

# PUBLIC

**GOVERNMENT ADMINISTRATION COMMITTEE A MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART, ON THURSDAY 7 NOVEMBER 2024.**

**INQUIRY INTO DISCRIMINATION AND BULLYING IN TASMANIAN SCHOOLS.**

**The committee met at 9.00 a.m.**

**Ms JOHNSTON** - Thank you very much for coming along to our inquiry into discrimination and bullying in Tasmanian schools. Thank you for your time to participate today. We will begin today with some formalities. Please state your name and the capacity in which you're appearing before the committee.

**Mr HOWARD** - Yes, my name is Daniel Howard and I'm here as an LGBTIQA+ schools inclusion officer employed by Working It Out.

**Ms JOHNSTON** - Thank you. Can you confirm that you've read and received the guide sent to you by the Committee Secretary?

**Mr HOWARD** - Yes.

**Ms JOHNSTON** - To reiterate a few things in that guide, this hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place outside of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside of the parliamentary proceedings today.

This is a public hearing, so the public and media may be present and certainly they might be watching online. Should you wish any aspects of your evidence today be heard in private, you must make this request and the committee will have a short deliberative meeting to decide whether or not to do that. Let us know if that's something you would like to do.

To introduce you to the members of the committee, online we have our Chair, Anita Dow, member for Braddon, and another member for Braddon, Miriam Beswick. Here today in the committee room we have Vica Bayley, Greens member for Clark, and myself, Kristie Johnston, independent member for Clark.

**Mr DANIEL HOWARD**, LGBTIQA+ SCHOOLS INCLUSION OFFICER, WORKING IT OUT, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

**Ms JOHNSTON** - As a committee, we've decided to make a sensitive content disclaimer before we start, given the nature of the things we might be talking about today. We recognise that during these hearings we may discuss highly sensitive matters that have deeply impacted the lives of Tasmanians. This may be a trigger for individuals listening to or participating in these hearings. I'd encourage anyone impacted by the content matter in this hearing to contact services and supports such as Lifeline Tasmania on 1800 984 434, Kids Helpline on 1800 551 800 or Beyond Blue on 1300 224 636.

Daniel, thank you very much for participating in today's hearing. Would you like to begin by making a statement before we go into questions?

## PUBLIC

**Mr HOWARD** - Yes, thank you very much for the invitation to attend today and speak. I don't have a formally prepared opening statement but I would just like to say that I've been in my current role for three years. Prior to that I spent 17 years as a full-time high school classroom teacher and I still have a very small teaching role at a local high school. The three years I have spent in my role as a school inclusion officer, which has been an enormous privilege, but I now carry with me a collection of stories of bullying, discrimination and exclusion from our young people who are trying to complete their education and engage in our school system.

The thing I'd like to say upfront is that the horrible statistics that exist of LGBTIQ+ young people in terms of wellbeing outcomes, poor educational outcomes and, yes, suicidal ideation and attempts and death by suicide, it's firmly our view that that stems from not who they're attracted to or their gender identity, but because the world - and that includes their educational environments they walk into day-to-day - can be a hateful and hostile place for them because of who they're attracted to or their gender identity. I'll just leave it at that.

**Ms JOHNSTON** - I might go to our Chair, Anita, if she has any questions to lead off with.

**CHAIR** - Thank you very much, Daniel. Your submission was absolutely excellent that you provided for our committee, particularly the lived experience feedback you provided through the inclusion of quotes and the data as well. I want to thank you for that. That will be great in informing our work.

You mentioned a little bit about your role, but I'd like to understand a little bit more about what you do in our schools and whether the amount of time that you spend, how many days that is, and how many staff you have working across the state. In your submission you make reference to the fact that you think that obviously you have an agreement with DECYP [Department for Education, Children and Young People] around providing those services across our schools and support. Do you feel that that could be increased? I wondered if you could expand on that for the committee on how you could see that role expanding or where the deficits are.

**Mr HOWARD** - Yes, certainly. Within my roles, I work as a 0.9FTE and I have a colleague - well, up until last week - based in the north who works 0.8FTE, but they have recently resigned so we are waiting for someone else to fill that spot. That is a 0.9[FTE] and a 0.8[FTE] the position statewide for the LGBTIQ+ plus schools inclusion officer roles.

What we deliver on is a program that was created by our predecessor, Xris Reardon, called the Value and Diversity Framework. The Value and Diversity Framework was built by Xris and the team they put together - and I'm going back a little bit in history now - in the wake of the Safe Schools program becoming, I guess, a political football to some degree and having a lot of baggage attached to it, so there was a need to create a version that suited the Tasmanian context. They tried to achieve some similar things to the Safe Schools program.

In the Value and Diversity Framework, the four main things we set out to do is to help establish, support and sustain pride groups or diversity groups in schools, so student-led groups for LGBTIQ+ students and their friends and allies in the school setting, and support the adult advisors in schools who run and support them. We try to deliver professional learning for all school staff on cultural safety and valuing diversity, and we have aligned that with the

Department for Education, Children and Young People's Supporting Sexuality, Sex and Gender Diversity in Schools policy.

We do some other more specific professional learning. This year we've done professional learning specifically with HPE [Health and Physical Education] teachers and we've done some professional learning specifically for school support staff as well on the affirmation process for young people in schools. So that's pride groups and professional learning. A third thing we focus on is community and so within that we talk about connection to community and we talk about celebrating communities so we have community-based events. We are also about educating communities. That could be a school inviting us in to talk to their parents, their school association and the like.

The final thing is what we call affirmation, which is the support for individual young people and their families, parents and guardians. That's not a counselling role, that's an affirmation process sometimes providing information, sometimes providing advocacy. It's believing what the young people tell us, listening to them, asking curious questions, helping them - excuse me for saying it - work it out, but also not forcing them, in the case that they have supportive parents and/or guardians, to have to advocate for themselves in the school setting, but sometimes picking up that slack and ensuring the school is meeting their obligations for that student.

That's kind of the basis of the role. It doesn't describe everything that happens on a day-to-day basis in the role, but they're what we call the four pillars. What am I missing from the second part of your question - sorry?

**CHAIR** - In your submission, you mentioned that you're happy doing what you're doing, but you could provide more across the schools if there was a greater funding agreement between you and DECYP. I just wanted to understand. I'm a regional MP based in the north-west, and obviously your positions cover the south and the north, but is it difficult to service the more rural and remote schools and is there a need for a greater level of service or involvement from Working It Out in those schools, in your opinion?

**Mr HOWARD** - The answer is yes. My colleague based in Launceston was semi-frequently on the road to schools across the coast but was unable to provide the kind of in-the-room service she would have liked to be able to provide by just by virtue of the constraints of the job and the role and not being able to be in multiple places at the same time. Furthermore, I guess this would be a time where it would make sense to say that, as a result of the recent roll out of safeguarding and keeping kids safe policies in schools and how that's applied to external support providers in schools, that's meant that we can only get into a school to meet with a young person if the school and the young person are able to get a signature of consent from a parent or guardian and so, those new guidelines started this year.

In my previous two years in the job, I've met with young people who are gender diverse, who've talked to me about, you know, one of their parents saying transphobic things around the dinner table and them trying to reconcile that with their own identity. I've talked to young people who wanted some advice on how they could safely come out to their parents and obviously, if they need a signature that says 'happy for their child to meet with someone from Working It Out before they can have that conversation with me', that that's a pretty significant obstacle for those individuals obtaining that support. So what has happened now is much more of a lack of specialist support in terms of, we can provide advice to the support staff in schools,

who can then meet with the students, but that's clunky at best and often just not happening either.

We think if there was more people on the ground in these roles, we'd be able to more strongly advocate for students and we'd be able to deliver more professional learning to all school staff and we feel that would be one of the major drivers of change, professional learning regularly occurring for staff in schools.

**CHAIR** - Thank you very much.

**Mr BAYLEY** - Definitely. Following on from that, thank you for your submission and thank you for all of the work you do. I can imagine, with that level of 0.9[FTE] and 0.8[FTE], it must be an overwhelming task for you at the personal level, so I acknowledge that, given the gravity of the importance of the issues and the people working directly with our young people.

You just mentioned there that you'd like more people on the ground and you'd be able to roll out more programs and have more engagement. Do you have a sense of what that looks like? How many people would it take, within Working It Out, for you to be comfortably covering the demand for your services that you see?

**Mr HOWARD** - To be honest, I haven't actually given that much thought because at the same time, we are in a situation where we feel incredibly grateful to have the level of funding that we have. Also, at the moment we are one year into three years of guaranteed funding, which having not worked in the community sector previously, I understand is quite a rare situation, even that amount of certainty. So, whilst asking for and speaking for the need for more, we are appreciative of what's there at the moment.

**Mr BAYLEY** - No, I don't ask that as a judgement or for you to put pressure on the Department or the government for more funding, I'm just trying to get a sense of the scale of the challenges you face and what it would take to actually meet the needs of our young people in this space.

**Mr HOWARD** - I would think conservatively doubling the staffing that exists at the moment would allow people to receive significantly more support and also, in the day-to-day throes of the job, open up space for - what am I trying to say - things we cannot think of doing because you are just bogged down in the grind of catching up with what happened yesterday and so forth, open up space for more creative solutions and innovative projects to occur, if there's more of a team approach that could lead to those things.

I'm not sure what my CEO would think of me saying this, but I've always found it kind of curious that these roles funded by the state government through DECYP exist outside of the Department. I think there's tremendous benefit in that, in that we get to come from a LGBTIQ[A]+ specific organisation and I get to go into a building with colleagues with lived experience, learn off their knowledge and so forth, but to a degree it also feels like, first of all, it stops us from going into schools, meeting with young people, providing support.

It also has that feeling of being held at arm's length in terms of this particular subject, gender and sexuality, inside the education system.

## PUBLIC

**Mr BAYLEY** - Which is where I wanted to go next -acknowledging, I'm sure, there is absolutely good intent in the Department and in the schools, do you see a diversity of responses from individual schools to the services you offer? Does that then impact on the level of engagement you can have with young people in each of those individual schools?

**Mr HOWARD** - Absolutely.

**Mr BAYLEY** - What is that? Is it the perspective of the principal that drives that or is it the culture of the school more broadly? Maybe they're linked. Can you put your finger on what that is? The Department obviously has policies in this space and you're there to cover all public schools. What do you think it is that drives the diversity of responses, engagement and perhaps even acceptance of the services you offer?

**Mr HOWARD** - I would say it would be accurate to say the number one driving factor is the principal. Principals already have an overwhelming workload. It is an incredibly difficult, challenging, time consuming job.

**Mr BAYLEY** - Is it ideological or personal, in terms of their beliefs, or is it structural in terms of their resources and capacity to engage in your program?

**Mr HOWARD** - It often comes from the individual drive and ethical framework that a principal, as an educator, brings into their school setting and the type of school culture they want to have, what they want their school to stand for and so forth. That is often the driver for being proactive and being on the front foot in engaging with and seeking to do meaningful work in this space, as well as being prepared for what is almost inevitable pushback from members of their staff or parents and in their school community if they are seen to be doing things vocally and upfront in this area. In my experience, I've had schools where I've delivered professional learning two and-a-half years ago and then received contact a few months ago saying they want to do another refresher for our staff because a few staff have moved and they think a reminder would be good - 'could I come in again?' That is a school that would have spent three or four afternoon staff meetings within the course of the last two and-a-half years.

I have also had schools where I've made approaches saying, 'I have had some conversations with a family or a student at your school. They say this and this is happening. I'm available to come and deliver professional learning for staff and help try and get some progress happening in this area', with the response being 'we don't have time in the calendar' or 'we can't make that a priority at the moment'. Also an attitude we see quite a bit is the individual as being the issue, can they solve things for that individual and not own up or acknowledge the fact it could be a schoolwide issue.

**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 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+ plus 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 agent 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.

**Mr BAYLEY** - I was going to ask about the teacher side of things as well.

**Mr HOWARD** - So there certainly are some teachers out there who are out in their school community and providing that visibility and that successful adult living their life being 'who they are' role model. But there are many more who seek to provide support and affirmation in small ways that aren't out themselves, which is damaging to them personally. They're staying inside, professionally they feel maybe they can't be out because they want to do good in that profession.

**Mr BAYLEY** - As role models, I guess that perpetuates the problem of -

**Mr HOWARD** - Yes, so they just don't know and leaning into stereotypes here, men in primary schools particularly feel that they would be tarred with a certain brush if they were to be out about their sexuality. But I just feel that level of visibility and if staff could know 100 per cent they would have the support of their principals, their colleagues, and higher up the chain inside the Department.

If a male staff member was to tell a story about going somewhere with his husband and kids on the weekend the same way that straight teachers do every day in the classroom, that

people would have their back, that would be incredibly powerful, I think, for the inevitable queer kids who are in that room or kids who have queer parents themselves and then get to see their own families are reflected back to them inside their educational setting.

**Ms JOHNSTON** - If I may jump in there, just going back to the importance of leadership and the culture within each school and I think you made the comment, if I'm correct, that where you have a principal, for instance, trying to lead positively and inclusively that inevitably some receive pushback from either teaching staff or the school community more broadly - that be parents or the students - can you give us some examples of what that pushback often looks like? Are there some common kind of examples that you've seen and how have principals responded to that?

**Mr HOWARD** - Yes, sure. I think to some degree this is fairly unique because if you look at other groups inside society who might be marginalised or more likely to face discrimination and bullying of some kind, it doesn't feel like their identities are still up for debate and negotiation. So if a principal was to get someone to come in and talk about racism, I don't think there would be -

**Ms JOHNSTON** - Pushback.

**Mr HOWARD** - Yes, precisely. So it seems to be an area where, oddly, exemption seems to apply and people are entitled to have an opinion under that guise of being able to have your own view, your own opinion, you're entitled to your opinion that is actually enabling discriminatory beliefs to be perpetuated and so forth. So I'm sure there's plenty of examples out there that have occurred that I have not been made aware of. I've had a principal who has not wanted to hold a community information session for the parents in their school community and has not wanted to do anything up-front in terms of signalling safety and putting visuals in the school. Their perception was that their school existed in a relatively conservative area, and that if one or two families were to withdraw their students from the school because the school was being up-front about being an LGBTIQ+ inclusive environment, that would take the school below the certain enrolment count and that would result in the loss of a teacher position or teachers' jobs. He was weighing up those things and trying to make justifications in his mind based on these, I guess, perceived, which had evidence to join those dots, but perceived belief of how things would roll out.

I've had another principal talk to me about having a parent meeting in her office and having a poster in her office that says something along the lines of 'All genders, sexualities, races, abilities, et cetera welcome here', and I think a pride flag near that in the office. And a parent saying, 'You're not teaching that bullshit in this school, are you?', and the principal having to say, 'Yes, we are teaching that this school is inclusive for all students and that all people are welcome here and get to feel safe here'. She had a great response in the moment, but that's quite an aggressive comment to receive and quite a tough thing to be able to, in the moment, speak back to.

Just this week I've had a principal who has accepted, sorry, had a new enrolment in their school because that young person had been attending a faith-based school that was not affirming their gender identity, so this student has returned to government schooling. And inside that school there's been some members of the parent community who, through the grapevine, have heard about this student's transgender identity and have met with the principal and said, 'I'll be removing my family, my students, my children, sorry, from the school if you

continue to go along with this nonsense', essentially, and that principal having to say, 'Well, let me know. I can help you out with enrolment forms, but that student's welcome at our school.'

There are probably more examples, but they're three, the latter two of which where the principals willingly put themselves in the firing line. Again, the uniqueness of this space being one where you're seeking to be inclusive of students, provide some opportunity for them to not become a statistic in some way, and, in doing so, you're met with resistance, rather than being celebrated for doing that.

**Ms JOHNSTON** - Thank you. That makes me incredibly sad, but kudos to those principals who did push back. Absolutely.

You also talked earlier about how often the response is, 'I want to focus on the individual and what we can do to accommodate or to assist that particular individual,' rather than a school culture and embracing it. Is that because policies focus on an individual response sometimes? Or is it just, again, managing the inevitable pushback that they just focus on, 'What can we do for this individual? Let's keep it quiet. Let's project-manage this person', rather than actually looking at a cultural community issue?

**Mr HOWARD** - Yes, I think it's more the second. There is a fine line because that individual will need some support. The individual sometimes might need some, for want of a better word, accommodations made because they're inside a system that possibly wasn't built with them in mind. Some of that is still required. But I guess the approach where you can just tie it up with a bow, to silo and make it about that one person, and not acknowledge that actually there's a few things inside our broader school culture, that this provides us an opportunity to step back and reflect upon and seek to address and seek to do things better moving forward. That's the opportunity that exists inside an individual sharing their story. If we solely keep it about the individual, then that's an opportunity missed, because guess what? That kid isn't the only queer kid in his school. It might be actually the only queer kid that you know of in this school, but it's not the only one now, it's not only the one in the future and so forth. Yes. Did that answer that question okay?

**Ms JOHNSTON** - Yes, that did, thank you. In the report - and thank you very much for the submission you've made. It's pretty detailed and there are particular statistics. You've got a chart in here regarding policy inclusivity for sexual orientation and gender expression. You've noted that the policy inclusivity is significantly lower, or absent, in religious and independent schools. Can you perhaps talk to the difference in experience for children in government schools as opposed to the independent and religious schools? Perhaps you can elaborate a bit more on the example you just provided, where a child has moved from the faith-based school into a government school setting?

**Mr HOWARD** - Yes, sure. So, I have had, I don't want to say absolutely zero, but it would be close to zero engagement with school staff from faith-based schools, as in formal engagement while I've been in this role. I've had plenty of engagement from LGBTQI[A]+ young people inside faith-based schools and their parents and guardians. Parents and guardians who enrolled their children in those schools because that's where their elder siblings had gone, because of their faith-based beliefs that they hold or because of their belief that, in the area where they lived, that was the best education they were able to provide for their young person - but who, at that time, did not know that their young person was non-binary, did not know that their young person was transgender, did not know their young person was same-sex attracted.



In kind of having that realisation about their young person, or the young person coming out to them or having that realisation about themselves, have realised that they're inside a system that does the opposite of affirmation, doesn't seek to support students in that journey, but seeks rather to silence those identities and does not encourage things like people seeking to use a new name that affirms their identity, or new pronouns that affirm their identity, or being in any way out there and visible about who they are.

I have heard stories of, again, individual teachers inside that system seeking to do all they can to support people, for those young people, but seeking to do it in a very quiet way so as to not risk their jobs, so as to not risk reprimand and, I guess, so they can stay in the system and continue to do that.

It very much feels to me that, again, having worked at or attended the schools that we're talking about, that it's a place where discrimination in the area of sexuality and gender identity is alive and well, yes.

**Ms JOHNSTON** - Would you say that's the same for staffing for those schools in terms of their experiences? We talked a bit before about government schools, in particular, and the importance of role models and having that positive reinforcement. Would you say it is worse, perhaps, in the independent private school sector?

**Mr HOWARD** - Yes, again, from my limited engagement with people in that space, staff in that space, I would say that that is true and there have been some staff members I have met who just outwardly say that they can't be, in any way, out about their sexuality inside that setting in order to continue to exist and work inside that setting, yes.

**Ms JOHNSTON** - It might be, it is a really dumb question, but for the record, I want to ask it because I think it's important to put on the record: you would definitely say within those independent, private, faith-based schools, there are students who are LGBTQIA+ community and so their needs aren't being met at the moment within those schools?

**Mr HOWARD** - One hundred per cent, yes. There are queer kids in those schools and they're not being represented in the curriculum, they're not seeing role models amongst their staff and the queer kids in those schools who do seek to live out loud and say who they are against the lack of a welcoming environment, I have had shared with me stories of just accepting bullying and comments and slurs from their peers on a daily basis. Those who have supportive parents often seek an alternative school setting to go to. And those who don't have supportive parents don't receive support at home and don't receive support at school.

**CHAIR** - In your submission you made reference to the fact that there are no specialist mental health services to support LGBTQIA+ young people. You also made reference to the fact that there are limited specialist services available across schools anyway in Tasmania. There are severe shortages of social workers and psychologists. We know about that and we've heard a lot about that through these hearings. Would you elaborate on what you would see as missing and what you think could be improved around the provision of mental health services, particularly in regional areas?

**Mr HOWARD** - I wish my colleague Andrew Badcock, who prepared the report, was here to address that question, because he would be able to give a more thorough, better answer than I'm about to.

For some LGBTIQ+ young people accessing external support, a place like Headspace meets their needs perfectly. What they're not necessarily seeking or needing is an LGBTIQ+ specific mental health service, rather one that is more generalist but still affirming in this space and appropriately culturally aware. For some young people, that service is adequate, but not all young people in the state are able to catch a bus and walk into Headspace or a service like it, it's just not a possibility for all the young people depending on where they live and what they have access to.

For other people, an LGBTIQ+ specific space is exactly what they need, a space where from the moment they walk in the door, they know that who they are is not going to be challenged or judged and that the individuals they'll have the opportunity to meet and talk with either possess lived experience the same as or similar to theirs and have specialist knowledge in the areas that they're seeking to discuss.

Again, some of this mental health support for young people is able to be done online, but that's more challenging than being in the same physical room as a person. It's much easier to develop rapport and make connections between a support person and a young person seeking that support.

The other thing I would say at this juncture is that Working It Out runs four LGBTIQ+ youth groups, which are essentially social spaces but sometimes offer activities and the chance to speak back to reviews and give voice for young people in various ways. More of those groups could be run, perhaps by local councils or further across the state. At the moment there's one in Hobart, Burnie and Launceston. Perhaps more of those spaces that are not therapeutic mental health spaces but spaces where cultural community connection can be made could help address and support young people's wellbeing.

**CHAIR** - You mentioned that your colleague could provide some more information to the committee about that. You can provide it after this point in time to the committee separately. I'm interested in other jurisdictions where there are models of mental health care that are provided across school communities specifically to support the needs of students. If you've got any examples that this committee could use as part of its workings and recommendations, that would be really great for us to see.

**Mr HOWARD** - I'll write that down.

**Mr BAYLEY** - Some of the data from Estimates on psychologists and social workers was quite shocking. Some students are waiting up to a year for services. Did any of this pop out in the surveying that you did? You've probably got the most extensive surveying of students in the school system under these circumstances. Putting aside the services that you offer, did it emerge that there was frustration or anger or abandonment because students were waiting so long and unable to get the kind of care they needed from within the school system?

**Mr HOWARD** - Yes. Some of the issues there are just acknowledging that you'll be on a waitlist interminably. I'm concerned about how much a young person has to disclose initially in order to get on that waitlist, and you have to disclose that information to someone who you are not confident is a safe person to disclose that to. How that system would work would vary wildly from school to school - would you have to tell your home group teacher or your grade

supervisor or your assistant principal things in their office during the middle of school day in order to get put on that list to see that support stuff?

There is also a perception from young people inside schools, and I don't know how often it's perception and how often it's reality, that sharing things with support staff in schools will mean others find out.

**Mr BAYLEY** - So that they don't have confidence in confidentiality.

**Mr HOWARD** - Yes, well put - which can prevent people from seeking to access that support in the first place. Again, we circle back to that issue that that approach is often about - I don't want to diminish them and say they're not important - giving the young person strategies to manage their own wellbeing, but they don't then go and address the system-wide issue that that young person knows there's a group of kids who call them a queer every time they walk past and that there's kids who walk up to them and say, 'Are you a boy or a girl?' on a day-to-day basis. A meeting with the support staff might give them exercises they can do and approaches they can take to help them deal with that at an individual level, but it doesn't address the fact that it's still something they have to face inside their day-to-day school and life.

**Mr BAYLEY** - To finish, it saddens me deeply to read how you conclude your personal submission, which in a nutshell is that people you know from the queer community who would like to be teachers would make good teachers and have an incredibly positive contribution to make not only in teaching but in helping to address this issue and this level of discrimination and bullying, yet they themselves don't feel able to go into the teaching profession either because of their experiences as a student or their expectations of who they would have to be as a teacher. Can you elaborate on that, because that's a kind of self-defeating proposition when people from the queer community are feeling they need to self-exclude from a profession where they could make such a huge difference?

**Mr HOWARD** - Yes, the idea just continues to perpetuate the situation that we're in to some degree.

**Mr BAYLEY** - That's right. What can we do to break that deadlock? How can we break that perception, that deadlock, because I find that, as a teacher, really sad. There's a lot of challenges entering teaching in the first place and to layer this on top of it for a cohort of our community is just deeply sad.

**Mr HOWARD** - Yes. My view is that teaching is an incredibly challenging job and the more you care about it, the more challenging it is. When your own personal identity gets into play in the mix of that it only complicates that further. It's also my belief that the vast majority of teachers get into the profession because they want to make the lives of other people better. They want to enrich the lives of others. They want to broaden the opportunities and open doors for people and it's a noble profession, but it takes a certain amount of - I'm failing to find the word here, which isn't good as an English teacher - a certain amount of ultra-confidence and determination is probably a better word, actually, in order to complete your teacher training, step into a school where you may not have been given any explicit signs that this school is supportive and would have your backs as an LGBTIQ+ person and to step in there and to be out about your identity the same way that a heterosexual cisgender person is able to do without giving it a second thought for an instant when they begin their teaching career.

How we kind of can address that in a meaningful way - I don't know. I think that addressing LGBTIQ+ inclusion explicitly in teacher training is one component of that. I think it might mean we skip a generation, but I think it means making sure our queer kids in schools right now have better experiences tomorrow and tomorrow.

**Mr BAYLEY** - So they can go on to feel comfortable going back into those schools?

**Mr HOWARD** - Yes.

**Mrs BESWICK** - I was looking at your submission. You were talking about how do we do sports for kids that are transgender and that sort of thing. It was making me think about, 'what sporting opportunities do we have for kids with disabilities in Tasmania?', as well. What would that look like to you? What would you imagine how we could actually do that well?

**Mr HOWARD** - Yes. Thank you for that question. The main lens we look at through obviously school sport and a big part of sporting schools is sporting carnivals. When we talk to schools about, are there components of the school life that are unnecessarily gendered, where we bring gender in as something that divides and separates our students, where it's not necessary and not required. Something that often comes up is those school sports carnivals where there's boys' races and girls' races and so forth. Some people are clinging very strongly to the fact that that separation is required and others really questioning if that's something that's still appropriate, and if it's at all needed.

In terms of speaking to queer kids in schools and queer young people about school sports, carnivals, a really common thing is - 'I couldn't wait to get to Grade 10 when I didn't have to do PE anymore. I was lucky: mum let me stay home on carnival days' - because otherwise being there would be forcing them to participate, for some of our young people, in a race that didn't align with the gender that they hold for themselves.

We're encouraging schools, especially primary schools, but also high schools, to consider which events still require that gender division, to consider, focusing on participation and that house spirit element rather than celebrating purely athletic dominance inside the school setting. We feel in some areas some small progress is being made there.

In terms of school sport, I think inside the Department there's not much left of school sport. It's mainly now club based and not so much school based. However, the competitions that still exist, my experience is that queer kids are more likely to participate in sports that are individual or perhaps just pairs. For example, something like badminton, rather than a team sport such as basketball or football that might be a bit more overwhelming and a bit more gendered in its culture.

I'm not sure I actually directly addressed your question here. I just talked about sport for a while.

**Mr BAYLEY** - That's interesting. On that, I noted that you are working specifically with HPE teachers as well. Why is that? Have you sort of picked them out as being a particular conduit into the cohort of kids that you need to talk to?

## PUBLIC

**Mr HOWARD** - Yes, in talking with young people about their school experience, what they often name up is HPE as a subject area where they have the most challenges. I feel this is less because of the teachers but because of the nature of the subject itself.

First of all, there's that gendered approach and view that we have to support, but there's also that inside of the curriculum area for HPE is respectful relationships, puberty, sex education - whatever name it's given - and growing up. Young people would talk often about the experience of them either being divided into boys and girls for the puberty talk, being told all girls will have these body parts and do this. All boys likewise, having sex taught them purely in terms of an act of procreation and maybe something about STIs and safe sex, but sex being talked about as purely in a heterosexual lens only.

Out of those discussions, that feedback from young people from the HPE specific professional learning was developed. A part of it was talking about carnivals, camps and sports and another part of it was talking about how we're going to make sure that our young queer kids are learning about safe sex, respectful relationships, if the examples they're being provided don't match or are irrelevant.

**Ms JOHNSTON** - I'll just check online, any further questions? I know we're a little bit over time, but I think we could talk for quite a long time about this.

**Mr HOWARD** - Sorry if my answers are too long.

**Ms JOHNSTON** - No, it's perfect. The more information the better for the committee.

**CHAIR** - You've been great, thank you.

**Ms JOHNSTON** - We might conclude there. Just if you think of anything obviously that you wish you had of said or I think Anita's asked for some further information about mental health services, feel free to contact the secretariat or Anita, the Chair, after you leave here. Often you walk away and think, 'Oh, I wish I'd said that', but please feel free to include it.

Thank you so much for your time here today. We really do appreciate it. And yes, take care for the rest of the day. We'll stop the broadcast there.

**THE WITNESS WITHDREW.**

**The committee suspended at 9.53 a.m.**

## PUBLIC

**The committee resumed at 10.00 a.m.**

**Ms JOHNSTON** - Thank you very much for coming along today, David and Brian, and welcome to the Inquiry into Discrimination and Bullying in Tasmanian Schools hearing for today. If you could please state your name and the capacity in which you're appearing before the committee.

**Mr GENFORD** - My name is David Genford. I'm President of the Australian Education Union Tasmanian Branch.

**Mr WIGHTMAN** - I'm Brian Wightman, the State Manager.

**Ms JOHNSTON** - Thank you very much. Can I confirm that you've both received and read the guide sent to you by the committee secretary?

**WITNESSES** - Yes.

**Ms JOHNSTON** - To reiterate, that guide would have covered that this hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not accorded to you if the statements that may be defamatory or repeated or referred to you outside of parliamentary proceedings. This is a public hearing, so the public and media may be present or watching online. Should you wish any aspects of your evidence be heard in private, please just let us know; we'll have a short deliberative meeting and then we'll move to an in camera session if you feel that's necessary.

To introduce who we have: online we have Anita Dow, who's our Chair for the committee, Labor member for Braddon. We have the independent member for Braddon, Miriam Beswick, online as well. We have the Greens member for Clark, Vica Bayley, in the room, and myself, Kristie Johnston, independent member for Clark.

You've got the declarations there, if you wouldn't mind reading those declarations and giving them, please.

**Mr DAVID GENFORD, PRESIDENT, AND Mr BRIAN WIGHTMAN STATE MANAGER, AUSTRALIAN EDUCATION UNION TASMANIAN BRANCH, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.**

**Ms JOHNSTON** - Given the sensitive content of the issues we'll be discussing today, the committee has decided to make a disclaimer around that and a content warning. We recognise that during these hearings we may discuss highly sensitive matters that have deeply impacted the lives of Tasmanians. This may be a trigger for individuals listening to or participating in these proceedings. I'd encourage anyone impacted by the content matter during this hearing to contact services and support such as Lifeline Tasmania on the 1800 984 434, Kids Helpline on 1800 551 800, or Beyond Blue on 1300 224 636.

I'll invite you both to make a short opening statement if you'd like before we move into some questions and answers.

**Mr GENFORD** - Through our submission, we've highlighted that there are concerns regarding discrimination and bullying across different avenues. First of all, we addressed looking at how it actually happens between staff and staff. We also looked at between student and staff and then also student to students bullying. We agree that it happens in schools and it's a very difficult situation to deal with. We feel that most of the time our teachers, principals and support staff are doing the best they can in the situation they're in.

We put forward 15 recommendations that we feel could improve the situation. I don't know if you'll ever completely fix it, but I think that we need to try to provide the safest environment we can for both staff and students. I also think that there are two ways to deal with this, one's proactive and one's reactive. By being proactive and actually putting things in place that are going to support students that don't fall down a path where they hate school and they act out, often against their peers or staff, also has to be taken into account instead of just the reactive that is sometimes the easy fix in regards to what do we do to people who have actually done the bullying.

I hope that an inquiry such as this would look into both what we can do to prevent a child, especially with children here, that prevent them becoming a bully, but then also looking at the reactive when someone does have that behaviour.

My concern is that we've seen DECYP have internal reviews before and they were told our point around professional support staff, psychologists and social workers is that there is a frustration in that community that they are purely reactive and not proactive. They're not able to do the things in schools that they want to do. It's no wonder when we just focus on our kids who are considered tier 1 or tier 2, that our lower kids that aren't getting the help become the next tier 1 and 2 kids.

There have been reviews done previously into what things can be done to improve. The frustration is that when they aren't listened to and when nothing is acted upon, we continue to find ourselves in the situation we're in now.

**Ms JOHNSTON** - Brian, is there anything further you'd like to add?

**Mr WIGHTMAN** - No, thank you.

**Ms JOHNSTON** - I might go to Anita, as our Chair, to see if there's any questions to lead us off with.

**CHAIR** - Thanks very much, Kristie and thanks to you both, David and Brian, for presenting to our committee today and for your comprehensive submission. It's great to see that you have put efforts into being proactive as well and reactive.

We're hearing, through each of the hearings we're having as part of this committee's work, about the instances of bullying and discrimination across schools. It's important that we look at how we can have that early intervention as well and be more proactive, so I really appreciate that aspect of your submission. You talk about understaffing and under-resourcing of public schools, and if there was more funding made available, particularly when you look at the different tier levels across schools for funding. I know that you have expanded on that in your submission, but I wonder, for the purpose of the committee, if you could talk about the

importance of that tiered funding and how that could make a difference in being proactive and putting additional resources into schools?

I note that you make reference to the west coast and, obviously being from Braddon, I'm very interested in the west coast school communities and understanding issues there have been around staffing in more recent times. I wondered if you might put some comments on the record about that as well, please.

**Mr WIGHTMAN** - I'll talk to teacher shortage and then David will speak about the tiered programs. Firstly, the teacher shortage is unprecedented in Tasmania. Look, it's a worldwide phenomenon, but it is felt desperately in Tasmania and there are a few reasons around that. One, we have the lowest socioeconomic status outside of the Northern Territory and, two, we've often attracted teachers and educators to Tasmania because it's been a cheaper housing sell and a lifestyle sell. That now has been eliminated by the increasing prices of housing accommodation and the cost-of-living crisis we're going through at the moment.

The teacher shortage absolutely bites. It used to bite in regional and rural areas, so the further west you go, Anita, the more of a challenge it was to attract teachers. Educators were once placed in those areas. They no longer do that and they have a choice now around where they pick up a contract.

It is an absolute crisis at the moment when it comes to the shortage. What that manifests as in schools is not enough bodies within those areas to provide or create those powerful relationships that are needed to educate young people. Now, that's not to say or to diminish the work that's being done now. It is incredible. But it is above what is actually sustainable into the future.

If you have an educator shortage, so teacher assistants, teachers, in particular, to start with, then that makes it very difficult to provide the support and those relationships which are absolutely key in Tasmania. The reason I say they're key in Tasmania is because we don't have all of - a lot of our schools are not in big cities, so the supports around clubs and the things that used to support in those areas are not as prominent or as prevalent. So, the key relationship with school and with a trusted adult is absolutely crucial for success and the pathway in education for a young person.

If you have a teacher shortage and you can't establish that, or you've got relief teachers, or the teacher contract is changing on a particular class, then that does create an issue in Tasmania. It is a significant issue and it bites. It bites really hard in Tasmania because of those reasons that I've just spoken about.

I reiterate: that doesn't diminish from the work that our educators do at the moment. It's too much and it is unsustainable unless there are stronger efforts, like other states and territories have done, to attract educators to Tasmania.

**Mr GENFORD** - If I could just give a personal example, Anita, of how it's relevant, especially to bullying. Before I took on this role, I was head of year 7 down at Taroona High School. When you've got staffing, you've got time to be able to deal with some of these issues. So if I'm head of year 7 that actually means I teach 50 per cent on class, 50 per cent off class compared to a teacher who doesn't have those responsibilities. I would have a free hour or two



a day to deal with issues that were happening in the classroom that may have been happening to year 7 students.

In Taroom High, that's 300 students, so it's almost a whole school in some areas. But when you have a lack of teachers, the leadership teams are the ones who are dragged into the classes. You then become the relief teacher and you actually don't have time to deal with a lot of these issues and build those relationships that Brian's talking about as well. From a staffing shortage perspective, when your leadership, and even principals, I've heard of, are having to take classes, they can't actually do a lot of those external things. The focus just has to be on getting through the day, pretty much, as opposed to actually trying to work through some of the issues that you're informed of.

I think the resourcing part of the question you also asked is about the professional support staff being able to run programs often that schools can't afford. It might cost money to actually have programs in place, whether it be because it's already predeveloped, et cetera, or what that could look like. But also, even getting students in to see psychologists and social workers, and the wait lists that we have, to help kids talk through some of the trauma they're dealing with, the cost of living and COVID, the impact it's had on families and then the impact it has on kids, so what they're actually dealing with before they even get to school. There's no professional support to help them. That's kind of there.

If I can then talk about the tiered learning. I don't want to assume, so if I could just give a quick explanation of the four different tiers that schools kind of use now. Tier 1 is your traditional teaching. That's your classroom teacher teaching in front of a classroom. That's tier 1 support. Tier 2 is when a kid needs to be - let's say it's algebra. The kid doesn't understand it. What they do is they'll get all the kids out of class who can't do algebra. It might be, let's say five or 10 kids, and they get support, smaller classes and usually someone from leadership going through with them. Importantly, the other kids don't learn stuff that these kids have to know. They go on with some extension, et cetera, so these kids don't fall further behind. But it's not a permanent removal from class; it's a structured approach to help them do that. Tier 3, which is where we talk about a lack of funding and then tier 4. Tier 3 is where a student is, basically, identified as not being able to handle being in a mainstream class or being taught how they're traditionally taught. They need to be, basically, out of that class all the time. They're put in, maybe, a unit where a teacher is in charge of them all the time. You would hope to not see more than a ratio of 10:1 in that type of environment, and they wouldn't do any type of classroom activity.

**Mr WIGHTMAN** - And it's up to the schools to fund those programs. There's some trauma money, but that's being spent a thousand times in a thousand different ways. That might be a cafe or something like that, or a more hands-on type approach to learning, and it's an intervention that's put in place to support those students.

**Mr GENFORD** - Tier 4 is students who can't handle being in a mainstream school at all, so they actually go off-site. It's more one-on-one or two-to-one approach to learning, and they're given that support.

Now, one of the issues we have, and we've seen a lot of increase in violence in schools and the bullying towards teachers, and then also student to student, is this tier 4 approach. If you think back to when we changed the law around that kids need to be at school until 18 or to have an apprenticeship. Previously, when these kids got to grade 10, the tier 4 kids, they would

then just be released from education and they would be expected to go and find work. Now we're expecting them to attend colleges because the tier 4 program doesn't have the funding or the programs.

The feedback I've got from tier 4 staff is the programs aren't there that would need to be done to keep those kids. Now we're throwing them into the college mix. These are kids we've already identified can't be in mainstream schools, and then we wonder why - it's almost like throwing them in the deep end and say, 'Here you go, good luck, and, by the way, please don't hit staff while you're doing it'. Like support staff. We get Tas [teacher aides] that get put to them, the attacks that we see, because these kids, we know they can't handle. We put them there.

The other thing we didn't do, if we just go back to the tier 3s, is when we said to colleges, 'You have to have kids until they're 18', we never actually increased their tier 3 funding, or any type of funding, to say now you're going to have a whole heap of kids who don't want to be there.

When we went through the college system, we often look back at it on a real positive note because you had such a choice of what you wanted to do and you were in classes with kids who wanted to do the subjects you were doing. There's so much learning going on because behaviour was an issue, because if the kid didn't want to be there they would go and change to a different course.

Now we've got a subset of kids who don't want to be there being forced to be there and who cause disruption in classes and there's no extra support for colleges to run a tier 3 program, so they have to do it off the side of their desk with the funding they already have to try to support those kids.

We didn't really think about the unintended consequences. We wanted to try to increase kids being at school, which is great if they're learning something or if there are programs in place that they're benefiting from. If I then tie that back to why this is relevant to this inquiry, it's because these are often the kids who are then lashing out and acting out either at staff or other students, and again, to me, that goes back to why are we putting these kids in these situations without the support that we know they need and then sit back and wonder why they act up?

Maybe I'm a little bit too glass half-full, but I think all kids have the ability to be nice people at school, but they have influence from home and they have influence from a lack of support at school, and we are letting them down. I don't necessarily think the kids just go that way for no reason and why don't we have the support in place?

**Mr WIGHTMAN** - Just to explain that, a grade 10 can be off-site full-time, and usually they're in a part-time enrolment situation, so I think of RADAR, that fabulous program in Launceston, and I think there's an equivalent down here in Hobart and on the coast, and then once they finish that, they can just enrol at college. It is great that they're involved in education, but it is completely - if you think of a Launceston College with 1500 kids and you've gone from a ratio of 1:2, 1:3, or whatever it might be on a part-time basis, to that, and they do transition no doubt, but then to be enrolled at, say, a Launceston college environment, of course that's going to fail. There's no other way to describe it. That is going to fail.

We see that as one of the major areas and we've been talking to the government and the minister a lot about this and the need for those additional supports in that space. It was also an unintended consequence of moving every high school to year 12. With that 7-10 curriculum and supports, you are now expected to extend that beyond so it becomes 7-12 with those same resources into those areas because that funding for tier 4, for example, doesn't exist in years 11 and 12.

**Ms DOW** - And just to be clear, it doesn't exist in the primary school levels either?

**Mr WIGHTMAN** - No - grade 8, really. I understand that, because you're trying to avoid recidivist behaviours. Everything that we have learnt about people who end up in incarceration, in prisons, you're trying to avoid that so you're putting everything in place before the kids get to school, or you should be, with child and family learning centres, et cetera, you're doing everything you possibly can in those early years to prevent that. You're holding on and holding on so that you're not creating a cycle, not having kids in the cycle too early. It's generally, in my understanding, around the grade 8 level, 14-year-olds, before they're offered those programs.

**Mr GENFORD** - Just to add to both your questions, Anita, it doesn't exist on the west coast, so there is no west coast provision for those schools. It's only in Launceston and Hobart. I think there's a north-west option as well, but not on the west coast.

**CHAIR** - What about the east coast or further down south?

**Mr GENFORD** - No, I don't think so.

**Mr WIGHTMAN** - In areas like St Helens, for example, schools become extremely innovative in the way that they are able to educate and provide opportunities, but it would be very much the goodwill of schools, the goodwill of school leadership and the goodwill of communities, people who are willing to come in and work with the young people. It's really their initiative rather than often a tailored program in some of those rural and regional areas. School farms are terrific examples of those.

**CHAIR** - Just concluding my questions around this issue, you've stated in one of your recommendations that you want to see an increase in funding for tiered programs. How much funding is required? Have you done any work around that for the committee?

**Mr WIGHTMAN** - I certainly don't have even a ballpark figure, but what I would say is that there are two parts to it. One, it would be fairly easy to identify those students who have been in tier 4 programs who have transitioned into colleges, so that wouldn't be a difficult situation. What is needed, though, is you would have to make sure you have the facilities to provide the best chance and the best support for those young people. If you think about colleges, traditional academic learning in lots of ways, of course they've changed over time, but there may not be the facilities for those type of programs. Even though it's a small ratio, they do require a particular set of classrooms and learning spaces that could well be different to a traditional box classroom shape.

**CHAIR** - Are there other examples of models of this type of delivery of these tiered systems and this different way of learning in other jurisdictions that you could point to that are held in high esteem?

**Mr WIGHTMAN** - I don't know.

**Mr GENFORD** - Not that I'm aware of, but I'm sure they do exist.

**Mr BAYLEY** - To continue on the theme of resourcing, we have the minister before us immediately after you and I'm sure she will celebrate an agreement a week or two ago about meeting 100 per cent of the schooling resource standard from 2026, as opposed to from 2029. I know the AEU has concerns about loopholes in relation to that funding and that it strips funding from actual classroom work and the kind of work that schools could be putting into addressing these issues. Can I just invite you, for the record, to explain to the committee your concerns around that funding agreement and the loophole that means that \$100 million+ doesn't go to classrooms?

**Mr GENFORD** - I'll state first, because it kind of got missed in the media, that we do support the fact that the money that is being promised is happening in two years and not 10 years. That was a major concern when the Prime Minister first announced that it was going to be over 10 years and it sent red lights flashing, so I welcome that we'll get halfway there by two years. However, it's not 100 per cent full funding. The reason why it's not is that when David Gonski did his original research, he did not put in place the 4 per cent loophole that you mentioned. That was put in by Turnbull or Abbott so that schools could pay for depreciation, regulatory bodies for both public and private schools, transport for both public and private schools, and one more that I can't think of.

When we're talking about 100 per cent, when Gonski did that research he identified what was required for 80 per cent of our students to get to the national minimum standard. This is not 100 per cent of our kids to achieve the minimum of what we want nationwide, this is for 80 per cent of our kids. He did not include the 4 per cent loophole and that is why it is not fully funded and why we'll continue to stand up and fight for that.

We feel that the state government increasing their funding by 2.5 per cent is great, but what we would have preferred to see is over, let's say five to 10 years, they increased it by 4 per cent by removing the loophole and the federal government, instead of increasing it by 2.5 per cent, increased it by 5 per cent. We really feel that if the federal minister said, 'We'll put 1 per cent on the table and then match you for every per cent you remove from the loophole', we could have got to full funding over five to 10 years, whatever it would be.

The frustration that we will only get halfway there, albeit in a quicker time period, means that our kids are missing out, on average, \$1000 per student. The reason I say 'average' is because Gonski identified that there are some areas where kids need it more. Our low socioeconomic schools are probably closer to \$1200 and our higher ones probably \$800, but on average it's about \$1000 per student that this loophole caters for and means that our kids are missing out on what is needed. It would be a great way to pay for some of the tiered funding for more support staff.

**Mr BAYLEY** - What does that mean in a practical sense?

**Mr WIGHTMAN** - Teacher registration. Public school kids and their families are paying for the registration of teachers in private and Catholic schools. That's what it means.

**Mr BAYLEY** - What does it mean in terms of what they're not getting in their school?

**Mr WIGHTMAN** - Well, the tiered programs in colleges would be a start of it and then, in my view, there would be perhaps money around recruitment and there would be money around making sure that their accommodation in areas was up to scratch, and that you are able to put those things in place to attract educators to areas most needed.

**Mr GENFORD** - I think, for kids in the classroom, it means teachers will have access to innovation. I think there are programs out there that teachers can't access because schools can't afford it. What can we actually do to make school more interesting for those kids that aren't learning? I think that credit to the federal minister we're not, against everything he's doing, part of the funding they're looking at doing is looking at identifying kids who fall behind early, and I think that's crucial. We've seen a state government that's been focused on the grade 10 to grade 11 transition and not focused on kids who are identified early, in grade 1, grade 3, and working on actually fixing them.

Let's get more staff in there so if a kid is not able to read independently by the end of grade 3, which is the target, let's have targeted intervention. Let's have retired teachers who would love to actually keep their toes dipped in the water just go in and help kids to read so that when they get to the end of grade 4 or 5, they can read and not like high schools, we get feedback that kids still can't read.

Let's have speech pathology for all students who can't speak correctly so that they don't have to have a two-year waiting list. I've got a personal story here: the best thing my child ever did was get a stutter before she started school because then St Giles deals with her straight away. If she had gone into kindergarten and then developed a stutter, she would have been on a two-year waiting list to see a speech pathologist at a school and then started to improve it. All of kindergarten, all of Prep with a massive stutter that would have impacted her learning.

They're the types of things that I think kids are missing out on and it's important.

**Mr WIGHTMAN** - I would think, in that regard, any additional funding, the more that you can put into early childhood education, the research shows that that is the best bang for your buck. Like the child and family centres and having the professional staff in those, the social workers, the psychologists, speechies. It's good to see that occurring, but more of that in our challenging areas I think would - is an outstanding use of those additional resources.

But I make the point that when the minister - people know my background, but I've been very, very clear, whether it's Labor, Liberal, whoever it is; that the fact that they fought, they are saying 100 per cent is wrong. It is factually wrong. That loophole means that that money, that 4 per cent, \$1000 on average per child, doesn't get through the school gate.

And paying for - people make the choices about their education for their families. I have no issue with that at all. But I think it is inherently unfair that that money is used, for example, to pay for the registration of educators in private and Catholic schools.

**Mr GENFORD** - If I could just give one more example that's actually not part of our submission, but I think it's relevant through conversations I've had is: what support do we actually give to kids who do bully either staff or students? We don't go down the same path that we see some politicians in regard to suspension rates. Sometimes, principals need to have

the ability to suspend a child because, to demonstrate to other students how serious they're taking the actions of the student, and also sometimes for it to be a circuit breaker to give staff and students a break.

I guess my concern is that when a student is suspended, what's actually happening? Are they just at home? They may not even be supported. Possibly roaming the streets. We don't know. It would cost money to put programs in place where if a kid got suspended - and I've had this experience when I taught in London. Now, London definitely doesn't have a perfect schooling system, but when a kid got suspended, they would actually go to an external place where teachers, social workers, psychologists were and, instead of being home for a week or two weeks, they would have to attend this centre and they would then be able to - well, then they were required to get support.

We've currently got, basically, an automatic suspension for kids caught smoking. Well, at the moment, we send them home for a week, where they probably just smoke at home without supervision. What if there are actually programs in place where the kid was required to go, and go through a program of something to do with smoking, like the intervention? What if there was an anger management program a kid needed to go through?

It's very difficult for schools, again linking to the teacher shortage, and I've had this as well, is when a kid returns from suspension, ideally you want to have suspension meetings, you want to go through, you want to actually identify a re-entry program. Again, if staff then go, 'We actually need you on class', and we end up going, 'Okay, well, the kid just needs to start', how does that work?

There are possibilities and solutions for what can happen, but there's a reality that money is required, and schools and the Department need to be able to have access to that to think about what they could put in place to help kids who have fallen off the track. Is it to do with literacy and numeracy? Is it to do with anger management? Is it to do with trauma? How can it be identified? We can't continue to expect teachers and support staff to be the ones who can fix that. That's not what they're trained in. That's why the professional support staff is key. That's also why the schools not being able to run programs that they want to be able to run due to funding issues becomes a concern.

**Mr WIGHTMAN** - I say this with all due respect to anyone listening or watching today's proceedings: we live and breathe this every day. You can see the passion from David. Our kids go to public schools. My children have the most amazing public school experience. Their teachers care and do an absolutely outstanding job, so no one discredits the work that they do. We went to public schools. The reason I've had opportunities in my life is because of those experiences that I had at school. But, importantly, my parents believed that that was the one gift that they could really give me in moving to Australia, was that education.

So, when we talk about this, we are passionate but we do not criticise the educators in any way because they are doing an unbelievable job in the face of great challenges at the moment, increasing complexity of students, staff and student shortage.

We don't blame kids and their parents either. They need additional support and I can guarantee you, from my lived experience, that one of the best ways for a school to be able to get the support that it needs is not to do particularly well on its review because then they get the funding, particularly in our low socio-economic areas, which makes a difference.

**Mr BAYLEY** - Thank you. The recognition of teachers, parents and students is absolutely understood and accepted. For the committee's benefit, how do you tie off that 4 per cent loophole? Where is it and how is it addressed structurally?

**Mr GENFORD** - Structurally, it's part of the bilateral agreements between federal and state governments. We strongly feel it needed to be part of the current negotiations.

**Mr WIGHTMAN** - And it's the reason why some other states are holding out.

**Mr GENFORD** - That's right, they are holding out because we've got Labor governments in other states that want to look at a long-term way to get rid of the 4 per cent, but they can't if they're being asked to increase the 2.5 per cent. That's the way it needs to be done. We need the federal government to be working with the state governments to make that happen. That's why we see other states making it a priority.

**Ms JOHNSTON** - Full recognition of the amazing work that teachers do in our schools. We've heard a lot of evidence in committee about the workload of teachers. They have to be all things to all people often, particularly the case where professional support staff, the long waiting list to see professionals, all those kind of things. We've also heard a lot of evidence that, despite the fact that policies exist across the Department, it really is in many instances, leadership or cultural lead in each particular school.

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 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? And how are they managing the stress where they have to, as I say, perhaps be that child's social worker until they can actually meet the social worker or the psychologist? And be the champion of policies that do exist, but resources and timing mean that you require a champion in each school to be able to implement those.

**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?'. A classic example I can give you is that principals used to have network leaders who would come and visit their school and

basically walk around the school and have a chat to them and say, 'How are things going? What's working?' checking on the principal. Now when they visit, they go, 'Where's your school improvement plan? Why haven't you done that or why hasn't that been met?' et cetera.

Principals have so many balls they are juggling in the air that, for them - and I have never been a principal, so I do not know how on top of policies and procedures they are - but the asks we have put on that role, especially in smaller schools - I guess this is why we have conversations because you bring up things you haven't put in your submission - our smaller schools, you are asking principals to do a lot of what a larger school principal does, without the network of assistant principals and AST [Advanced Skills Teacher].

You have to have, I think, 100 kids before you get your first AST and you do not get an AP [Assistant Principal] until you are over, I think, 300 kids. Do not quote me on that, but there is a formula that goes up as to where you have to be and whilst we continue to put the pressure on principals, where is the time to actually go through everything? I think we need to really think about that, about what we ask of principals to do, what we ask our staff to do and how we can fit it in.

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.

I think that is an avenue but, definitely, the amount of stuff we are asking is crazy and, from a teacher's perspective, one example is learning plans. Learning plans are great when they are developed and when you have the resources and time to actually execute and implement them. When they first started, I would have said I would have had two to three kids in my class on a learning plan, maybe a few more if we had a higher Aboriginal and Torres Strait Islander population, and even with that community, we could focus on culture, if the kid was achieving well in literacy, numeracy, the focus could be on culture.

Now that is not the case, which is quite offensive to some Aboriginal and Torres Strait Islander families because if their kids are achieving well, why are they on a learning plan? We've been told by families that it's an insult. That's one thing.

Now I'm hearing of 15 to 20 learning plans in a classroom. When do you have the time? We've asked this of the Department and we still haven't had an answer. How much time do they expect people to put into learning plans? We are now hearing that because there are so many, you actually can't resource and implement the learning plans and they have become a



tick and flick option for so many kids as opposed to what they were designed for to start with, which is targeted intervention for kids who really need it.

That is a classic example of what was expected. When I started teaching, that didn't exist. We're now at a point where they dominate a lot of what is required in schools and are preventing what they were intended for in the first place.

**Ms JOHNSTON** - That goes to my next question. How does that impact on recruitment and retention? Teachers are in a situation where they can't do their job, they feel frustrated whether it be they can't implement learning plans for a child that's got a disability, for instance, and they feel frustrated that the child's being discriminated against or can't put the supports around a young queer student or those kinds of barriers. How does that lead to the issue around recruitment and retention when we clearly have a significant shortage?

**Mr GENFORD** - The elephant in the room is we actually don't have a shortage. We don't have a shortage of teachers. We have a shortage of teachers who want to teach. There are so many people who are qualified teachers who have left the profession and have just said they don't want to do this anymore. The answer to the question is they go, they leave, they burnout and they don't want to come back because they think -

**Mr WIGHTMAN** - Within their first five years.

**Mr GENFORD** - They see things that aren't changing. For a lot of people my age and older, you go into a profession and say this is what you'll do for the rest of your life. That's no longer the case. People of all ages are leaving.

We've seen consistent increases of 50 per cent per year increase in people not completing their qualification. They go in, do their pracs, often get a limited authority to teach, which is throwing teachers who aren't qualified into harder schools, then we wonder why they quit and don't even finish their qualifications. I'm sure we could work that one out. We see the same type of increase in people leaving within the first five years. These are not people who make that decision lightly. They've invested two to four years of their life studying, not being paid, then choose to leave because of how hard it is. We are seeing people not make it through time and age because they don't want to do it.

What we're also seeing is because they're burning out, they don't want to come back as a relief teacher. When people retired, they would come back and do relief because they wanted to keep doing it. Now people, because they're not getting to retirement age, just go and quit cold, clean and you can't get them back while we continue to treat our staff the way we do.

To answer your question, they are leaving and we do have teachers out there. If there were drastic changes and we made support and they could actually hear what was happening in schools, maybe they do come back. That's the reality of what's happening.

**Mr WIGHTMAN** - From a behaviour point of view and potential bullying from students, I've visited schools on the north-west coast where it's a year to get into the paediatrician. You're waiting at least 12 months in some cases to get in, particularly if you're not a priority, if you can find a paediatrician to actually get an appointment with. In the system currently, if you don't have a diagnosis then funding is near impossible. That is a significant challenge for the system.

David talked earlier about principal wellbeing. I think that's absolutely crucial. If I could explain how I think the system has changed since I was once in a principal's chair, I think that that has become a press or a vice-like grip on education. Once upon a time, if you had a crisis in a school, which often does occur, you would have someone come and sit with you, an experienced principal or leader come and sit with you and help you through those situations. I don't believe that happens like it once did in any way. I think the levels of accountability on school is the major change. I don't have a problem with data, I don't have a problem with testing, I don't have a problem with levels of accountability, but when it is so fierce and so tight on schools like David described earlier, that takes your eyes off the prize, and the prize are the kids.

You are trying to put things in place and push staff so that you get those results that are demanded by those above you. I describe it as a vice-like grip or a press on the system. You've got a teacher shortage coming from below, increased complexity of kids, lack of support for those students, increased accountability from the top and then you have a pressure point in the middle, which is the situation that we face right now. I fear for principal wellbeing into the future.

**Mr BAYLEY** - Wellbeing full stop. 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? I think most people would be surprised to hear that teachers in the state system don't have access to recourse if they are experiencing bullying and discrimination.

**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. The relationships in a school are always interesting because the principal is the one who will help decide if you are on a career trajectory to become a teacher and then move up to an AST or an AP. They will be the ones who have that role. 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. Teachers 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.

**Ms JOHNSTON** - You mentioned there are other jurisdictions that do it well. Could you point us to some of those jurisdictions so we can look at their policies and how they've implemented them?

**Mr GENFORD** - I'm not aware of their policies but in New South Wales you have principals in the media all the time who will come out and say what's happening and they don't have that same type of fear. I think if you see any type of education coverage where teachers or principals have been prepared to put their name to comments or appear, they're the jurisdictions where the culture is different.

I haven't seen the policies so I'm not sure if they're different, but that's why to me it's more about the culture as opposed to what's written because that's the feedback. We saw the Industrial Commission when it came down against Jenny Gale and some other secretaries from different departments around what was said to staff around what they can and can't do during negotiations and they were told they weren't allowed to do that. It has been shown in the Industrial Commission that what they were doing was wrong, but I would argue that it hasn't caused any major changes.

**Ms JOHNSTON** - I am just aware that we are a little bit over time. Anita or Miriam, do you have any questions?

**CHAIR** - The thing I wanted to conclude with is around workplace health and safety, which builds on the theme of what you've been speaking about before, but just how alarming the psychological injury claims were for workers, going up from 54 in 2021 to 149 in the year to March this year. I just wondered if there's anything you wanted to leave with us, any key concerns or points on that, for the work of the committee?

**Mr GENFORD** - It's one of our focuses at the moment because the workplace health and safety act has more power than some of the stuff that's in the State Service legislation. The introduction of psychosocial impact in workplace health and safety is, I think, going to continue to rise. I think that schools have not traditionally been set up with correctly elected health and safety representatives in their workplace. That's something that we're encouraging and I think the government needs to treat this extremely seriously. The data is there to show the rise and I would argue it's not on a plateau. The trajectory is going to continue to climb if we don't do something about it and the fact that the act was changed to include psychosocial impacts shows the importance other bodies are treating this with and we need to ensure that we actually have a safe workplace.

It's one of the reasons we don't come out as strongly in regards to suspension data is because you do actually need to provide safe workplaces and sometimes that's what principals need to do. You also need the support and the resources that we've spoken about already to ensure that principals have flexibility and have options. I really feel as though they are hampered and they're doing it with one arm tied behind their back if they've not actually got the funding to try to implement some things that would help improve the psychosocial impact on staff in schools.

**CHAIR** - You suggested that we should examine, as part of the work of this committee, looking at whether the full safety risk assessments have been done by staff at school. That's something that we'll undertake to do as well.

**Mr WIGHTMAN** - This is a massive change, Anita. The reason for it, as David explained, is around the health and safety act. Having HSRs [health and safety representatives] in schools and colleges, it would have once been your odd school and college that had an HSR in place. That is becoming a lot more commonplace as we deal with some of the issues. The rationale that they haven't been in place is because of an overarching want for students to achieve in schools. Therefore, some of the behaviour would be tolerated because we are trying to provide an education for that child.

It has got to a point now where there are safety concerns for our educators and that's why we have been advocating so strongly around the act and also HSRs in schools and colleges. We

are, along with the communities, understanding of psychosocial issues including, stress, depression and the like, that has come to the fore as well. There is certainly more understanding and I think there will be more reporting into the future.

**Mr GENFORD** - The one thing I would say to add to that is traditionally if there were workplace health and safety representatives, they were appointed by the principal as opposed to elected and voted on by staff. Then you have a case of who's actually doing the risk assessment. Have they had the training? Are they actually aware of what they're assessing? And have they actually been put in the role correctly? The WHS act is very clear in regards to how to elect HSR representatives. I would argue that in the predominant amount of schools that that hasn't happened and it's just been an appointment to someone and say, 'Well, this is what I want you to do'. That makes it less likely, I think, to be accurate and upfront with concerns because you've kind of been appointed into the role, the fear of pointing out to the principal something that needs to be fixed as opposed to someone who's elected and representing members who then has that want of making sure what they're doing is actually in the staff's best interest.

**Mrs BESWICK** - You mentioned right back at the beginning about your leaderships in the classes and things like that. I spoke to a private school principal recently who was saying that in their school they probably have the highest rate of teachers actually in the classroom and very few administratively employed, and that changed the balance on the books in the sense that if you've got quite a few leadership trained teachers and they're getting counted as the per student head. Do you think there is a value perhaps in less administrative or more different types of administrative staff to take that support of teachers more, you know, to get more teachers back in the classroom?

**Mr GENFORD** - Can I just clarify please? When you talk about administrative, are you saying teachers in leadership positions or are you talking about traditional admin staff?

**Mr WIGHTMAN** - Like senior staff?

**Mrs BESWICK** - More senior staff.

**Mr GENFORD** - My response to that, Miriam, is in public schools, we can't pick and choose which students we want to deal with. We need to have leadership positions in place that are going to deal with students who are finding it difficult to learn. In a private school, if a student is acting out and behaving inappropriately, they encourage them to leave either formally or with conversations through parents and they end up in a public school.

Teaching at Taroona High, we get all of those from Hutchins, Friends, Collegiate, kids who are considered not the mould or not the people they want at private schools. Because they are living in the Hobart area, they end up at Taroona and then we need to work with those students. It's not really comparing apples to apples when a private school says they're happy to have fewer people in a leadership position, because basically then they don't have to deal with a lot of the stuff that we're dealing with in public schools. The principal role in a private school is more a business role as opposed to a leader in education: how do we actually get more kids into the school, how are we going to be profitable, et cetera? That's where it becomes difficult for me to make those direct comparisons.

What we do need to do, and it is happening slowly as part of the advanced skills teacher and assistant principal review we're conducting with the Department now, is have a look at the roles and responsibilities, what we're actually asking our ASTs and APs to do. Could we look at some of the tasks we're giving to them? That would be more appropriate for your suggestion, Miriam. Is there someone in a non-teaching role that could come in?

A classic example is following up attendance. If there are attendance issues, we're getting assistant principals who are on pretty good money having to follow up instead of someone on an admin role. What are we asking them to do? Relief is another one. Why is it that a teacher needs to be the person who's ringing up to find out if someone can work the next day? I agree with the fact there are definitely admin tasks that we could take off our ASTs, APs and principals to give to someone else. I hope the review we're doing will look into that and see what can happen. I would also argue that instead of removing the ASTs and APs, I think we need to ensure that they're actually able to do the core business of what they were there to do, which is that building of relationships.

A classic example is when I first was an AST, we had a behavioural role and an academic role. We would then identify kids who are struggling and go and support them. It got to a point where there were so many behavioural issues, that was your focus. You couldn't actually go back to what the core of the role was, which is to really support students who are struggling either behaviourally or academically. It became just about behaviour. That would be my concern. If we're not actually having a good look into what the role is and what we want to have out of it as opposed to removing it.

**Ms JOHNSTON** - Thank you so much. I think we could talk for a long time.

**Mr WIGHTMAN** - One thing. I never get an opportunity to do this anymore, but over a decade ago, I changed the *Anti-Discrimination Act* to narrow the focus of religious discrimination in schools. If your school was full, you couldn't just be calling or saying that this child couldn't enrol because they weren't Catholic or whatever it might be. We absolutely narrowed the focus to make it more difficult for Catholic schools in particular in that situation. The first term of the then Hodgman government that was changed.

**Ms JOHNSTON** - Thank you. That's useful history for us to understand.

**CHAIR** - Thank you both very much.

**Ms JOHNSTON** - Thank you for your appearance today. What you've said here, as a reminder, is protected by parliamentary privilege. Once you do leave the table, you need to be aware the privilege does not attach comments you may make to anyone, including the media, after you left, even if you're repeating what you've told us here today. I'm sure you understand that.

So thank you so much for your time again.

**THE WITNESSES WITHDREW.**

**The Committee suspended at 11.04 a.m.**

## PUBLIC

**The committee resumed at 11.37 a.m.**

**Ms JOHNSTON** - Welcome to today's hearing of the Inquiry into Discrimination and Bullying in Tasmanian Schools. If you could introduce yourself and the capacity in which you're appearing before the committee. We might start in the room here physically, so Ginna.

**Ms WEBSTER** - Yes, thank you. I am Ginna Webster. I am appearing as the acting secretary, Department for Education, Children and Young People.

**Ms DAVIDSON** - I am Ruth Davidson. I am the acting deputy secretary of Continuous Improvement and Evaluation.

**Ms PALMER** - Jo Palmer, Minister for Education.

**Ms BURGESS** - Jenny Burgess, associate secretary.

**Ms JOHNSTON** - Thank you very much. Can I confirm that you have all received and read the guide sent to you by the committee secretary, please?

**WITNESSES** - Yes.

**Ms JOHNSTON** - This hearing is covered by parliamentary privilege, which allows individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside of the parliamentary proceedings.

This is a public hearing, which means that members of public and media may be present, either here physically or online. Should you wish any aspects of the evidence to be heard in private today, you need to make that request to the committee and then we can make that determination.

Just to introduce who is here today, we have online our chair, Anita Dow, Labor member for Braddon, and we have in the room Vica Bayley, Greens member for Clark, Miriam Beswick, the independent member for Braddon, and myself, Kristie Johnston, independent member for Clark.

**Ms GINNA WEBSTER**, ACTING SECRETARY, AND **Ms RUTH DAVIDSON**, DEPUTY SECRETARY CONTINUOUS IMPROVEMENT AND EVALUATION, DEPARTMENT FOR EDUCATION, CHILDREN AND YOUNG PEOPLE (DECYP), WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

**Ms JENNY BURGESS**, ASSOCIATE SECRETARY, DEPARTMENT FOR EDUCATION, CHILDREN AND YOUNG PEOPLE (DECYP) WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED VIA MICROSOFT TEAMS.

**Ms JOHNSTON** - Just before we begin, the committee has decided to read a sensitive content statement, given the nature of the things we will be discussing today. We recognise that, during these hearings we may discuss highly sensitive matters that have deeply impacted the lives of Tasmanians. This may be a trigger for individuals listening to or participating in these proceedings. I'd encourage anyone impacted by the content matter during this hearing to

contact services and supports such as Lifeline Tasmania, 1800 984 434, Kids Helpline on 1800 55 1800 or Beyond Blue on 1300 224 636.

Minister, perhaps you might like to begin today's hearing with a short opening statement?

**Ms PALMER** - Yes, certainly. Thank you very much and I do want to thank the committee for the opportunity to come before you to discuss discrimination and bullying in our Tasmanian schools. There is no question that everyone in the room, all of us as members of our different communities, absolutely want to know that every child, every young person, can access a great education and be safe from harm. I think all of us want our schools to be environments where, no matter what else might be happening in a child's life, they know that when they come to school, that will be a safe environment for them. Respectful behaviour in our schools, it is everybody's right, and of course, in saying that, it's also everybody's responsibility. We certainly promote positive behaviour in our schools and in our child and family learning centres, and we're absolutely committed to providing inclusive environments for all students to learn.

Discrimination and bullying not only impacts those who suffer through that harmful behaviour and that experience, but it also impacts the perpetrators, it impacts the witnesses who see this happening in their environment and I think it also impacts the families as well in a major way. The impacts of discrimination and bullying can be both short- or long-term, it can influence a person's self-esteem, it can influence their health and certainly their mental health and, indeed, their confidence to be able to participate in learning, which is the primary reason that we have our children in our schools.

Our classroom and school culture are the main variables between schools that are either effective or, indeed, ineffective in dealing with discrimination and bullying. Interventions to prevent and combat discrimination and bullying are more successful, we know, when targeted at the peer group social level, rather than solely at an individual level. Strategies include explicit teaching of school values, fostering positive teacher-student relationships, teacher skill development and principal support, and, of course, adult role-modelling in that school setting.

Our Department's approach to combating bullying in government schools is consistent with the Australian Student Wellbeing Framework and is supported through school and student wellbeing supports and respectful relationships education. Discrimination and bullying are effectively addressed through a real multi-pronged approach involving cooperation between students, staff and families, other agencies and support services and, of course, our community organisations.

The provision of safe, respectful and productive learning environments is only achievable with a really valued and capable workforce. Staff wellbeing is, therefore, such a focus for the Department and for our government. We're committed to providing and maintaining physically and psychologically safe and healthy work environments in which our staff can thrive and grow, and do what they've trained to do and what they put their hand up to do, which is to be educators first and foremost.

We continue to build our staff, our students' and our families' understanding of what constitutes discrimination and what constitutes bullying, and understanding of that impact. And then, how can we prevent, how can we respond appropriately to that negative behaviour in our schools? It's important to remember that discrimination and bullying in schools doesn't just sit



with our children. We have our ongoing The Line media campaign, which is really focusing on encouraging adults in this environment to reflect on how they interact within the school and certainly with school staff. Ensuring schools are free from discrimination and bullying is very much a shared responsibility. It sits with children, it sits with staff, it sits with parents and carers. It also really firmly sticks within the wider community as well, and we know that our schools are just one part of our broader community.

Our team is here. We really hope to be able to answer all your questions as thoroughly as we can. None of us sit here under any illusion that things are not where we want them to be in our schools, not for our teachers and not for our students. But we hope that we're able to set out today examples of where we have a really clear focus and a determination to try to turn around where we know it's not where we want it to be.

**Ms JOHNSTON** - Thank you, minister. I'll go to our Chair, Anita, to see if you'd like to start.

**CHAIR** - Thank you, minister, for presenting before our committee today and to Jenny, Ginna and Ruth. We appreciate your attendance and the ability to ask you some questions about the work of our committee today.

I'm going to start with a concern that's been raised by a number of those who have presented to us over the course of our hearings - that is around what's been described as a crisis across our teaching workforce and that this is a significant factor contributing to discrimination and bullying across schools, and some of the behavioural issues across schools as well. I wondered if you might provide some insight on that, and what it is that your government is doing to provide specific support for principals - what the teaching staff across our schools - but also around attraction and retention. One of the key issues that's been raised with us is that housing has been a significant barrier to recruiting teachers across the state.

**Ms PALMER** - I might kick off on that one and then I'll go to Jen and the team to add some extra layers to that. Can I start by saying our teacher wellbeing is just right up there on my radar as a minister. One of the main challenges I set for myself when I came on board was to ensure that I got around to as many secondary schools, district schools, primary schools, CFLCs [Child and Family Learning Centres] and colleges as possible and was really having those conversations with our teachers and principals. I can read it in a brief, we can all do that, but what is it actually like on the ground? What are some of the real issues for you here? I was having a conversation with a first-year-out-of-uni teacher and asking, 'Is that what you expected it to be?', and was getting a very clear, 'No, this is not what I thought it would be'.

It's so important that we are looking at these amazing people who are coming into our schools and how do we look after them if they're feeling that way? What can we do? I've had conversations with the university to ask, are we making sure that our students, when they hit our schools, are prepared for the reality of teaching, especially post-COVID, where we know it's a different environment to what it was pre-2020?

It's absolutely on our radar. One of the commitments that I've made a number of times in public forums is that I have my team within my own ministerial team, but also with the department, who have a really clear focus on what are we asking teachers and principals to do that is not related to educational outcomes that we can strip out or even pause in our schools to

give some breathing space to say, 'All right, this may be of value, but we actually think there's more value over here if you can be focused in this space'.

That's a body of work we're doing. Some of it is aligned with some national work that's going on as well, but some of it's really clearly centred on what is happening in schools in Tasmania. I'm really aware of this. We know there are lots of supports in place, but we also know that it's still not always necessarily hitting the mark. We do have a focus on that.

I am going to hand over to the team, but I will quickly touch on your housing question. As part of going around and visiting schools, certainly in our remote and our regional areas, I'm also visiting our teacher accommodation and I will say I have been a bit disappointed and a little bit shocked in that space. We have absolutely flung into action as the government, reflective in the Budget, but also as a Department to go, 'Okay, we can't be trying to get teachers to our remote and regional areas if after a hard day they're not going back to an environment that's really conducive to ensuring they have that wellbeing space and that they're looked after'.

I can tell you that in the coming months, when I say we've launched into action, we really have. The first major innovation will be happening on the west coast of Tasmania over the Christmas period where there's 14 unit blocks there. I went into them, I spent some time with the principal from one of the schools on the west coast, and that's going to have a total refurb with money allocated through the budget on this. We have a really clear focus on housing and we've made sure we are resourcing that body of work as well. That's just to update you. Is that what you were after?

**CHAIR** - Yes. I think the other feedback we have is that it's not just in rural and remote areas and government-provided accommodation, it's actually right across the board. It's hard to recruit people even in metropolitan areas because of rental demand and those types of things as well. Any further information that you can provide either in this forum or at another time to the committee about how you're addressing those issues, either by myself or via our secretary, Fiona, would be appreciated.

**Ms PALMER** - Yes. I think where my focus is where I have a direct responsibility and direct control. It is within my remit to be able to get on to very quickly, ensuring that the housing that we have is appropriate and we've certainly sprung into action there. Generally we know that there are issues with housing and we know that that impacts many industries and people coming to Tasmania or wanting to move around Tasmania. I was speaking with some students at Newstead College today who are about to go to Hobart to study at university, to study at IMAS and, of course now they have to start to look for accommodation. But certainly what is within my remit and where I do have control is in ensuring that the housing stock we have as a Department is fit for purpose, but I don't want it to just be fit for purpose, I want someone to go into that home and go, 'I am valued and this is the accommodation you've provided for me'. That's the feel that I want.

I am going to hand over to Jen to address the first part of what we're doing around principal and teacher wellbeing.

**Ms BURGESS** - I think there were two parts to your question. It was about teacher recruitment, so making sure that we've got teachers in place to ensure that we've got those in front of the classroom, and then there was an element around how we keep them and how we make sure that they're well while they're in our employment.

I will start at a high level initially and talk to you about the work that we're doing. For us as a Department, there are four priorities in that space. Initially, it's about how we grow and expand and make sure that we're optimising our workforce supply. Then from there, it's about making sure that those who come to us to work are ready, and we are continually building their capability. From there, it's about ensuring that they are supported in a sustainable way and are getting job satisfaction and then it's also about what the future workforce looks like.

There is a lot of work underway. Many of you would be aware that there is a National Workforce Strategy that's come out of the education ministers' meetings and we have been busy working and actioning to make sure that we are attracting teachers into our workforce and into our state. We are continuing to do that by thinking differently about how we run recruitment campaigns and making sure that we've got stronger relationships with our mainland universities as well as leveraging off our local university.

We're working with the Teachers Registration Board to make sure that work around provisional and conditional registration to full registration is as streamlined as possible. That has two positive impacts. One, we get those teachers permanently and the second is that we won't lose them and they can stay in the system.

As part of the government's election, we're also piloting some place-based incentive initiatives to build on the isolated schools program that's already been in place and we are continuing our marketing campaign. What we do know is that we need to make sure in particular that we're keeping those teachers who are early career so we're certainly making sure that they are classroom-ready and supporting them in that way. There is a lot of work being undertaken to make sure that we support teachers in that very early stage when they're transitioning into the workforce and making sure they're getting the learning they need.

Another element I think is related to that is around a sustainable workload for teachers and how we make sure that teachers are doing the work that they need. We're certainly making sure that we are giving that further consideration. I think it would be fair to say that the leadership model and the staffing model in schools probably needs to be contemporised to make sure that we are able to perform the functions in what are now far more complex learning environments than they would have been five or 10 years ago. There is an element around making sure that our leaders are prepared. There's a lot of work happening to ensure that we are supporting leaders that are aspiring to be leaders in our schools so that they can be well supported. I could probably talk a long time about this but won't.

I don't know whether you want to move to the wellbeing element of that.

**CHAIR** - We might just stop there and move on. I'm conscious of time. I know others will have questions. I've got some other questions that will probably feed into wellbeing. I'll come back to those at the end once others have had the opportunity.

**Mr BAYLEY** - Before I move on to my line of questioning, on the housing front, we've seen recently Homes Tasmania dabbling in the health accommodation area. Can you confirm, if there are conversations with Homes Tasmania at all around education employee housing, or is it purely and wholly within the Department that these conversations and this responsibility sits?

**Ms PALMER** - Around responsibility, I'd have to go to Jen on that. I can tell is you that some of the conversations that I've been having with other secretaries in other departments, not official conversations or meetings, but generally around when I came back from a few days in the west coast where we were completely absorbed in the community, it was like 'Is there a whole of government look at housing?' We have teachers, we have health workers, we have parks and wildlife people. What does that actually look like and do we have a strategy around that? That was one of the questions that I've been asking and looking at. Could we do this better? I know the housing stock that we have that we know we're going to keep needs to be brought up to scratch and above scratch. What is that holistic look at that? I personally have not spoken with Homes Tasmania, but certainly on my radar and I'm having conversations with others - with all this government housing stock, what is the holistic view of that? One of the other areas that was really interesting talking to teachers who are in the housing accommodation is that they all work with each other and don't necessarily all want to live with each other. If you could also have nurses, social workers or rangers who are also living in some of these more communal areas, how does that actually help with people feeling like they're more entrenched in the community and having a broader group of people around, which is better for their wellbeing?

Jen, was there anything to add to Vica's question around the responsibility? I think our housing stock sticks with us as the responsibility. Is that right?

**Ms BURGESS** - I'm unaware of whether we've had any explicit discussions with Homes Tasmania. However, I think we know that we are prioritising those areas that we are having trouble staffing rather than our more urbanised areas. Ginna, are you aware?

**Ms WEBSTER** - No, I haven't had any specific discussions with Homes Tasmania about teachers in particular, but I do agree with the minister's comment around some sort of whole-of-government leverage would be useful and we do talk a bit about these issues at the secretary's board. We have had the Homes Tasmania's CEO come to talk to us about their strategy and we have an opportunity to feed into that.

**Mr BAYLEY** - They're not currently working on any Education worker accommodation?

**Ms WEBSTER** - I'd have to take that on notice and talk to our corporate area.

**Mr BAYLEY** - Could you?

**Ms WEBSTER** - That may be occurring at an operational officer level that I'm not aware of. Minister, if you're happy for us to take that on notice, we could provide that advice.

**Ms PALMER** - Absolutely. I have just received a little bit of advice to say that there are actually discussions with Homes Tasmania regarding the west coast key worker pilot. I wonder if we could get some more information for you on that and send that through if the Chair is happy.

**Mr BAYLEY** - That would be appreciated. Thank you.

Look, where I wanted to go myself was around ED5 and codes of conduct. We heard some evidence around the use of that and a bit of a chilling effect on staff in our schools who

are reluctant to speak out. I think a frustration with one school in particular was cited; it wasn't named, but it was cited from a few years ago where a lot of staff left, yet the principle remained, where I assumed - I didn't clarify - where the challenge sat. I also notice that the ED5 has recently been updated and changed. I wonder if you could talk us through ED5 and its application and its use in terms of bullying and discrimination complaints?

**Ms PALMER** - I am going to pass that straight to the acting secretary.

**Ms WEBSTER** - Where I, a secretary, forms a belief that there has been a breach of the code of conduct, currently, we have to undertake an investigation. That's the requirement. Someone might complain about person X and there's sufficient information or evidence for me to form a reasonable belief that there has been a breach. There has to be an investigation undertaken.

My view is that by the time that can occur, there's already been quite a lot of damage with the relationship and that, like most things, it will be best if we could deal with this at a personal lower level where we can. I think that's where training of staff comes in - our workplace safety policies and procedures - so that, where possible, we can deal with, whether it's harassment or bullying, at a lower level as much as possible so we can make sure that things improve and there's a restoration of the employment relationship.

Once it gets into an ED5 code of conduct there are quite clear requirements around the code that are currently being looked at as a result of the commission of inquiry. We do know and we do accept that codes of conduct can take a long time. There's procedural fairness that comes into play. I've seen personally situations where someone has not realised perhaps that the things they've said or the things they've done have affected that person in the way that they have. If there'd been early resolution, the relationship could have been restored. Of course, that's best for everyone.

However, where there's a zero tolerance to bullying, harassment, victimisation and where that occurs there must be an investigation to see if there has been a breach. Then depending on the outcome of that investigation, it's up to the secretary to determine what action might be taken. In some cases it could be counselling, it could be sitting down and having a restorative conversation with the person. If it's quite significant, then there could be termination of employment, which is a matter for the head of the State Service.

There's a continuum I suppose, but we do accept that's a long process and that, like most things, it would be better if it didn't occur in the first place, which is why education, understanding and making sure that people realise that actually there's a very strong piece of legislation, the *Anti-Discrimination Act*. It is against the law to undertake those sorts of behaviours - so the ED5 is the heavy-handed end, but that does occur from time to time and it does take time to actually work that through the system.

**Mr BAYLEY** - You're aware of the sort of effect it has on staff in terms of being willing and able to speak out?

**Ms WEBSTER** - I think it's a really difficult thing. Particularly if there's a senior person that you want to speak out about or you've had experience of. I think it takes a lot of courage to come forward and do that, and that's why we've got to make sure that our staff are supported. We have our wellbeing units and our counselling services that support staff, but I really do

acknowledge that it's a very difficult thing to come forward, particularly where there's a senior person, it doesn't matter what the workplace is, and say that you have experienced this behaviour.

I absolutely accept it can be very difficult and takes a lot of courage to come forward.

**Mr BAYLEY** - Apart from trying to deal with it at a lower level, are there any other steps in place to try to accommodate the effect it can have? Are there any other mechanisms that do encourage staff to come forward?

**Ms WEBSTER** - I think we have got training and support for staff. There are various mechanisms, whether it's through their inclusion officers. I'm not sure what they're called within this Department. Certainly, in my previous Department, we had diversity inclusion officers or we had support people, counsellors, wellbeing units that we had that they could go to, so they didn't have to go directly to their line manager or their supervisor to support them. When that takes place, obviously from an HR perspective, there are a whole range of wraparound supports for the alleged victim of the bullying or harassment, that they are supported through our HR branch. I might ask if Ruth can speak to the actual process within the Department around that.

**Ms DAVIDSON** - Particularly in relation to supporting staff around mentoring, appointments to psychologist services that are available to them and that is really shared. Professional learning is one way, but also those accesses to supports. What we do make a distinction, though, is where we have supports for student wellbeing and staff wellbeing. So, there's that distinction at a staff level that you're not going to the school psychologist, that you have trained people that you have access that are external to the Department where you can have that support and service. There is really clear communication about that support available to staff.

**Mrs BESWICK** - Your description there of having an off-site person, we've had a few submissions that basically said that that kind of a system was in place some time ago but does not currently exist.

**Ms WEBSTER** - Very happy to look at what options might be available.

**Mrs BESWICK** - That there doesn't seem to be an outside person who perhaps visits on a regular basis or something along those lines.

**Ms WEBSTER** - That might be a matter of communicating how staff might be able to get that off-site support in a different way. So very happy to take that on notice and look at those options.

**Ms JOHNSTON** - Minister, we've heard a lot of evidence - and you've taken the rose-coloured glasses off, that discrimination and bullying does occur in all our schools. Particularly, the effect of that is most profound, or quite profound on LGBTQI[A]+ students and students with a disability. We heard evidence today from Working It Out, who provide a service in our government schools in particular. And recognising the two individuals who do amazing work in reaching out to our schools and supporting students, they expressed a frustration to us that, and they understood the reason for the procedure, but a frustration that students wanting to access external services, support services such as Working It Out, had to have parental consent.

They expressed concern that, particularly for the students they work with, who might be struggling with gender identity, sexual identity, that they have to then disclose that to their parent in order to get support through Working It Out through their school. And that is often a very difficult conversation and often a conversation that they need Working It Out to support them with to do that. So, the irony there is that they can't access the support service to have that conversation initially with their parent.

Are you able to talk about how we could address that particular barrier that young people might face in accessing really important support services, for queer students in particular?

**Ms PALMER** - We have had some discussions around this and it's been quite a learning exercise for me as well around the complexities of this. One of the areas where we do need to have some balance, I think, especially in perhaps the lower grades is if that's a conversation that's happening at school and no-one outside of school is aware of that, then can that leave a child in a vulnerable situation where families, parents are not aware that they may actually need to support their child. I get there're so many complexities here because families are all so different and parents will respond in such different and varied ways. Ruth is the one who leads the work in this space. Ruth, are you happy to address that?

**Ms DAVIDSON** - Certainly. Consent has always been required. The policy is called Working with External Providers. It's really important, it's not an LGBTQI policy. Chaplains are working with students. If anyone comes into our schools, we need to be really mindful of who is working with our students in a one-on-one private room, who's with them, and any parent would probably want to know how that is happening with an appropriate level of oversight. I probably just wanted to clear it up. It's not a policy targeting any group. It is for any external provider, which is really important. Consent was always a requirement. I think just with safeguarding being really front of mind with our policies, we just got clear on what that actually means so we have real oversight for the principal to have clarity at a system level.

But we do understand the challenges of that for a child that really has all those pressures at home and that may be really tough. One way we've put some safeguarding in around that is a must in the policy and procedure that if a child does not feel safe to get that consent, the school must put in place access to the school's psychologist or social worker, or resource within the school. So it cannot be just, 'I'm concerned and I have a high risk', and, therefore, we say, 'Well, go and seek a service somewhere else'. So if I read the actual [policy], 'if consent is not provided in the procedure and there's any risk to the student, then a professional support staff member or school health nurse must be provided to support that student.'

And also what we've talked to Working It Out in the past is what we want to get to a model is a real collaboration there; that we use Working It Out with our school psychologist and our social worker, and say, 'Please come and help us with this', and we have a real funding agreement with them to partner with us, because we have a real trust in our professional support staff. We have excellent psychs and social workers that work every day on very complex matters. Again, I come back to this being about a policy for all externals. We have children deeply impacted by family trauma. It may not be this particular issue, but we know our psychs and social workers have to be skilled about so many complexities for young people.

The real benefit for us working with Working It Out is to skill our professionals when there may be a potential here for a child to feel isolated. The thing we balance that with is

family engagement. We want our families involved with the lives of our students and we want to be clear - you know, so that's getting that consent issue right.

We also have looked over time at what the age range we're talking about. In other jurisdictions there's a policy of mature minors, so, college-age students 16 to 18 and making a lot of independent choices about their life. So, would you look at this at a risk and child stage and age element to it? And that was always the second phase of this work was to come back and look at okay, mature minors is a concept, where we apply it to health concepts, so a student with immunisation. And so, we do apply it for rather really complex spaces where children are, if I think about children independent living, homelessness, housing, they're making decisions.

For me, this has been a really important policy that we work and continue to work with Working It Out and other organisations. The main thing is the student is safe, the risk is addressed, but we're communicating transparently. Consent is still - our principals also, with duty of care responsibilities. That's really important that they're supported in their duty of care for that child and we've worked through all of that, haven't we, with safeguarding. It is a complex space with lots of work to do with our providers. But I think with this one, we continue to work really collaborative with Working It Out around skilling our people as well.

**Ms JOHNSTON** - Fully recognising the reasons around that, and Working It Out certainly did in their evidence today, I suppose the issue they're facing and the barrier for the young person trying to access services is that the wait for a senior social worker or a school psychologist is a long time. They might be coming from a home environment which is quite homophobic, for instance. They've then got to have the bravery to disclose to the principal or their teacher or their year group leader, whoever it might be, that they're having these questions and that they would like some support to go on a waiting list to see a social worker or a psychologist to then be able to access the Working It Out services.

So there's a very convoluted and long process in a really pivotal time in a young person's life and a significant issue. So has the Department turned its mind to broadening the services that Working It Out provides to schools in terms of accessibility. So rather than necessarily just working one-on-one with students to work more broadly, not just with the teaching stuff, I know they offer training, but more broadly with the school community, parents, others to ensure that you're not reliant on that one-on-one interaction if the consent issue is going to be an ongoing one.

**Ms WEBSTER** - I think I actually met with the CEO of Working It Out yesterday, coincidentally, we had a meeting and she certainly raised these issues with me and I completely understand the balance that's required. And also, one of the things that Lynn [Jarvis] said, the CEO said was that, by working with students, they get a better understanding of the culture of the school and where they need to put some of that effort, so I totally understand that, but my understanding is they do quite a lot of work with education and working with certain groups and they run pride groups within the school. So, I think that is certainly a really important part of what they do because you may have young people who do not actually want to say anything in front of their peer groups or even to be seen going into a room to meet with Working It Out, because they are fearful.

So, I think it is really important that there is that systemic cultural reform that, through things like pride groups in education, people get a better understanding. So they are doing that work now. What I did say to the CEO yesterday is that I do want to better understand how we



can support them to do that work, noting the issues around consent and some of the things that Ruth has mentioned, but I really genuinely do understand the balance and also the LGBTIQ+ group, particularly at that age, are particularly vulnerable with mental health issues.

**Ms JOHNSTON** - Thank you, if I may continue, minister, that leads probably nicely into the next issue I wanted to cover. We have heard a lot of evidence that whilst the Department has quite significant policies around inclusion, discrimination, bullying, what the experience is, of staff and students from school to school, varies depending on the leadership and the culture, not just within the teaching staff or the students, but the broader school community and in particular when it comes to matters around accommodations for students with disability, recognising, as we said, you know, LGBTQI[A]+ communities and things like that. Can you speak to about how the Department is identifying those schools that perhaps aren't quite leading in those areas or any feedback that you receive by the community organisations or support services that come in and work with the Department or families, indeed, their interacting?

**Ms PALMER** - Thank you very much for the question, could I just really quickly mention something else on the previous question, which was just around - from when I have been in schools, we know that we need more social workers, psychologists, speech and language pathologists, which is why we are on quite a recruitment drive to see those positions more fully accessible across our schools, but also there is a triage system that is in place and if there was a student that was identified where they really did need to see someone, there is that system in place and it is not that they have no other support, while they might be waiting to see someone, there are other supports as well to make sure that we are doing everything we can to keep them safe while they may be waiting to see one of those allied health professionals and certainly pulling out all stops to see those positions filled in our school at the moment.

Sorry, getting back to the question that you have just asked, I might ask Jen if she could address that one. Thank you.

**Ms BURGESS** - Just checking for understanding with regards to the initial question, it was around how do we support those schools where we may understand that the learning environments aren't optimised? Is that the nature of the question?

**Ms JOHNSTON** - Yes and then the second part of that question is how do you get the feedback that those schools might not be embracing the policies or optimising opportunities available to them?

**Ms BURGESS** - So, we have a broad network of supports sitting around our schools to ensure that we are supporting at the shoulder or ensuring that the accountabilities are being met. So, every school is supported by an improvement consultant who works at the shoulder with them to ensure that they are supported and implementing the Department's policies and that they are monitoring their data and are being supported where required.

In addition to that, we have wellbeing leads for principals who are supporting principals where there are complex learning environments and additional supports are required. In addition to that though, we have two other roles. We have got Directors - Principal Leadership, who have the accountability for making sure that principals in schools are supported, but also undertake and work with them on their own performance and growing their own performance. We also have a dedicated couple of staff that look at the data and where we are getting feedback around the complexities of schools. Some of that data comes from external school reviews. We

have an independent arm of the Department that goes in on a four-to-five-year cycle and looks at both the outcome data of students, but also how students, families, staff and parents perceive that the school is travelling. In that instance, they provide an independent report. Sometimes that independent report says, 'We need to put in and leverage additional supports into these learning contexts'. That's when we would swing a different level of support into those schools. That information comes to us either by an independent review or through learning services who might be monitoring complaints or issues both from families and communities and with staff. When that occurs, that team, led by the deputy secretary in that space, get together and look at what is the specific improvement plan that needs to be in place in those contexts to make sure that we are managing that site well and the supports are put around both the principal and the teaching staff to ensure that those issues are dealt with full on. That often requires and leads to additional resourcing for the school so that they've got the support mechanisms in place. Depending on what the data is telling us depends on the nature of the supports that we would put into the school.

**Ms JOHNSTON** - We might have to ring it there because won't have a quorum. Thank you very much. Chair, because we had a time constraint, we might just flag with the minister that we might need to have them back at some stage later. Is that okay?

**CHAIR** - Yes. Thank you, minister, and thank you to each of you for presenting to our committee today. I don't think we've allocated enough time. It would be great if we could get you back again. We'll be in touch.

**Ms JOHNSTON** - Before we finish the broadcast and hearing today, I need to remind you and thank you for your appearance that whatever you've said to us here today is protected by parliamentary privilege. Once you leave the table, you need to be aware the privilege does not attach comments you may make to anyone, including the media, even if you're repeating what's been said to us today. Thank you very much for your attendance and we'll see you again soon.

**THE WITNESSES WITHDREW.**

**The committee suspended at 12.25 p.m.**

## PUBLIC

**The committee resumed at 1.35 p.m.**

**CHAIR** - Thanks, Kristie and Lexi.

**Ms JOHNSTON** - Thank you very much and welcome to this afternoon's hearing of the inquiry into discrimination and bullying in Tasmanian schools. Thank you for your time, Lexi, in joining us. Before we begin, would you mind stating your name and capacity in which you are appearing before the committee today?

**Ms ROCKLIFFE** - My name is Lexi Thornton Rockliffe and I am appearing independently.

**Ms JOHNSTON** - Thank you very much. Can I confirm that you have read and received the guides sent to you by the committee secretary?

**Ms ROCKLIFFE** - I have.

**Ms JOHNSTON** - Excellent. Just to reiterate some information in that guide, this hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not afforded to you to statements that may be defamatory and are repeated or referred to by you outside the parliamentary proceedings. This is a public hearing. The public and media may be present, either physically here in parliament or online. Should you wish any aspects of your evidence to be heard in private, feel free to ask and we can have a short deliberative meeting and then will move into an in-camera private session, if that is what the committee agrees to.

**Ms LEXI ROCKLIFFE** WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED VIA MICROSOFT TEAMS.

**Ms JOHNSTON** - Thank you very much. Given the nature of the things we are discussing today, the committee has agreed to make a sensitive content statement. We recognise that during these hearings we may discuss highly sensitive matters that have deeply impacted the lives of Tasmanians. This may be a trigger for individuals listening to or participating in these proceedings. I encourage anyone impacted by the content matter during this hearing to contact services and support such as Lifeline Tasmania on 1800 984 434, Kids Helpline on 1800 551 800 or Beyond Blue on 1300 224 636.

Lexi, you indicated that you didn't have an opening statement to make and you are happy to take questions. Is that still the case?

**Ms ROCKLIFFE** - Yes, I'm happy to take questions. My inquiry and a lot of information that I've already given has been made public already, so we can just dive into questions.

**Ms JOHNSTON** - I might pass over to our Chair, Anita - and I think we just lost Anita's face. Apologies, I probably should have introduced for the public record who's here today. We have Anita Dow online, and in the room we have Vica Bayley and Miriam Beswick. Anita, I think we might have lost you there.

**CHAIR** - Sorry, I clicked the camera accidentally, it's my IT skills; sorry about that.

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** - 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.

**CHAIR** - Thank you very much. I'll hand back to the committee for other questions.

**Ms JOHNSTON** - Thank you, Lexi, for your submission. It is a deeply personal submission, so I want to recognise the strength that you have to have made that submission to us today. It's really important that we hear from people with lived experience so we understand what's happening to our young people in the community in educational settings. I want to thank you for that. It's deeply troubling what you've outlined to me in your submission and there's so many things I want to touch on.

I'll start off with you talking about being referred to a therapist. To be very clear, you were in a Catholic school and there were a number of issues with the way in which senior people within that school treated you during your time there. You refer in your submission to the principal referring you to a therapist. Can you elaborate for us in terms of what that was and how that referral process occurred, if you can? You speak a bit further on your submission about conversion therapy practices and can you tell us what your feelings were at the time, if you're comfortable to?

**Ms ROCKLIFFE** - Yes, of course. First of all, I need to say that I cannot name this person and I will not name this person. There are legal and ethical issues there. I just need to make that clear.

I was not privy to a lot of the things that went on bureaucratically there. I was only 14, 15 years old at the time, so I wasn't deeply involved in whatever was going on behind the scenes. As I understood it, the principal of the school I was attending had some kind of pre-existing connection to this person. I am unsure as to whether or not they are a licensed therapist, I don't know. I'm fairly certain they are permitted to act as a therapist or at least as a counsellor by law.

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 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? I suppose we can call it that.

**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.

**Mr BAYLEY** - Thanks Lexi, thanks for your deeply personal submission and the experiences you have shared. That does help us understand the trauma you've gone through. I'm interested in, I guess, your analysis. You talk about the PE teacher and the principal and their bigotry and inability to accept you for who you are and bring the student cohort along with you. Do you feel that that was personal to those teachers or do you feel that was structural to the institution and the system that operates the school?

**Ms ROCKLIFFE** - It's a bit of a complicated answer. I believe that a lot of the issues that were personal to those teachers were exemplified and kind of exaggerated, brought on, by the systems of that school. These teachers who had bigoted beliefs and did not have the students' best interests at heart, in my opinion, they were allowed to act the way they did by the systems of the school and there was no comeuppance, there was no review, there was no oversight in that.

I believe it is a multi-factored issue. I believe that there is the factor of teachers who personally - how do I say - unethical, personally bigoted? But I believe that the system that school ran by exemplified the issue. I believe that if the system were better than no matter - sorry, I'm tripping over my words here, but there will always be teachers and people just generally in positions where they're working with children who don't have the child's best

interests at heart. That is just a fact. It happens often and it's near impossible to avoid. I believe the solution lies in the system. I believe it's a systematic answer.

**Mr BAYLEY** - You changed schools through your education and notwithstanding you note there was still some hostility and aggression towards you, but can you reflect on the sort of experience of changing schools and the differences you felt from a systemic perspective?

**Ms ROCKLIFFE** - As I believe in my inquiry, I noted so early in year 10, it was just a few weeks, there was a large incident which occurred and I changed schools. I just disenrolled from the private Catholic school I was attending and enrolled in a public school in a rural community. This public school, I noted immediately that the staff, the higher ups, were all a lot more competent generally. Perhaps the quality of education was not - sorry -

**Mr BAYLEY** - I was just going to say 'competent', when you say competent, do you mean in recognising, accepting and bringing along the school in terms of your identity or competent full stop in education, how do you see it?

**Ms ROCKLIFFE** - I mean, both. They were definitely a lot less bigoted and a lot more open to simply supporting children and supporting young people but they were also more competent in terms of dealing with some of the bureaucratic issues that existed. I felt like perhaps that PE teacher I mentioned, I don't know if he could read. I had never seen him read or write.

But in this public system school, generally the teachers and faculty were simply more confident in all areas. I believe some of that comes from the system of the public school. Maybe it was an outlier, I don't know, and that school definitely had issues which were unique to that school. I don't know if I mentioned the specific school in my submission, but there were definitely issues. I found that as a whole, the system was a lot more robust and the system was built more in line with protecting young people and furthering young people's education.

**Mr BAYLEY** - We heard evidence from Working It Out today and their work to go into public schools and run programs to help people. Did you have any experience of those kind of external programs coming into the school that you found helpful or was it all internal school programs and assistance that you accessed?

**Ms ROCKLIFFE** - In the public school there was not a lot of big external programs or even internal programs. It was very community focused. It was very individual support focus because they were not a large amount. Being in a rural area, there were not a large amount of queer students there or at least openly queer students there. There weren't any massive things, but the focus on individual support in that system was very beneficial. I was only there for - it would have been around two years - a little under two years, so I did not get to experience everything. I was not there from primary school like most of the student cohort were there from kinder to year 10 or year 12. What I experienced there, there was not a massive external support, there weren't massive community networks, but the individual support was the main drag there. I believe that is not necessarily a shortcoming with the public system, but a shortcoming with our focus on rural communities. I believe we do have a focus on rural communities. I know we do have a focus on rural education, but it's perhaps not as industrious as we'd want it to be.

**Mrs BESWICK** - Lexi, that's really quite interesting, your comparison there of the two different systems and what you felt worked well and what didn't. I think that's very much the

crux of what we want to try and figure out here is how to make good be normal. Can you articulate anything more around those lines? What made you feel that the teachers or the staff at school one were not as competent versus the ones that were in school two or how the culture of the place was better? Is there more you can give us along those areas?

**Ms ROCKLIFFE** - Yes, the culture of the place is actually a very interesting issue. In the more kind of suburban area, in the more - how do I say - Devonport area, you would expect the culture to be more progressive and the culture in a more rural area to be more conservative. This is something that happens everywhere. I did notice that there was a conservative culture in the rural area - sorry, did I say Sheffield before? I might as well just say Sheffield.

**Ms JOHNSTON** - You have named them in your submission, so that's fine.

**Ms ROCKLIFFE** - There was definitely a more conservative culture in Sheffield because it is a more rural area, but I actually found that people in these rural areas were a lot less susceptible to a lot of the propaganda and misinformation which tends to come out in more progressive communities, especially when it comes to the demographic of young people and especially young men, that issue becomes a lot wider.

Apart from the culture, the systematic approaches of the two systems are very interesting and I believe that there is an aspect of profit driven education, or at least profit incentives. As I understand, a private school acts in the capacity as a private organisation, which means their funding comes majorly from tuition fees and donors, as opposed to government spending. I believe that this is a big factor in why they act the way they do. It's very easy to say that a private organisation's first interest is to gain capital, to gain money, but I don't think that's the best way to describe the issue. I think that when it comes to private organisations, especially those that are a part of much larger organisations, namely a Catholic school, I think we can see where the smaller and larger one meet. There is the issue of perhaps the smaller organisation does have good interests, perhaps the smaller organisation does have good motivations, but they may be limited by this larger parent organisation. This is what I have found in terms of Catholic schooling.

There were definitely some good individual actors in the first school, in the private school. There were teachers who looked out for me, but a lot of this came down to how that bureaucratic system they are involved in, that organisational policy thing, influenced their acting. I was very confused for quite some time as to whether the principal of the first school was indeed a good or bad actor. In this context, I mean a good or bad actor for my sake. A good actor would be somebody who was open, somebody who was progressive, somebody who would look out for me and support me, and a bad actor would be somebody who would not.

The principal of the school made out several times that he was trying to look out for me, but couldn't because of this larger organisational tie. I believe this may have been in part true, but I also believe that some of his actions were antithetical to this statement and that he was a bad actor, but either way, his actions were dictated by this larger organisation, this larger system.

In the public school, while there is the fact that most of the people there were good actors, good people in that system, I think that is a result of the nature of public education in that the nature of being a civil servant, in essence, is that it is a job that you don't tend to take for the money. Don't get me wrong, I do not know anything about civil servant wages and I know there

is a lot of support there, but it tends to be a job you take for the benefit of Australian society, for the benefit of the Australian system.

I think that is beneficial in promoting good actors personally, but the systematic approach to this school included a lot of oversight from simply a more progressive organisation. In this context, the bigger organisation would be the Australian Government, so there is big distance in the comparison, but then again, I would say the Catholic Church is bigger than the Australian Government, so we shall see on that, but there was simply oversight from more progressive people, more progressive systems, and systems which didn't necessarily intend to gain a profit from education, but instead to benefit education as a whole and to benefit young people.

**Ms JOHNSTON** - Thanks, Lexi. Just expanding on those themes you're talking about there, in your submission you recognise that there were some good teachers who tried to support you through the process and you reflect on the dead-naming, the practice of using an old name rather than your preferred name, and you indicated that there were teachers who supported you and used your preferred name, but the principal sent an email around instructing them to use your old name. Do you feel that instruction was something that came from outside the school by the Catholic Education Office more broadly, or was it a school policy that you think the principal was implementing that was unique to that school?

**Ms ROCKLIFFE** - I feel that both are involved. I think it's really a question of whether that policy came from the principal as an individual or the organisation of the Catholic education people, and I believe it is both. I believe that the individual actions of the principal were mainly dictated by his role in that larger organisation, but I also believe that he was personally bigoted. There were a lot of actions and a lot of gossip, right? Not the greatest of informational sources, but there was a lot of talk about his interpersonal life and being bigoted interpersonally and in his personal life. I do believe that he was personally bigoted, but the main issue is that whether or not his actions came from the system or him personally, they were systematically defended. The actions were given complete support by the organisation. I feel that the organisation may have been aware that this was not in my best interests. This was not in the best interests of the young person in question, me, but this was an issue more focusing on the kind of identity politics and the - what's the word for it? I can't remember the word, but how things look.

I feel that the issue came mainly down to, 'Do we support this transgender child or not?', and their answer was, 'No, we do not'. They defended any action that was made by the faculty instead of regarding it with the same regard as perhaps another student would get. Anything that came to me tended to fall into, 'We just can't support you, even if you're in the right. Even if another student in your position would be in the right, we just can't support you'.

**Ms JOHNSTON** - Lexi, your submission obviously outlines the significant impact it's had on you personally and I'm sorry for that. Can you perhaps speak more broadly to how your experience was viewed by others? I'm thinking of other students and those teachers who were trying to support you. Do you feel there was a broader impact on those individuals in terms of what it's teaching them about the way they've seen you being treated, and the broader community. What does that say to them?

**Ms ROCKLIFFE** - About the broader community that tried to support me?



**Ms JOHNSTON** - I suppose the way that you were treated. Does that encourage others to treat you similarly, for those who want to support you and treat you with respect and that schooling environment to suppress that? What does that say in terms of values of the school and what they should be encouraging?

**Ms ROCKLIFFE** - I think it's absolutely true that the way I was treated led to people feeling more comfortable in discounting myself and discounting the act of supporting me. It promoted this kind of defence that if you treat this person badly, the school, the organisation, the church, will be on your side because 'they're transgender and we don't like them'.

It kind of leads to this catch-22 where somebody can be a good actor in this bad system and try to make a difference, but it ends up having a negative impact on that good actor as their career might be stunted and they might be seen as this dissident among the faculty. I think it is really horrible. It promotes this culture we have of impunity against certain minorities in general. It's not just transgender people. We still have a large issue with homosexual people, with Aboriginal people, with immigrants, a lot of Asian people in schools are targeted, so it's not just transgender or queer people. Every minority tends to revolve in this world of, 'We can attack them with impunity'.

Sometimes, this manifests in more obvious ways like, 'We'll attack them in the street or harass them on the street', but that's a lot rarer. I think what it comes down to is that these organisations feel safe in going after minority groups, going after queer people, especially at the moment. That is caused by a lot of these other organisations doing the same thing without a lot of oversight. I think that this kind of comes into an issue of free market politics. I know that's a yucky set of words, but these organisations are allowed to be put in charge of children, are allowed to work with children, when I believe that is antithetical to the purpose of an organisation. It's very easy to say, as I've said before, that an organisation's first motive is profit. But the counter-argument would be there are organisations out there that look out for children and support children. I mean, there are non-profit organisations just in Devonport itself that I could point to in that respect that I can support wholeheartedly and I think do a really good job. Working It Out is, I believe it's government-funded, but a lot of their employees are independent and they act as their own body. I think it is an issue of this system we have promotes private organisations' profit-first motive, as opposed to a young people first motive.

**Mr BAYLEY** - As someone who went through the Catholic system, do you still have family, friends and others in that system? The committee's already heard a little bit about the Archdiocese [of Hobart] sending around a communique to families of students in the school and basically using the school to distribute information around Catholic ideology and perspectives, particularly on the issues that are the subject of what we're discussing today. Have you got any experiences from others still in the school system that are maybe within your purview that you can relay to us? As an ex-student, I'm sure you're aware of that communication. How did that make you feel and what's your perspective on it?

**Ms ROCKLIFFE** - A lot of my friends have kind of aged out of the system. They reached maybe year 10 or 11 and they left as soon as they could. They went for either continuing with a secular education. There are some secular schools still left, thank God. Bastions. They also have had negative experiences in secular schools. It is a schooling issue as a whole, but particularly Catholic schools.

But I do still have friends in that system and things are negative for everybody, not just minorities, even just regular people - sorry, not regular people as opposed to minorities, but people of supposedly advantaged demographics are still having a damned bad time in these systems because it promotes bad actors. It promotes this toxic masculine, white male first, athletic white male first dogma. It's this culture we have in Australia,, and I feel it's across Australia, and the norm of the white male who's into footy. I don't say this with any disregard to any cis heterosexual white males who are into footy. I have friends who are cis heterosexual white males who are also into footy and I love them to death, don't get me wrong. But our culture Australia-wide, but especially in Tasmania, especially in rural areas, seems to prioritise these groups and it's led to this defence of these systems which act badly towards other people, to act badly towards other students. The system defends bad actions.

Bad actors can't be stamped out. Bad actors will always exist. But these systems, whether or not they personally - I say personally in the context of a system - directly act badly, they defend bad actors. There are definitely still a lot of struggles that a lot of people are having in Catholic schooling and that communication from the Archdiocese [of Hobart] -

**Mr BAYLEY** - From the Archbishop himself, I think.

**Ms ROCKLIFFE** - The Archbishop, yes. I did hear about that and I did look at that and I did review that. It is probably one of the most horrifying things I've ever seen in my life. First of all, the issue of the ideology itself, the damaging ideology itself, that in itself is dangerous enough, that ideology and its commitments to simply exist. The fact that people are still walking around thinking that gay marriage is going to lead to the end of society and transgender people are going after your children. It's wild, it is absolutely wild, and it is incredibly damaging just on a social standpoint.

This Archbishop was allowed to be put in power by not only the Catholic Church but, let's be honest here, the Australian Government also has a role in allowing these people to come to power. I understand that it is difficult to contest with the actions of the Catholic Church because they are one of the biggest organisations worldwide. But there is a factor of the Australian Government and the Catholic Church allows these bad people, these bad actors, to be in power. I shouldn't say 'bad people' because I don't know the Archbishop personally, but come on. There's definitely that issue. But the fact that he was defended by the Catholic Church, the fact that he was put in power and allowed to stay in power because of this is the real issue. If a bad actor comes to power, then that's something that happens, that's something that will always happen and it's hard to change that. It happens everywhere, it happens in every country, it happens in every system and you really can't change that.

The systematic defence of these bad actors is kind of born from this indifference to it. This is going to happen either way, this is going to be there either way, so we allow these people to stay in power, we allow these bad actors to stay in power. We don't vet these bad actors and we don't really consider what that power they hold means.

In this example of the Archbishop sending communications to families and friends with this incredibly damaging thing. I mean, this letter, it was ridiculous, it was hysterically bigoted, it was the most disgusting thing I could have possibly read. I keep in touch with American politics from time to time, so you know that I've read some really bad stuff. I've read some bad stuff, but it was absolutely disgusting, and this Archbishop was allowed to do that. Don't get me wrong: this Archbishop didn't just send out the letters himself. He wrote the letter but he

didn't send them out himself, he didn't distribute them himself. The system he resided in allowed him to do that, allowed him and supported him in doing that because it was his prerogative and they support him unconditionally.

**Mr BAYLEY** - Had you been in the school at that time, what impact do you think it would have had on your experience?

**Ms ROCKLIFFE** - If it were in my younger years, year 7 through 8, maybe 9, it would have been the most terrifying thing I'd have ever read. It would have completely recontextualised everything for me. It just would have made things infinitely worse. I already got the sense that this is what they believed and this is how they would treat me for being me, but it would have just been a confirmation of everything. It would have made things infinitely worse for me, just multiplying what I had experienced. And that kind of anxiety and depression, and that the harassment I got from other students, that would have been multiplied.

I'm imagining that if a student who was personally bigoted, especially at that age, were to receive a letter saying the Archbishop supports actions alongside this ideology, things would have been infinitely worse in terms of the interpersonal actions of these bigoted students. It gives people, essentially, a free pass to look at this letter, this correspondence, and say, 'What I'm doing is the right thing because I'm alongside this organisation. What I'm doing is right', when it's something that is disgusting and something that damages people for no reason.

**Mr BAYLEY** - You're saying it would be seen as giving them permission or something along those lines?

**Ms ROCKLIFFE** - I'm absolutely certain, absolutely certain of that. It would have been seen, and it likely has been seen by some of the students at these schools as giving them permission to act in a way that is truly damaging. Being given permission to harass, bully, even assault queer students, people of colour in these schools. Everything that that letter denounced, it gave students a free right to attack, in essence.

These organisational bodies, they don't want to contest that because they don't want to contest the will of the Archbishop. I'm absolutely certain, and I have not looked at any statistics on this, but if I were to look at it, I'd imagine there to be an uptick in the increases of harassment, bullying and assault towards minority students after that letter was published. It was something that didn't just have an effect in the social attitudes of people, but had an effect in these personal situations and the safety of young people.

**Ms JOHNSTON** - I know we're running out of time very quickly with you. I just wanted to ask, you talked there a little bit about fear. I'm interested, are you aware of any retribution from people who spoke out in your circumstances and in defence of you? We've heard quite clearly the views of the Archbishop in that particular letter are not necessarily the views of all Catholics, certainly not the views of many Catholics, I would have thought. There's a fear or a culture of speaking out against the views of the Archbishop in this instance or the Catholic education system? Fear, retribution, do you have any examples of that or is that a concern that you too share?

**Ms ROCKLIFFE** - That's definitely something that I am concerned over. That's definitely something that I've seen happen to people. People who are not in support of Catholic school. It happens. It does. It's not even just socially. Socially, if somebody stuck up for me in

school, they were lumped in in the same group as me and they were harassed, bullied, assaulted all the same. In a more formal context, faculty were stumped in their careers. My parents were ignored by the school. Things are made worse and there's definitely this culture of fear of if I can't, if I stand up for this person, I'm going to be lumped in. I'm going to be targeted just the same. It definitely, definitely happens.

Anybody who is in support of somebody the Church doesn't like is somebody who is attacking the Church in their view, which is not great. It's really not great.

**Ms JOHNSTON** - We've heard in submissions from Catholic Education [Tasmania] in terms of they address bullying in schools and they've got firm policies around that. The interpretation I get from their submissions is that they don't have discriminatory practices in their schools, particularly around the LGBTQI[A]+ community, because it's a faith expression rather than discrimination. What they're doing is an expression of their faith. They should be allowed to express their faith through enrollment processes or policies and things like that within schools.

We have very strong anti-discrimination laws here in Tasmania which we're proud of. Can you perhaps speak to the difference, a distinction, I suppose, between discrimination and where that fits with expression of faith in your context in terms of how you experience that as a Catholic school student?

**Ms ROCKLIFFE** - Absolutely, that is one of the biggest defences that you will hear in terms of this question, in terms of this issue, is that where does anti-discrimination meet oppressing people's freedom of faith? Really, it's in that if somebody's expression of faith is to be discriminatory or is to act badly towards another person, that is perhaps an expression of faith for that person, but that should not discount the issue of is this action right? Is this action discriminatory?

There are some expressions of faith that - when we think of expression of faith, we think, 'Oh, I go to Church, I wear a pendant with a cross on it', right? But we don't often think about what an expression of faith means socially for other people. I don't think there is anybody on my side of the argument who wants to oppress people's expression of faith. Most people on my side of the argument are really for freedom of religion, myself included. I personally believe in some Catholic ideology. I believe in some Christian theory, but I am also transgender and I'm also an anti-discriminatory person. I'm also somebody who votes for free speech, freedom of religion and freedom from discrimination.

I think that there are two types of freedom we have. There's positive freedom and negative freedom. Negative freedom is being free from people stopping you from doing something, essentially. If you lived in an absolute un-governmental wasteland, you would be free to do whatever you want, sure, but you would also be free to die from hunger as the world starts closing in. Positive freedom, on the other hand, is when you are given the support by other people, perhaps by a government, to act in a way that you would like to act, to do the things you would like to do. That is positive freedom. I think when it comes to expressions of faith that fall under discriminatory practises, it's a question of negative or positive freedom. These people, it's a question of giving other people around them the positive freedom to not get assaulted by these people, to not get harassed and bullied by these people. When does freedom affect other people's freedom?

## **PUBLIC**

**Ms JOHNSTON** - Thanks, Lexi. Just checking to make sure there's no further questions?

**CHAIR** - I'm all good. Thanks very much, Lexi.

**Ms ROCKLIFFE** - Thank you.

**Ms JOHNSTON** - Thank you, Lexi, for your evidence here today and for taking the time to make your submission. I need to remind you that what you have said to us here today is protected by parliamentary privilege. Once you leave the table or the WebEx connection, you need to be aware that privilege does not attach the comments you may make to anyone, including the media, even if you're repeating what you've said here to us today. Is that clear to you, Lexi?

**Ms ROCKLIFFE** - Yes, that is clear.

**Ms JOHNSTON** - Thanks so much for your time.

**Ms ROCKLIFFE** - Thanks so much for giving me the time to speak.

**THE WITNESS WITHDREW.**

**The committee suspended at 2.19 p.m.**

**The committee resumed at 2.30 p.m.**

**Ms JOHNSTON** - Welcome Isabelle to today's hearing into the inquiry into discrimination and bullying in Tasmanian schools; thank you for your appearance today. As we begin, can you please state your name and the capacity in which you're appearing before the committee today?

**Ms CROMPTON** - Isabelle Crompton, interim Commissioner for Children and Young People for Tasmania.

**Ms JOHNSTON** - Thank you very much, Isabelle, and can you confirm that you've received and read through the guide sent to you by the committee secretary?

**Ms CROMPTON** - I have, thank you.

**Ms JOHNSTON** -Excellent, thank you. As you would be aware from that guide, this hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the parliamentary proceedings. Today is a public hearing, so the public and media may be present or listening online as the case might be. Should you wish any aspects of your evidence to be given in private today, please let us know. We'll consider that and then move to an in-camera session if that's something you would like to do.

Today we have online our Chair, Anita Dow, Labor member for Braddon, and in the room with me we have Vica Bayley, Greens member for Clark; Miriam Beswick, independent member for Braddon; and myself, Kristie Johnston, independent member for Clark.

**Ms ISABELLE CROMPTON**, INTERIM COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE, TASMANIA, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

**Ms JOHNSTON** - Thanks very much. Given the nature of the things that we'll be discussing today, the committee has decided to give a sensitive content warning. We recognise that during these hearings we may discuss highly sensitive matters that have deeply impacted on the lives of Tasmanians. This may be triggering for individuals listening to or in participating in these proceedings, so I'd like to encourage anyone impacted by the content matter in this hearing to contact services and supports such as Lifeline Tasmania on 1800 984434, Kids Helpline on 1800 551800 or Beyond Blue on 1300 224636.

Thank you very much for appearing before us today. If you'd like to begin by making an opening statement, you're welcome to.

**Ms CROMPTON** - Thank you for the opportunity to come and speak with you today. It's such an important discussion and one that I'm really pleased to be able to contribute to. I'd start by paying my respects to the traditional custodians of Tasmania, the palawa people of lutruwita, upon whose land we are gathering today, and I pay respects to elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who may be participating in the inquiry or who may be viewing the hearing today.

For those who aren't familiar with the role of the Commissioner, I thought I'd just start with a very brief overview. Obviously, there's some overview in the submission as well, but at its very essence, the Commissioner's role is to promote the rights and wellbeing of Tasmania's children and young people. The functions are fairly broad under the *Commissioner for Children and Young People Act*, which include advocating for all children in the state, which is a general advocacy function, but I also have an individual advocacy function for individuals who are detained under the *Youth Justice Act*.

The role also includes influencing policy development and promoting and monitoring the wellbeing of Tasmania's children and young people. A really important part of that is promoting children's participation in decisions that affect them and assisting and empowering them to have a say on matters that affect them, should they choose to. Another important part of the role is to assist the state to realise or satisfy its national and international obligations in relation to children and young people. The work of the Commissioner under the legislation is guided and informed by a really comprehensive framework of rights and principles that are set out in the Convention on the Rights of the Child and I think that approach provides quite a useful framing for the issues at hand.

It's important to remember children have rights just like adults have rights, but they're also afforded additional protections and because of the very reason that they are children those rights relate to their protection and participation and also the provision of supports that aid in their development. The guiding principles under the convention relate to non-discrimination, which is obviously highly relevant to the inquiry that you are undertaking, also the right of all children to have their best interests taken as a primary consideration in all decisions that affect them, and the right to life survival and development and, sort of going back to the point that I made earlier, the right under Article 12 of the convention to actually have a say in decisions that impact them and to influence and express a view on matters that affect them.

Of clear relevance to the inquiry, of course, is the right to education, and so Articles 28 and 29 are relevant to the right to education, and I think it's important to remember education is really the right to education is about enabling children to develop to their fullest possible potential. And part of that right is also around enabling them to understand their rights, but also the rights of others, which I think is a useful framing sort of point for this discussion. And I'm really conscious of some of the discussions that have been had along the way during your inquiry around the needs of everyone within the education system, not just students for, you know, the education system to be as good as it can possibly be.

So, I think it's also important just to note that children's rights are interrelated and indivisible. So, it's a holistic framework, it's a comprehensive framework.

The other thing I thought was important to note is that a rights-based approach considers and balances the rights of everyone so that being children, young people, teachers and other school staff and all who are engaged in the education system.

And having reflected on some of the submissions that the inquiry has received and some of the evidence that you've been hearing, I think it's important to acknowledge that the extent to which children can actually enjoy their rights relies significantly on the experiences of the adults around them as well. And that includes their parents and carers, but it also includes teachers and others who work with and within the school setting more broadly.

So turning to the focus of this inquiry, of course bullying and discrimination engages additional children's rights and they include the right of all children to privacy and the right of all children to be protected from violence, abuse and neglect. From a wellbeing perspective, bullying and discrimination affects the domains of wellbeing that have been adopted in this state under the Child and Youth Wellbeing Strategy, including learning and participating, being healthy, and obviously having a positive sense of culture and identity, relevantly to your terms of reference.

So I think it's important, I think, to going back to what I was saying about the right of children to have a say and to influence decisions that affect them, I thought it might be useful to talk a little bit about what we've been hearing from children and young people relevant to your terms of reference. And in a recent report prepared with and by a consultative council that was established by the former Commissioner Leanne McLean, a group of 19 children and young people have been discussing the need for schools and other institutions to be safe and to feel safe and welcoming and inclusive for all children and young people - an incredibly compassionate and thoughtful group of children and young people. And an earlier report of that same group makes a really explicit link and I think I make this point in the submission between felt safety and school attendance and participation in learning. It's not surprising, but it's always interesting to hear how children express that in their own words, and consistent with the evidence that you've been hearing, council members have told us that for some students, feeling unsafe or unhappy in school remains a day-to-day experience.

And council members, or one in particular, has been able to express why this really matters. They say this message matters because when young people do not feel safe in institutions, they do not engage in them and they lose out on valuable opportunities to grow as people and learn in the ways that they deserve to.

So of course it's imperative that schools are welcoming and safe places for learning where everyone, including children and young people, students, teachers, other staff are respected and treated with empathy and kindness. And we hear time and time again from children and young people that trusted safe and positive relationships with adults are really critical to their felt safety and their engagement in learning. I want to really take a moment to acknowledge the extraordinary pressures that teachers are experiencing currently. I think it's really important framing children within that broader environment and acknowledging that the unprecedented staffing shortages for a range of really complex reasons that are affecting schools, the workload, including in responding to complex issues being experienced by children and young people and matters relating to the experience of COVID related public health measures, mental health related needs and cost-of-living pressures. They're all things that are being experienced by children in their community, but then of course by people who are working in the education sector. It's really important to acknowledge that because at the end of the day, the quality of a child's education relies heavily on the supports that are in place for the people who are there to engage with them in their education and to teach.

In large part, this also comes back to the supports and resources that families and carers have available to them within the community and those that are available to children early in life and early in the emergence of a problem. With timely access for students to other services and supports, that's so important and so critical. The inquiry needs to consider children within that broader community sense. Reflecting on some of the other evidence that you've heard today, and I've had the opportunity to listen in to some of it, it certainly appears there's a growing consensus that we need to be doing so much more in this space.



As I noted in my submission, the use of exclusionary practices unfortunately is rising. I'm not going to reiterate the content in the submission. I'll take it that you've had the opportunity to engage with that. What that says to me is that the current system is not currently working consistently to support behaviours of children that uphold everyone's rights within the education system, within a school environment, be that of their peers, teachers or others. It's clear and the evidence tells us that exclusionary practices as a response to managing unwanted behaviours really don't work. There may be a place for them in a very immediate sense as a circuit breaker, as one of the witnesses spoke about this morning. Ultimately, they don't really address the underlying causes of unwanted behaviours, and they certainly lead to poorer outcomes generally.

A study recently undertaken by the University of Sydney found that Aboriginal or Torres Strait Islander students, students with disabilities, students living in care or out-of-home care, as the system often refers to it, are excluded at higher rates than their counterparts. That really does provoke a question about why is that so? That report also talks about the exclusions of children from school is a strong predictor - I'm certainly not saying it's determinative - of subsequent involvement in the youth justice system.

As I said in my submission, it's recently been reported that bullying is highly prevalent here in Tasmania, more so than in any other state. As you've heard, bullying has such a detrimental and often devastating impact, not just on those who are on the receiving end of the behaviour, but also those who are engaging that behaviour and those who might witness it, including the impacts of low levels of engagement in school, poor academic performance and poorer mental health and physical wellbeing.

The recent results of the Student Wellbeing and Engagement Survey tell us that up to one in five Tasmanian school children in government schools don't feel safe at school. That's really telling us that something has to change. It also provides some information which is really useful based on children's lived experience of the sorts of bullying behaviours that they're experiencing. It also demonstrates some questions that need to be asked about the experience of girls. Girls are disproportionately experiencing negative feelings around their education, particularly in that sort of transition to secondary school.

There are so many things that I would like to tell you about, but I'm really conscious that I'm doing a lot of talking and you're not doing a lot of asking. But, safe to say, I think there are so many things happening internationally and nationally that we can look to, both in relation to alternatives to exclusionary practice, but also in terms of additional supports, for students but also for teachers and those who are supporting children in schools. I think it would be very helpful for the committee to consider some of those alternatives as you move through your work. I'll stop there and I'm looking forward to having a conversation.

**CHAIR** - Thanks very much, Isabelle. Your submission was really comprehensive and your opening statement even more so. On your last point about examples from other jurisdictions, if you are familiar with those or you have reference points with those, we would really appreciate that you forward them to our committee for us to have a look at as part of our report and recommendations. That would be wonderful.

**Ms CROMPTON** - I'd be very happy to.

**CHAIR** - You speak in the last paragraph of your submission about the importance of us engaging with young people and children as part of the work we're doing. We haven't had the opportunity to do that on a large scale. I know that in your submission you make reference to the council that you have as part of your work. I wondered whether there would be the opportunity for them to provide some feedback to this committee as a group of young people already involved in providing consultation and information to the government around their strategies and policy positions. Whether that's something you think is a mechanism that, in your role, you could facilitate?

**Ms CROMPTON** - I think that's a really interesting question. One of the really practical things about where we are in the year is that we're getting towards that very busy period of time as we get closer to Christmas. We have some engagement activities underway at the moment, but we're also cognisant that it can place an impost particularly on young people, who might be engaging in exams and the like. But I think the key messages that are coming through the consultative council, the Voices for Tasmanian Youth, particularly around that experience at school are just so aligned to the areas of inquiry of this committee that I would absolutely take that type of proposal to that group to see how they would feel about that. I suppose we could discuss a sort of mechanism through which I might approach them out of session.

It has been really interesting to note that you have been engaging with some young Tasmanians about their experiences of school. I think it would be fair to categorise those as relatively recent experiences of school, and I certainly commend the committee on that. The other thing we can do that's maybe of assistance is we're currently running a postcard activity with children and young people across the state to help inform my submission on a draft piece of legislation that would establish a new commission for children and young people. It's one of the recommendations of the recent commission of inquiry that there be a commission established, as opposed to just an office of a Commissioner. Interestingly, as the postcards are coming back into the office, we are noting a marked interest in children telling us about their experience, or the importance of people looking out for their rights, knowing about the experience of children in relation to bullying.

As recently as this morning, the spreadsheet was updated to note, I think a fifth, sixth postcard that had raised bullying as an issue. Certainly, I think there's a mechanism through which I can inform the committee of those views that are relevant to your inquiry. It's a very long-winded answer. I think what I'm saying is, yes, I can certainly put the proposal to the existing group, but I think there may be some other ways that I can convey some information that's coming through as we speak, which will be helpful.

**CHAIR** - That would be wonderful. For your information, our committee work doesn't conclude at the end of the year. We'll be continuing on. So, there are opportunities for it not to be right at this very busy time where young people are preparing for exams and the end of the school year. Thank you very much for that. I think that would be great.

The only other question I had in relation to your submission was the fact that many children and young people are unaware of their rights. You speak in your submission about the importance of, and there being many policies, procedures and legislative frameworks around the rights of children. But, in actual fact, practically, children and young people aren't really aware of their rights. Could you expand on that for the committee and what ways you think we could improve that through school, the community, education and, I guess, government and legislation?

**Ms CROMPTON** - That's a really great question. We know that children look to trusted adults. Peers first, probably, but also to trusted adults to engage with them about questions that they might have about things that are affecting their lives. A great example of how our office has assisted to build knowledge among young people about their rights is through the advocate for young people in youth justice detention. The former Commissioner, Commissioner McLean, has developed, and I think even prior to Commissioner McLean, we developed posters and other resources and materials to explain children's rights while they're in detention in a really accessible way, including through consulting on the look and feel of the resources with young people with experience of detention. But also taking every opportunity we get to reaffirm those rights and to reflect when issues are being raised with us to reflect rights back to children and young people. Part of that is also to acknowledge that everyone has rights and that with having rights also comes that acknowledgement that there are responsibilities in being a member of the community as well.

I guess the short answer is through resource accessible information but, ideally, education. Under the convention, state parties who are signatories to the UN Convention on the Rights of the Child have an obligation to provide, as part of universal education, education around children's rights through the civics and citizenship curriculum. I am conscious rights-based language is starting to become, it is reflected in a lot of government policy now, which is very exciting. But I think there's probably a little way to go before that language of rights just rolls off people's tongues. It's such a useful framework and it's so comprehensive, especially when you're thinking about children as developing human beings. There's always opportunity to improve the way we're communicating about rights within the community.

One of the things that we've been hearing from The Voices for Tasmanian Youth consultative council is the huge benefit of just having someone walking beside them. For example, in a school environment, someone who's there who is independent of school but knows the situation and understands the school environment that can provide them with advice in a really practical way and potentially some support and advocacy. Those warm, trusted relationships are such an important way of imbuing in children an understanding of their rights.

Of course, in saying all of that, I'm not discounting the role of family. Of course, that's where all of this begins and those conversations begin.

**Mr BAYLEY** - Thanks for the submission and the work that you do. Incredibly important. One place you might be able to help us with that I don't feel like we've got a lot of evidence about is cyberbullying. You mentioned the younger cohort of girls are particularly vulnerable to bullying. I'd imagine an uptick in that correlates with social media and the prevalence of it over the last five, six, 10 years. I guess it's a question about that, the level of resourcing and advice and whether we can draw on you for some specifics.

I was reflecting on a conversation in our office earlier about a youth parliament here. The issue the students wanted to deal with was a bill to deal with social media and bullying. This was three or four years ago. They spoke passionately about it, got very emotional and it was clearly an issue. It's obviously an issue beyond just children.

Can you speak to that a little bit and maybe give the committee some advice as to where we can go for the most contemporary advice? It's obviously changing all the time, but the most contemporary advice around cyberbullying?

**Ms CROMPTON** - It comes up through the Voices for Tasmanian Youth and in other engagement activities. This concept of cyber and non-cyber bullying is perhaps more of an adult concept than a digital natives concept because for many young people, that online/offline experience isn't binary. It's part and parcel of everyday life. One of the really key messages of the group we've been working with is that adults need to educate themselves more about what that digital world actually looks like for children and young people now. Even leaving aside social media, very young people are engaging in the digital world.

For contemporary and comprehensive evidence about the experience of children with online bullying, I absolutely recommend the eSafety Commissioner's website and to engage with the eSafety Commissioner's office. They do comprehensive surveys, direct engagement with children and young people. It's really specific to that experience of e-safety, so that's where I would refer the committee.

It is also important to reflect on the dialogue that's happening nationally around young people's use of social media and the importance of adopting a child-centred and child rights-based approach when considering those issues. There's a lot of discussion around a minimum age ban. It's a really complex issue. Some young people would probably be very supportive of something that removes social media from use by a certain age cohort but it's quite a complicated and complex discussion. There are also some incredibly positive things about the use of social media that go to young people's identity, access to information, all the things that we've come to use social media for in 2024. The eSafety Commissioner's reports and resources are the go-to, I would say.

**Mrs BESWICK** - I was thinking on similar lines, but more around some of the comments we have heard on the bus outside of school. You've been talking a lot about society in general and how we need to look at these sorts of things. Context, I guess. Anything you can add to that?

**Ms CROMPTON** - We often use the ecological model to understand children's development. They live within their family environment or with caregivers. We know that for some that may not be the place you would hope it would be. Then they are within their broader community and these structural arrangements, which can include schools and other organisational settings. Around that are the policies and the legislative frameworks that sit around their experiences.

One of the messages we've heard from the group we've been working with, the Voices for Tasmanian Youth group, is that there's no ability to just sort of close the door anymore, going into the digital environment context, with children's and young people's experience of potentially persistently unwanted behaviours. It's not necessarily place-based anymore as it perhaps was when I was a student.

We have certainly heard from young people about their experience on public transport in the past, less so recently, but I think that probably continues to be to be an issue. It's just that we haven't specifically been speaking about that experience recently. We certainly know that children are experiencing bullying across a range of aspects of their lives. I'm not sure that really answers the question but it does help to position children within that broader context, I suppose.

**Ms JOHNSTON** - I'd like to go back to the notion of safety at school, because that's something that's really come through strongly in your submission. You've got a really powerful quote from a female participant in your Youth Justice Voices project, which talks about her brother's experience of not wanting to go to school in the morning and not feeling accepted. I think it closed with words to the effect that the issue is that no matter what school he goes to, he's going to have bullies because he doesn't fit into the social standards. That really speaks to me of how important schools are as a setting for normalising people, for recognising and valuing people for who they are, no matter what background they might come from.

Can you speak to recognising that bullying is often led by discrimination in the first place and is emboldened by discrimination? Can you talk about the impact where there might be discriminatory practices in the school environment and what that means for the young person, not only in the education in terms of being able to achieve, but in terms of their broader safety aspects?

**Ms CROMPTON** - It's a really interesting question. I think that quote - there may have been a typographical error in the submission because I think that quote actually relates, if you look at the footnote, to a piece of work the former Commissioner did with members of the CCYP [Commissioner for Children and Young People] Ambassadors program. It arose out of general conversations around how life was going for young people in the state. This issue arose as a as a really key theme. We ultimately worked with a group on that and explored with them that notion of acceptance, belonging and feeling safe, and the importance also of respectful relationship education in schools.

I think one of the real take-homes is that while the experience of discrimination is obviously experienced by the individual young person or child themselves, it's also being experienced by the children and young people around them. They know it's just fundamentally unfair and they recognise it. They know and understand that it's not okay, but they don't necessarily have the skills or, or indeed, to be honest, the responsibility to address it themselves, hence the title of that piece of work, which was 'I Think Adults Play a Big Role In This'.

As the submission indicates, we've certainly been hearing from parents of young children and students who've been experiencing what they would describe as discriminatory practice. I mean, it's not the function of the interim Commissioner to investigate complaints around discrimination. It's pretty much a role of the Anti-Discrimination Commissioner. However, I think that fundamental sense of not belonging is damaging to a young person's development and it's also damaging to those around them. I suppose it has an impact not on their own sense of identity, their own sense of belonging within their peer group and within their school setting aside from all the impacts that it has in terms of their other rights: their right to develop into this thriving young person and to engage in their education and all the things that education unlocks. Education is often referred to as a gateway right. It's so integral and so important to being able to access all your other rights.

**Ms JOHNSTON** - I've read that particular report and I found it really useful. The previous Commissioner suggested that I read that when I raise concerns with her. In particular, and I'm sure you're aware likewise of the letter the Archbishop recently sent home to almost every Catholic school student in the state, which spoke on the Archbishop's view in regards to the LGBTIQ+ community, to those who come from families that might have separation, divorce, a whole range of people who might have a different view around reproductive health, all those kind of things, end of life health.

I am interested to hear your views about how the dissemination of that particular letter, noting that the people who disseminate that letter were the trusted individuals in a school setting to young people and the impact that that might have had on, as you say, not on the young person who might have themselves as part of that group, but also on those others who saw and witnessed that. Perhaps you might be able to speak to that and what it means for a young person in the context of what's supposed to be a safe, trusted environment.

**Ms CROMPTON** - Yes, it's certainly been the subject of some conversations between young people that we've engaged with. I think it goes to that: the very heart of that sense of wanting to belong and wanting to be told that you belong no matter who you are. I think going back to that rights-based framework that I started with, that the reality is that all children have the right to education no matter who they are, no matter what their identity is, no matter what their family background might be or their various experiences might be. And it's really complex in the sense that people also have the right to engage in their religion and their faith-based beliefs.

It's when the manifestation of those beliefs encroaches on the rights and wellbeing of others that it becomes problematic. I'm certainly aware that that has had a negative impact on some young people. I'm not saying that I've engaged deliberately to elicit conversations about that particular correspondence, but it has certainly come up and it has certainly given cause for concern for some young people.

**Ms JOHNSTON** - Would you say that particular kind of letter, the fact that it was given to young people, that they're particularly vulnerable at that stage, different from disseminating it to perhaps a congregation of adults, for instance, but giving it to a young person in a school setting adds additional vulnerability and perhaps a greater obligation to protect the rights of that young person in that sense?

**Ms CROMPTON** - So going back to that opening statement I made around children's rights, children have all the rights that adults do, but they have those additional rights to protection. That's because of the very fact that they are children and that they are developing and I think they are looking to adults to be safe, trusted people in their lives. I suppose what they're looking for is that they're accepted no matter who they are.

That doesn't mean, for example, that certain behaviours will be tolerated in a particular environment. We've heard a lot about the experience of teachers working with young people. But, broadly speaking, I agree with the proposition that children are, by their very nature, vulnerable to influences that may affect their healthy development and their development of their sense of identity and their sense of belonging.

**Mr BAYLEY** - Going to the school responses to bullying, I guess I'd call your submission a little bit critical. You detail the fact that the Department for Education, Children and Young People has behaviour management policies, but your experience is that some parents and carers have come to you and spoken about barriers, lack of support, et cetera. You've talked earlier in a report around the policy needing to be enforced, monitored, reviewed, et cetera. Is there a trend in those barriers and blockages and the problems that parents have had with the Department and the Department's approach? Is there something that we can narrow down onto to recommend it being fixed so that you're not getting these parents and carers coming to you with these frustrations?

**Ms CROMPTON** - It's a good question. In responding, I know and I have no doubt that there are schools that are engaging in really positive practice around this. The point that I would make is that the reality is that exclusionary practices are clearly on the rise. The data clearly shows that. As I said earlier, I think that that tells us that schools are looking for and need a higher level of support in order to actually really engage in those alternative, non-punitive, and they are punitive responses.

I've talked about, under the Act, of course, it really should be a last resort in the sense that all other alternatives should be exhausted. The extent to which suspension or exclusionary practices are a true last resort would rely on the suite of tools and other services supports that are available both for the school itself and teachers engaging with a young person, but also to the young person themselves.

I'm certainly not saying that people need to just put up with behaviour that may be harmful to others. That's certainly not what I'm saying at all. As I said earlier, I think that data is demonstrating to me that the system is just not well enough equipped at this point to respond to some of these really complex and challenging behaviours. I think part of that is likely to be associated with staffing shortages and the pressures that teachers are experiencing within their workplace. Some of the complexities are some of the behaviours that they're seeing within schools. There are there are some really interesting alternatives to exclusionary practices or 'awayism' as I've heard it called before - that sort of sending children away, which is obviously completely inconsistent with that desire for a sense of belonging. Children who can't, for example, be remain in their regular classroom for a period of time, being educated in a different way. That right to education, it is really a right to an uninterrupted education. It's really about looking for alternative ways to respond to the need that is underlying the behaviour.

I've talked elsewhere about the possibility that students are affected by exclusionary practices, or parents perhaps be able to seek some sort of merits-based review. I think that could potentially be useful for everyone: looking at what really great practice looks like, understanding what that actually takes and what that resourcing requirement actually is in order to do that well.

It would be naive of me to say suspension should cease now and that be it. That doesn't necessarily achieve the desired outcome, which is for every child to be able to thrive in their learning environment. There are so many other things we could be doing. The data increasing demonstrates that at some point we weren't engaging in those really exclusionary practices as much as we appear to be now.

**Mr BAYLEY** - You're focusing on exclusionary practices. In terms of the policy and procedures, is the evidence you're hearing from the people who are coming to you, is it about some inadequacy in the policy and procedure, or is it an inability to actually implement it and follow through?

**Ms CROMPTON** - Based on the contact we've had with our office, I think it can be a combination. I'm well aware of the secretary's instructions and, obviously, the legislation puts in place some requirements surrounding engaging with unwanted or unacceptable behaviour at school. The policies are relatively clear. But it appears that there might be differential application of those policies in the real world. Potentially also, as I said earlier, where supports

## **PUBLIC**

and additional options just aren't immediately available to schools, suspension can be seen as the solution on the day.

**Ms JOHNSTON** - We've come to the end of our time.

**CHAIR** - Thanks, Isabelle.

**Ms CROMPTON** - You're very welcome. I'm really happy to speak with our young people about your interest in their work and explore some options around that.

**Ms JOHNSTON** - That's fantastic. I'm sure Anita and our secretariat Fiona will follow up with you about that. Certainly, the committee will extend next year so it may be a good time to do that then.

Before we conclude today, thank you very much for your appearance today and your submission. What you have said here today is protected by parliamentary privilege, but once you leave the table today, you need to be aware the privilege is not attached to the comments that you might make to anyone, including the media, even if you're just repeating what you've said here today.

**THE WITNESS WITHDREW.**

**The committee suspended at 3.17 p.m.**



## PUBLIC

**The committee resumed at 3.27 p.m.**

**Ms JOHNSTON** - Thank you very much and welcome to today's hearing for the Inquiry into Discrimination and Bullying in Tasmanian Schools. As we begin, would you mind saying your name and the capacity in which you appear before the committee?

**Ms CHENG** - I'm Vanessa Cheng, executive officer of the Australian Association of Christian Schools.

**Mr GILLMAN** - I'm David Gillman, the CEO of Christian Schools Tasmania.

**Ms JOHNSTON** - Thank you. Can you both confirm that you've received and read the guide sent to you by the committee secretary, please?

**WITNESSES** - Yes.

**Ms JOHNSTON** - As you'll be aware from that guide, this hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in a court or place out of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the parliamentary proceedings. This is a public hearing, which means that members of the public and media might be present either here in the room or online. Should you wish any aspects of your evidence to be private or kept confidential, then you need to indicate that at the time and we can consider that and maybe move into an in camera session for that.

To introduce who we have here today in the committee hearing, we have our Chair online, Anita Dow, who's the Labor member for Braddon. In the room here we have Vica Bayley, who's the Greens member for Clark, we have the independent member for Braddon, Miriam Beswick, and me, Kristie Johnston, independent member for Clark.

**Ms VANESSA CHENG**, EXECUTIVE OFFICER, AND **Mr DAVID GILLMAN**, CEO OF CHRISTIAN SCHOOLS TASMANIA, AUSTRALIAN ASSOCIATION OF CHRISTIAN SCHOOLS, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED

**Ms JOHNSTON** - Given the sensitive matters we'll be discussing today, the committee has decided to give a sensitive content warning at the start of each hearing. We recognise that during these hearings we may discuss highly sensitive matters that have deeply impacted on the lives of Tasmanians. This may be a trigger for individuals listening to or participating in these proceedings. We'd encourage anyone impacted by the content matter during this hearing to contact services and supports such as Lifeline Tasmania on 1800 984 434, Kids Helpline on 1800 551 800, or Beyond Blue on 1300 224 636.

Would you both like to make an opening statement before we begin questions?

**Ms CHENG** - Good afternoon, committee members. My name is Vanessa Cheng, the executive officer of the Australian Association of Christian Schools, otherwise known as AACS. The AACS represents over 100 Christian schools, including 11 independent Christian schools in Tasmania.

With me here today is CEO of Christian Schools Tasmania, who's also a member of AACS, David Gillman. We welcome the committee's inquiry into identifying measures to prevent and remedy discrimination and bullying in Tasmanian schools and appreciate the opportunity to appear before you today.

As you know, the Australian Council of Educational Research (ACER) recently released an analysis of the OECD Program for International Student Assessment (PISA) results which showed that Australian teenage students face the second highest levels of bullying amongst 24 OECD countries. The results also revealed that Tasmanian students face the highest rates of bullying nationwide, which is really concerning. Alongside these concerning results, the report also provided some helpful insights into the factors that help students to achieve academically, including strong relationships with teachers and a strong sense of belonging and safety in schools.

When comparing the results from students at Catholic, government and independent schools, of which Christian schools are a part, the report found that students in Catholic and independent schools reported a greater sense of belonging than students in government schools; students in independent schools reported lesser exposure to bullying than students in government schools; and students in independent schools reported feeling safer than students in Catholic schools, who, in turn, reported feeling safer than students in government schools.

Christian schools are committed to fostering safe and inclusive learning environments where there is zero tolerance for bullying. Our schools were established on the Christian principles and strive to create caring communities where the gospel virtues of love, respect and forgiveness are central. Our approach to bullying, discrimination and harassment is not simply reactive but preventative, focusing on cultivating a culture of positive relationships and proactively addressing any instances where bullying or discrimination might occur.

In our submission, we emphasise the importance of schools having clear definitions of bullying and harassment, and proactive policies and procedures, including staff and student training. We acknowledge the vital role that teachers, staff and school leaders have in cultivating a culture of respect and positive relationships with students and parents, which helps to proactively prevent these issues occurring in the first place.

Feedback from Christian school parents who wrote into this inquiry is that their children have experienced a sense of belonging, compassion and being cared for by teachers and staff in Christian schools. We hope that through this inquiry the committee is able to leverage the expertise of school leaders and incorporate some best practice examples into your recommendations to address bullying and discrimination in Tasmanian schools, and welcome the opportunity to further discuss these issues and answer any questions you have about our submission. I'll hand over to David Gillman.

**Mr GILLMAN** - Thank you. David Gillman, CEO of Christian Schools Tasmania. I've also served on the board of Independent Schools Tasmania for the last, I think, five years now.

I wanted to touch on just three things briefly in my opening statement and then I am happy to take questions that I can hopefully answer that the committee may have. I wanted to also thank the committee for allowing us the opportunity to be here today to speak to some of these really important issues.

The first thing I thought would be helpful would be to give the committee some context on my journey, the schools that I've been involved with for the last eight years. I represent Christian Schools Tasmania, which is a group of four schools and a central support office. We've got about 1330 students located around the greater Hobart area. Our largest school is Calvin Christian School. That's our biggest K to 12 school. That's got a bit of heritage and history. It was established back in 1962 by Christian parents who really wanted their children to be educated in a distinctively Christian environment. That's still the reason that parents choose our schools: they want their kids to be educated in a Christian learning environment. We're actually finding a trend where a lot more non-Christian families are wanting to come to our schools. They say, 'Look, I'm not a Christian myself, but I really want my child in a safe environment where traditional Christian values are being taught'. That's really encouraging to us.

I thought I'd take the opportunity to be really clear that although there are a number of non-government, I guess faith-based or religious schools, whatever the terminology is in Tasmania, including Catholic and Anglican schools, we are different. All our schools have different philosophies and policies and approaches, governance structures, beliefs and values. For that reason, I think it's probably not that helpful to bundle all the faith-based schools and put them under the same umbrella, especially when we're talking about these types of issues.

In that sense I probably need to be clear that I'm not here to speak on behalf of the Catholic schools or the Anglican schools because our schools aren't a part of those groups. I'm just here to speak to my experience of being with Christian schools since 2018 and also the network that we share across Tasmania with six other schools which have a very similar structure to ours.

This wasn't part of my original opening statement, but I happened to be in the room earlier when Lexi shared a witness statement around an experience of being a student at Catholic school. I want to say that I agree wholeheartedly with Lexi's views that a school's expression of faith should never include being unloving towards a student or allowing students to be bullied or discriminated against based on their gender identity or sexual orientation. The eight years that I've been with CST, I've never seen any bullying or discrimination against a student based on their gender identity or sexual orientation. I want to say I was really encouraged. It was such a brave thing for Lexi to come out and share that.

The second thing that I wanted to talk to was a statement you would have received that, I think was part of a submission from Equality Tasmania in relation to one of the statements, because obviously, that was a broadly focused on the survey that was conducted on student experiences in schools around discrimination and bullying, with a particular focus on LGBTIQ[A]+ students.

One of the statements that was made in the letter was 'in the past 10 years we've received no reports of discrimination or bullying from non-religious, non-government schools. This is not to suggest that it doesn't happen, only that it is much rarer.' As I said earlier, I've been with CST since 2017. During that time enrollments across our schools have grown by 65 per cent. When I started we had about 830 students and now we're going to be nudging close to 1400 students next year. There are obviously a number of reasons for this growth, but I think one of the reasons is a reflection of our reputation being a safe, nurturing and value centred community.

In the letter, Mr [Rodney] Croome seemed to imply the discrimination and bullying was more prevalent in faith-based schools like ours. I absolutely respect the valid concerns that he raised. I'm not suggesting for a moment that the statistics from that survey are incorrect. In other words, I'm not suggesting that bullying and discrimination are not taking place in schools here in Hobart. That's quite disturbing, but my personal experience with the schools that I manage, being the Christian schools, certainly doesn't support those statistics. And in the eight years that I've been with CST, as I said, incidents of bullying have been extremely rare. Not to say that it doesn't happen. I think it happens in any school but it's how you deal with it. I'm really proud to say that there have been zero instances of bullying or discrimination towards LGBTIQ[A+] students.

We always ask parents their reasons for choosing our schools. The most common answer from parents is that they want their child to be in a safe, nurturing, learning environment where their child doesn't only receive a really good education, but where they have traditional values of kindness, respect, love, inclusion, and where there's no bullying. We say, look, we can't guarantee that. That's not something any school can guarantee, that kids might not be mean to one another. But we take it very seriously. We have zero tolerance against bullying and we address things very quickly. I guess, interestingly, when we're asking parents those questions - 'Why have you taken your child out of the school they're in to put them in our school?', quite a lot of parents cite bullying as a reason for their child being taken out of their current school. They say that the reputation that our schools have is that it is an inclusive environment where students have that sense of belonging.

Finally, I thought it might be helpful to briefly outline what our approach is to supporting LGBTIQ[A+] students. Again, just speaking for my schools; I don't know what the Catholic or Anglican schools approach is. I'm aware that the submission in the letter from Equality Tasmania focused on a lot of negative experiences that LGBTIQ[A+] students had cited from their experience being in schools. Maybe the committee might be wondering what experience I've had with LGBTIQ[A+] students. Over the past couple of years, we've had a number of students in our schools who have strongly expressed a transgender identity and a number of others who've expressed sympathy for LGBTIQ[A+] ideas or self-expression. In all these cases we've worked with the parents. This is our approach. - work with the parents and the students to develop a pastoral plan, providing a range of supports as needed, including the use of their preferred name or pronoun, the avoidance of non-preferred pronouns, adjustments to uniform requirements, and the provision of non-gendered bathroom spaces. In these cases, we worked consistently with an understanding that each individual is a unique creation of God and we actively encourage students to express respect, compassion, inclusion and understanding to others.

In closing, I thought this was - it only came through recently. I received an email from one of our principals in our network. I'm not going to name the school because she said, 'Could you please not name the school, just in case'. She said:

Dear David

I recently read an ABC article about the Inquiry into Bullying in Tasmanian Schools, which leaned towards the perception that LGBTIQ[A+] students are targeted in faith-based schools, with more emphasis on Catholic schools. I thought I'd share a story with you.

Last year, one of our students, who was navigating gender identity challenges in her later years here and going through a transitioning process, had a memorable last day with us. As she was about to leave on her final bus run on the last day of school, she came to me with tears in her eyes saying she didn't want to leave the school. That year I watched her peers and staff extend incredible love and kindness to her and they still keep in touch, even though they're at different high schools now.

This year I received an enrolment inquiry from a family friend of hers. When I asked what brought them to consider us, they said we heard from her family that our school was a school that truly cared for its students and where students are loving and inclusive to everyone.

**Ms JOHNSTON** - That's a nice way to start off, I think. Thank you.

**CHAIR** - Thank you very much, Vanessa and David, for presenting to us today and being here with our committee. We really appreciate it. Your submission to our committee was very detailed and succinct in many ways. It clearly outlined the experiences of your school, mostly positive. You have said that you don't have a lot of instances of bullying or discrimination across your school communities, and I acknowledge that. But have you seen an increase - you obviously don't have many incidences but of those incidences, has there been an increase which is on-trend with the data that's been collected at a state level and national level around the increasing bullying in Tasmania?

**Mr GILLMAN** - As in, are we aware of increasing bullying in general in Tasmania?

**CHAIR** - Across your school communities.

**Mr GILLMAN** - Across the school communities, yes. I think, and this was something that was mentioned earlier, one of the biggest concerns, or the biggest risk, is the cyberspace. What makes that space really challenging is that schools often have no control over what children are accessing after hours outside of school. We can obviously put in place, we have a - students aren't allowed to have their devices. Obviously, when students do access websites through their computers, it's all monitored and we have security protocols. That's probably one of the biggest risks that we see. That is an area where students are vulnerable and where we probably do see incidents, or potential incidents, of bullying.

One of the things that I wanted to touch in terms of the increase in the prevalence of bullying, and it touches on a second statement in the Equality Tasmania letter, and it was the statistics that they included around students reporting that they've been subject to insults and hurtful comments. Now, this is just my opinion. I think one of the challenges in school communities - and that's school communities in all sectors - at the moment when it comes to the issues of bullying, there is a potential misunderstanding of what bullying actually is. We get parents ring the school and say, 'I want to speak to a teacher because my daughter got told that her hair wasn't pretty and that's bullying and it just needs to stop'. And so we say, 'That is mean. We will have a chat to the student but that is actually not bullying'. So, we're trying to educate our students and our parents about what bullying is and what it isn't.

Kids unfortunately are kids. You'll have Susie being best friends with Mary one day and then all of a sudden she doesn't want to be her best friend. The children have a little fight and they exchange words, but that's not bullying.

Definitely, in the submission, when it's aggressive behaviour that's repeated, it involves a real imbalance or perceived power imbalance, that's another thing. Mr [Rodney] Croome did mention the statistics around comments from students who received threats of abuse and violence. That is absolutely a different story and that needs to be dealt with. It's one of those hard things where parents are saying that there's an increase in bullying in the school that I was with. We talked to them about what that looked like and it turns out that it's what we call 'mean on purpose', if that makes sense. Students just being students. That's where we try to encourage our students and try to develop that community of respect and don't say mean - Jesus taught us to treat others the way you want to be treated and love others like you love yourself. That's one of the challenging things that we're seeing.

If you ask me the question what I see are the key challenges, I'm happy to talk to that because I've got a few areas that I've observed over the eight years that I think are key challenges that actually play into the space.

**CHAIR** - We might come back to those other significant challenges at the end. I wondered about additional support staff across your schools and the availability of those. We know that there is a shortage across the public sector. Do you have additional staff as part of your school network?

**Mr GILLMAN** - Yes. It's interesting, I only know my context but we have a lot of staff that have worked in the other schools, whether it be Catholic schools or public sector, other independent schools. The first thing they say is, 'You guys have such a large amount of teacher aides', because we have learning support specialists in pretty much all our classes. We set aside a huge budget for our learning support and pastoral staff. Each of our schools has school chaplains. We have wellbeing officers, we have counsellors, where there's a need, probably more so in the secondary space, but chaplains definitely in the primary space. As I said, we put a lot of resourcing on that one-on-one supports with additional teacher aides in the classroom for that purpose, to support students with additional needs, students who have that additional requirement for care. Then we really try to do our best to resource all of our schools with the wellbeing teams that can actually support staff pastorally.

Obviously, we're seeing an increase in the prevalence of students with mental health issues, a range of things which are really tricky for teachers who haven't had the training to navigate. So, we try where we can to resource and make sure we bring on board staff with that specialist expertise. It's not always easy to find them in the first instance, but also funding them because there's not a lot of funding, even for chaplains.

**Mr BAYLEY** - So, there's an increase in students with mental health challenges?

**Mr GILLMAN** - That's what we're seeing.

**Mr BAYLEY** - What do you put that down to? Does it have a correlation or relationship with bullying and cyberbullying?

**Mr GILLMAN** - I think it does. Also, if a student has mental health issues, how they're perceiving their interactions with their peers may be escalated. Again, coming back to that 'mean on purpose', they might see that more as bullying than a normal person. It's the increased diagnoses of ADHD, ASD (Autism Spectrum Disorder), all of these. I think that would be true for all schools in every sector. It's really challenging because our teachers are not trained or equipped for that in university, so we have to make sure that we train them and give them - you know, there's so many of those. We're seeing more and more students coming into our schools with broken homes, mental health issues, abuse. It's really sad. Some of our students say to us and will say to the teachers and the principal, they actually want to stay in the school because that's their safe space. That's the safest place that they have.

**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.

**Mr BAYLEY** - I think that's enough in the policies base. Thank you.

**Mr GILLMAN** - If you need any other policy, just flick me an email. I'm more than happy to share - what you can't [find], because there are a lot of policies on our website, all of those schools' websites.



**Mrs BESWICK** - I've got sort of a few curiosities, I'm just happy for you to talk to kind of how you deal with, say, the gifted and talented, we had them in recently, and disabilities. Making sure we're not discriminating against those two groups.

Outside of school, how do you try to manage bullying on buses and that outside - ?

**Mr GILLMAN** - That's a good question, that's a beautiful question. I feel like really rude that I'm - can I answer that?

**Ms CHENG** - Over to you, you've got all the examples.

**Mr GILLMAN** - The gifted things are a fascinating space because, historically, when I came in, I kind of noticed we put a lot of effort and resourcing into helping students that were disadvantaged, students that were falling behind, that learning support. But I kind of came to the conclusion that we're not really doing a lot for the students that are actually just coasting. We think they're doing well, but they're actually not being extended.

Now we have someone on our team that actually is our teacher development innovation coordinator. He actually works with teachers on putting together gifted programs. The Department has some really, really great resources online to actually extend students and we pay for that and then they have access to these online modules. We're doing it, predominantly, at this time in the numeracy space. We hope, then, to extend that into the literacy.

In terms of students with disabilities, we make reasonable adjustments, as needed. That's where the learning supports - all of our schools have learning enrichment coordinators that work with the learning support aides and the teachers to actually help them differentiate the curriculum for students with additional needs.

In terms of what I touched on earlier about what's happening outside. That's probably the biggest challenge for us at the moment. Parent partnership is so critical for us because whenever there's an issue, we have to bring the parents in and say, 'Look, this is not just our responsibility.' Unfortunately, a lot of parents just come in and think, 'Can you just fix my child? I don't want to actually just know about it.' No, if there are problems, you need to be involved.

We recently actually had to deal with some issues with student behaviour on a bus and our bus companies - because we actually will hire a bus for our schools, so we'll outsource the buses to a company. They have their own rules in terms of behaviour. They're very, very strict and if a student misbehaves, they'll let us know and they'll seat them at the front of the bus and then they might be excluded from the bus.

We work closely with the bus companies and the parents whenever there's issues on the bus, which we can do probably more so than a school that's just putting the kids on a public service because you can't really have too much control. But, we do have the luxury of having a bit of control and working with the bus companies and having rules of behaviour on the bus. Unfortunately, we can't monitor what's happening on the bus because we're not there.

Likewise, we can't monitor what's happening with social media use and the use of cyber. What we're doing in that space is we're putting a lot of emphasis on educating parents and we're working with organisations that are experts in this space. One of the gentlemen that we work

with has written a book on cybersecurity and cyber safety. We actually give that to all of our parents on induction. When new parents come into the school they get a copy of that book. We hold seminars and briefing sessions to just train them and educate them because most parents are really, really unaware.

We'll say to a parent, 'How is it that your year 4 student has an Instagram account? They need to be 13. Tell me about this.' We have a parent code of conduct and part of that is, you know, to do with what they're actually giving their kids access to. It's difficult because you can't really enforce necessarily, but it's that parent partnership where we say, 'Well, look, what happens in the home is going to translate into what's happening at schools. We really need you to be aware of what you're allowing your kid to have access to that's actually affecting their learning', which then is a priority for us.

It's not easy, but we're doing a lot of different things in that space and working with, you know, people that really know their way around this. There are good resources in that space but people just have to encourage parents to access that. The parents that need it are usually the ones that won't come along to a 6 p.m. seminar, whereas the parents that are the ones that are like, 'I'm right on top of this', we don't need to talk to you. We need to talk to the ones that aren't doing the right thing.

**Ms JOHNSTON** - David, I think in your opening statements you made a really good point that the approach to discrimination and bullying across all schools, whether it be faith-based, non-government or government schools varies - there's not one sort of type, I suppose. What's come through really quite clearly, I think, in the evidence that this committee has heard is that it's a lot around leadership within school communities that may set the tone and the culture for that particular school. It's really heartening to hear you talk about the four schools that you work with in terms of the tone that they've set for engaging with LGBTQI[A]+ communities.

Can you talk a bit more about that leadership? How do you foster that within that four school network, particularly in terms of those core values around inclusion practices?

**Mr GILLMAN** - It's all about making sure that the principals are all on the same page. When I joined, our principals weren't on the same page; now I don't want you to read too much into this, but in the eight years we now have four new principals. Now, I'm not going to ask anyone to read too much into that, but the principals we have now are going in the same direction. It is so important, especially for our organisation where we have four schools where we try to have a consistent approach, that we meet regularly, as I said, we go on a leadership retreat once a year, once a month we're meeting, I'm meeting with the principals on a fortnightly basis, and we're talking about this stuff at those meetings regularly to make sure that we're all in agreement and all on the same page in terms of how we approach these matters.

So these key things, it's not just something that's a policy around how do we respond to a student who comes to us and says that they're looking at gender transitioning. We don't just palm that off to a law firm or to our compliance manager, we talk that through the leadership and say, 'okay, we're a Christian organisation how do we respond here? How do we respond in love? How do we make sure that the student is supported and feeling like they belong whilst navigating the other challenges around what the parent community might be expecting?'

It's really important to have those robust conversations and, obviously, that goes at a board level, too. I discuss these things with the board level because I report to the board and then the four principals report through to me. But yes, it's all about just having regular conversations, each time we meet we ask principals to share highlights and hotspots of what's going on, 'Alright, you're having that? Yes, I've had exactly the same conversation with the parent or I had a child that was experiencing that.' So, we work together and we make sure that we flesh out common challenges that we're all facing but it seems to work.

**Ms JOHNSTON** - So, that is a resource those principals have in terms of - we heard earlier this morning from Working It Out that some principals face pushback, if you like, from sections of their school community when they're responding with inclusive practices, for instance. So you have resources that your senior leadership can draw on to support them in terms of being able to say, 'No, this is what the school's principles are and it's how we are going to engaging.'

**Mr GILLMAN** - You do, like in a conservative - because some of the school communities are more conservative than others and it's more navigating the expectations because we know what our expectations are and we know how to navigate it, but there might be some parents who go, 'Well, I'm not comfortable [in] that'. So, we have to take them and say, 'Listen, just remember we're a Christian school, what does that mean? It means we love everyone. It shouldn't matter what that person is, it doesn't matter what their ethnic background is, it doesn't matter whether they're a minority group. It doesn't matter, all of our students we treat equally and we see them as unique and gifts from God.' That's the message we send to those parents and, eventually, they get that message. It's challenging, we do sometimes get pushback from some of our community.

**CHAIR** - Just before, when I asked my other questions, you mentioned there were some other key challenges that you wanted to outline to the committee. It might be a good time to do that now.

**Mr GILLMAN** - Yes, look, I was thinking about this this morning. I'm often asked 'What are the key challenges or risks facing your schools?', and I kind of come up with common ones that I think are facing all schools. Obviously, there was a mention earlier of the teacher workforce and we're trying to address that through an initial teacher education program where we actually bring teachers, or people who want to become teachers, we employ them as a teacher aide and we give them that deep immersion and we support them in their studies.

But, it was interesting, when I was thinking about it, bullying never comes into the equation when I'm actually answering that question, when people say, what are the key risks or challenges you're facing in school. So, I came up with this list, so, and I mentioned one of them earlier, an increase in the number of students with additional needs and particularly mental health issues.

Now this is a controversial one. I hope I'm not going to offend anyone: ineffective parenting. A lot of the issues that we're seeing is a result of the parents not actually knowing what the role of a parent is.

Teachers, I think, not being adequately trained at some universities, I won't say all, on how to effectively manage behaviour. I think that's something that maybe the tertiary providers

need to possibly focus on because I speak to all of our new grad teachers and I say, 'What do they teach you?' And they say, 'Nothing, we don't learn how to manage student behaviour.'

An increase in the amount of access that children have to those social media platforms and we mentioned that earlier. That's a huge challenge and it's going to be an increasing risk. And I think the last one for me was a growing lack of resilience in both the new generation of parents that we're seeing coming through our schools and their children and, I guess as a personal testimony and this this comes back to that 'mean on purpose' behaviour. When I was growing up I used to get teased when I was a little kid for having red hair and for being a bit short. They'd call me Ginger Meggs and bloodnut, all those sorts of things. I used to go home to my parents and they just said, 'Son, don't let those words affect you.' They said, 'You're God's creation, you're made perfectly, don't worry about it'.

My parents taught me to be resilient and not let words - when people say 'sticks and stones may break my bones, but words can't hurt me', I think words have a real power to hurt people. But it's parents not really teaching their kids how to be resilient and how to not let - if someone says, 'Hey, listen, that ribbon in your hair, I don't like that,' not to break down and cry and think that's the worst thing that can happen to them, and 'all of a sudden I'm being bullied because someone's told me that I'm not pretty'.

I don't know what the answer is to that because that really needs to be done at the home. We have a lot of programs in place in our schools where we teach children resilience. One of the programs that we have is a program that we've just implemented this year as an all-school approach is called PeaceWise. It's a program that actually equips children to be able to navigate conflict, and to understand what an apology is, and why you need to make an apology, and what being kind to someone is and why you should be, so they don't have to run to the teacher or their parents in the first instance. They can navigate that and resolve those conflicts in a biblical way. That's having a real - it's only early days, but we're seeing some real fruits of that, even at this early stage. It's equipping our kids in understanding that kids are just going to be mean sometimes and how you should respond to that.

**Ms CHENG** - I can add to that because we were talking about this this morning. It's also a key part of - the school purpose is to prepare kids for life after school. We know in the workforce and as an adult, you're going to face conflict and people who don't agree with you, or difficult people. Being able to have those life skills and be able to resolve conflict, and - I'm hearing this around the country - our schools do a wonderful job in modelling and teaching those principles of forgiveness, of love, and trying to move on - you know, restore that relationship - and by, hopefully, equipping the students with those skills through gospel principles, then that nips some of that bullying in the early stages before it becomes an entrenched problem.

**Mr GILLMAN** - Yes. There's a couple of things we do in those spaces. We promote in all of our schools a 'speak-up' culture. We've been really intentional and explicit in that. We have posters around. Students are encouraged to report behaviour that doesn't align with the school's values.

We provide mechanisms for students to provide feedback each year, and we also survey the classes throughout the year, just to get a bit of a pulse check. That training and awareness that we actually teach children about - we do our training internally about the dangers of cyberbullying - so, cyber awareness, and that's integrated in our technologies curriculum and,

staff receive training as well in terms of being able to pick up the signs to know that someone is maybe being bullying.

I mentioned PeaceWise earlier. Our parent partnerships are a big part of our approach at CST. We have that sort of rapid zero-tolerance response, in that as soon as we see something we try to nip it in the bud. There's a lot of kindness initiatives they try to promote. We have one program, which I love, called You Can Sit with Me. Sometimes kids just don't feel they can play and they might not feel like they're included. We have these - we call them 'ambassadors' - who volunteer and they wear a brightly coloured wristband that signals to their peers that they're actually available to sit with and play with during recess and lunch. So, if someone is not feeling included, they can spot someone with the wristband, go up, and that person will play with them because they've made that commitment as a student leader to do that.

We have chaplains in each of our schools, and we have a lot of programs designed to reinforce positive behaviours. Always in our end-of-year assemblies, we don't just provide awards based on academic achievement; a lot of our awards are based on students demonstrating the values of the school.

**Ms JOHNSTON** - Excellent.

**Mr BAYLEY** - Can I bring us back to university graduates and programs. I'm very interested in hearing the quality and the fit-for-purpose - how fully formed graduates from UTAS, number one. I am one, but it's a long time ago. But from Vanessa, from a national perspective, do you see a lot of diversity in the graduates or 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 this space, 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 deers 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.

**Mr BAYLEY** - Right.

**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 are 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** - Is that right across the state?

**Mr GILLMAN** - Yes, that's an initiative that - good question. 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.

**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** - Does parliamentary privilege allow me to be really honest?

**Mr BAYLEY** - Yes, absolutely. That's what we're here for.

**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.

**Mr BAYLEY** - Would that mean automatically you have a prejudice against those? I don't mean that in a pejorative sense, but do you think there's a prejudice as a result of a UTAS graduate because of that sort of observation, or you still take everyone on their merits?

**Mr GILLMAN** - No, take everyone on their merits, absolutely. We can't really be too picky, but the initial teacher education hub program that we've been doing for the last two years, that was done with Alphacrusis because they deal with other schools around the state, but there are other providers that we can look at for that. UTAS obviously isn't a part of that program.

**Mr BAYLEY** - Can you just spell that for us or say it?

**Mr GILLMAN** - Alphacrusis.

**Mr BAYLEY** - Thanks.

**Mr GILLMAN** - They're a faith-based tertiary provider.

**Ms JOHNSTON** - Nothing further, Anita?

**CHAIR** - No, I don't. Thank you both very much.

**Mr GILLMAN** - It's been an absolute pleasure.

**Ms JOHNSTON** - Thank you very much and thank you for the documents and your evidence here today. Just to reiterate that what you've said here today is protected by parliamentary privilege. But once you leave the table, you need to be aware that the privilege does not attach to comments you may make to anyone, including the media, even if you just repeating what you've said to us here today. So, I hope that's clear.

## **PUBLIC**

Thank you so much for your time today. We really appreciate it. We'll end the broadcast there.

**THE WITNESSES WITHDREW.**

**The committee adjourned at 4.12 p.m.**