016*:

*Education Act 2016 (Tas) - under this Act, the Non-government Schools Registration Board is responsible for monitoring the compliance of non-government schools with the Registration Standards. For a non-government school to be registered, the Standards require that each school have certain policies and procedures developed and fully implemented, including one or more policies relating to: student welfare, child protection, student privacy, bullying of students, harassment of students and the maintenance of appropriate relationships between staff and students.*²⁵⁹

- 6.4 Equality Tasmania noted requirements under the *Education Act 2016*, including in relation to the fulfilment of the *Education Regulations 2017*, explored through reference to examples of some of the specific Standards required:

Tasmanian Education Act 2016 and Education Regulations 2017

All schools must adhere to the provisions of the Education Act. In particular, non-government schools must meet the thirteen standards in the Education Regulations if they are to be registered and retain their registration (see attachment 1).*

²⁵⁸ Submission No. 74, Department for Education, Children and Young People, p. 8.

²⁵⁹ Submission No. 291, Australian Association of Christian Schools, p. 5.

Standard 5 (Student Welfare) outlines a series of obligations in regard to student privacy, bullying of students, harassment of students and adoption of policies regarding bullying, harassment and discrimination.

Standard 13 (compliance with the law) outlines schools' obligations to "comply with all relevant laws".

According to a letter from then education minister, Hon Jeremy Rockliff MHA, (included as attachment 2) non-government school systems such as Catholic Education Tasmania are,

"...required to report annually on their schools and the NGSRB (Nongovernment Schools Registration Board) also conducts between three – five visits to schools selected randomly each year to confirm the results of the audits. The NGSRB can also conduct inspections of schools where it has reason to believe that Standards are not being met."

*In this submission our focus will be on faith-based non-government schools. In the past ten years we have received no reports of discrimination or bullying from non-religious, non-government schools. This is to not to suggest it doesn't happen, only that it is much rarer.²⁶⁰

- 6.5 Mr Rodney Croome, Equality Tasmania Policy Officer, provided a further assessment of the performance of the Non-Government Schools Registration Board regarding its obligations to ensure the fulfilment of requirements:

Mr CROOME -Now, in our submission, we had a range of solutions that we think would be useful for reducing discrimination and bullying in faith-based schools, both Catholic and independent. They're similar to the suggestions that we had in terms of state schools, with an addition that the Education Act be amended to ensure that there is a mandate for developing inclusion policies and programs, and that there be training for the Non-Government Schools Registration Board so it can recognise discrimination and bullying where it occurs. My understanding is the Non-Government Schools Registration Board regularly goes out and audits non-government schools in regard to their compliance to the legislation. Clearly, it's not doing its job. We haven't seen any reports from the Non-Government Schools Registration Board about discrimination on the grounds of sexual orientation or gender identity. As I said, those people need training. Either they're ignoring it, or they can't see it, or they're not trained to see it. They need training so that they can see this happening and they can recognise it. They need greater powers to ensure that schools are meeting their obligations under the Anti-Discrimination Act.²⁶¹

- 6.6 Equality Tasmania provided a proposal for an amendment to the Education Act 2016 and its associated Standards to provide additional policies, programs and supports for and regarding the LGBTIQ+ community:

An amendment to the Education Act and the Standards governing the registration of faith-based schools that mandates the development of inclusion

²⁶⁰ Submission No. 285, Equality Tasmania, pp. 2-3.

²⁶¹ Transcript of Evidence, 14 February 2025, Equality Tasmania, p. 48.

policies and programs for categories of students and staff who have traditionally faced discrimination and bullying, explicitly including but not limited to LGBTIQ+ students and staff.

The development of policies and procedures that allows the NGSRB to identify and act on discrimination and bullying against LGBTIQ+ students and staff, and other categories of students and staff who have traditionally faced higher rates of discrimination and bullying. This recommendation should not depend on the implementation of the above recommendation.

A funding allocation for faith-based schools to allow them to meet the legislative and regulatory requirements outlined above.

Development of new models of consultation and management for Tasmania's faith-based schools that ensure everyone with a stake in those schools has some say over their policies and curricula, and that there are checks and balances to ensure no single person or small group of people have absolute and unchallenged control.²⁶²

Disability Discrimination Act 1992 (Commonwealth)

- 6.7 The DECYP submission noted its anti-discrimination approach is underpinned by the Commonwealth *Disability Discrimination Act 1992* which 'prohibits discrimination on the grounds of disability across various areas of public life, including education.'²⁶³ The submission further clarifies guidance material available for compliance with the *Disability Discrimination Act 1992*:

The Australian Disability Standards for Education 2005 (the Standards) are legally binding guidelines designed to ensure equal access and participation in education for students with disabilities. They operate under the Disability Discrimination Act 1992 and apply to all education providers in Australia.²⁶⁴

- 6.8 Other submissions acknowledge requirements under the *Disability Discrimination Act 1992* and the associated standards for schools. These include submissions from the Tasmanian Principals Association, Association for Children with Disability Tasmania and the Australian Association of Christian Schools.

Work Health and Safety Act 2012 (Tasmania)

- 6.9 A number of submissions highlighted the obligations of schools under the *Work Health and Safety Act 2012*. The DECYP submission noted this Act:

²⁶² Submission No. 285, Equality Tasmania, p.22.

²⁶³ Submission No. 74, Department for Education, Children and Young People, p.9.

²⁶⁴ Submission No. 74, Department for Education, Children and Young People, p.9.

*Outlines obligations of employers to provide and maintain a safe and healthy working environment for all workers (staff), including managing psychosocial hazards and risks.*²⁶⁵

- 6.10 The Australian Education Union (AEU) Tasmanian Branch discussed the role of DECYP under the *Work Health and Safety Act 2012*, including a primary duty to manage risks leading to potential psychological harm. The submission provided evidence as to ongoing experiences of staff at Government schools:

*Workers experiencing bullying, harassment and discrimination in Tasmanian schools and colleges understand that the PCBU has failed them in this duty. Psychological injury claims from DECYP workers continue to rise at an alarming rate – up from 54 in 2021 to a shocking 149 in the year to March 2024. This table shows the shocking and continuing increase in psychological injury claims across 2020-2024.*²⁶⁶

Calendar Year	2021	2022	2023	2024
Period	March	March	March	March
Unit	Number	Number	Number	Number
Claims Lodged by Other Staff	15	31	62	87
Claims Lodged by Teaching Staff	39	53	47	62
Total	54	84	109	149

Fair Work Act 2009 (Commonwealth)

- 6.11 The Committee received evidence regarding legislative requirements set out by the *Fair Work Act 2009 (Cth)* in regard to the rights of employees.
- 6.12 Concerned Catholics Tasmania noted the coverage of bullying in the workplace under the *Fair Work Act 2009 (Cth)* as follows:

Bullying in the workplace is addressed by the Fair Work Act 2009, Federal legislation, and in section 789FD of that Act which provides:

“When is a worker bullied at work?

(1) A worker is bullied at work if:

(a) while the worker is at work in a constitutionally - covered business:

(i) an individual; or

(ii) a group of individuals;

repeatedly behaves unreasonably towards the worker, or a group of workers of which the worker is a member; and

²⁶⁵ Submission No. 74, Department for Education, Children and Young People, p. 9.

²⁶⁶ Submission No. 78, Australian Education Union Tasmanian Branch, p. 7.

(b) that behaviour creates a risk to health and safety.

(2) To avoid doubt, subsection (1) does not apply to reasonable management action carried out in a reasonable manner.

(3) If a person conducts a business or undertaking (within the meaning of the Work Health and Safety Act 2011) and either:

(a) the person is:

(i) a constitutional corporation; or

(ii) the Commonwealth; or

(iii) a Commonwealth authority; or

(iv) a body corporate incorporated in a Territory; or

(b) the business or undertaking is conducted principally in a Territory or Commonwealth place; then the business or undertaking is a constitutionally - covered business.”

The Fair Work Act 2009 applies to staff working in schools and is compatible with and compliments the A-D Act but has no application to students.

Accordingly, there is no legislation expressly outlawing forms of bullying and we can find no all-encompassing general prohibition of bullying.²⁶⁷

- 6.13 The Australian Association of Christian Schools provided in its submission an interpretation of the applicability of exemptions under the Fair Work Act 2009 (Cth) to particular institutions under specified criteria:

*Fair Work Act 2009 (Cth) - provides that ‘adverse action’ on the grounds of ‘race, colour, sex, sexual orientation, breastfeeding, gender identity, intersex status, age, physical or mental disability, marital status, family or carer’s responsibilities, subjection to family and domestic violence, pregnancy, religion, political opinion, national extraction or social origin. (s351(1)). Section 351(2)(c) provides an exemption from these particular grounds for ‘an institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed’ where employment is terminated ‘in good faith to avoid injury to the religious susceptibilities of adherents of that religion or creed’.*²⁶⁸

General Legislative Reform

- 6.14 The AEU recommended the Committee consider the adequacy of legislative support for Tasmanian workers experiencing bullying:

Anti-bullying system for Tasmanian state service workers – the Inquiry should investigate the effectiveness of legislation in other jurisdictions covering workers not protected by anti-bullying laws in the Fair Work Act and recommend to the Parliament best practice laws to give Tasmanian

²⁶⁷ Submission No. 221, Concerned Catholics Tasmania, pp. 18-19.

²⁶⁸ Submission No. 291, Australian Association of Christian Schools, p. 5.

*state service workers a systemwide remedy to address bullying in their workplace.*²⁶⁹

- 6.15 The Committee heard evidence from multiple sources citing the work of the Tasmanian Law Reform Institute's (TLRI's) final report titled *Bullying* (TLRI Report), released in 2016.²⁷⁰ The TLRI Report concerned itself 'with the use of legal frameworks to address bullying'²⁷¹ in its introduction.
- 6.16 Concerned Catholics Tasmania provided recommendations to the Committee based upon the TLRI Report. The group provided support for Recommendation 6 and 7 of the TLRI Report,²⁷² which read as follows and gave consideration to their interaction with existing legislation:

Recommendation 6

It is desirable to grant jurisdiction to the Tasmanian Industrial Commission to deal with bullying complaints from workers who are not able to use the Fair Work jurisdiction, and it is desirable that this jurisdiction mirrors the anti-bullying provisions contained in Pt 6-4B of the Fair Work Act 2009 (Cth). It is also desirable that measures for dealing with bullying in state legislation address the limitations identified in the Fair Work Act 2009 (Cth), specifically the fact that the Act precludes the making of orders requiring the payment of a financial remedy, and the fact that resolution is not available if a worker has left the workplace. Consideration should be given to allowing workplace bystanders as well as the bullied victim to initiate an application for an order to stop the bullying.

Recommendation 7

It is desirable that a duty to prevent bullying, so far as is reasonably practicable, be imposed on employers to encourage them to implement effective anti-bullying policies and procedures. This duty could be included within Division 2 or Division 3 of Part 2 of the Work Health and Safety Act 2012 (Tas), or it could be enacted in separate legislation.

An example is:

Duty of care – bullying

(1) A person conducting a business or undertaking must, so far as is reasonably practicable, prevent workplace bullying.

(2) Workplace bullying occurs if:

(a) an individual; or

(b) a group of individuals;

repeatedly behaves unreasonably towards a worker or a group of workers and that behaviour creates a risk to health and safety.

²⁶⁹ Submission No. 78, Australian Education Union Tasmanian Branch, p.2.

²⁷⁰ Tasmanian Law Reform Institute, *Bullying, Final Report No. 22*, January 2016, https://www.utas.edu.au/__data/assets/pdf_file/0011/789698/Bullying_FR_A4_Print.pdf.

²⁷¹ Tasmanian Law Reform Institute, *Bullying, Final Report No. 22*, January 2016, https://www.utas.edu.au/__data/assets/pdf_file/0011/789698/Bullying_FR_A4_Print.pdf, p. 1

²⁷² Submission No. 221, Concerned Catholics Tasmania, pp. 10-12.

(3) For the purposes of subsection (2), ‘repeatedly’ means behaviour that is sustained or occurs on more than one occasion.²⁷³

- 6.17 Equality Tasmania provided strong support for the recommendations of the TLRI Report and the potential positive impact of change on the experiences of LGBTIQ+ students and staff in Tasmanian schools:

Bullying

Evidence of high rates of bullying in Tasmanian schools and the adverse impact of this bullying on LGBTIQ+ students and staff is overwhelming.

We recommend,

The adoption of relevant recommendations from the Tasmanian Law Reform Institute’s final report on bullying issued in 2016 (especially recommendations 1 and 4 – 16). These include,

- The passage of a criminal code specifically naming and criminalising bullying*
- A civil framework that institutes a mediated and restorative justice response to bullying*
- Stronger protections for employees*
- Legislative requirements on educational institutions, mandating their implementation of anti-bullying policies and procedures.*
- The establishment of bullying working groups and policies in the state school system and other systems.²⁷⁴*

Policy Reform

- 6.18 The Committee received submissions supporting policy reform in governing bodies and schools. Policy-related recommendations were raised in Chapter 4 in relation to options for the prevention or remediation of discrimination or bullying. The forthcoming section of this Chapter will therefore draw in additional notions for policy reform which have arisen in the Committee’s evidence.

- 6.19 Mr Rodney Croome, representing Equality Tasmania, discussed how a holistic approach to change within educational institutions could affect positive change:

We need to think constructively about how we can create new systems, enforce existing laws, create new laws and new guidelines to make sure that things improve and this kind of thing doesn't happen again. We have to do everything we can not to focus entirely on the past or focus, like I said, on individuals. It's about trying to focus on how we improve things. We've made a whole bunch of

²⁷³ Tasmanian Law Reform Institute, *Bullying, Final Report No. 22*, January 2016, https://www.utas.edu.au/data/assets/pdf_file/0011/789698/Bullying_FR_A4_Print.pdf, p. ix.

²⁷⁴ Submission No. 285, Equality Tasmania, pp. 18-19.

*recommendations about that in our submission and happy for you to look at other options.*²⁷⁵

- 6.20 Ms Sarah Bolt, then-Anti-Discrimination Commissioner, noted policy level commitments could bring significant change especially to the experiences of students:

I would also be pleased to see commitments on a policy level, to improve the wellbeing and safety of students, with actions such as:

- Additional resourcing for the Anti-Discrimination Commissioner to undertake specific discrimination and sexual harassment programs in schools;*
- Learning about discrimination and prohibited conduct permanently implemented into the curriculum, starting from primary school;*
- Targeted training for teachers relating to discrimination and prohibited conduct;*
- Safe and effective official reporting mechanisms for students; and*
- Improved access to diversity and inclusion supports, as well as mental health supports, in schools.*²⁷⁶

- 6.21 The Australian Association of Social Workers (AASW) provided two clear recommendations to the Committee for policy change, being:

That schools in Tasmania be funded to employ school social workers at a minimum ratio of 1 social worker to every 500 students.

*That the current student wellbeing program which funds chaplains and counsellors be terminated and be replaced with school social workers as specified above.*²⁷⁷

- 6.22 These recommendations were supported throughout the organisation's submission:

The AASW maintains its long-held position that all mental health and wellbeing roles in schools must:

- a. Be filled by professionals with the qualifications, knowledge and skills to work with all members of a school community and make changes at all levels of the organisation,*
- b. Provide effective evidence informed mental health interventions,*
- c. Lead the implementation of the behaviour management program to ensure it is trauma informed and restorative,*
- d. Communicate with all levels of managements and all stakeholders to build engagement in the school's approach.*

²⁷⁵ Transcript of Evidence, 14 February 2025, Equality Tasmania, p. 56.

²⁷⁶ Submission No. 44, Office of the Anti-Discrimination Commissioner, p. 19.

²⁷⁷ Submission No. 260, Australian Association of Social Workers, p. 3.

- e. *Be subject to standards and accountability mechanisms such as Codes of Ethics, Practice Standards and complaints mechanisms,*
- f. *Actively promote the rights of children and young people.*²⁷⁸

6.23 From the evidence of lived experience witnesses, the Committee also received policy-related recommendations:

CHAIR (Ms Dow) - Lexi, thank you very much for presenting to us today and thank you for your submission. My question is really just an overall one about your personal experience and two or three things that you think would have made a significant difference for you in your school environment.

Ms ROCKLIFFE - Two or three things that would have made a positive difference? I think that some oversight from public officials, some oversight from somebody qualified, would have been the biggest thing. I feel that a lot of the practices I was a victim of may have been less of an issue if there was oversight in a more governmental capacity.

CHAIR (Ms Dow) - Thank you. Were there other things that you wanted to add?

Ms ROCKLIFFE - Yes. There is a big issue, specifically in private schooling, of teachers, and not all teachers, but there are quite a few who do not seem to have the best interests of their students at heart and do not seem to have the best interests of children at heart. I think something that would have made a difference is if there were more vetting for teachers, better standards, really. I know that conflicts with the teacher shortage we have, but it is something I feel is necessary.²⁷⁹

Findings

The Committee finds:

- 54. Schools and administrators have legislative obligations and duties to prevent discrimination, bullying and harassment under the *Education Act 2016*, the *Disability Discrimination Act 1992* (Cth), the *Work Health and Safety Act 2012* and the *Fair Work Act 2009* (Cth).
- 55. The Tasmanian Law Reform Institute's report titled *Bullying*, released in 2016, provides recommendations on the basis of legal frameworks to address bullying.

Recommendations

The Committee recommends:

- 31. The Government investigate the effectiveness of legislation in other Australian jurisdictions in relation to best practice remedies to address

²⁷⁸ Submission No. 260, Australian Association of Social Workers, p. 7.

²⁷⁹ Transcript of Evidence, 7 November 2024, Lexi Rockliffe, p. 42.

discrimination, bullying and harassment where workers are not covered by the *Fair Work Act 2009* (Cth).

32. The Government consider amending the *Work Health and Safety Act 2012* to impose a duty on employers to prevent bullying.
33. The Government consider amending the *Education Act 2016* to provide for inclusion requirements and mandatory training of Non-Government Schools Registration Board members in bullying and discrimination identification, management and prevention.

Joint Dissenting Statement - Michael Ferguson MP and Mark Shelton MP
Protecting students while preserving parental choice, freedom of belief, and pluralism

What the majority would not allow this Report to say:

“Faith-based schools form a longstanding part of Tasmania's education system and many families choose such schools because they wish their children to be educated in accordance with a particular religious tradition and ethos.

Families may choose such schools for other reasons but nonetheless accept the faith environment they are seeking to join.

Faith-based schools play an important role in teaching, modelling and practising the beliefs and values of their faith communities, including in matters relating to worship, family life, moral teaching and religious observance.”

- Statements rejected for inclusion by the majority of committee members.

Main statement

We acknowledge the substantial work undertaken by the Committee, our secretariat and the many Tasmanians who contributed to this Inquiry.

We strongly agree with the central proposition that every student should be safe at school. That was the stated premise of the original motion establishing this inquiry. Bullying, harassment, humiliation and unlawful discrimination are unacceptable and should be rejected. Students who experience unfair discrimination or bullying because of disability, race, religion, sexuality, questions relating to gender or any other personal attribute are entitled to dignity, care and appropriate protection. Teachers and other school staff are entitled to the same.

We do not doubt the pain experienced by students who gave evidence to this Inquiry, nor do we diminish it. Their experiences deserve to be heard and taken seriously. But precisely because these issues matter, Parliament must distinguish evidence from established fact, balance competing rights, consult those affected and exercise caution before extending the power of the State. Compassion for people who have suffered does not relieve a parliamentary committee of those responsibilities.

Unfortunately, however, as the inquiry progressed, we became increasingly concerned by proposals to use the power of State laws, regulation and funding arrangements to exercise new controls over non-government schools, families and faith communities - risking freedoms of belief and family choice.

We support many of the Committee's findings and recommendations and voted for them. We could not support those which, in our view, went too far by seeking to lock-in contested views about sex and gender into law, regulation or mandatory school policy at the expense of liberty, parental responsibility, pluralism and freedom of belief.

Our disagreement usually arose where the Committee majority moved beyond the proper task of protecting students and staff from bullying and failed to recognise other fundamental rights and responsibilities engaged by education, particularly:

- freedom of religion and belief;
- parents' choice and responsibility;
- freedom of association;
- institutional autonomy in a liberal, pluralist, free society; and
- the lawful and positive place of faith-based schools and their communities.

The Committee comprised two Labor members, one Greens member, two independents (one a former Green) and two Liberal members. On many of the issues addressed in this dissent, a majority comprising members from the Labor, Greens and independents prevailed. We nevertheless approached the inquiry seeking consensus wherever possible, and there was robust and constructive debate throughout. The minutes reproduced in this Report provide a transparent and telling record of those deliberations and voting patterns.

Throughout the Committee's deliberations, the two of us generally took a common position on the matters addressed in this dissenting statement. We sought amendments which, in our view, would have produced a more balanced, evidence-based and legally cautious Report. Many were not supported by the majority.

Our concern is that the Report too often treats one set of rights, together with contested cultural beliefs about sex and gender, as requiring greater legislative or regulatory protection without giving equal weight to other lawful rights, beliefs and freedoms that Tasmanians value. At several points, the Committee was even prepared to call for more legal control of faith-based schools but refused sensible amendments which called for consideration of religious freedom, parental choice and the lawful operation of those schools. Those members could perhaps explain why that was too much to ask.

The Report records substantial evidence from Catholic and independent Christian schools and organisations, including evidence of zero tolerance for bullying, anti-bullying policies and procedures, wellbeing programs and curricula encouraging kindness and respect. We welcomed the eventual inclusion of this balancing positive material. Without it, the breadth of the community's valuable input would not have been fairly represented.

We were also concerned by occasions where one-sided or contested evidence was given substantial weight whereas important material that directly challenged those allegations was excluded from the Report. We address a stark example concerning Catholic Education Tasmania and Archbishop Anthony Ireland later in this dissent. The committee's decision to do this is very difficult to comprehend.

Tasmania doesn't need a culture war over how we protect vulnerable students while respecting freedom of belief. A mature liberal democracy is capable of doing both.

Faith-based education should not be misrepresented as though religious beliefs (Christian or otherwise) and student wellbeing are at odds with each other. The proportion of Tasmanian students attending non-government schools has risen from around 26.5 per cent in 2005 to 34.6 per cent in 2025. Parents have been actively making choices about the kind of education and school community they want for their children. Those choices deserve respect, not derision.

If we truly believe in tolerance and pluralism, there must be room for faith communities to offer education within their faith tradition without undue State interference and dictate. The State can protect students from bullying without seeking to dominate what lawful faith communities may believe, teach or practise.

1. Protecting students without imposing contested beliefs

The evidence received by the Committee demonstrates that bullying, harassment and discrimination can have serious consequences for students. We agree with that and support practical measures that make schools safer and ensure students who experience bullying or unfair treatment are properly supported.

That is strongly reflected in our voting record. We supported many of the Committee's findings and recommendations directed at student safety and wellbeing. This included the recommendation that all schools actively implement their anti-discrimination and anti-bullying policies. We also supported measures seeking greater consistency in policies for supporting students experiencing questions relating to gender. Our disagreement was never with the objective of keeping students safe, but at times with proposals that went much further and unnecessarily intruded into other rights, responsibilities and freedoms.

Importantly, the evidence before the Committee did not support a simplistic picture of faith-based schools as places where student wellbeing is disregarded. Evidence from Catholic, Christian and independent schools and organisations described zero tolerance for bullying, anti-bullying policies and procedures, wellbeing programs, and educational programs promoting kindness and respect. We welcomed the eventual inclusion of this evidence in the Report and recognition of the large number of individual submissions that presented a very different picture from the allegations made by a much smaller number of witnesses.

Every school (whether government, Catholic, Christian, independent or otherwise) should provide a safe environment in which bullying, intimidation and humiliation are stamped out.

Protecting students from bullying is not the same thing as requiring every school community to adopt identical beliefs and practices about contested questions of sex, gender, marriage, family or religious teaching. Nor should disagreement with another person's beliefs automatically be described as bullying or discrimination. Schools should be able to care for every student with dignity and compassion while retaining their own lawful character, beliefs and values.

This distinction became increasingly important during the Committee's deliberations. In our view, some proposals moved far beyond ensuring that students were treated safely and respectfully and instead towards prescribing what schools, families and faith communities should be required to affirm or accept through powerful law, regulation or mandatory policy.

Tasmanian families should be able to expect safe and respectful schools without governments or lobby groups demanding ideological uniformity. Protecting students and respecting genuine differences in belief are not incompatible objectives. That distinction underpins much of our disagreement with the majority in the sections that follow.

2. Rights need to be balanced, not weaponised

Protecting people from discrimination is an important principle. It is not the only right or responsibility engaged in education. Freedom of religion and belief, freedom of association, the responsibilities of parents and the lawful character of faith-based schools also matter. Good public policy should try to respect these rights together rather than simply elevating one and disregarding the others.

This need for balance was recognised in evidence before the Committee. Christian Schools Australia, Christian Education National and Adventist Education referred to the Commonwealth Religious Freedom Review and its recommendation that anti-discrimination legislation should reflect the equal status in international law of all human rights, including freedom of religion. They argued that Tasmania's existing legislation risks placing non-discrimination rights above other human rights. We believe this was an important warning which deserved greater weight, but the majority declined to reflect that fair balance in its recommendations.

Parental responsibility provides a practical example. The Committee recommended that all schools implement policies and procedures supporting the use of transgender or gender-diverse students' preferred names. We proposed the modest addition of the words "with parental approval". That amendment was rejected four votes to two. Most, if not all, parents will find this appalling. Leaving parents out of the recommendation sends the troubling message that their judgement can simply be bypassed.

A recommendation applying to all schools and all students while refusing a reference at all to parents is a very serious step. Parents carry the highest responsibility for the love, care and upbringing of their children. A recommendation concerning a child's identity at school should not simply write parents out of the equation.

The same problem arose when the Committee considered recommending a review of the Anti-Discrimination Act focused on preventing discrimination and bullying in schools. We asked that such a review should also appropriately recognise and balance freedom of religion and belief, freedom of association, parental choice and the lawful operation of faith-based schools. Remarkably, even that express requirement for balance was rejected five votes to two.

We haven't argued that freedom of religion, parental responsibility or freedom of association should automatically prevail over every other right. That would simply repeat the committee majority's misjudgement in reverse. Our point is that these important principles should not disappear from the equation as we witnessed.

A liberal pluralist society requires government to accommodate legitimate differences wherever possible. Protecting students from unlawful discrimination does not require other rights to be ranked as less worthy of respect.

3. Faith-based schools must be allowed to be genuinely faith-based

Faith-based schools aren't simply ordinary schools with a chapel, a religious education class or a religious name attached. Their beliefs and values are at the heart of why they were established and, for many families, a big part of the reason they choose them in increasing numbers.

We sought to have this basic principle recognised in the Report through the following finding:

Faith-based schools form a longstanding part of Tasmania's education system and many families choose such schools because they wish their children to be educated in accordance with a particular religious tradition and ethos.

Families may choose such schools for other reasons but nonetheless accept the faith environment they are seeking to join.

Faith-based schools play an important role in teaching, modelling and practising the beliefs and values of their faith communities, including in matters relating to worship, family life, moral teaching and religious observance.

One member moved to delete everything after the first sentence. A majority agreed.

The remaining finding was extraordinarily modest: simply that faith-based schools are longstanding in Tasmania and that many families choose them because of their religious tradition and ethos. Even that was rejected four votes to three.

That refusal is difficult to understand, particularly given the evidence the Committee itself received. The Report records a wealth of evidence supporting faith-based schools, including submissions from Catholic and Christian schools and many individuals describing positive experiences.

Parental choice is also evident in enrolment patterns. The proportion of Tasmanian students attending non-government schools has grown from around 26.5 per cent in 2005 to 34.6 per cent in 2025. Tasmanian parents are, in a very real sense, voting with their feet.

Families choose faith-based schools for different reasons, but those schools make no secret of their religious character.

A Catholic school should be allowed to be Catholic.

A Christian school should be allowed to be Christian.

That necessarily includes teaching, modelling and practising beliefs that will not always be shared by everyone outside that community.

Liberal pluralism means making room for those differences, not using government regulation to gradually remove them. Governments and Parliamentarians should be extremely cautious about trying to diminish the very character that many Tasmanian families have deliberately chosen because they want what they believe is best for their children.

4. Contested evidence should be treated fairly

A parliamentary inquiry has a responsibility to hear difficult evidence. It also has a responsibility to treat contested evidence fairly - particularly where serious allegations are made against identifiable people or institutions.

We became concerned that the Report did not always meet that standard. Evidence critical of Catholic Education Tasmania was reproduced at considerable length and repetition and contributed to findings concerning discrimination and the possible application of the Anti-Discrimination Act. Where that evidence was directly challenged, however, the Committee was unwilling to place that challenge alongside the allegations so that readers could judge the matter for themselves.

The clearest example followed evidence given by Equality Tasmania witnesses on 28 January 2026. Archbishop Anthony Ireland subsequently wrote to the Committee expressing serious concern about that evidence. He said the Archdiocese had participated in the inquiry in good faith but was concerned by what he described as a “disturbingly more narrow and targeted focus”. More significantly, he advised that some testimony presented by Equality Tasmania witnesses was not consistent with their sworn declaration to present “the whole truth and nothing but the truth”.

The Archbishop explained that the Archdiocese was constrained by the terms of a non-disclosure agreement from correcting the record. He nevertheless expressly advised the Committee that the testimony “should not be relied upon for the purposes that it was proposed”.

We sought to have the Archbishop's response included in the Report alongside the evidence it challenged. Our proposal was defeated four votes to two.

We do not ask readers to conclude that the Archbishop's account was correct and the other witnesses were wrong. We cannot know the terms of the NDA, the full circumstances concerning the parties involved, or how the underlying matter was ultimately resolved. That is precisely the point.

Where a Committee cannot establish the full facts, it should exercise caution before treating one side of a contested account as established. At the very least, where serious allegations are reproduced in a parliamentary report and the institution concerned

directly challenges their accuracy, fairness requires that readers be told with equal visibility that such a challenge was made.

5. The Committee went too far in declaring unlawful discrimination

One of our strongest disagreements concerns Finding 49, which states as fact that:

“Catholic Education Tasmania has discriminated against staff on the basis of sexual orientation and marital status.”

The Finding then acknowledges that whether the relevant employment practices contravene Tasmanian law in circumstances where Commonwealth law also applies has not been determined by a court. Finding 50 separately acknowledges that Tasmanian and Commonwealth anti-discrimination laws operate concurrently and that their application to employment in faith-based schools has not yet been determined by a court.

There is also an important distinction in CET's evidence which the categorical wording of Finding 49 overlooks. Dr Gerard Gaskin explained that senior leaders are contractually required to be active Catholics, faithful to Catholic teaching and to model that teaching in their personal lives. The contract subsequently provided to the Committee requires senior leaders to uphold Catholic belief, identity and practice and reasonably model the precepts of the Catholic Church.

CET told us that the relevant requirement concerns adherence to Catholic teaching expected of senior leaders, rather than sexual orientation. Whether that distinction ultimately succeeds as a matter of discrimination law is a legal question for a court, not a committee of politicians.

The Report itself ultimately acknowledges the unresolved legal position.

We therefore proposed the smallest possible amendment to Finding 49: inserting “may have”, so that it would state that CET may have discriminated. Even that caution was rejected five votes to two. The majority then adopted the categorical Finding.

This is an extraordinary conclusion for a parliamentary committee to make. We are not a court. We heard competing factual and legal interpretations, had no capacity to finally determine the legal rights of the parties, and the Report itself acknowledges that the relevant legal issue has not been determined judicially.

That concern is compounded by the Committee's earlier decision not to include the Archbishop's response challenging important parts of the evidence on which such conclusions were based.

The Committee could properly report the evidence, identify the competing interpretations and recommend that legal uncertainty be resolved. Indeed, it unanimously recommended that the Government consider action to resolve the ambiguity between Tasmanian and Commonwealth law.

It should not, in the same breath, pronounce an identifiable organisation guilty of discrimination.

6. Any review of the Anti-Discrimination Act must consider religious freedom (and other freedoms) as well as protection from discrimination

We support the principle that Tasmania's anti-discrimination laws should be effective, contemporary and provide appropriate protection against genuine discrimination and bullying. However, we are concerned that the Report approaches possible reform of the Anti-Discrimination Act 1998 predominantly from one direction.

The evidence before the Committee demonstrated that there are genuinely competing views about how the Act should operate, particularly in relation to faith-based schools. The Report itself acknowledges that there is broad support for changes to the Act, but that views “differ markedly as to what the changes should seek to achieve”.

Some witnesses expressly advocated for a review designed to restrict the capacity of faith-based schools to make decisions according to their religious character. Equality Tasmania proposed reviewing existing religious exemptions to determine whether they were being used to justify discrimination on other protected grounds. Other evidence called for the Act to be preserved or strengthened specifically so that religious schools remained unable to discriminate on grounds including gender and sexual identity.

It is reasonable for witnesses to advance their views. They are not, however, the only legitimate interests which a review should consider.

Faith-based schools exist for a particular purpose. Catholic Education Tasmania told the Committee that maintaining the Catholic character of its schools requires some senior leaders to uphold and model Catholic belief and practice. Dr Gaskin described this not simply as an employment preference but as integral to providing the Catholic education which parents have chosen for their children. He told the Committee that abandoning those expectations would fundamentally change the nature of the institution.

The Committee also received extensive evidence supportive of faith-based education. The final draft records submissions from 37 Catholic schools, together with submissions from Christian schools, associated organisations and individuals, which highlighted anti-bullying policies, wellbeing programs and commitments to kindness and respect.

In our view, a review of the Anti-Discrimination Act should therefore not begin with a predetermined assumption that stronger protection against discrimination necessarily requires weaker protection for religious freedom.

A proper review should consider the rights and interests on all sides and how they can coexist despite good-faith differences of belief. These include protection from unlawful discrimination, freedom of religion and association, the legitimate operation of faith-based institutions and the right of parents to choose an education for their children which accords with their religious convictions and values.

For that reason, we would have preferred the recommendation to make clear that any review consider both anti-discrimination protections and the legitimate freedoms of religious educational institutions.

Tasmania should be capable of protecting people from unjust discrimination while also respecting the freedom of faith communities to remain genuinely faith-based. These principles should not be treated as mutually exclusive.

7. Those potentially impacted by proposed changes should be consulted

Some of the most consequential recommendations in this Report concern changes to the laws, regulations and regulatory arrangements governing non-government schools. In our view, changes of that significance should not proceed without genuine consultation with the school communities that will actually be affected.

This concern is particularly acute in Chapter 6. Equality Tasmania proposed amendments to the Education Act 2016 and the standards governing registration of faith-based schools. Its proposals included mandatory inclusion policies and programs, new powers and procedures for the Non-Government Schools Registration Board, funding tied to new regulatory requirements, and even “new models of consultation and management” affecting who has a say over the policies and curricula of faith-based schools.

These are not minor administrative changes. They potentially reach into the governance, policies, curricula and religious character of independent school communities.

Yet the evidence base was strikingly uneven. The Australian Association of Christian Schools had provided evidence about the existing obligations of non-government schools under the Education Act and Registration Standards, including requirements concerning student welfare, child protection, privacy, bullying and harassment. But that is quite different from asking faith-based school organisations whether they supported the substantial new changes being proposed by Equality Tasmania.

During the final stages of the inquiry, we specifically raised whether the Committee had made any effort to go back to Catholic and Christian school organisations to tell them what was being said about them, about these proposed new rules and to seek their response. It became clear during our deliberations that this had not occurred.

The Committee's own terms of reference required it to “ensure appropriate public consultation is conducted on all matters”. In our view, hearing a proposal from an advocacy organisation is not the same thing as consulting those who would be directly regulated by it.

We considered proposing an additional recommendation requiring the Government to consult relevant education sectors as part of any reviews or reforms arising from this Report. We ultimately did not move it because the majority's approach during

deliberations made clear that it regarded one-sided evidence received as sufficient to settle the matter. We disagree.

This is especially important when proposals concern faith-based institutions. The people who operate those schools, teach in them, send their children to them, pay the fees and sustain their communities should not discover after the event that their rights and responsibilities have been redesigned following proposals advanced by lobby groups with fundamentally different views about how those schools should operate. Consultation should come before regulation, not after it.

Summary

We need to confront real bullying and discrimination – not allow this inquiry to be yet another avenue of attack against people who hold different beliefs in a free society.

None of this requires Tasmania to choose between compassion and freedom. We can protect students who have suffered bullying and discrimination while respecting parents, religious freedom, procedural fairness and legitimate differences of belief.

That is not a culture war. It is what a liberal, pluralist democracy should expect of its Parliament.



Michael Ferguson MP

Member for Bass



Mark Shelton MP

Member for Lyons

Appendix A - List of Submissions

- | | |
|---|--|
| 1. Private witness 1. | 42. A Fairer World. |
| 2. Private witness 2. | 43. Private witness 43. |
| 3. Private witness 3. | 44. Equal Opportunity Tasmania. |
| 4. Private witness 4. | 45. Private witness 45. |
| 5. Private witness 5. | 46. Karalyn Bylsma. |
| 6. Tiffany Heys. | 47. Richard John Swancott. |
| 7. Simon Petrusma. | 48. Vivien Davies. |
| 8. Chris Bowditch. | 49. Countess Antonia Scrivanich. |
| 9. Tara Turner. | 50. David Oudman. |
| 10. Elisabeth Kuipers. | 51. Shaun Verdouw. |
| 11. Kerryrn Hornby. | 52. Hugh Richardson. |
| 12. Mick Hammond. | 53. Paramjit Singh Lallar. |
| 13. Sarah Coates. | 54. Trudy Archer. |
| 14. Brian Bosveld. | 55. Arthur Ritar. |
| 15. Rosemary Lincoln. | 56. Bron Baker. |
| 16. Micah Fourie. | 57. Private witness 57. |
| 17. Marnie Struthers. | 58. Donna House. |
| 18. Jaco Classen. | 59. Sam Watson. |
| 19. Lorna Wilson. | 60. Christian Schools Australia,
Christian Education National and
Adventist Education. |
| 20. Private witness 20. | 61. Jan Jackowiak. |
| 21. Venetia Murfet. | 62. Margaret Dingemanse. |
| 22. Gabrielle Rose. | 63. Private witness 63. |
| 23. Private witness 23. | 64. Philip van den Berg. |
| 24. Cherene Moore. | 65. Jess Bellchambers. |
| 25. Ed Verdouw. | 66. Joelle Gunnink. |
| 26. Peter Atkins. | 67. Abe Udy. |
| 27. Adrian Bosker. | 68. Australian Council for Student
Voice. |
| 28. Mike Lichtendonk. | 69. Australian Christian Lobby. |
| 29. Lucella Bosker. | 70. Circular Head Christian School. |
| 30. Steven Lichtendonk. | 71. Headspace. |
| 31. Private witness 31. | 72. Private witness 72. |
| 32. Independent Education Union. | 73. Tasmanian Principals Association. |
| 33. Jack Sladden. | 74. Department for Education,
Children and Young People. |
| 34. Melissa Cleaver. | 75. Working It Out. |
| 35. Natalie Polis. | 76. Private witness 76. |
| 36. Private witness 36. | 77. Private witness 77. |
| 37. Archdiocese of Hobart. | 78. Australian Education Union
Tasmanian Branch. |
| 38. Private witness 38. | |
| 39. Aaron Ryan. | |
| 40. Blind Citizens Australia –
Tasmanian Branch. | |
| 41. Private witness 41. | |

79. Rohan Reading.
80. Newstead Christian School.
81. Livi Pearce.
82. Marion Carter.
83. Karalyn Bylsma.
84. Jennifer Ford.
85. Helen Reid.
86. Emma Buist.
87. Paul Smith.
88. Fiona Wilson.
89. Lorraine Davidson.
90. Audrey Collins.
91. Private witness 91.
92. Kay Errington.
93. Mal O'May.
94. David Cook.
95. John Gibb.
96. Lesley Hancock.
97. Glen McNamara.
98. Grahame Westaway.
99. Dane Stronach.
100. Christine Anderson.
101. Glenice Bonney.
102. Shay Holmes.
103. Jeltje Verdouw.
104. Alan Trott.
105. Silke Savage.
106. Jodie McPherson.
107. Jessica Cole.
108. R Fa.
109. Jane Pritchett.
110. Private witness 110.
111. Private witness 111.
112. Garry Daud.
113. Keith Rynie.
114. Heather Newman.
115. Rita Noble.
116. Joshua Gorman.
117. Private witness 117.
118. Jennifer Jarvin.
119. Mike Matsen.
120. Paul Turvey.
121. Jonh Heidenreich.
122. Evonne Heidenreich.
123. Private witness 123.
124. Private witness 124.
125. Private witness 125.
126. Private witness 126.
127. Private witness 127.
128. Our Lady of Lourdes Catholic School.
129. Mount Carmel College.
130. Our Lady of Mercy Catholic School.
131. Sacred Heart Catholic School (Ulverstone).
132. St Anthony's Catholic School.
133. St Aloysius Catholic College.
134. Sacred Heart College (New Town).
135. Gwen Cooper.
136. The Association for Children with Disability (ACD) Tasmania.
137. Peter Bellchambers.
138. St Patrick's Catholic School.
139. St Brigid's Catholic School (Wynyard).
140. St Therese's Catholic School.
141. St Peter Chanel Catholic School.
142. Marist Regional College.
143. Stella Maris Catholic School.
144. St Joseph's Catholic School.
145. Sacred Heart Catholic School (Geeveston).
146. Corpus Christi Catholic School.
147. St Thomas More's Catholic School.
148. Private witness 148.
149. Our Watch.
150. Sacred Heart Catholic Primary School (Launceston).
151. St Virgil's College.
152. MacKillop Catholic College.
153. St Patricks College Launceston.
154. St Brigid's Catholic School (New Norfolk).
155. Matthew Gargett.
156. Dan Headley.

157. Private witness 157.
158. Lindy Farrell.
159. Simon Petrusma.
160. Henry Schuth.
161. Sheree King.
162. Shari Scott.
163. Peter Spakman.
164. Deborah Woodward.
165. Sandy Graetz.
166. Maree Gee.
167. Glenn Deans.
168. Sally Fox.
169. Philip Connors.
170. Paul Freeburn.
171. Stan Hardman.
172. Tim Jack.
173. M Amore.
174. Peter James.
175. Roslyn Pallister.
176. Trish Dove.
177. Jeanette Gray.
178. Brian Macmichael.
179. Herman Mills.
180. Wendie Bell.
181. Margaret Thornton.
182. Frank Hoogesteger.
183. Jennifer Brandsen.
184. Jeffrey Losh.
185. Michelle Edwards.
186. David Cooke.
187. Barry Watson.
188. Jennifer Cute.
189. Marnie Struthers.
190. Jessica Hoyle.
191. Private witness 191.
192. Ian Fletcher.
193. Carine Kruger.
194. Janette Heazlewood.
195. Owen Bosveld.
196. John Salmon.
197. Steve Bell.
198. Melanie Stapleton
199. Luca Bell.
200. Howard Williams.
201. Dianne Keam.
202. Janene Shaw.
203. Roger Ferguson.
204. Donna McMillan.
205. Gaye Kulinski.
206. Sarah Scrimgeour.
207. Gordon Rookes.
208. Sue Ransley.
209. Andrew Stanley.
210. Margaret Williams.
211. Natasha Munday.
212. Dehne McLaughlin.
213. Stephen Hardcastle.
214. Brian Ellis.
215. Shirley Bell.
216. Thomas Nielsen.
217. Tamara Manning.
218. Joy Van Namen.
219. Gail Sorbian.
220. Steve Rogers.
221. Concerned Catholics Tasmania Inc.
222. Mike Hansell.
223. Donna Carne.
224. Di Och.
225. Shaun Watson.
226. Warren Seiboth.
227. St Brendan–Shaw College
228. Private witness 228.
229. Margaret Cross.
230. St Joseph’s Catholic School.
231. St Francis Flexible School.
232. Vikki Lutan.
233. Catholic Education Tasmania.
234. Private witness 234.
235. St James Catholic College.
236. Private witness 236.
237. Private witness 237.
238. Mike Tummon.
239. Wendy Scrimgeour.
240. Holy Rosary Catholic School.
241. Victoria Tracey.
242. Ellen Corrado.
243. John Paul II Catholic School.

244. Gary Horobin.
245. Larmenier Catholic School.
246. Amilie Courtney.
247. Tasmanian Association of State School Organisations.
248. Mark Lambert.
249. Private witness 249.
250. Private witness 250.
251. St Finn Barr's Catholic School.
252. Rosa McManamey.
253. Binary Australia.
254. Pat Gartlan.
255. Carol Sharpe.
256. Kelli Charles.
257. Private witness 257.
258. Private witness 258.
259. St Mary's College.
260. Australian Association of Social Workers.
261. Stuart Grieg.
262. Star of the Sea Catholic College.
263. Ben Dudman.
264. Melinda Oogjes.
265. Xris Reardon.
266. St John's Catholic School.
267. Catherine Steele.
268. Helene Cohen.
269. Women Speak Tasmania.
270. Benjamin Jago.
271. Private witness 271.
272. Muria Roberts.
273. Private witness 273.
274. Amelia.
275. Scott Hudson.
276. Jason.
277. Daniel Howard.
278. Commissioner for Children and Young People Tasmania.
279. Bradley Cullen.
280. Launceston College Student Representative Council.
281. Private witness 281.
282. Tasmanian Association for the Gifted.
283. Private witness 283.
284. Private witness 284.
285. Equality Tasmania and 285A supplementary submission.
286. Thomas Ricketts.
287. Private witness 287.
288. St Paul's Catholic School.
289. Private witness 289.
290. Lexi Rockliffe.
291. Australian Association of Christian Schools.
292. Andrew Walter.
293. Reverend Dr Angus McLeay.
294. Private witness 294.

Appendix B - List of witnesses

Tuesday 3 September 2024, Parliament House, Hobart	
Witness	Organisation (if applicable)
Rachel Carling, Executive Officer – Government Relations and Advocacy, Christian Schools Australia Adrian Bosker, TAS State Executive Officer, Christian Education National	Christian Schools Australia and Christian Education National
Kristen Douglas, Head - Schools and Communities Caroline Thain, Manager of Clinical Advice and Governance Reede Adams-Beckett, member of headspace Youth National Advisory Group	Headspace
Sam Watson	
Mitch Sprague, Executive Director	Australian Council for Student Voice

Wednesday 4 September 2024, Parliament House, Hobart	
Witness	Organisation (if applicable)
Mark Warrington, Tasmanian Branch Committee Member Duncan Meerding, Committee Member Nicole McKillop, member	Blind Citizens Australia
Nicole McKillop	
Sarah Bolt, Anti-Discrimination Commissioner	Equal Opportunity Tasmania
Christopher Brohier, Director of Policy and Research	Australian Christian Lobby

Wednesday 22 October 2024, Parliament House, Hobart	
Witness	Organisation (if applicable)
Private witness	Tasmanian Association for the Gifted
Kim Chen, Advocate Trish Hindmarsh, Member Peter Flint, Member Chris Smith, Member	Concerned Catholics Tasmania
Dr Ruth Quibell, Advocate Gary McMurtrie, Advocacy Team Leader	Association for Children with Disability Tasmania
Jessica Bennett, Operations Manager John Allan, President Ros Wharton, Parent representative	Tasmanian Association of State School Organisations
Mat Grining, President	Tasmanian Principals Association

Friday 7 November 2024, Parliament House, Hobart	
---	--

Witness	Organisation (if applicable)
Daniel Howard, LGBTQIA+ schools inclusion officer	Working It Out
David Genford, President Brian Wightman, State Manager	Australian Education Union Tasmanian Branch
Hon. Jo Palmer, MLC Ginna Webster, Acting Secretary Ruth Davidson Deputy Secretary, Continuous Improvement and Evaluation Jenny Burgess, Associate Secretary	Minister for Education Department for Education, Children and Young People
Lexi Rockliffe	
Isabelle Crompton	Interim Commissioner for Children and Young People
Venessa Cheng, Executive Officer David Gillman, CEO	Australian Association of Christian Schools Christian Schools Tasmania

Friday 13 November 2024, Parliament House, Hobart	
Witness	Organisation (if applicable)
Xris Reardon	
Ben Dudman	
Muria Roberts	

Thursday 13 February 2025, Parliament House, Hobart	
Witness	Organisation (if applicable)
Private witnesses	

Friday 14 February 2025, Parliament House, Hobart	
Witness	Organisation (if applicable)
Hon. Jo Palmer, MLC Jenny Burgess, Associate Secretary Ruth Davidson, Deputy Secretary, Continuous Improvement and Evaluation	Minister for Education Department for Education, Children and Young People
Archbishop Julian Porteous Gerard Gaskin, Executive Director	Catholic Archbishop of Hobart Catholic Education Tasmania
Rodney Croome, Policy Officer and spokesperson	Equality Tasmania

Friday 28 March 2025, Parliament House, Hobart	
Witness	Organisation (if applicable)
Julian Punch, President Patrick Shaw, Public Officer Brian Doran, Secretary/Treasurer	Rainbow Communities Tasmania

Wednesday 28 January 2026, Parliament House, Hobart	
Witness	Organisation (if applicable)
Rodney Croome, Policy Officer Amilie Courtney Leon Pecl Sam Johnstone	Equality Tasmania

Appendix C - Minutes of the Committee

Government Administration Committee A

Tuesday 25 June 2024

(No. 3 of Government Administration
Committee A)

(No. 1 of Discrimination and Bullying
Inquiry)

The Committee met at Parliament
House Hobart, in Committee room 3
and via Webex, at 11.59 a.m.

Members present:

Mr Bayley
Ms Johnston
Mr Willie

Via WebEx:

Mrs Beswick
Ms Dow
Mr Shelton

APOLOGIES

Mr Fairs was an apology.

INQUIRY PROXIES

As the Committee Chair has a proxy
for this inquiry the Deputy Chair will
act as Chair (*Ms Dow*).

The Chair noted that two notices of
proxy had been received.

Resolved, that during the
Discrimination and Bullying in
Tasmanian Schools inquiry;

- *Ms Johnston* will act as
proxy for *Mr O'Byrne*, and;
- *Mr Bayley* will act as proxy
for *Ms Badger*. (*Ms Dow*)

INQUIRY DEPUTY CHAIR

The Chair called for nominations for
Deputy Chair for the Discrimination
and Bullying Inquiry.

Mr Bayley nominated *Mrs Beswick*,
who consented to the nomination.

This nomination was seconded by
Mr Willie.

With no other nominations, the
Chair declared *Mrs Beswick* elected
Deputy Chair.

CORRESPONDENCE – MARK PEGG

The Committee noted
correspondence dated 15 June 2024
from *Mr Mark Pegg*.

Resolved, that *Mr Pegg* will be
invited to write a formal submission
to the inquiry (*Mr Willie*).

INQUIRY TIMELINE

The draft tentative program was
discussed.

Hearing dates were discussed, and
the following hearing dates
resolved:-

w/c 26th August and/or;
w/c 2nd September.

Locations of hearings to be
determined once submissions have
closed.

Resolved, That the tentative
program for the taking of evidence
and the preparation, consideration,
production and tabling of the
Committee's report be agreed to,
(*Ms Dow*).

ADVERTISEMENT

The draft advertisement was
discussed.

Ms Johnston moved an amendment
to include an encouragement for

young people to participate in, and give submissions to, the inquiry.

Ms *Johnston* also moved an amendment to allow oral submissions to the inquiry.

Resolved, the draft advertisement having been previously circulated by the Secretary be agreed, as amended above, and placed in the three major Tasmanian newspapers on Saturday, 29 June 2024. (Ms *Dow*)

Resolved, that a post be published on the Parliament Facebook page for Committee members to share (Ms *Dow*).

Resolved, that a press release be drafted and sent (Ms *Dow*)

INVITATIONS FOR SUBMISSIONS

Ordered, That a letter be sent to each of the following individuals and organisations seeking a submission to the Inquiry, and that the deadline for submissions be Friday, 26 July 2024:-

Minister for Education;
Department for Education, Children & Young People;
Ms Sarah Bolt, Anti-Discrimination Commissioner;
Rowan Richardson, President, Equality Tasmania;
Alice Webb, CEO A Fairer World;
Vaughn Bennison, Executive Officer, Disability Voices Tasmania;
Susan Chen, Chair, Concerned Catholics Tasmania;
Dr Robin Banks, Member of Australian Discrimination Law Experts Group;

Leanne McLean (or her replacement), Commissioner for Children and Young People;
Australian Council for Educational Research (ACER);
AEU Tas, (Teachers union);
Catholic Education Tasmania;
Mr Mark Pegg;
YNOT (Youth Network of Tasmania) (Mr *Willie*);
Multicultural Council of Tasmania (MCOT) (Ms *Johnston*);
Tasmanian Disability Education Reform Lobby;
Tasmanian Association of State School Organisations (TASSO) (Mr *Willie*);
Independent Education Union (Ms *Johnston*);
Tasmanian Principals Association (Mr *Willie*);
Tasmanian School Psychologists Association;
Australian Association of Social Workers;
Home Education Association Inc (Mrs *Beswick*);
Tasmanian Home Education Network (THEN);
Early Childhood Educators of Tasmania (ECET);
Youth, Family and Community Connections (YFCC);
Disability Voices Tasmania (Ms *Johnston*);

Resolved, that the Secretary distribute the above list to Members for any further additions (Ms *Dow*).

Resolved, that the Chair write to the Minister for Education requesting her assistance in contacting all state

school principals inviting them to make a submission (Mr Willie).

OTHER MATTERS

The Committee discussed that there may be a need for support services to be available for hearings.

Resolved, to consider this further once submissions have closed (Ms Dow).

The Committee also noted the need to be cognisant of the possibility of receiving grievances from individuals, noting such grievances may be outside the terms of reference.

At 12:22 p.m. the Committee adjourned until 10:30am on Friday 2nd of August 2024.

Confirmed,

Government Administration Committee A

Tuesday 30 July 2024

(No. 4 of Gov A)

(No. 2 of Discrimination and Bullying Inquiry)

The Committee met at Parliament House Hobart, in Committee room 1, at 1.45 p.m.

Members present:

Mr Bayley

Mrs Beswick

Ms Dow

Mr Fairs

Ms Johnston

Mr Willie

Mr Shelton

APOLOGIES

There were no apologies.

CORRESPONDENCE – DEPARTMENT FOR EDUCATION, CHILDREN AND YOUNG PEOPLE

The Committee, Noted correspondence received from the Department for Education, Children and Young People dated 24 July 2024. The Committee discussed the letter, noting that care to the proceedings of the Committee is essential given the sensitivity of the topic.

In response to the questions in the correspondence the Committee discussed and resolved the following for inclusion in the Chair's response:

1. *Resolved*, that at this point in time the Committee will not specify a definition of bullying or discrimination and will investigate this further upon receipt of submissions. The Department will be encouraged to include such definitions in its own submission. (Ms Johnston)
2. *Resolved*, that the Committee will embark upon the appropriate measures for the receipt of evidence, noting that information on the public record is accessible to all members of the public, including the Department and the Police. Note that the Committee will consider measures for the disclosure of specific cases if and as they arise. (Mr Bayley)

3. *Resolved*, that the Department has been invited to supply a submission to the Inquiry and that they are encouraged to proceed with this. (Ms Dow)
4. *Resolved*, that the Committee will follow procedural fairness and confidentiality provisions of committees and be guided by legislative requirements. Submissions will be assessed on a case-by-case basis, with discretionary considerations applied. (Mr Willie)

The Committee further discussed the potential to instate a blanket redaction policy for the use of names in submissions. Consideration to be given to this matter when submissions are being received and prepared for publication.

PRS

Resolved, that PRS be requested to produce a briefing paper addressing the Inquiry terms of reference, with additional information on definitions of bullying and harassment. (Mr Fairs)

INQUIRY TIMELINE

Resolved, to extend the submission due date to *Friday 30 August 2024*. (Ms Johnston).

Noted that current arrangements for future meetings of the Committee and hearings in September will proceed with

submissions as received at that point in time, with further hearings to be organised after the extended submission date.

Resolved, that a media release be sent and approved out of session by the Chair and those were invited to submit and have not as yet, be updated on the new closing date (Ms Dow)

OTHER MATTERS

NONE.

At 2:08 p.m. the Committee adjourned until 10:30 a.m. on Tuesday 13th of August 2024.
Confirmed,

Government Administration Committee A

Tuesday 13 August 2024

(No.5 of Gov A)

(No. 3 of Discrimination and Bullying Inquiry)

The Committee met at Parliament House Hobart, in Committee room 3, at 10.35 a.m.

Members present:

Mr Bayley
Mrs Beswick (Acting Chair)
Mr Fairs
Ms Johnston
Mr Willie
Mr Shelton

APOLOGIES

Ms Dow was an apology

MINUTES

The minutes of the meeting held 13 June 2024, and 30 July 2024 were adopted as an accurate record (Mr Bayley)

RECEIPT AND PUBLICATION OF SUBMISSIONS

Ordered, that the following submissions be received and published in full, with the personal contact details of individuals being removed (Mr Bayley):

Submission No. 27: Adrian Bosker
Submission No. 32: Independent Education Union
Submission No. 37: Archdiocese of Hobart
Submission No. 40: Blind Citizens Australia
Submission No. 42: A Fairer World
Submission No. 44: Equal Opportunity Tasmania
Submission No. 46: Karalyn Bylsma
Submission No. 50: David Oudman
Submission No. 54: Trudy Archer
Submission No. 60: Christian Schools Australia and Christian Education National
Submission No. 61: Jan Jackowiak
Submission No. 68: Australian Council for Student Voice Ltd
Submission No. 69: Australian Christian Lobby
Submission No. 70: Circular Head Christian School
Submission No. 71: Headspace

Ordered, that Submission No. 59: Sam Watson, be received and published with a redaction in the final paragraph from “with” to “bravely”, with the personal details also removed (Mr Willie).

The Committee noted that a number of proforma letters had been received by the Secretary. *Ordered*, that the proforma letters of substantially the same content,

which only feature minor personal differences, be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published noting the following submissions (Ms Johnston):

Submission No. 7: Simon Petrusma
Submission No. 9: Tara Turner
Submission No. 10: Elisabeth Kuipers
Submission No. 11: Kerry Hornby
Submission No. 12: Mick Hammond
Submission No. 13: Sarah Coates
Submission No. 17: Marnie Struthers
Submission No. 22: Gabrielle Rose
Submission No. 24: Cherene Moore
Submission No. 25: Ed Verdouw
Submission No. 30: Steven Lichtendonk
Submission No. 39: Aaron Ryan
Submission No. 49: Countess Antonia Scrivanich
Submission No. 52: Hugh Richardson
Submission No. 53: Paramjit Singh Lallar
Submission No. 55: Dr Arthur Ritar
Submission No. 58: Donna House
Submission No. 62: Margaret Dingemanse
Submission No. 64: Philip van den Berg
Submission No. 65: Jess Bellchambers
Submission No. 66: Joelle Gunnink
Ordered, that the proforma letters with additional substantive comments be received and published as individual submissions (Ms Johnston):
Submission No. 6: Tiffany Heys

Submission No. 8: Chris Bowditch
 Submission No. 14: Brian Bosveld
 Submission No. 15: Rosemary
 Lincolne
 Submission No. 16: Micah Fourie
 Submission No. 18: Jaco Classen
 Submission No. 19: Lorna Wilson
 Submission No. 21: Venetia Murfet
 Submission No. 26: Dr Peter Atkins
 Submission No. 28: Mike
 Lichtendonk
 Submission No. 29: Lucella Bosker
 Submission No. 33: Jack Sladden
 Submission No. 34: Melissa Cleaver
 Submission No. 35: Natalie Polis
 Submission No. 47: Richard John
 Swancott
 Submission No. 48: Vivien Davies
 Submission No. 51: Shaun Verdouw
 Submission No. 56: Bron Baker
 Submission No. 67: Abe Udy

Ordered, that the following
 proforma letter with additional
 substantive comments be received
 and published as an individual
 anonymous submission (Ms
 Johnston):

Submission No. 41: *Name withheld*
 Submission No. 45: *Name withheld*

Ordered, that the following
 submissions be received and kept
 confidential (Mrs Beswick):

Submission No. 1: *Name withheld*
 Submission No. 2: *Name withheld*
 Submission No. 3: *Name withheld*
 Submission No. 4: *Name withheld*
 Submission No. 5: *Name withheld*
 Submission No. 20: *Name withheld*
 Submission No. 23: *Name withheld*
 Submission No. 31: *Name withheld*
 Submission No. 36: *Name withheld*
 Submission No. 38: *Name withheld*

Submission No. 43: *Name withheld*
 Submission No. 57: *Name withheld*
 Submission No. 63: *Name withheld*

PUBLIC HEARINGS

Witnesses to be invited to appear
 before the Committee were
 discussed. It was noted that at this
 stage in the Inquiry, organisations
 who have provided submissions will
 be invited to attend the first round
 of public hearings on *Tuesday 3*
September and *Wednesday 4*
September 2024, both in Hobart.
 Once the receipt of submissions has
 closed, the Committee will consider
 who next to invite to attend,
 including individuals who have
 shared personal experiences. Time
 will be set aside for this discussion
 at the upcoming hearings.

Resolved, that the following
 organisation be invited to attend
 public hearings:

Submission No. 32: Independent
 Education Union
 Submission No. 37: Archdiocese of
 Hobart
 Submission No. 40: Blind Citizens
 Australia
 Submission No. 42: A Fairer World
 Submission No. 44: Equal
 Opportunity Tasmania
 Submission No. 60: Christian
 Schools Australia and Christian
 Education National
 Submission No. 68: Australian
 Council for Student Voice
 Submission No. 69: Australian
 Christian Lobby
 Submission No. 70: Circular Head
 Christian School
 Submission No. 71: Headspace

**PUBLIC HEARING – WEDNESDAY 4
SEPTEMBER 2024**

Resolved, that the following individuals be invited to attend public hearings if scheduling so permits:

Submission No. 27: Adrian Bosker;
and

Submission No. 59: Sam Watson.

Resolved, that the hearing schedule begin at 10am on Wednesday 4 September 2024 (Mr Willie).

ADDITIONAL PUBLIC HEARING DATES

Resolved, that the Committee hold public hearings on the following dates:

Tuesday 8 October 2024,

Launceston; and

Tuesday 22 October 2024, Hobart.

OTHER MATTERS

No other matters.

At 11:31 a.m. the Committee adjourned until 9:00 a.m. on Tuesday 3rd September 2024.

Confirmed,

**Government Administration
Committee A**

Tuesday, 3 September 2024
(No.6 of Gov A)

(No. 4 of Discrimination and Bullying
Inquiry)

The Committee met in Committee Room 1, Parliament House, Hobart at 9:01 a.m.

Members Present:

Mr Bayley

Mrs Beswick

Ms Dow

Ms Johnston

Mr Willie

Via WebEx: -

Mr Fairs

Mr Shelton

APOLOGIES

There were no apologies.

MINUTES

The minutes of the meeting held 13 August 2024, were accepted (Ms Johnston).

PUBLIC HEARING WITNESSES

At 9.03 a.m. Adrian Bosker, Director of Public Policy, Christian Schools Australia and Dr Rachael Carling, Executive Officer for Government Relations and Advocacy, Christian Schools Australia, were called, made the statutory declaration and were examined by the Committee in public.

Paper - Dr Carling tabled the following paper:

'Foundations of Faith'

At 9.49 a.m., the witnesses withdrew.

Suspension of sitting from 9.49 a.m. to 10.01 a.m.

PUBLIC HEARING WITNESSES

At 10.01 a.m., Kristen Douglas, Head of Schools and Communities, Headspace (Webex); Caroline Thain Manager of Clinical Advice and Governance, Headspace; Reede Adams-Beckett, member of Headspace Youth National Advisory Group were called, made the statutory declaration and were examined by the Committee in public.

At 10.46 a.m. the witnesses withdrew.

Suspension of sitting from 10.46 a.m. to 10.57 a.m.

PUBLIC HEARING WITNESSES

At 10.57 a.m. Samuel Watson, former Tasmanian School Student was called (Webex) and was examined by the Committee in public.

At 11.43 a.m. the witness withdrew.

DELIBERATIVE MEETING

PUBLICATION OF HANSARD

Resolved, Hansard uncorrected proofs be shared with witnesses for corrections of mistranscriptions for a 2-day period. Secretary to manage corrections and publish. (Ms Johnston)

CORRESPONDENCE

The Committee noted correspondence received from A Fairer World on 19 August 2024, declining to attend before the Committee. (Mr Willie)

The Committee discussed correspondence received from the Archdiocese of Hobart on 23 August 2024, declining to appear before the Committee before 16 October 2024, acknowledging they will attend with Catholic Education Tasmania. *Noted* correspondence and intention of Committee to invite the organisations to attend the next hearings. (Ms Johnston)

The Committee noted correspondence from the Independent Education Union Victoria and Tasmania received on

23 August 2024, declining to appear before the Committee. (Ms Dow)

RECEIPT AND PUBLICATION OF SUBMISSIONS

Ordered, that the updated version of Submission 60 – Christian Schools Australia and Catholic Education National, now included Adventist Education, be received in full and published (Mr Bayley)

Ordered, that the following submissions be received and published in full, with the personal contact details of individuals being removed (Mr Bayley):

Submission No. 80: Newstead Christian College

Submission No. 128: Our Lady of Lourdes Catholic School

Submission No. 264: Melinda Oogies

Submission No. 279: Bradley Cullen

Ordered, that Submission No. 129: Mount Carmel College, be received and published with the redaction of the names of students and parents (Ms Dow)

Ordered, that Submission No. 221: Concerned Catholics Tasmania, be received and published with the redaction of the name of the school principal mentioned on page 4 (Mr Bayley)

Ordered, that Submission No. 227: St Brendan's – Shaw College, be received and published with the link to the school survey redacted (Ms Dow). *Noted* that if the school appears at a public hearing, they will be asked about the potential

release of the survey or asked to table a copy for release.

Ordered, that Submission No. 259: St Mary's College, be received and published with the redaction of survey data on pages 3 and 4 (Mr Bayley)

Ordered, that Submission No. 263: Ben Dudman, be received and published with school name redacted (Mr Bayley)

Ordered, that Submission No. 267: Catherine Steele, be received and published with the redaction of the school name (Mr Fairs)

Ordered, that Submission No. 282: Tasmanian Association for the Gifted, be received and published with the redaction of the name and signature on the first page (Ms Dow)

Ordered, that the following submissions be received and published with name withheld (Ms Dow):

Submission No. 281: *Name withheld*

Ordered, that the following submissions be received and kept confidential (Ms Dow):

Submission No. 72: *Name withheld*

Submission No. 76: *Name withheld*

Submission No. 77: *Name withheld*

Submission No. 117: *Name withheld*

Submission No. 123: *Name withheld*

Submission No. 124: *Name withheld*

Submission No. 127: *Name withheld*

Submission No. 148: *Name withheld*

Submission No. 191: *Name withheld*

Submission No. 228: *Name withheld*

Submission No. 234: *Name withheld*

Submission No. 236: *Name withheld*

Submission No. 237: *Name withheld*

Submission No. 246: *Name withheld*

Submission No. 250: *Name withheld*

Submission No. 257: *Name Withheld*

Submission No. 258: *Name withheld*

Submission No. 270b: *Name withheld*

Submission No. 271: *Name withheld*

Submission No. 273: *Name withheld*

Submission No. 274: *Name withheld*

Submission No. 276: *Name withheld*

Submission No. 283: *Name withheld*

Submission No. 284: *Name withheld*

The Committee noted that a number of proforma letters had been received by the Secretary.

Ordered, that the proforma letters with additional substantive comments be received and published as individual submissions (Mr Fairs):

Submission No. 81: Livi Pearce

Submission No. 93: Mal O'May

Submission No. 96: Lesley Hancock

Submission No. 101: Glenice Bonney

Submission No. 106: Jodie

McPherson

Submission No. 109 Jane Pritchett

Submission No. 116: Joshua Gorman

Submission No. 198: xxx

Submission No. 206: Sarah

Scrimgeour

Submission No. 229: Margaret Cross

Submission No. 261: Stuart Grieg

Ordered, that Submissions 110 be published with name withheld and with the first paragraph of personal content redacted (Mrs Beswick)

Ordered, that the proforma letters 2 be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published noting the following submissions (Mrs Beswick):

Submission No. 83: Karalyn Bylsma
Submission No. 156: Dan Headley
Submission No. 169: Philip Connoras
Submission No. 186: David Cooke
Submission No. 201: Dianne Keam
Submission No. 204: Donna McMillan
Submission No. 219: Gail Sorbain
Submission No. 222: Mike Hansell
Submission No. 241: Victoria Tracey
Submission No. 255: Carole Sharpe

Ordered, that Submissions 91 be published in the index with name withheld (Mrs Beswick)

Ordered, that the proforma letters 3 be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published noting the following submissions (Ms Johnston):

Submission No. 84: Jennifer Ford
Submission No. 92: Kay Errington
Submission No. 114: Heather Newman
Submission No. 135: Gwen Cooper
Submission No. 155: Matthew Garget
Submission No. 196: John Salmon
Submission No. 197: Steve Ball
Submission No. 212: Dehne McLaughlin
Submission No. 225: Shaun Watson
Submission No. 254: Pat Gartlan

Ordered, that the proforma letters 4 be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published noting the following submissions (Ms Johnston):

Submission No. 87: Paul Smith
Submission No. 94: David Cook
Submission No. 95: John Gibb
Submission No. 97: Glen McNamara
Submission No. 103: Jelje Verdouw
Submission No. 104: Alan Trott
Submission No. 118: Jennifer Jarvin
Submission No. 184: Jeffrey Losh
Submission No. 209: Andrew Stanley
Submission No. 220: Steve Rogers
Submission No. 244: Gary Horobin

Ordered, that the proforma letters 5 be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published noting the following submissions (Mr Willie):

Submission No. 82: Marion Carter
Submission No. 89: Lorriane Davidson
Submission No. 99: Dane Stronach
Submission No. 113: Keith Ryrie
Submission No. 121: John Heidenreich
Submission No. 122: Evonne Heidenreich
Submission No. 160: Henry Schuth
Submission No. 163: Peter Spakman
Submission No. 164: Deborah Woodward
Submission No. 165: Sandy Graetz
Submission No. 172: Tim Jack
Submission No. 175: Roslyn Pallister
Submission No. 180: Wendie Bell

Submission No. 181: Margaret Thornton

Submission No. 194: Janette Hezalewood

Submission No. 195: Owen Bosveld

Submission No. 248: Mark Lambert

Ordered, that Submissions 125 be published in the index with name withheld (Ms Johnston)

Ordered, that the proforma letters 6 be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published noting the following submissions (Ms Johnston):

Submission No. 98: Grahame Westaway

Submission No.100: xx

Submission No. 108: R Fa

Submission No. 112: Garry Daud

Submission No. 119: Mike Matsen

Submission No. 166: Maree Gee

Submission No. 171: Stan Hardman

Submission No. 178: Brain

Macmichael

Submission No. 188: Jennifer Cute

Submission No. 202: Janene Shaw

Submission No. 242: Ellen Corrado

Submission No. 268: Helen Cohen

Ordered, that Submissions 111 be published in the index with name withheld (Ms Johnston)

Ordered, that the proforma letters 7 be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published noting the following submissions (Ms Johnston):

Submission No. 86: Emma Buist

Submission No. 105: Silke Savage

Submission No. 137: Peter

Bellchambers

Submission No. 158: Lindy Farrell

Submission No.159: Simon

Petrusma

Submission No. 162: Shari Scott

Submission No. 170: Paul Freeburn

Submission No. 177: Jeanette Gray

Submission No. 190: Jessica Hoyle

Submission No. 224: Di Och

Submission No. 238: Mike Tummon

Submission No. 252: Rosa

McManamey

Ordered, that the proforma letters 8 be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published noting the following submissions (Ms Johnston):

Submission No. 85: Helen Reid

Submission No. 107: Jessica Cole

Submission No. 115: Rita Noble

Submission No. 120: Paul Turvey

Submission No. 176: Trish Dove

Submission No. 179: Herman Mills

Submission No. 203: Roger

Ferguson

Submission No. 210: Margaret

Williams

Submission No. 217: Tamara

Manning

Submission No. 218: Joy Van Namen

Submission No. 223: Donna Crane

Ordered, that the proforma letters 9 be received.

Resolved, that a template of the proforma letter and an index of those who submitted be published

noting the following submissions
(Ms Johnston):

Submission No. 102: Shay Holmers
Submission No. 161: Sheree King
Submission No. 173: M Amore
Submission No. 174: Peter James
Submission No. 183: Jennifer
Brandsen
Submission No. 185: Michelle
Edwards
Submission No. 199: Luca Bell
Submission No. 207: Gordon Rookes

Ordered, that Submissions 126 and
Submission 157 be published in the
index with name withheld (Mrs
Beswick)

Ordered, that the proforma letters
10 be received.

Resolved, that a template of the
proforma letter and an index of
those who submitted be published
noting the following submissions
(Ms Johnston):

Submission No. 167: Glenn Deans
Submission No. 168: Sally Fox
Submission No. 187: Barry Watson
Submission No. 189: Marnie
Struthers
Submission No. 192: Ian Fletcher
Submission No. 193: Carine Kruger
Submission No. 200: Howard
Williams
Submission No. 226: Warren
Seiboth
Submission No. 232: Vikki Lutan

Ordered, that Submissions 249 be
published in the index with name
withheld (Ms Johnston)

Ordered, that the proforma letters
11 be received.

Resolved, that a template of the
proforma letter and an index of
those who submitted be published
noting the following submissions
(Mr Bayley):

Submission No. 88: Fiona Wilson
Submission No. 90: Audrey Collins
Submission No. 182: Frank
Hoogesteger
Submission No. 205: Gaye Kulinski
Submission No. 208: Sue Ransley
Submission No. 211: Natasha
Munday
Submission No. 215: Shirley Bell
Submission No. 216: Thomas Nielsen
Submission No. 239: Wendy
Scrimgeour
Submission No. 275: Scott Hudson

Ordered, that the proforma letters
12 be received.

Resolved, that a template of the
proforma letter and an index of
those who submitted be published
noting the following submissions
(Mr Fairs):

Submission No. 213: Stephen
Hardcastle
Submission No. 214: Brian Ellis

PUBLIC HEARINGS

The Committee discussed options
for public hearings. Noted that the
Committee will reconvene
tomorrow to determine who they
wish to invite to attend public
hearings.

Resolved, that the following
additional dates be tentatively held
for public hearings (Ms Dow):

Thursday, 31 October 2024:
Northern location tbc; and
Thursday 7 November 2024: Hobart.

EXTENSION OF REPORTING DATE

The reporting date of the Committee was discussed. The Committee decided that further consideration would be given tomorrow to determine an extension due date.

Suspension of sitting from 12. 29 p.m. to 1.30 p.m.

PUBLIC HEARING WITNESSES

At 1.30 p.m. Mr Mitch Sprague, Executive Director of Australian Council for Student Voice, was called, made the statutory declaration and was examined by the Committee in public.

At 1.50 p.m. the witness withdrew.

OTHER MATTERS

No other matters.

At 1.51 p.m. the Committee adjourned until 10:00 a.m. on Wednesday 4th September 2024. Confirmed,

Government Administration Committee A

Tuesday 13 August 2024

(No.7 of Gov A)

(No. 5 of Discrimination and Bullying
Inquiry)

The Committee met in Committee Room 1, Parliament House, Hobart at 10:05 a.m.

Members present:

Mrs Beswick

Ms Dow

Ms Johnston

Mr Willie

Via WebEx: -

Mr Shelton

APOLOGIES

Mr Bayley and Mr Fairs were apologies.

MINUTES

The minutes of the meeting held 13th June 2024 and 30 July 2024 were adopted as an accurate record (Mr Bayley)

PUBLIC HEARINGS

At 10.06 a.m., Mark Warrington, Tasmania Branch Committee Member, Blind Citizens Australia, Duncan Meerding, Member, Blind Citizens Australia and Nicole McKillop, Member, Blind Citizens Australia were called, made the statutory declaration and were examined by the Committee in public.

At 10.36 a.m. the witnesses withdrew.

Suspension of sitting from 10.36 a.m. to 10.38 a.m.

IN-CAMERA HEARING

At 10.38 a.m. a private witness was examined by the Committee in-camera.

At 10.57 a.m., the witness withdrew.

Suspension of sitting from 10.57 a.m. to 11.02 a.m.

PUBLIC HEARING

At 11.02 a.m., Sarah Bolt, Anti-Discrimination Commissioner, Equal Opportunity Tasmania was called, made the statutory declaration and was examined by the Committee in public.

At 11.46 a.m., the witness withdrew.

Suspension of sitting from 11.46 a.m. to 11.59 a.m.

At 11.57 a.m. Mr Bayley joined the meeting.

PUBLIC HEARING

At 12.00 p.m., Christopher Brohier, Director and Policy and Research, Australian Christian Lobby (via WebEx) was called and examined by the Committee in public.

At 12.32 p.m., the witness withdrew.

Suspension of sitting from 12.32 p.m. to 12.33 p.m.

DELIBERATIVE MEETING

COMMITTEE REPORTING DATE

Resolved, that the Chair seek an extension from the House to extend the Committee reporting date to 4 April 2025 (Ms Dow).

RECEIPT AND PUBLICATION OF SUBMISSIONS

Ordered, that the following submissions be received and published in full, with the personal contact details of individuals being removed (Ms Dow):

Submission No. 73: Tasmanian Principals Association
Submission No. 74: Department for Education, Children and Young People
Submission No. 75: Working it Out
Submission No. 78: Australian Education Union
Tasmanian Branch
Submission No. 79: Rohan Reading
Submission No. 130: Our Lady of Mercy Catholic School
Submission No. 131: Sacred Heart Catholic School
Submission No. 132: St Anthony's Catholic Primary

Submission No. 133: St Aloysius Catholic College
Submission No. 134: Sacred Heart College
Submission No. 136: ACD Tasmania
Submission No. 138: St Patrick's Catholic School
Submission No. 139: St Brigid's Catholic School
Submission No. 140: St Therese's Catholic School
Submission No. 141: St Peter Chanel Catholic School
Submission No. 142: Marist Regional College
Submission No. 143: Stella Maris Catholic School
Submission No. 144: St Joseph's Catholic School
Submission No. 145: Sacred Heart Catholic School
Submission No. 146: Corpus Christi Catholic School
Submission No. 147: St Thomas More's Catholic School
Submission No. 149: Our Watch
Submission No. 150: Sacred Heart Catholic Primary School
Submission No. 151: St Virgil's College
Submission No. 152: MacKillop Catholic College
Submission No. 153: St Patricks College
Submission No. 154: St Brigid's Catholic School
Submission No. 230: St Joseph's Catholic School
Submission No. 231: St Francis Flexible School
Submission No. 233: Catholic Education Tasmania
Submission No. 235: St James Catholic College

Submission No. 240: Holy Rosary Catholic Primary School
 Submission No. 243: John Paul II Catholic School
 Submission No. 245: Larmenier Catholic School
 Submission No. 247: Tasmanian Associations of State School Organisations (TASSO)
 Submission No. 251: St Finn Barr's
 Submission No. 253: Binary Australia
 Submission No. 256: Kelli Charles
 Submission No. 260: Australian Association of Social Workers
 Submission No. 265: Xris Reardon
 Submission No. 266: St John's College
 Submission No. 269: Women Speak Tasmania
 Submission No. 270a: Benjamin Jago
 Submission No. 274a: Amelia (publish with first name only)
 Submission No. 276a: Jason (publish with first name only)
 Submission No. 277: Daniel Howard
 Submission No. 278: Commissioner for Children and Young People
 Submission No. 280: Launceston College Student Representatives

PUBLIC HEARINGS

Resolved, to invite the following to appear as witnesses before the Committee:

Submission No. 73: Tasmanian Principals Association
 Submission No. 74: Department for Education, Children and Young People
 Submission No. 75: Working it Out
 Submission No. 78: Australian Education Union
 Tasmanian Branch

Submission No. 136: ACD Tasmania
 Submission No. 221: Concerned Catholics Tasmania
 Submission No. 233: Catholic Education Tasmania (with Archdiocese of Hobart)
 Submission No. 247: Tasmanian Associations of State School Organisations (TASSO)
 Submission No. 278: Commissioner for Children and Young People
 Submission 282: Tasmanian Association for the Gifted

The Committee discussed how to select individual witnesses and representatives from schools to be invited to attend a hearing. *Resolved*, that these be selected at the next meeting of the Committee.

OTHER MATTERS

No other matters.

At 12.48 p.m. the Committee adjourned until 1:00 p.m. on Thursday 19th September 2024.
 Confirmed,

Government Administration Committee A

Tuesday 10 September 2024

(No.8 of Gov A)

(No. 6 of Discrimination and Bullying Inquiry)

The Committee met in Committee Room 1, Parliament House, Hobart at 9:28 a.m.

Members Present:

Mr Bayley
 Mrs Beswick
 Ms Dow
 Mr Fairs
 Ms Johnston

Mr Shelton
Mr Willie

APOLOGIES

There were no apologies.

CORRESPONDENCE

The Committee noted the receipt of correspondence from Mr Joe Mullavery, of Page Seager Lawyers. The correspondence was sent on behalf of Catholic Education Tasmania, regarding published Submission 221 from Concerned Catholics Tasmania.

The correspondence notes the publication of Mr Mullavery requests that the submission be removed from the webpage and held for pending de-identification and Catholic Education Tasmania be offered a right of reply.

The Committee discussed options to undertake regarding the correspondence.

Agreed, that the published submission be temporarily taken down (Ms Johnston).

Agreed, that the name and title be redacted from the submission for future publication (Ms Johnston).

Agreed, that Catholic Education Tasmania be offered the opportunity to provide a written or oral right of reply to the Committee (Ms Dow).

Resolved, that a letter be prepared by the Chair detailing the above agreement of the Committee regarding the treatment of the correspondence (Ms Dow).

Noted, that the Committee may wish to further consider contacting Concerned Catholics Tasmania detailing the status of the submission.

OTHER MATTERS

No other matters.

At 9:38 a.m. the Committee adjourned until 1:00 p.m. on Thursday 19th September 2024.

Confirmed,

Government Administration Committee A

Thursday 19 September 2024

(No.9 of Gov A)

(No. 7 of Discrimination and Bullying
Inquiry)

The Committee met in Committee Room 1, Parliament House, Hobart at 1:11 p.m.

Members Present:

Mr Bayley
Mrs Beswick
Ms Dow
Ms Johnston
Mr Shelton
Mr Willie

APOLOGIES

Mr Fairs was an apology.

DEPUTY CHAIR

In the Chair's absence the Deputy Chair, Mrs Beswick, commenced the meeting.

CORRESPONDENCE

Resolved, that in the absence of further correspondence from Page Seager Lawyers, Submission 221, be reuploaded to the Committee webpage with the additional

redactions implemented (Mr Bayley)

CHAIR

The Chair joined the Committee at 1.12 p.m. and took the Chair.

SUBMISSIONS

Resolved, that the Committee defer the assessment of the late submissions until its next meeting to allow for additional preparations (Mr Willie)

The Committee discussed how the content of submissions will be considered, noting that investigations cannot be undertaken.

PUBLIC HEARINGS

ATTENDANCE OF MINISTER

Resolved, that the Honourable Jo Palmer MLC, Minister for Education, be invited to attend a public hearing of the Committee with the Department for Education, Children and Young People (Ms Dow).

WITNESSES

Resolved, that deliberations regarding invited witnesses be postponed until the next meeting of the Committee. (Ms Johnston)

The Committee further discussed the attendance of schools, noting that in the first instance, organisations representing school networks will be invited to attend hearings. Individual schools may then be invited to address questions arising.

NORTHERN HEARING

Resolved, that the proposed Northern hearing on Thursday 31

October 2024 be cancelled (Ms Dow).

ADDITIONAL HEARINGS

Noted that additional hearing dates may be scheduled into the future once the Committee has finalised its witness list.

OTHER MATTERS

Agreed, that the Secretary circulate potential meeting dates for the weeks of Monday 7 – Friday 11 October 2024 and Monday 14 – Friday 18 October 2024.

At 1:24 p.m. the Committee adjourned *sine die*.

Confirmed,

Government Administration Committee A

Tuesday 22 October 2024

(No. 10 of Gov A)

(No. 8 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1 and via Webex, at 8.44 a.m.

Members present:

Ms Dow (*Chair*)

Mr Bayley

Ms Johnston

Via WebEx:

Mrs Beswick

APOLOGIES

Mr Shelton and Mr Fairs were apologies.

DELIBERATIVE MEETING

The Committee considered correspondence from xxxxx requesting a partial in-camera appearance before the Committee.

Resolved, that the Committee accepts the request to appear partially in-camera and that xxx be given the option to review the transcript for potential publication with their approval. (Ms Johnston)

The Committee considered the request from a witness appearing this afternoon to appear in-camera before the Committee.

Resolved, to allow the witness to appear in-camera with the option of reviewing the transcript for possible publication later if approved by the witness (Ms Johnston)

The Committee considered correspondence from the Archbishop declining to attend today's hearing on behalf of himself and Dr Gaskin from Catholic Education Tasmania.

Resolved, that Catholic Education Tasmania and the Archdiocese be sent an additional request to appear at a further hearing of the Committee, noting the Committee's powers (Ms Johnston).

Suspension of sitting from 8.50 a.m. to 9 a.m.

IN-CAMERA HEARING

At 9.01 a.m. witnesses were called, made the Statutory Declaration and were examined by the Committee in-camera.

At 9.02 a.m. Mr Willie came to the Table.

Suspension of sitting from 9.48 a.m. to 9.50 a.m.

PUBLIC HEARING

At 9.50 a.m. Mr Kim Chen, Dr Trish Hindmarsh, Mr Peter Flint and Mr Chris Smith representing Concerned Catholics Tasmania, were called, and were examined by the Committee in public.

The witnesses withdrew.

Suspension of sitting 10.04 a.m. to 10.08 a.m.

PUBLIC HEARING

At 10.08 a.m., Dr Ruth Quibell, advocate and Mr Gary McMurtrie (via WebEx) advocacy team leader, representing ACD Tasmania, were called, made the statutory declaration and were examined by the Committee in public.

At 10.57 a.m. the witnesses withdrew.

Suspension of sitting from 10.57 a.m. to 11.01 a.m.

PUBLIC HEARING

At 11.02 a.m., Mr John Allan, President, Tasmanian Association of State School Organisations (TASSO), Ms Jessica Bennet, Operations Manager TASSO, and Ms Rosalind Wharton, parent, were called, made the statutory declaration and were examined by the Committee in public.

At 11.44 a.m. witnesses moved to an in-camera hearing.

At 11.55 a.m. the witnesses withdrew.

Suspension of sitting from 11.55 a.m. to 12 p.m.

PUBLIC HEARING

At 12.00 p.m. Mr Mat Grining, President, Tasmanian Principals Association, was called via WebEx, made the statutory declaration and was examined by the Committee in public.

At 12.41 p.m. the witness withdrew.

Suspension of sitting from 12.41 p.m. to 1.31 p.m.

IN-CAMERA HEARING

Members present:

Ms Dow

Mr Bayley

Ms Johnston

Mrs Beswick (via WebEx)

At 1.32 p.m. a witness was called, made the statutory declaration and was examined by the Committee in-camera.

At 1.38 p.m. Mr Willie came to the Table.

At 1.42 p.m. Mrs Beswick left the meeting.

At 2 p.m. the witness withdrew.

PUBLICATION OF HANSARD TRANSCRIPTS

Resolved, that the Secretary circulate proofs of the Hansard once received to Members and witnesses, offering a period of two days for corrections. After two days, the Secretary is to publish the transcript with any appropriate minor corrections implemented (Mr Bayley).

Resolved, that the witnesses appearing in-camera be offered the opportunity to review the transcripts and determine if any of the evidence provided could be published either by anonymising

the transcript or via redactions (Mr Bayley)

MINUTES

Resolved, that the minutes of the meeting held 19 September 2024 be agreed to as an accurate record (Ms Johnston).

CORRESPONDENCE

The Committee noted the correspondence relating to questions on notice from the hearings held 3 September 2024 from the following;

- Christian Schools Australia

Resolved, that the above correspondence be accepted and published (Ms Dow)

The Committee considered the submission from Catholic Education Tasmania in relation to the submission of Concerned Catholics Tasmania.

Resolved, that the right of reply of Catholic Education Tasmania be published (Ms Johnston).

SUBMISSIONS

The Committee considered the additional seven submissions received since closing date.

Resolved, to receive and publish in full (with personal information redacted):

- Submission 288: St Paul's Catholic School
- Submission 291: Australian Association of Christian Schools (Mr Willie)

Resolved, to receive and publish in part, keeping sections confidential

as requested (with personal information redacted):

- Submission 285: Equality Tasmania (Ms Johnston).

Resolved, in the Committee's letter to Catholic Education Tasmania to note there are additional submissions to be published (Mr Bayley).

Resolved, to receive and publish with redactions:

- Submission 290: Lexi Rockcliffe (Mr Bayley).

Resolved, to receive and keep the following submissions confidential:

- Submission 287, and
- Submission 289 (Ms Johnston).

Resolved, that Submission 286 be received and be added to proforma index 11 (Ms Johnston).

The Committee gave consideration to the publication status of two submissions following queries of the submitters as to why they were not published.

Resolved, Submission 272 be published (Ms Johnston) and Submission 273 remain confidential (Ms Dow).

PUBLIC HEARINGS

The Committee discussed the possible additional witnesses to invite to hearings.

Resolved, to invite Equality Tasmania, Lexi Rockcliffe, the Australian Association of Christian Schools, Submission 289 and

Launceston College Student Representatives to attend the November 7 hearing of the Committee (Ms Dow).

Resolved, to set aside 13 November 2024 for further hearings of the Committee.

The Committee considered the list of individuals to invite to hearings.

Resolved, that the Committee meet on Tuesday, 29 October 2024 at 12 p.m. to further discuss this matter (Ms Dow).

PRS REPORTS

The Committee noted and received the three reports from the Parliamentary Research Service:

- Definitions of bullying
- Background paper: Bullying in schools, and
- Background paper: Discrimination in schools. (Mr Bayley).

OTHER MATTERS

None.

At 2:41 p.m. the Committee adjourned until 29 October 2024. Confirmed,

Government Administration Committee A

Tuesday 29 October 2024

(No. 11 of Gov A)

(No. 9 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1 and via Webex, at 12.04 p.m.

Members present:

Mr Bayley

Ms Johnston
Mr Willie

Via WebEx:

Mrs Beswick
Ms Dow (*Chair*)

APOLOGIES

Mr Fairs was an apology.

CORRESPONDENCE

The Committee noted the Chair has approved the draft correspondence to the Archdiocese of Hobart and Catholic Education Tasmania inviting them to attend a hearing at a later date. Letter to be sent as soon as possible.

Mr Shelton joined the meeting via WebEx at 12.09 p.m.

MINUTES

Resolved, that the minutes of the meeting held 22 October 2024 be agreed to as an accurate record (Ms Johnston).

ADDITIONAL INFORMATION

Resolved, to accept and publish the following additional information (Ms Johnston):

- Headspace response to Question on Notice dated 3 September public hearing; and
- Australian Council for Student Voice response to Question on Notice dated 3 September public hearing.

PUBLIC HEARING WITNESSES

Resolved, to invite the following to appear as witnesses before the Committee:

- Submission No. 234: Private Witness (Ms Johnston)

- Submission No. 263: Ben Dudman (Ms Dow)
- Submission No. 265: Xris Reardon (Ms Dow)
- Submission No. 272: Muria Roberts (Ms Dow)
- Submission No. 279: Bradley Cullen (Ms Dow)
- Submission No. 283: xxxx (Ms Johnston)

Ms Robin Banks (Ms Johnston)

Resolved, to invite the following to appear as witnesses before the Committee if scheduling permits (Mrs Beswick):

- Submission No. 20: Private Witness
- Submission No. 36: Private Witness
- Submission No. 38: Private Witness
- Submission No. 57: Private Witness

Noted that considerations regarding witnesses from Catholic schools be considered after the appearance of Catholic Education Tasmania.

PUBLIC HEARING DATES

Resolved, that the scheduled hearing for Thursday 13 November 2024 be held from 1.30 p.m. onwards (Ms Dow).

The Committee discussed future dates for hearings in 2025. Potential dates for the final weeks of January onwards will be circulated by the Secretary.

Mr Bayley withdrew from the table at 12.22 p.m.

OTHER MATTERS

None.

At 12.24 p.m. the Committee adjourned until 7 November 2024.
Confirmed,

Government Administration Committee A

Tuesday 29 October 2024
(No. 12 of Gov A)

(No. 10 of the inquiry into discrimination
and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1 and via Teams, at 8.57 a.m.

Members present:

Mr Bayley
Ms Johnston

Via Teams:

Mrs Beswick
Ms Dow (Chair)

APOLOGIES

Mr Fairs, Mr Shelton and Mr Willie were apologies.

MINUTES

Resolved, that the minutes of the meeting held 29 October 2024 be agreed to as an accurate record (Ms Johnston).

ADMINISTRATION OF PUBLIC HEARING

Resolved, That Ms Johnston swear witnesses in and administer the call during the 7 November 2024 public hearing while the Chair participates via Teams videoconference (Ms Dow).

PUBLIC HEARING

At 9.02 a.m. Daniel Howard, Working It Out, LGBTQIA+ Schools Inclusion Officer was called, made the Statutory Declaration and was examined by the Committee in public.

The witness withdrew.

Suspension of sitting 9.52 a.m. to 10.00 a.m.

PUBLIC HEARING

At 10.00 a.m. David Genford, President and Brian Wightman, State Manager, from the Australian Education Union Tasmania Branch, were called, made the Statutory Declaration and were examined by the Committee in public.

The witnesses withdrew.

Suspension of sitting 11.04 a.m. to 11.37 a.m.

At 11.37 a.m. Mrs Beswick joined the meeting in person.

PUBLIC HEARINGS

At 11.39 a.m. the Honourable Jo Palmer MLC (Via Teams), and the following from the Department for Children and Young People; Jenny Burgess, Associate Secretary (via Teams), Ginna Webster, Acting Secretary, and Ruth Davidson, Deputy Secretary Continuous Improvement and Evaluation, were called, made the Statutory Declaration and were examined by the Committee in public.

The witnesses withdrew.

Suspension of sitting 12.25 p.m. to 1.31 p.m.

PUBLIC HEARING

At 2.30 p.m. Isabelle Crompton, Interim Commissioner for Children and Young People was called, made the Statutory Declaration and was examined by the Committee in public.

The witness withdrew.

Suspension of sitting 3.17 p.m. to 3.26 p.m.

PUBLIC HEARING

At 3.26 p.m. Vanessa Cheng, Executive Officer, Australian Association of Christian Schools and David Gillman, CEO of Christian Schools Tasmania, both representing the Australian Association of Christian Schools, were called, made the Statutory Declaration and were examined by the Committee in public.

The witnesses withdrew.

Suspension of sitting 4.12 p.m. to 4.15 p.m.

CONSIDERATION OF CORRESPONDENCE

The Committee considered correspondence dated 4 November 2024 from the Archdiocese of Hobart in relation to their attendance with Catholic Education Tasmania representatives for a public hearing.

Resolved, to invite Dr Gaskin and Archbishop Porteous to either the 13 or 14 February public hearings (Ms Dow).

OTHER MATTERS

Chair of the Committee noted the need to follow up on questions on notice once committee transcripts

are available and to follow up with the Commission for Children and Young People in relation to information from the youth consultant group referenced in their submission (Ms Dow).

At 4.18 p.m. the Committee adjourned until 13 November 2024. Confirmed,

Government Administration Committee A

Wednesday 13 November 2024

(No. 13 of Gov A)

(No. 11 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 2 and via Teams, at 1.32 p.m.

Members present:

Mr Bayley

Ms Johnston

Mr Willie

Via Teams:

Ms Dow (*Chair*)

Mr Fairs

APOLOGIES

Mr Shelton and Mrs Beswick were apologies.

MINUTES

Resolved, that the minutes of the meeting held 7 November 2024 be agreed to as an accurate record (Ms Johnston).

FACILITATION OF HEARINGS

Resolved, that Ms Johnston swear witnesses in and administer the call during the 13 November 2024 public hearing while the Chair participates

via Teams videoconference (Ms Dow).

PUBLIC HEARING

At 1.30 p.m. Xris Readon was called, made the Statutory Declaration and was examined by the Committee in public.

The witness withdrew.

Suspension of sitting 2.26 p.m. to 2.30 p.m.

PUBLIC HEARING

At 2.30 p.m. Mr Ben Dudman was called via Teams and was examined by the Committee in public.

The witness withdrew.

Suspension of sitting 2.56 p.m. to 3.31 p.m.

PUBLIC HEARINGS

At 3.31 p.m. Ms Muria Roberts was called, made the Statutory Declaration and was examined by the Committee in public.

The witness withdrew.

OTHER MATTERS

There were no other matters.

At 4.05 p.m. the Committee adjourned until 13 February 2025. Confirmed,

Government Administration Committee A

Thursday 13 February 2025

(No. 14 of Gov A)

(No. 12 of the inquiry into discrimination
and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1 and via WebEx, at 1.46 p.m.

Members present:

Mr Bayley
Ms Johnston
Mr Willie

Via WebEx:

Mrs Beswick
Ms Dow (Chair)
Mr Fairs
Mr Shelton

APOLOGIES

There were no apologies.

FACILITATION OF HEARINGS

Resolved, that Mr Willie swear witnesses in and administer the call during the 13 & 14 February 2025 public hearings while the Chair participates via WebEx videoconference (Ms Dow).

MINUTES

Resolved, that the minutes of the meeting held 13 November 2024 be agreed to as an accurate record (Ms Johnston).

PUBLICATION OF REDACTED TRANSCRIPT

The Committee considered the redacted in camera transcript as returned by Concerned Catholics Tasmania.

Resolved, that the transcript, as redacted, with the exception of three instances, be published (Ms Johnston).

IN-CAMERA HEARING

At 2 p.m. private witnesses were called, made the Statutory Declaration and were examined by the Committee in camera.

The witnesses withdrew.

Suspension of sitting 3 p.m. to 3.04 p.m.

CORRESPONDENCE

The Committee considered the received correspondence.

- a. Kim Chen dated 4 February 2025

Resolved, that the correspondence be noted. (Ms Johnston).
Committee to further consider publication after tomorrow's hearings (Ms Dow).

- b. Mark Pegg dated 12 December 2024

Resolved, that the correspondence be noted. (Ms Johnston).

- c. Andrew Walker dated 24 December 2024

Resolved, that the submission be published (Mr Willie).

- d. Julian Punch dated 7 January 2025

Resolved, that the correspondence be noted (Ms Dow).

- e. Dino Ottavi dated 11 January 2025

Considered Mr Ottavi's request to appear before the Committee and resolved, not to make an invitation to any further hearings (Ms Johnston).

- f. Hon. Minister Jo Palmer MLC dated 29 November 2024.

Resolved, that the correspondence be noted and published (Ms Dow).

- g. Muria Roberts dated 7 February 2025

Resolved, to respond to Ms Roberts noting the investigation of individual matters is not within the remit of the Committee and refer Ms Roberts to contact the Minister (Ms Dow).

- h. Rodney Croome dated 12 February 2025

Resolved, to publish the requested attachment and offer the named individual a right of reply (Ms Johnston).

OTHER MATTERS

No other matters.

At 3.17 p.m. the Committee adjourned until 14 February 2025.
Confirmed,

Government Administration Committee A

Friday 14 February 2025

(No. 15 of Gov A)

(No. 13 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1 and via WebEx, at 9.02 a.m.

Members present:

Mr Bayley
Ms Johnston
Mr Willie

Via WebEx:

Ms Dow (Chair)
Mr Fairs

APOLOGIES

Mr Shelton was an apology.

PUBLIC HEARING

At 9.04 a.m. the following witnesses were called:

- Hon. Jo Palmer MLC (via WebEx);
- Jenny Burgess, Associate Secretary, DECYP (WebEx);
- Ruth Davidson, Director Wellbeing and Inclusion, DECYP.

Ms Burgess and Ms Davidson made the Statutory Declaration, and all witnesses were examined by the Committee in public.

At 9.28 a.m. Mrs Beswick joined the meeting via WebEx

At 10 a.m. Mrs Beswick left the meeting.

The witnesses withdrew.

Suspension of sitting 10.31 a.m. to 11 a.m.

PUBLIC HEARING

Members present: Mr Willie, Mr Bayley and Ms Johnston. Via Webex: Ms Dow.

At 11 a.m. Archbishop Julian Porteous of the Archdiocese of Hobart and Dr Gerard Gaskin, Executive Director, Catholic Education Tasmania were called, made the Statutory Declaration and were examined by the Committee in public.

At 11.03 a.m. Mr Fairs joined the meeting via WebEx.

At 11.04 a.m. Mrs Beswick joined the meeting via WebEx.

The witnesses withdrew.

Suspension of sitting 12.02 p.m. to 1.13 p.m.

PRIVATE DELIBERATION

Members present:

In person – Mr Bayley, Mr Willie and Ms Johnston

WebEx – Mrs Beswick

The Committee deliberated in private.

COMMITTEE TRANSCRIPTS

Resolved, That the transcripts from the hearings dated 14 of February be published after being provided to witnesses for mis-transcription corrections (Ms Johnston).

IN-CAMERA TRANSCRIPTS

Resolved, that the witnesses appearing in-camera from 13 February 2025 be offered the opportunity to review the transcripts and determine if any of the evidence provided could be published either by anonymising the transcript or via redactions (Ms Johnston).

At 1.16 p.m. Ms Dow joined the meeting via Webex.

REPORTING DATE

Resolved, that the Committee reporting date be extended to 19 August 2025 (Mrs Beswick).

Resolved, That the Committee authorises the Chair, Ms Anita Dow, to provide other Members of the House of Assembly with advance notice of the agreed upon motion to extend the reporting date of the Committee (Mrs Beswick).

FURTHER PUBLIC HEARINGS

The Committee deliberated on the need to hold further hearings of the inquiry.

Resolved, to re-invite the following witnesses;

- Archbishop Julian Porteus & Dr Gerard Gaskin; and
- Julian Punch, Rainbow Communities Tasmania.

And to also invite;

- The Non-Government Schools Board (Ms Johnston),

for a hearing to be held on 28 March 2025 starting at 9.30 a.m.

CORRESPONDENCE

Resolved, to write to the Anti-Discrimination Commissioner for clarification of evidence heard today from CET and the Archbishop that the Federal Sex Discrimination Act 1984 over-rides the Tasmanian Anti-Discrimination Act (Ms Johnston).

The Committee considered correspondence from Concerned Catholics Tasmania.

Resolved, to publish the material provided and allow the opportunity for a right of reply (Ms Johnston).

REPORT DELIBERATION MEETING DATES

That the following dates be tentatively reserved for the consideration of the Committee's report;

- 13 and 14 March 2025; and
- 23 May 2025 (Mr Willie).

Suspension of sitting 1.49 p.m. to 2.01 p.m.

PUBLIC HEARING

Members present:

In person – Mr Bayley, Mr Willie and Ms Johnston
WebEx – Ms Dow

At 2.02 p.m. Rodney Croome, Policy Officer, Equality Tasmania was called, made the Statutory Declaration and was examined by the Committee in public.

At 2.48 p.m. Mr Bayley withdrew.

The witness withdrew.

OTHER MATTERS

None

At 3.09 p.m. the Committee adjourned until 28 March 2025.

Confirmed,

Government Administration Committee A

Friday 28 March 2025

(No. 16 of Gov A)

(No. 14 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1 and via WebEx, at 9.31 a.m.

Members present:

Mr Bayley
Ms Johnston
Mr Willie

Via WebEx:

Ms Dow (Chair)
Mrs Beswick
Mr Ferguson

APOLOGIES

Mr Shelton was an apology.

PUBLIC HEARING

At 9.33 a.m. Julian Punch, President, Rainbow Communities Tasmania, Brian Doran, Secretary/Treasurer Rainbow Communities Tasmania and Patrick Shaw, were called, made the Statutory

Declaration, were examined by the Committee in public.

Papers – Mr Punch tabled the following paper for the Committee:

- LGBTQA+ Mental Health and Suicidality, Tasmanian Briefing Paper, Latrobe University.

The witnesses withdrew.

Suspension of sitting 10.21 a.m. to 10.24 a.m.

PRIVATE DELIBERATION

The Committee deliberated in private.

Resolved, that the in-camera transcripts of 13 February 2025 and 22 October 2024 as redacted by witnesses be published (Mr Bayley).

COMMITTEE TRANSCRIPTS

The Committee discussed the publication of today's transcript. Concerns were raised over the use of a particular word by a witness.

Resolved, to seek advice from the Clerk regarding the redaction of a certain word from the transcript and published broadcast before approving the publication of the transcript (Mr Ferguson).

MINUTES

Resolved, that the minutes of the meetings on 13 and 14 February 2025 be agreed as an accurate record (Ms Johnston).

CORRESPONDENCE

- a. Kim Chen dated 17 February 2025

Resolved, that the correspondence be noted (Mr Ferguson).

- b. Amilie Courtney dated 21 February 2025

The Committee discussed the correspondence. *Resolved*, to write to Amilie noting that hearings have concluded and request if any of her submission or any further information they might wish to provide could be published (Ms Johnston).

- c. Forwarded from Minister Jo Palmer MLC letter to Ben Pook dated 11 February 2025

Resolved, to note correspondence (Ms Dow).

- d. Dr Gaskin letter providing CET employment contract dated 26 February 2025

Resolved, to note and publish correspondence (Ms Dow).

- e. Archbishop Julian Porteus letter dated 28 February 2025

Resolved, to note correspondence (Ms Dow).

Resolved, that members to consider further questions to CET and send through to Secretary for collation. A draft of the letter to then be sent to members for approval (Ms Bayley).

- f. Acting Anti-Discrimination Commissioner, Pia Saturno, letter dated 17 March 2025

Resolved, to note and publish correspondence (Ms Dow)

Resolved, to write to the Anti-Discrimination Commissioner noting that the letter has been published and that it shouldn't be shared with third parties, should anyone wish to view the letter they can do so as published on the Committee webpage (Mrs Beswick).

- g. Minister Jo Palmer MLC response to Questions on Notice dated 17 March 2025

Resolved, to note and publish correspondence (Mrs Beswick).

- h. Office of the Education Registrar withdrawal from public hearing attendance dated 19 March 2025

Resolved, to note correspondence and members to provide secretary with any written questions to send for a response (Mr Willie).

REPORT DISCUSSION

The Committee discussed the proposed content of the report.

Resolved, that the Chair and Secretary to work on and send to members, a proposed timeline for report (Mrs Beswick)

OTHER MATTERS

None

At 11.03 a.m. the Committee adjourned until 13 May 2025.
Confirmed,

Government Administration Committee A

Tuesday 13 May 2025

(No. 17 of Gov A)

(No. 15 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 3 and via Teams, at 9.30 a.m.

Members present:

Ms Dow (*Chair*)

Mr Bayley

Mr Ferguson

Ms Johnston

Mr Willie

Via Teams:

Mrs Beswick

APOLOGIES

Mr Shelton was an apology.

MINUTES

The minutes of the meeting dated 28 March 2025 were accepted as an accurate record (Ms Johnston).

PUBLICATION & CORRECTION OF TRANSCRIPTS

Resolved, to publish the transcript and broadcast of the hearing held on 28 March 2025, following giving the witness opportunity to correct for mistranscription (Mr Willie).

RECEIPT & PUBLICATION OF SUBMISSIONS

Resolved, that the following submission be received and published on the Committee webpage:

- 285A - Equality Tasmania
- 293 - Rev Dr Angus McLeay (Mr Bayley)

Resolved, that the following submission be received and not published:

- 294 - xxxxx (Mr Bayley)

REPORT DELIBERATION

The Committee commenced consideration of the Chairs draft report.

Chapter 1 considered:

Paragraph 1.1 agreed to as amended.

Paragraph 1.2 agreed to.

Paragraphs 1.3 and 1.4 agreed to with the order swapped.

Paragraphs 1.5 to 1.11 agreed to.

Paragraph 1.12 agreed to as amended.

Paragraph 1.13 agreed to as amended. (with updated submission and witness numbers)

Paragraph 1.14 agreed to.

Paragraph 1.15 agreed to as amended.

Chapter 2 considered:

Paragraphs 2.1 to 2.2 agreed to.

Paragraph 2.3 agreed to as amended.

Paragraph 2.4 agreed to, noting the difference in definitions between DECYP and the former Education Council of the Council of the Aus Government for further consideration.

Paragraph 2.5 agreed to.

Paragraph 2.6 agreed to.

New paragraph to follow paragraph 2.6 inserted:

- a. The Committee notes the DECYP student and wellbeing engagement survey covers these topics.... and these grades... and insert a link to the survey data. (in footnote)

Paragraph 2.7 agreed to as amended.

Paragraph 2.8 agreed to.

Paragraph 2.9 agreed to as amended.

Paragraphs 2.10 to 2.11 agreed to.

Paragraphs 2.12 agreed to as amended.

Insert new paragraph to follow paragraph 2.12 regarding the legislation arrangements of the Act and the relevant attributes.

Lived experience

Paragraph 2.13 agreed to as amended.

Paragraph 2.14 agreed to as amended.

Disability:

Paragraph 2.15 agreed to, as amended.

Paragraph 2.16 agreed to.

Paragraph 2.17 agreed to.

Paragraph 2.18 agreed to as amended.

Gifted individuals:

Paragraph 2.19 agreed to.

Paragraph 2.20 agreed to.

Paragraphs 2.21 agreed to.

LGBTIQA+:

Paragraph 2.22 agreed to.

Paragraph 2.23 agreed to as amended.

Paragraph 2.24 agreed to as amended, with further considered to be given to if the Paragraph needs to remain, or if it repeats the same content as Paragraph 2.23.

Paragraph 2.25 agreed to as amended.

Suspension of sitting 11.08 a.m. to 11.22 a.m.

Paragraph 2.26 agreed to.

Paragraphs 2.27 to 2.29 agreed to as amended.

Paragraph 2.30 agreed to as amended.

Paragraph 2.31 agreed to as amended.

Paragraph 2.32 deleted.

Paragraph 2.33 agreed to as amended.

Paragraph 2.34 agreed to as amended.

Paragraph 2.35 agreed to as amended.

Paragraph 2.36 postponed (new 2.37).

School staff experiences:

Paragraph 2.37 (new 2.38) agreed to.

Paragraph 2.38 (new 2.39) agreed to.

Paragraph 2.39 agreed to as amended.

Findings:

Finding 1 agreed to as amended.

The Committee considered the remaining findings, with their formal acceptance postponed. Discussion ensued, including consideration of findings regarding the following themes:

- Difference in DECYP's definition of bullying; and
- Reporting data regarding disability access.

Suspension of sitting from 12.32 p.m. to 1.32 p.m.

Chapter 3:

Paragraph 3.1 agreed to.

Impacts:

Paragraph 3.2 agreed to as amended.

Paragraph 3.3 agreed to.

Paragraph 3.4 agreed to.

Paragraph 3.5 agreed to.

Paragraphs 3.6 to 3.7 agreed to.

Paragraphs 3.8 to 3.9 agreed to as amended.

Paragraph 3.10 agreed to as amended.

Paragraph 3.11 agreed to as amended.

Paragraphs 3.12 to 3.14 agreed to as amended.

Impact on staff and institutions:

Paragraphs 3.15 to 3.16 agreed to as amended.

Paragraph 3.17 agreed to.

Paragraphs 3.17 to 3.22 agreed to.

Paragraph 3.23 postponed.

Paragraph 3.24 agreed to as amended.

Findings were discussed with the following themes raised:

- Impacts of discrimination and bullying on students and staff;
- National data on LGBTIQ+ and first nations students;
- Impacts of bullying on perpetrator, victim and bystander;
- Parents accessing support for their children;
- Bullying outside of school;
- eSchool and other schooling types;
- access to support staff in schools and in the private sector;
- support and training for teachers to follow up after an event;
- impact on educational institutions/ school culture;
- impact on staff – workers compensation and traumatisation;
- DECYP resolution process;
- DECYP transfer policy for support staff and teachers
- Psychological injuries to school staff;
- Code of Conduct culture;
- Reporting data; and

- Restorative practices and support for victim.

Suspension of sitting from 3.01 p.m. to 3.12 p.m.

Chapter 3 Findings further discussed.

At 3.26 p.m. Mr *Ferguson* withdrew.

At 3.28 p.m. Mr *Ferguson* returned.

Chapter 3 Findings further discussed.

Findings and Recommendations postponed.

Chapter 4

Paragraphs 4.1 to 4.9 agreed to.

Paragraph 4.10 agreed to as amended.

Paragraph 4.11 agreed to as amended.

Paragraphs 4.12 to 4.13 agreed to as amended

Paragraph 4.14 postponed.

Paragraphs 4.15 to 4.16 agreed to.

Paragraph 4.17 postponed.

Paragraph 4.18 agreed to as amended.

Paragraph 4.19 agreed to.

Paragraph 4.20 agreed to.

Paragraph 4.21 to 4.22 postponed.

Paragraph 4.23 agreed to.

Paragraph 4.24 postponed, possible removal discussed.

OTHER MATTERS

NONE

At 4.34 p.m. the Committee adjourned until 14 May 2025.

Confirmed,

**Government Administration
Committee A**

Wednesday 14 May 2025

(No. 18 of Gov A)

(No. 16 of the inquiry into discrimination
and bullying in Tasmanian schools)

The Committee met at Parliament
House Hobart, in Committee room 1
and via Webex, at 9.32 a.m.

Members present:

Ms Dow (*Chair*)

Mr Bayley

Mr Ferguson

Ms Johnston

Mr Willie

Via Webex:

Mrs Beswick

APOLOGIES

Mr Shelton was an apology.

REPORT DELIBERATION

Consideration of draft report
continued.

Chapter 4 further considered:

Paragraph 4.21 deleted.

Paragraph 4.22 deleted.

Paragraph 4.23 deleted.

Paragraph 4.24 agreed to as
amended.

Paragraph 4.25 agreed to as
amended. All words from ‘Lobby
groups’ to ‘school communities’
moved to Paragraph 4.24. All words
from ‘Finally’ to ‘by the Committee’
deleted. Paragraph 4.24 (new
Paragraph 4.21) to be considered
for relocation to Chapter 2.

Paragraph 4.26 agreed to as
amended. All words from ‘Reports
to us’ to ‘protections for LGBTIQ+
staff and students***’ to be
relocated to Chapter 2.

Subchapter title ‘Further Measures’
amended to ‘Further Potential
Measures.’

Paragraph 4.27 agreed to as
amended.

Paragraph 4.28 agreed to as
amended. The Committee noted
consideration that further points be
included in the section titled Direct
Work regarding Discrimination and
Bullying including DECYP, TPA and
the AEU Tasmanian Branch.

The Committee noted further
consideration to be given to the
name of the section titled Mental
Health and Wellbeing, with Mental
Health, Relationships and Wellbeing
a possibility. This change would
allow future paragraphs to be
brought up to this section.

Paragraph 4.29 agreed to as
amended.

Paragraph 4.30 agreed to.

Paragraph 4.31 agreed to.

Paragraph 4.32 deleted.

Paragraph 4.33 agreed to.

Paragraph 4.34 agreed to.

Paragraph 4.35 agreed to.
Committee noted that further
content regarding the structure of
DECYP could be added here
including the following: district
discussion from Private Witnesses
on 14 February 2025, DECYP

discussion about change
responsiveness and changing role
of principals.

Paragraph 4.36 agreed to but to be
reconsidered to move to Chapter 3.

Paragraph 4.37 agreed to but to be
reconsidered to move to Chapter 3.

Paragraph 4.38 agreed to, with
amended placement to now be new
Paragraph 4.30.

Suspension of sitting from 11.01 a.m.
to 11.12 a.m.

Paragraph 4.39 agreed to, with
amended placement to now be new
Paragraph 4.31.

Paragraph 4.40 agreed to as
amended, to be reconsidered to
move to Chapter 2.

Paragraph 4.41 agreed to.

Paragraphs 4.42 to 4.43 postponed,
with content from Hansard extracts
to be summarised.

Paragraph 4.44 postponed, with
placement also to be reconsidered.

Paragraph 4.45, agreed to as
amended, to be reconsidered to
move to Direct Work regarding
Discrimination and Bullying section.

Paragraphs 4.46 to 4.48 agreed to.

Paragraph 4.49 agreed to as
amended, placement to be
reconsidered.

Paragraph 4.50 agreed to.

Paragraph 4.51 agreed to as
amended, with further amendment
to be made.

Paragraph 4.52 agreed to as
amended.

Paragraph 4.53 agreed to as
amended.

Paragraph 4.54 agreed to.

Paragraph 4.55 agreed to as
amended.

Paragraph 4.56 agreed to.

Paragraphs 4.57 to 4.58 agreed to
as amended.

Paragraph 4.59 agreed to.

Paragraph 4.60 agreed to as
amended.

Paragraph 4.61 agreed to but to be
reconsidered to move to Chapter 2.

Paragraph 4.62 agreed to.

Paragraph 4.63 agreed to as
amended.

Paragraphs 4.64 to 4.66 postponed,
with content from Hansard extracts
to be summarised.

Paragraphs 4.67 agreed to as
amended.

Suspension of sitting from 12:30
p.m. – 1:43 p.m.

Members Present

Ms Dow (Chair)

Mr Bayley

Mr Ferguson

Ms Johnston

Mr Willie

Paragraph 4.68 agreed to.

Committee noted that 2024/2025
data may be sought to add to the
existing data table.

Paragraph 4.69 agreed to.

Paragraph 4.70 agreed to as
amended, with further
consideration to be given.

Paragraph 4.71 agreed to as amended.

Findings and Recommendations postponed.

Chapter 5 considered:

Paragraph 5.1 agreed to.

Paragraph 5.2 agreed to as amended.

Paragraphs 5.3 to 5.7 agreed to.

Paragraph 5.8 agreed to as amended.

Paragraphs 5.9 to 5.10 agreed to.

Paragraph 5.11 agreed to as amended, being relocated to be new Paragraph 5.8.

Paragraph 5.12 agreed to.

Paragraph 5.13 agreed to as amended, with further consideration to be given.

Paragraph 5.14 agreed to as amended.

Paragraphs 5.15 to 5.16 agreed to as amended.

Paragraph 5.17 deleted.

Paragraph 5.18 agreed to. The Committee noted that additional evidence may be included regarding homosexual teachers in the Catholic system after this paragraph.

Paragraph 5.19 agreed to.

Paragraph 5.20 deleted.

Paragraph 5.21 agreed to.

Paragraph 5.22 agreed to as amended.

Paragraph 5.23 agreed to as amended. The Committee noted that additional information regarding the statistics of Catholic school attendees may be included below this Paragraph.

Paragraphs 5.24 to 5.27 agreed to.

Paragraph 5.28 agreed to as amended.

Paragraphs 5.29 to 5.36 agreed to.

At 3.26 p.m. Mr Willie withdrew. At 3.33 p.m. Mr Willie returned.

Paragraph 5.37 agreed to as amended, relocated to below Paragraph 5.38. Submission extract split, with all words from 'a third important' to 'are to be treated' to be reconsidered for placement in an earlier Chapter of the report.

Paragraph 5.38 agreed to as amended.

Paragraphs 5.39 to 5.40 agreed to, but to be reconsidered to move to Chapter 4.

Paragraph 5.41 agreed to as amended. Lead in and all words from 'AEU Members' to 'funded replacement staff' to be reconsidered to move to Chapter 4.

New paragraph to be created from remainder of Paragraph 5.41, including all words from 'Union membership' to 'membership and activity.'

Paragraphs 5.42 to 5.43 agreed to.

Paragraph 5.44 deleted.

Paragraph 5.45 agreed to.

Paragraph 5.46 deleted.

Findings and Recommendations postponed.

Chapter 6 considered:

Paragraphs 6.1 to 6.3 agreed to.

Paragraph 6.4 agreed to as amended.

Paragraph 6.5 agreed to.

Paragraphs 6.6 to 6.7 agreed to as amended.

Paragraphs 6.8 to 6.11 agreed to.

Paragraph 6.12 agreed to as amended.

Paragraphs 6.13 to 6.14 agreed to as amended.

Paragraphs 6.15 to 6.19 agreed to as amended.

Paragraphs 6.20 –to 6.23 agreed to.

Paragraph 6.24 agreed to as amended, but to be reconsidered to move to Chapter 4.

Paragraph 6.25 agreed to as amended, but to be reconsidered to move to Chapter 4.

Findings and Recommendations postponed.

OTHER MATTERS

FURTHER REPORT DELIBERATIONS

The Committee discussed the future consideration of the draft report.

Resolved, the following meeting schedule (Ms Dow):

- Friday 23 May 2025 – meeting cancelled;
- Monday 16 June 2025 – 11am – 5pm scheduled; and

- Monday 7 July 2025 – 9am – 12pm.

REDACTION OF HANSARD TRANSCRIPT OF 3 SEPTEMBER 2024

Resolved, that the Hansard Transcript from 3 September 2024, during the appearance of representatives from Christian Education National and Christian Schools Australia be redacted to remove the use of the names of minors in 10 instances. (Mr Ferguson)

At 4.28 p.m. the Committee adjourned until 16 June 2025. Confirmed,

52nd Parliament Government Administration Committee A

Wednesday 10 December 2025

(No. 2 of Gov A)

(No. 1 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 3 and via Teams, at 2.30 p.m.

Members present:

Mr Mitchell (Chair)

Ms Burnet

Via Teams:

Mr Bayley

Mr Ferguson

Ms Johnston

Mr Shelton

APOLOGIES

Ms Dow was an apology.

ELECTION OF DEPUTY CHAIR FOR THE INQUIRY

The Committee deferred to later in the meeting.

CONDUCT OF INQUIRY

The Committee discussed the conduct of the Inquiry, noting that prior to Dissolution in June 2025, the former Inquiry had been considering the Chair's Draft Report.

At 2.33 p.m. Mr *Ferguson* joined the meeting via Teams.

Consideration of the conduct of the Inquiry continued.

At 2.36 p.m. Ms *Burnet* took a seat at the Table.

Consideration of the conduct of the Inquiry continued.

Ms *Johnston* made the following motion:

That the Committee invite new Archbishop Tony Ireland and Catholic Education Tasmania's CEO Dr Gerard Gaskin to appear before a 1-hour public hearing and that the Committee invite Rodney Croome of Equality Tasmania to appear before a 1-hour public hearing (Ms *Johnston*).

The Committee deliberated.

And the Question being put –

The Committee divided.

Ayes 4	Noes 2
Mr <i>Bayley</i>	Mr <i>Ferguson</i>
Ms <i>Burnet</i>	Mr <i>Shelton</i>
Ms <i>Johnston</i>	
Mr <i>Mitchell</i>	

And so it passed in the Affirmative.

Resolved, that the Secretary contact Members for availability for a hearing to be held in late January 2026, at which the aforementioned witnesses will be invited to attend (Mr *Mitchell*).

ELECTION OF DEPUTY CHAIR FOR THE INQUIRY

The Chair called for nominations for Deputy Chair for the duration of the Inquiry.

Mr *Mitchell* nominated Ms *Burnet*, who consented to the nomination.

This nomination was seconded by Ms *Johnston*.

There being no other candidates nominated, the Chair declared Ms *Burnet* elected as Deputy Chair for the duration of the Inquiry.

OTHER MATTERS

Nil.

At 2.59 p.m. the Committee adjourned until a date to be determined.

Confirmed,

Government Administration Committee A

Wednesday 28 January 2026

(No. 3 of Gov A)

(No. 2 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1 and via Teams, at 10.15 a.m.

Members present:

Mr *Mitchell* (*Chair*)

Mr *Bayley*

Ms *Burnet*

Ms *Johnston*

Via Teams:

Ms Dow

APOLOGIES

Mr Shelton and Mr Ferguson were apologies.

PRIVATE DELIBERATION

The Committee deliberated about the attendance of the following additional witnesses as requested by Mr Croome to attend for today's hearing with Equality Tasmania:

- Mr Leon Pecl
- Ms Amilie Courtney and
- Mr Sam Johnstone.

Following discussion the Committee *Resolved*, to hear the above witnesses in public.

PUBLIC HEARING

At 10.24 a.m. Mr Rodney Croome, Spokesperson, Equality Tasmania, and Ms Amilie Courtney and Mr Leon Pecl, appeared before the Committee, were sworn and examined by the Committee in public.

At 10.30 a.m. Mr Sam Johnstone, appeared before the Committee via Microsoft Teams, was sworn and examined by the Committee in public.

At 10.44 a.m. Mr Johnstone withdrew.

At 11.05 a.m. the Committee went in camera.

At 11.05 a.m. The Committee resumed hearing evidence in public.

Resolved, that the previously confidential submission of Amilie

Courtney be published (Mr Mitchell).

At 11.42 a.m. the witnesses withdrew.

Suspension of sitting 11.42 a.m. to 11.44 a.m.

DELIBERATIVE: -**CORRESPONDENCE RECEIVED**

The Committee noted and accepted the correspondence from the Archbishop, Anthony Ireland dated 23 December 2025.

Resolved, to publish the letter to the Archbishop and CET requesting their attendance and the subsequent reply (Ms Johnstone).

MINUTES

The minutes of the meeting held 10 December 2025 were adopted as an accurate record (Ms Johnstone).

INQUIRY NEXT STEPS

The Committee discussed next steps for the inquiry.

Resolved, that the Committee Secretary recirculate the advice received from the then Acting Anti-Discrimination Commissioner Pia Saturno regarding anti-discrimination legislation (Ms Johnstone).

Resolved, that the secretariate incorporate today's evidence into the existing draft report and organise dates for report deliberative meetings (Mr Mitchell).

OTHER MATTERS

Nil.

At 11.51 a.m. the Committee adjourned until a date to be determined.

Confirmed,

**Government Administration
Committee A**

Wednesday 25 February 2026

(No. 4 of Gov A)

(No. 3 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 3 and via Teams, at 11 a.m.

Members present:

Mr Mitchell (*Chair*)

Mr Bayley

Ms Johnston

Via Teams:

Ms Burnet

Ms Dow

APOLOGIES

Mr Shelton and Mr Ferguson were apologies.

MINUTES

The minutes of the meeting dated 28 January 2026 were agreed to as an accurate record (Ms Johnston).

CORRESPONDENCE

The following correspondence was noted:

- Letter dated 2 February 2026 from Archbishop Anthony Ireland; and
- Email dated 16 February 2026 from Danny Haines

Resolved, that the letter from the Archbishop be published and incorporated into the Report (Ms Johnston).

REPORT DELIBERATION

The Committee considered the draft report.

The Committee resolved to consider each of the previously suggested amendments to the Report in full.

Paragraph 1.2 reconsidered and agreed to.

Paragraph 1.4 agreed to as amended.

Paragraph 2.4 agreed to as amended.

Proposed new paragraph 1.14 agreed to.

Paragraph 1.14 (1.15) agreed to as amended.

Paragraphs 1.15 to 1.18 (1.16-1.19) agreed to.

Paragraph 2.7 agreed to as amended.

Proposed new paragraph 2.12 (moved from 4.56) agreed to as amended.

Proposed new paragraph 2.14 (2.15) agreed to as amended.

Proposed new paragraph 2.19 (2.20) agreed to.

Proposed amendment to paragraph 2.18 agreed to.

Proposed new paragraph 2.20 (2.21) agreed to as amended.

Proposed new paragraph 2.21 (2.23) agreed to.

Proposed new paragraph 2.23 (2.28) agreed to –

Resolved, to write to the Minister for updated statistics (Mr Bayley).

The Committee considered whether or not both paragraphs 2.24 and 2.25 (2.30 & 2.31) needed to be included. Resolved, that both be included and agreed to (Mr Mitchell).

New paragraphs from the hearing on 28 January 2026 considered:

Paragraphs 2.27 to 2.32 (2.33 – 2.38) agreed to as amended.

Proposed new paragraph 2.26 (2.42) (from 4.22) agreed to be moved.

Proposed new paragraph 2.37 (2.43) (from 4.21) agreed to be moved.

Paragraph 2.39 (2.47) reconsidered for inclusion - Resolved, to keep where it is (Ms Johnston).

Proposed new paragraph 2.40 (2.48 & 2.49) (from end paragraph 5.36) agreed to as amended.

Suspension of sitting from 12:50 p.m. – 1:01 p.m.

Resolved, due to member availabilities to cancel the meeting of 16 March 2026 and hold a meeting on 20 March 2026 from 2 p.m. to 5 p.m. (Mr Mitchell).

Report amendments further considered.

Paragraph 2.42 (2.52) agreed to as amended.

Proposed new paragraph 2.43 (2.53) agreed to as amended.

Proposed new paragraphs 2.45 (2.57) & 2.46 (2.58) agreed to as amended.

New paragraph 2.47 (2.57) inserted.

At 1.59 p.m. the Committee adjourned until Friday, 20 March 2026.

Confirmed,

**Government Administration
Committee A
Friday, 29 May 2026**

(No. 5 of Gov A)

(No. 4 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House, Hobart, in Committee room 3 and via Teams, at 11.01 a.m.

Members present:

Mr Mitchell (Chair)

Ms Burnet

Ms Johnston

Via Teams:

Ms Dow

Mr Shelton

APOLOGIES

Mr Bayley and Mr Ferguson were apologies.

MINUTES

The minutes of the meeting dated 25 February 2026 were agreed to as an accurate record (Ms Johnston).

INCOMING CORRESPONDENCE

The correspondence from the Hon. Jo Palmer MLC, Minister for Education, dated 16 April 2026 was received, noted and resolved to be published (Ms Dow).

REPORT DELIBERATION

The Committee considered the draft report, commencing from proposed New Paragraph 2.61 on page 42.

Proposed new Paragraph 2.61 inserted.

Paragraph 3.4 reconsidered and agreed to.

Proposed new Paragraph 3.15 considered, resolved to keep in original position as Paragraph 4.34.

Paragraph 3.17 reconsidered and agreed to.

Proposed new Paragraph 3.24, being original content from Paragraph 3.23, agreed to.

Proposed new Paragraph 3.25 inserted.

Proposed new Paragraph 3.26 considered, resolved to keep in original position as Paragraph 4.32.

Proposed new Paragraph 3.27 considered, resolved to keep in original position as Paragraph 4.33.

Paragraph 4.14 reconsidered and agreed to.

Paragraph 4.17 reconsidered and agreed to.

Proposed new subheading change from 'Direct Work regarding Discrimination and Bullying' to 'Increased Training and Supports' agreed to.

Proposed new Paragraph 4.24 inserted.

Proposed new Paragraph 4.25 inserted.

Proposed new Paragraph 4.26 amended and inserted.

Proposed new Paragraph 4.27 inserted.

Proposed new Paragraph 4.28 (moved from 5.38) agreed to.

Proposed new Paragraph 4.29 (moved from 5.39) agreed to.

Proposed new Paragraph 4.30 (moved from 5.40) agreed to.

Proposed new subheading change from 'Mental Health and Wellbeing' to 'Mental Health, Relationships and Wellbeing' agreed to.

Proposed new Paragraph 4.36 (moved from 5.39) amended and agreed to.

New inserted Paragraph (to be new Paragraph 4.37) agreed to replace existing Paragraph 4.36.

Proposed new Paragraph 4.37 inserted.

New inserted Paragraph (to be new Paragraph 4.38) agreed to replace existing Paragraph 4.37.

Proposed new Paragraph 4.43 inserted.

Proposed new Paragraph 4.44 inserted.

Proposed new Paragraph 4.45 amended and inserted.

Existing Paragraph 4.45 agreed to as amended.

Proposed new Paragraph 4.48 (moved from 6.25) agreed to.

Proposed new Paragraph 4.49 (moved from 4.43) agreed to.

Existing Paragraph 4.57 replaced with proposed new Paragraph 4.57 and agreed to.

Existing Paragraphs 4.58 and 4.59 replaced with proposed new Paragraph 4.58 and agreed to.

Existing Paragraph 4.63 agreed to as amended.

Proposed new Paragraph 4.64, being original content from Paragraph 4.63, agreed to.

Paragraph 5.13 reconsidered and agreed to.

Proposed new Paragraph 5.17 (to be Paragraph 5.18) inserted.

Proposed new Paragraph 5.21 inserted.

Proposed new Paragraph 5.22 inserted.

Paragraph 5.23 agreed to as amended.

Proposed new Paragraph 5.40, being original content from former Paragraph 5.40, agreed to.

Current Paragraph 2.29 replaced with proposed new Paragraph 2.30.

Resolved, that the Committee halt its consideration of the Draft Report until an edited version has been provided. This edited version of the Draft Report is to include any additional propositions for findings and recommendations which have been flagged by both versions of the Committee (*Mr Mitchell*).

OTHER MATTERS

Nil.

NEXT MEETING

Wednesday, 10 June 2026

At 12.10 p.m. the Committee adjourned until 10 June 2026.

Confirmed,

Government Administration Committee A

Wednesday 10 June 2026

(No. 6 of Gov A)

(No. 5 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1, at 9.30 a.m.

Members present:

Mr Mitchell (Chair)

Mr Bayley

Ms Burnet

Ms Johnston

Mr Ferguson

Mr Shelton

APOLOGIES

Ms Dow was an apology.

Minutes

The minutes of the meeting held 29 May 2026 as read, were accepted as an accurate record (*Ms Johnston*).

REPORT DELIBERATION

The Committee continued to consider its draft report.

Chapter 1 considered.

Paragraph 1.1 agreed to.

Paragraphs 1.2 & 1.3 agreed to as amended.

Paragraphs 1.4 to 1.13 agreed to.

Paragraph 1.14 agreed to as amended.

Paragraphs 1.15 to 1.20 agreed to.

Chapter 2 considered.

Paragraph 2.1 agreed to.

Paragraphs 2.2 to 2.6 agreed to as amended.

Paragraphs 2.7 to 2.12 agreed to.

Paragraph 2.13 agreed to as amended.

Paragraph 2.14 agreed to.

Paragraph 2.15 agreed to as amended.

Paragraph 2.16 agreed to.

Paragraph 2.17 agreed to as amended.

Paragraph 2.18 agreed to.

Paragraph 2.19 agreed to as amended.

Paragraphs 2.20 to 2.23 agreed to.

Paragraphs 2.24, 2.25 and 2.26 agreed to as amended.

Paragraphs 2.27 and 2.28 agreed to.

Paragraph 2.29 agreed to as amended.

Paragraph 2.30 agreed to.

Paragraph 2.31 agreed to as amended.

Paragraph 2.32 agreed to.

Paragraphs 2.33 & 2.34 agreed to as amended.

Paragraph 2.33 further amended.

Paragraphs 2.35 to 2.44 agreed to.

Paragraphs 2.45 & 2.46 agreed to as amended.

Paragraph 2.47 agreed to.

Paragraphs 2.48 & 2.49 agreed to as amended.

Paragraph 2.50 agreed to.

Paragraph 2.51 agreed to as amended.

Paragraph 2.52 agreed to.

Paragraph 2.53 agreed to as amended.

Paragraph 2.54 agreed to.

Paragraph 2.55 agreed to as amended.

Paragraph 2.56 agreed to.

Paragraphs 2.57 & 2.58 agreed to as amended.

Paragraph 2.59 agreed to as amended.

Mr Ferguson proposed the following additional evidence from the letter from Archbishop Ireland be inserted in Paragraph 2.59:

“The Archdiocese has engaged in this process in good faith to inform and support the inquiry into steps to prevent and remedy unjust discrimination and all forms of bullying in all Tasmanian schools. Notwithstanding the Committee's terms of reference, Mr Croome's remarks in his ABC interview suggest a disturbingly more narrow and targeted focus. It would be deeply regrettable if the Committee's efforts to address serious concerns for Tasmanian Schools were to be significantly influenced by such a narrow focus.

As stated in my 23 December letter, we are not in a position to contribute anything further at this time.

However, I do feel obliged to inform you that some of the testimony that was presented on Wednesday by the Equality Tasmania witnesses was not consistent with the declaration sworn to present "the whole truth and nothing but the truth". While we are constrained by the terms of a non-disclosure agreement from correcting the record, the Committee should be made aware that the testimony should not be relied upon for the purposes that it was proposed."

And the Question being put - That the words be inserted

The Committee divided

Ayes 2	Noes 4
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Mr Mitchell

And so it was resolved in the Negative.

Paragraph 2.59 further amended and agreed to.

Paragraphs 2.60, 2.61 and 2.62 agreed to as amended.

The Committee considered the Findings for Chapter 2.

Mr Mitchell proposed the following three findings:

1. *Bullying, discrimination and harassment are real and persistent problems in Tasmanian schools across all sectors.*

2. *Bullying, discrimination and harassment have damaging impacts on individuals, and the wider community, and can have lasting and devastating impacts.*
3. *The vast majority of staff and students at Tasmanian schools are supported at schools across all sectors.*

Findings 1 & 2 agreed to.

Finding 3 agreed to with the following amendment:

Following the words 'across all sectors.' insert the following

This is testament to the effort and care provided by education administrators and frontline staff, including principals, teachers and support staff Community organisations working in partnership with schools also provide important support for staff, students and families.

Finding 2 (new 4) agreed to as amended.

Finding 3 new 5) agreed to as amended.

Finding 4 (new 6) agreed to as amended.

Finding 5 (new 7) agreed to as amended.

Finding 6 (new 8) agreed to as amended.

Finding 7 (new 9) amended.

At 11.38 a.m. Mr Bayley withdrew.

Finding 8 considered.

At 11.40 a.m. Mr Bayley returned to the Table.

Finding 8 deleted.

Finding 9 (new 10) agreed to as amended.

Finding 10 (new 11) considered.

Mr Ferguson proposed the following new wording:

The Committee received evidence from some students with disability and their families who reported accommodations within schools did not always meet their needs and this contributed to negative impacts on learning, feelings of isolations and lower self-esteem.

The Committee made further amendments resolving the following be agreed to:

11. Some students with disability are not provided appropriate accommodations that meet their needs and this contributes to negative impacts on learning, feelings of isolation and lower self-esteem.

Finding 11 (new 12) agreed to as amended.

Finding 12 (new 13) amended as follows:

13. The inclusion of family members and external carers in the planning for accommodations and care of students with disability in Tasmanian schools is not always facilitated.

Mr Mitchell moved that new Finding 13 be agreed to

And the Question being put -

The Committee divided

Ayes 4	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

The Committee considered the draft recommendations for Chapter 2:

Mr Mitchell proposed the following recommendation:

1. The Government implement policies and procedures to ensure transgender or gender diverse names be used at all times in both government and non-government schools.

The Committee discussed the above proposed recommendation.

Suspension of sitting 12.28 p.m. to 1.18 p.m.

Members present:

Mr Mitchell, Ms Burnet, Ms Johnston, Mr Ferguson and Mr Shelton

The Committee continued to consider proposed recommendation 1.

At 1.20 p.m. Mr Bayley came to the Table.

Recommendation 1 was further amended to the following:

1. All schools implement policies and procedures that support the use of transgender or gender-diverse students'

preferred names. Where a preferred and legal name are the same, schools must ensure compliance with the legal name.

Amendment proposed (Mr Ferguson)

Insert the words 'with parental approval' following the words 'preferred names'

And the Question being put -

The Committee divided

Ayes 2	Noes 4
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Mr Mitchell

And so it passed in the Negative.

And the Question being put - That Recommendation 1, as read, be agreed to.

The Committee divided

Ayes 4	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

Recommendation 2 considered and amended as follows:

2. All schools provide individual stall unisex bathrooms as part of upgrades and redevelopments or when budgets otherwise allow.

And the Question being put - That Recommendation 2 be agreed to

The Committee divided

Ayes 4	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

Recommendation 3 considered and amended as follows:

3. The Government liaise with the Non-Government school sector to endorse the provision of appropriate and consistent policies and facilities across the Government and Non-Government school sectors for transgender or gender-diverse students in Tasmania.

And the Question being put - That Recommendation 3 be agreed to

The Committee divided

Ayes 4	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

New Recommendation proposed (Ms Johnston)

x. All schools implement policies, procedures and upgrades that deliver appropriate accommodations to meet the needs of students with disability.

Amendment proposed to include the words 'where practicable,'

after ‘accommodation’ (Mr Ferguson).

And the Question being put - That the amendment to the proposed Recommendation be agreed to

Ayes 2	Noes 4
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Mr Mitchell

And so it was resolved in the Negative.

And the Question being put - That the proposed Recommendation be agreed to -

The Committee divided

Ayes 5	Noes 1
Mr Bayley	Mr Shelton
Ms Burnet	
Mr Ferguson	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

New Recommendation 1 proposed (Mr Bayley)

1. All schools actively implement their anti-discrimination and anti-bullying policies.

And the Question being put - That new Recommendation 1 be agreed to

And it was resolved in the Affirmative.

New Recommendation 3 proposed (Ms Johnston)

3. All schools ensure that family members and external carers be

consulted in the planning for accommodations and care for students with disability.

And the Question being put – That new Recommendation 3 be agreed to

And it was resolved in the Affirmative.

Chapter 2 Findings further considered.

Finding 9 was reconsidered and then postponed for further consideration:

9. Evidence from LGBTIQ+ community members report discrimination and bullying, including a lack of support, particularly in some Catholic schools.

Chapter 1 considered.

The Question was put - That paragraphs 1.1 to 1.20 be agreed to stand as part of the Report.

And it was resolved in the Affirmative.

Chapter 2 considered.

The Question was put - That paragraphs 2.1 to 2.62 be agreed to stand as part of the Report.

And it was resolved in the Affirmative.

The Committee considered further future meeting dates.

Resolved, to meet on Friday, 19 June from 8.30 a.m. to 12 p.m.

The Committee considered Chapter 3 of the draft Report.

Paragraph 3.1 agreed to as amended.

Paragraphs 3.2 to 3.4 agreed to.

Paragraphs 3.5, 3.6, and 3.7 agreed to as amended.

Paragraph 3.8 omitted.

Paragraph 3.9 (new 3.8) agreed to as amended.

Paragraphs 3.10 to 3.19 (new 3.9 to 3.18) agreed to.

Paragraphs 3.20, 3.21 & 3.22 (new 3.19, 3.20 & 3.21) agreed to as amended.

Paragraph 3.23 (new 3.22) agreed to.

Paragraph 3.24 (new 3.23) agreed to as amended.

Paragraph 3.25 (new 3.24) & 3.26 (new 3.25) agreed to.

Chapter 3 Findings were considered.

Finding 13 (new 15) considered. Findings 14 and 15 were merged with Finding 13.

Finding 13 (new 15) agreed to as amended.

Finding 16 agreed to as amended.

At 3 p.m. Mr Bayley withdrew.

Finding 17 amended.

At 3.01 pm. Mr Bayley returned to the Table.

Finding 17 omitted.

Finding 18 (new 17) agreed to as amended.

Finding 19 (new 18) considered as amended by the Chair.

Amendment proposed (Mr Ferguson)

Insert the word 'report' after 'Some Tasmanian families'

And the Question being put – That the Amendment be agreed to

The Committee divided

Ayes 2	Noes 4
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Mr Mitchell

And so it passed in the Negative.

And the Question being put that new Finding 18 be agreed to

And it passed in the Affirmative.

Finding 20 (new 19) agreed to as amended.

Finding 21 (new 20) agreed to.

Finding 22 (new 21) agreed to as amended.

Finding 23 (new 22) agreed to as amended.

Finding 24 omitted.

Finding 25 amended and to be moved to Chapter 4.

Finding 26 (new 23) agreed to as amended.

Finding 27 (new 24) agreed to as amended.

Finding 28 (new 25) agreed to as amended.

Finding 29 (new 26) agreed to as amended.

Findings 30, 31 and 32 (new 27, 28 and 29) were read.

Resolved, Findings 30, 31 and 32 (new 27, 28 and 29) be considered next meeting and that the secretariate provide a paragraph for each indicating which evidence relates to these findings (Mr Ferguson).

ANY OTHER MATTERS

There were no other matters.

NEXT MEETING

Friday, 19 June 2026.

At 4.09 p.m. the Committee adjourned until Friday, 19 June 2026. Confirmed,

Government Administration Committee A

Friday 19 June 2026

(No. 7 of Gov A)

(No. 6 of the inquiry into discrimination and bullying in Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1, at 8.29 a.m.

MEMBERS PRESENT:

Mr Mitchell (*Chair*)

Mr Bayley

Ms Burnet

Ms Dow

Ms Johnston

VIA TEAMS:

Mr Ferguson

Mr Shelton

APOLOGIES

There were no apologies.

CORRESPONDENCE

The Committee received and noted the following correspondence:

- Muria Roberts email and attachment dated 16 June 2026.

The Committee resolved to respond to Ms Roberts declining her request to invite her and others to give evidence before the Committee, noting the Committee is in the final stages of its Report and will not be considering further evidence at this time (Mr Mitchell).

REPORT DELIBERATION

The Committee continued to consider its draft report.

Postponed Finding 9 reconsidered.

A Motion was made and the Question being put - That Finding 9 stand part of the Report;

The Committee divided

Ayes 3	Noes 4
Mr Bayley	Ms Dow
Ms Burnet	Mr Ferguson
Ms Johnston	Mr Mitchell
	Mr Shelton

And it was resolved in the Negative.

Noted, that in the meeting dated 10 June 2026 Ms Johnston had proposed a new Finding 10 be made in relation to gifted students. In light of the removal of Finding 9, Resolved, not to propose an additional Finding.

Chapter 3 Findings further considered.

Finding 27 was moved to Chapter 4.

Finding 28 (new 25) agreed to as amended.

Finding 29 (new 26) amended.

And the Question being put - That Finding 29 (new 26) as amended, be agreed to;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

Recommendations for Chapter 3 considered.

Recommendation 7 agreed to.

Recommendation 8 amended.

And the Question being put - That Recommendation 8, as amended, be agreed to.

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

Recommendation 9 amended.

And the Question being put - That Recommendation 9, as amended, be agreed to.

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

Recommendation 10 amended.

Resolved, to move Recommendation 10 to Chapter 4.

Recommendation 11 (new 10) amended.

Amendment proposed (Mr Ferguson)

That the word 'review' be inserted after 'Government'

And the Question being put:

The Committee divided

Ayes 2	Noes 5
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Ms Dow
	Mr Mitchell

And it was resolved in the Negative.

Recommendation 11 (new 10) agreed to as first amended.

Recommendation 12 (new 11) agreed to as amended.

Recommendation 13 (new 12) agreed to as amended.

And the Question was put - That paragraphs 3.1 to 3.25 be agreed to stand as part of the Report.

And it was resolved in the Affirmative

Chapter 4 considered.

Paragraph 4.1 agreed to as amended.

Paragraph 4.2 agreed to.

Paragraph 4.3 agreed to as amended.

Paragraph 4.4 agreed to.

Paragraph 4.5 agreed to as amended.

Paragraphs 4.6 & 4.7 agreed to.

Paragraph 4.8 agreed to as amended.

Paragraphs 4.9, 4.10, 4.11 & 4.12 agreed to as amended.

Paragraph 4.13 agreed to.

Paragraphs 4.14 & 4.15 agreed to as amended.

Paragraphs 4.16 & 4.17 agreed to.

Paragraphs 4.18 & 4.19 agreed to as amended.

Paragraphs 4.20 to 4.32 agreed to as amended.

Paragraph 4.33 agreed to.

Paragraphs 4.34 to 4.36 agreed to as amended.

Paragraph 4.37 agreed to.

Paragraphs 4.38 to 4.46 agreed to as amended.

Suspension of sitting 10.10 a.m. to 10.17 a.m.

Members present:

Ms Johnston, Ms Dow, Mr Mitchell in person and Mr Ferguson and Mr Shelton via Teams.

The Committee discussed a proposed amendment from Mr Ferguson. Resolved, to consider this as part of the Findings of Chapter 4.

At 10.18 a.m. Ms Burnet returned to the Table.

Paragraphs 4.47 to 4.50 agreed to as amended.

Paragraph 4.51 considered.

At 10.27 a.m. Mr Bayley returned to the Table.

Paragraph 4.51 agreed to as amended.

Paragraphs 4.52 to 4.55 agreed to as amended.

Paragraph 4.56 agreed to.

Paragraphs 4.57 & 4.58 agreed to as amended.

Paragraph 4.59 amended.

Noted, that Mr Ferguson objected to the inclusion of evidence from Mr Punch.

And the Question being put - That Paragraph 4.59, as amended, be agreed to.

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

Paragraphs 4.60 & 4.61 agreed to as amended.

Paragraphs 4.62 & 4.63 omitted.

Paragraph 4.64 (new 4.62) agreed to as amended.

Paragraphs 4.65 (new 4.63) & 4.66 (new 4.64) agreed to as amended.

Paragraphs 4.67 (new 4.65) & 4.68 (new 4.66) agreed to.

Paragraphs 4.69 (new 4.67) to 4.73 (new 4.71) agreed to as amended.

Paragraph 4.74 (new 4.72) amended and split into two numbered paragraphs (new 4.72 & new 4.73).

And the Question being put – That new Paragraph 4.72 & 4.73 be agreed to.

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And it was resolved in the Affirmative.

Former Paragraph 4.75 (new 4.74) agreed to as amended.

Findings of Chapter 4 considered.

Finding 30 deleted.

New Finding proposed (Mr Ferguson)

“The Committee recognises that faith-based schools form a longstanding and lawful part of Tasmania's education system and that many families choose such schools because they wish their children to be educated in accordance with a particular religious tradition and ethos. The Committee recognises that other families may choose such schools for other reasons but nonetheless respect the faith environment they are seeking to join. The Committee

further recognises that faith-based schools play an important role in teaching, modelling and practising the beliefs and values of their faith communities, including in matters relating to worship, family life, moral teaching and religious observance.”

The Committee discussed the above finding(s).

Following lengthy discussion, the Chair moved that the proposed finding be re-considered as part of the Findings of Chapter 6.

And the Question being put;

It was resolved in the affirmative.

Finding 31 (new 30) agreed to as amended.

Finding 32 (new 31) amended.

And the Question put - That Finding 32 (new 31) be agreed to;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

Finding 33 considered.

And the Question being put - That Finding 33 be omitted

The Committee divided

Ayes 4	Noes 3
Ms Dow	Mr Bayley
Mr Ferguson	Ms Burnet
Mr Mitchell	Ms Johnston
Mr Shelton	

And so it was resolved in the Affirmative.

Previous Finding 34 (new 32) considered.

Amendment proposed (Mr Ferguson)

Insert the words 'The Committee received evidence suggesting that' before 'There is a lack of'

And the Question being put – That the Amendment be agreed to

The Committee divided

Ayes 2	Noes 5
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Ms Dow
	Mr Mitchell

And it was resolved in the Negative.

Finding 34 (new 32) agreed to.

Finding 35 (new 33) agreed to as amended.

Finding 36 (new 34) agreed to as amended.

Finding 37 (new 35) agreed to as amended.

Finding 38 (new 36) agreed to as amended.

Finding 39 (new 37) agreed to as amended.

Finding 40 (new 38) agreed to as amended.

Finding 41 (new 39) read.

And the Question being put - That Finding 41 (new 39) be agreed to

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton

Ms Dow
Ms Johnston
Mr Mitchell

And so it was resolved in the Affirmative.

FUTURE MEETING DATES

The Committee *resolved*, that the secretariate circulate options for next meeting dates out of session (Mr Mitchell).

ANY OTHER MATTERS

Nil.

NEXT MEETING

At a date to be determined.

At 12.04 p.m. the Committee adjourned until a date to be determined.

Confirmed,

Government Administration Committee A

Wednesday 5 August 2026

(No. 8 of Gov A)

(No. 7 of the inquiry into
discrimination and bullying in
Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 3, at 9.15 a.m.

MEMBERS PRESENT:

Mr Mitchell (*Chair*)
Mr Bayley
Ms Burnet
Ms Johnston

VIA TEAMS:

Ms Dow

Mr Ferguson
Mr Shelton

Apologies

There were no apologies.

MINUTES

The minutes of the meetings held on 10 June 2026 and 19 June 2026, as read, were agreed to as an accurate record (*Ms Burnet*).

Report Deliberation

The Committee continued to consider its draft report.

Chapter 4 Findings continued to be considered.

Finding 37 agreed to as amended.

Finding 38 agreed to as amended.

Finding 39 deleted as is incorporated in Finding 38.

Finding 40 (new 39) agreed to as amended.

Finding 41 (new 40) agreed to as amended.

Finding 42 (new 41) agreed to as read.

Finding 43 deleted.

Finding 44 (new 42) re-considered as was moved from Chapter 3.

A motion being made and the Question being put, that Finding 44 (new 42) stand part of the Report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And it was resolved in the Affirmative.

Finding 45 (new 43) re-considered as it was moved from Chapter 3.

A Motion being made and the Question being put, that Finding 45 (new 43) stand part of the Report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And it was resolved in the Affirmative.

The Committee considered a number of new findings based on areas members had flagged in previous meetings for consideration;

Finding 46 (new 44) read.

And the Question being put - That Finding 46 (new 44) stand part of the Report;

The Committee divided

Ayes 6	Noes 1
Mr Bayley	Mr Ferguson
Ms Burnet	
Ms Dow	
Ms Johnston	
Mr Mitchell	
Mr Shelton	

And it was resolved in the Affirmative.

Finding 47 (new 45) considered and deleted.

Finding 48 (new 45) agreed to as amended.

The Recommendations for Chapter 4 were considered.

Recommendation 13 was considered and amended.

Further amendment proposed (Mr Ferguson).

Omit the word 'increase', and insert instead 'review to ensure sufficient'.

And the Question being put, that the amendment be agreed to;

The Committee divided

Ayes 2	Noes 5
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Ms Dow
	Mr Mitchell

And it was resolved in the Negative.

And the Question being put, that the recommendation be made part of the Report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And it was resolved in the Affirmative.

Recommendation 14 agreed to as amended.

Recommendation 15 agreed to as amended.

Recommendation 16 read.

And the Question being put, that Recommendation 16 stand part of the Report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And it was resolved in the Affirmative.

Recommendation 17 agreed to as amended.

Recommendation 18 agreed to as amended.

Suspension of sitting 10.38 a.m. to 10.53 a.m.

Members present:

Mr Bayley, Ms Johnston and Mr Mitchell

Via Teams: Ms Dow, Mr Ferguson, Mr Shelton

Recommendation 19 considered and deleted.

Recommendation 20 (new 19) considered.

At 10.57 a.m. Ms Burnet returned to the Table.

Recommendation 20 (new 19) further considered and agreed to as amended.

Recommendation 21 (new 20) agreed to as amended.

Recommendation 22 (new 21) agreed to as amended.

Recommendation 23 (new 22) agreed to as amended.

Recommendation 24 (new 23)
considered.

And the Question being put, that
Recommendation 24 (new 23) stand
part of the Report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the
Affirmative,

Recommendation 25 (new 24)
agreed to as amended.

Recommendation 26 (new 25)
considered.

And the Question being put, that
Recommendation 26 (new 25)
stand part of the Report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the
Affirmative

Recommendation 27 (new 26)
considered.

And the Question being put, that
Recommendation 27 (new 26)
stand part of the Report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson

Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the
Affirmative.

The Committee considered Chapter
5.

Paragraphs 5.1 to 5.4 agreed to.

Paragraphs 5.5, to 5.14 agreed to as
amended.

Paragraphs 5.15 to 5.17 agreed to.

Mr Ferguson made a request to
insert further evidence in 5.17 in
relation to the contract. To be
considered overnight.

Paragraphs 5.18 and 5.19 agreed to.

Paragraphs 5.20 and 5.21 agreed to
as amended.

Paragraph 5.22 agreed to.

Paragraph 5.23 and 5.24 agreed to
as amended.

Paragraph 5.25 and 5.26 agreed to.

Paragraphs 5.27 and 5.28 agreed to
as amended.

Paragraphs 5.29 and 5.30 agreed to.

Paragraph 5.31 and 5.32 agreed to
as amended.

Paragraph 5.33 agreed to.

Paragraphs 5.34 to 5.36 agreed to
as amended.

Paragraph 5.37 agreed to

Paragraph 5.38 agreed to as
amended.

Paragraph 5.39 agreed to.

Paragraphs 5.40 to 5.42 agreed to as amended.

Paragraph 5.43 agreed to.

Suspension of sitting from 12 p.m. to 12.46 p.m.

Members present:

Mr Bayley, Ms Burnet, Ms Johnston, Mr Mitchell

Via Teams: Ms Dow, Mr Ferguson, Ms Shelton.

The Findings of Chapter 5 were considered.

Finding 49 (new 46) considered and amended as below;

The Office of the Anti-Discrimination Commissioner has experienced significant barriers to the progression of complaints about the Department for Education, Children and Young People including failure to adhere to timeframes and inconsistency with Model Litigant Guidelines.

Further amendment proposed (Mr Ferguson).

Remove the words ‘and consistency with Model Litigant Guidelines.’

And the Question being put, that the amendment be agreed to;

Ayes 2	Noes 5
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Ms Dow
	Mr Mitchell

And it was resolved in the Negative.

And the Question being put that Finding 49 (new 46) as amended be made part of the Report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it was resolved in the Affirmative.

Finding 50 (new 47) was considered.

Amendment proposed (Mr Ferguson)

After the words ‘for complaints.’ Insert the following, ‘and it states it adheres to the Model Litigant Guidelines.’

And the Question being put, that the amendment be agreed to;

And it was resolved in the Affirmative.

And the Question being put, that Finding 50 (new 47) be agreed to as amended;

The Committee divided

Ayes 6	Noes 1
Mr Bayley	Ms Burnet
Ms Dow	
Mr Ferguson	
Ms Johnston	
Mr Mitchell	
Mr Shelton	

And so it was resolved in the Affirmative.

Finding 51 (new 48) agreed to as amended.

Finding 52 was considered and resolved to be moved to Recommendations.

Finding 53 and 54 (new 49 & 50) considered.

After a lengthy discussion, *Resolved*, that these findings be postponed until tomorrow's meeting (Mr *Mitchell*).

Finding 55 (new 51) agreed to.

Finding 56 (new 52) agreed to as amended.

Finding 57 deleted.

Finding 58 (new 53) amended and further considered.

The following was being considered:

'The Anti-Discrimination Act 1998 could be strengthened by increasing capacity for restorative justice.'

Resolved, that this be moved for consideration in Recommendations.

Finding 59 (new 53) considered.

Ms *Johnston* moved to postpone the consideration of Finding 59 (new 53) to tomorrow.

And the Question being put, that Finding 59 (new 53) be postponed;

The Committee divided

Ayes 3	Noes 4
Mr <i>Bayley</i>	Ms <i>Dow</i>
Ms <i>Burnet</i>	Mr <i>Ferguson</i>
Ms <i>Johnston</i>	Mr <i>Shelton</i>
	Mr <i>Mitchell</i>

And so it passed in the Negative.

And the Question being put, that Finding 59 (new 53) as read, be agreed to;

The Committee divided

Ayes 4	Noes 3
Ms <i>Dow</i>	Mr <i>Bayley</i>
Mr <i>Ferguson</i>	Ms <i>Burnet</i>
Mr <i>Shelton</i>	Ms <i>Johnston</i>
Mr <i>Mitchell</i>	

And so it passed in the Affirmative.

Resolved, that Finding 59 (new 53) be agreed as follows:

'Catholic Education Tasmania states its hiring processes enable the provision of Catholic education which meet the moral, legal, juridical and ecclesiastical obligations of the institution.'

The Committee considered the Recommendations of Chapter 5.

Recommendation 28 (new 27) was considered.

The following wording was considered:

'The Government review the *Anti-Discrimination Act 1998* and include a focus on obligations and duties to prevent and prohibit discrimination and bullying in Tasmanian schools.'

Amendment proposed (Mr *Ferguson*):

After the words 'Tasmanian schools.' Insert the following;

',' while appropriately recognising and balancing other rights and freedoms including freedom of

religion and belief, freedom of association, parental choice and the lawful operation of faith-based schools.'

And the Question being put, that the amendment be agreed to;

The Committee divided

Ayes 2	Noes 5
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Johnston
	Ms Dow
	Mr Mitchell

And it was resolved in the Negative.

And the Question put, that Recommendation 28 (new 27) stand as part of the report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And so it passed in the Affirmative.

Ms Johnston proposed a new Recommendation to follow new 27:

'28. The Government proactively ensures all Tasmanian schools are compliant with the obligations and duties of the Anti-Discrimination Act 1998.'

And the Question being put, that the proposed recommendation be made part of the report;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton

Ms Dow
Ms Johnston
Mr Mitchell

And it was resolved in the Affirmative.

Recommendation 29 agreed to.

The Committee considered the following moved from Findings:

'There is a need for strengthening of the *Anti-Discrimination Act 1998* to provide for clearer guidelines for schools and harsher penalties for non-compliance'

'The *Anti-Discrimination Act 1998* could be strengthened by increasing capacity for restorative justice.'

Resolved, that both of the above be deleted (Mr Mitchell).

The Committee considered Chapter 6 of the report.

Paragraph 6.1 agreed to as amended.

Paragraph 6.2 agreed to.

Paragraphs 6.3 and 6.4 agreed to as amended.

Paragraphs 6.5 and 6.6 agreed to.

Paragraphs 6.7 to 6.11 agreed to as amended.

Paragraphs 6.12 & 6.13 agreed to.

Paragraphs 6.14 agreed to as amended.

Paragraph 6.15 agreed to.

Paragraphs 6.16 to 6.20 agreed to as amended.

Paragraph 6.21 agreed to.

Paragraph 6.22 and 6.23 agreed to as amended.

The Findings for Chapter 6 were considered.

Finding 60 (new 55) agreed to as amended.

Suspension of sitting 2.36 p.m. to 2.48 p.m.

Members present:

Ms Burnet, Ms Johnston, Mr Mitchell

Via Teams: Ms Dow, Mr Ferguson, Mr Shelton

Finding 61 (new 55) agreed to as amended.

The Committee considered the previously proposed findings from Mr Ferguson:

New Finding proposed (Mr Ferguson)

“The Committee recognises that faith-based schools form a longstanding and lawful part of Tasmania's education system and that many families choose such schools because they wish their children to be educated in accordance with a particular religious tradition and ethos. The Committee recognises that other families may choose such schools for other reasons but nonetheless respect the faith environment they are seeking to join. The Committee further recognises that faith-based schools play an important role in teaching, modelling and practising the beliefs and values of their faith communities, including in matters relating to worship, family life,

moral teaching and religious observance.”

The Committee discussed the above finding(s).

At 2.53 p.m. Mr Bayley returned to the Table.

Consideration of proposed new findings continued.

Amendment proposed (Ms Burnet)

That all words after ‘tradition and ethos.’ be omitted.

The Committee discussed the above amendment.

Ms Dow proposed that the Committee postpone the above, consider it overnight, and continue its consideration tomorrow.

And the Question being put, that consideration of the proposed findings and its amendment be postponed until tomorrow;

And it as resolved in the Affirmative.

The Committee considered the Recommendations of Chapter 6.

Recommendation 30 agreed to as amended.

Recommendation 31 agreed to as amended.

Recommendation 32 agreed to as amended.

ANY OTHER MATTERS

The were no other matters

NEXT MEETING

Thursday 6 August 2026 at 9 a.m.

At 3.31 p.m. the Committee adjourned until Thursday 6 August 2026.

Unconfirmed,

GOVERNMENT ADMINISTRATION

COMMITTEE A

THURSDAY 6 AUGUST 2026

(No. 10 of Gov A)

(No. 8 of the inquiry into
discrimination and bullying in
Tasmanian schools)

The Committee met at Parliament House Hobart, in Committee room 1, at 9 a.m.

MEMBERS PRESENT:

Mr Mitchell (Chair)

Mr Bayley

Ms Burnet

Ms Johnston

VIA TEAMS:

Ms Dow (from 9.04 a.m.)

Mr Ferguson

Mr Shelton

APOLOGIES

There were no apologies.

REPORT DELIBERATIONS

The Committee continued to consider its draft report.

Chapter 2 reconsidered.

Proposed new Paragraphs before existing Paragraph 2.17 agreed to as amended, noting administrative amendments to be made by Secretary prior to tabling:

“The Committee heard from witnesses who had had both positive and negative experiences in Tasmanian schools, including in relation to instances of

discrimination and bullying, or the management of these matters.

Evidence was received which supported and provided positive experiences in schools across the spectrum of education providers in Tasmania. Notably, submissions were received from 37 Catholic schools, x of Catholic school associated organisations, x Christian schools, x Christian school associated organisations and x independent schools. In addition to this, the Committee received x number of individual submissions, including proforma-style submissions, which supported, in varying forms, Catholic or Christian education in Tasmania. On the main, these submissions highlighted a zero tolerance for bullying, anti-bullying policies and procedures and curriculums, including education and wellbeing programs, which prompt kindness and respect.”

Paragraph 2.17 (new 2.19) agreed to as amended.

The Committee reconsidered the Findings in Chapter 2

The Committee reopened consideration of proposed Findings from *Mr Ferguson*, with the following amendment before the Chair from *Ms Burnet*:

Remove all words after ‘ethos.’:

“Faith-based schools form a longstanding part of Tasmania's education system and many families choose such schools because they wish their children to be educated in

accordance with a particular religious tradition and ethos.”

And the Question being put - That the amendment to the Proposed Findings be agreed to;

The Committee divided

Ayes 4	Noes 3
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Mitchell
Ms Dow	Mr Shelton
Ms Johnston	

And so it was resolved in the Affirmative.

The Proposed Finding, as amended, was considered.

And the Question being put - That the Proposed Finding, as amended, be agreed to;

The Committee divided

Ayes 3	Noes 4
Ms Dow	Mr Bayley
Mr Ferguson	Ms Burnet
Mr Shelton	Ms Johnston
	Mr Mitchell

And it was resolved in the Negative.

The Chair withdrew his notation of a potential further Finding.

Resolved, that Chapter 2, as amended, stand part of the Report.

Chapter 5 reconsidered.

Paragraph 5.17 agreed to as amended.

Noted no further evidence to be included regarding the *Anti-Discrimination Act 1998* and submissions from Catholic or Christian organisations under Paragraph 5.37.

The Committee further considered Findings in Chapter 5.

Finding 40 considered and deleted.

New Finding 40 considered as drafted:

“Catholic Education Tasmania has discriminated against staff on the basis of sexual orientation and marital status. Such discrimination contravenes the *Tasmanian Anti-Discrimination Act 1998*. Catholic Education Tasmania asserts it is allowable as it abides by Commonwealth law.”

The Committee considered the Finding and proposed a re-drafted version:

“Catholic Education Tasmania has discriminated against staff on the basis of sexual orientation and marital status. *Prima facie*, discrimination against such protected attributes contravenes the *Tasmanian Anti-Discrimination Act 1998*. However, Catholic Education Tasmania asserts it is compliant with the *Commonwealth Sex Discrimination Act 1984*. This assertion has been contested in evidence provided to the Committee but has not been determined in a court of law.”

The re-drafted Finding was considered, including whether to split the final sentence into a new finding.

Amendment proposed to re-drafted Finding 49 (Mr Ferguson)

To insert the following after Catholic Education Tasmania in the first sentence,

‘may have’

And the Question being put - That the amendment to the Proposed re-drafted Finding be agreed to;

The Committee divided

Ayes 2	Noes 5
Mr Ferguson	Mr Bayley
Mr Shelton	Ms Burnet
	Ms Dow
	Ms Johnston
	Mr Mitchell

And it was resolved in the Negative.

And the Question being put - That the Proposed re-drafted Finding be agreed to;

The Committee divided

Ayes 5	Noes 2
Mr Bayley	Mr Ferguson
Ms Burnet	Mr Shelton
Ms Dow	
Ms Johnston	
Mr Mitchell	

And it was resolved in the Affirmative.

Finding 50 agreed to as amended.

The Committee considered the Recommendations of Chapter 5.

New Recommendation 30 proposed by the Chair:

“The Government consider taking action to resolve the ambiguity between Tasmanian and Commonwealth law in relation to employment discrimination.”

Proposed Recommendation 30 was considered and agreed to.

Resolved, that Chapter 5, as amended, stand as part of the Report.

Chapter 6 reconsidered.

The Committee considered the evidence supporting Paragraphs 6.2 – 6.6 and Recommendation 33, with no changes made.

Resolved, that Chapter 6, stand as part of the Report.

Resolved, that the Minutes of the meeting on 5 August 2026 and 6 August 2026 be included as unconfirmed in the Final Report (Mr Mitchell).

Resolved, that the Draft Report be the Report of the Committee (Mr Mitchell).

Resolved, that any dissenting statements be provided to the Secretary by COB on Monday, 10 August 2026.

Resolved, that the Report be tabled by the Chair on Wednesday, 19 August 2026 and that participants to the Inquiry be informed of this prior to the date and be provided with a link to the Report after it is tabled (Ms Johnston).

ANY OTHER MATTERS

There were no other matters

At 10.51 a.m. the Committee adjourned *sine die*.

Unconfirmed,

Appendix D – Transcripts of Evidence