

PUBLIC

THE PARLIAMENTARY SELECT COMMITTEE ON THE HOUSE OF ASSEMBLY RESTORATION BILL MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART ON FRIDAY, 2 AUGUST 2019.

Mr RODNEY DILLON WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR (Ms O'Connor) - Thanks for coming along and welcome to the committee. Before you begin giving your evidence, have you received and read the guide sent to you by the committee secretary?

Mr DILLON - I have.

CHAIR - I need to reiterate some important aspects of that document. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries.

It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred by you outside the confines of the parliamentary proceeding. This is a public hearing. Members of the public and journalists may be present and this means your evidence may be reported. It is important that should you wish all or part of your evidence to be heard in private, you must make this request and give an explanation prior to giving the relevant evidence. Is that all fine with you?

Mr DILLON - There is a very funny thing about that because I had an ABC journalist ring me yesterday. They must have known I was coming in here. I read that and I could not remember what I had read because I read quite a few things and then I thought, 'Am I allowed to tell them anything?'

CHAIR - Rodney, thank you. We have asked you to join us to talk about a bill that is before the House of Assembly, which is restore the numbers to 35 seats, as it was in 1998. We have asked you in because we would like to hear your perspective and your community's perspective on the workings of parliament, the health or otherwise of our democracy, and any views you might have on how it could improve.

Mr DILLON - Thanks for that, Cassy. As an Aboriginal person, we have just talked about the red-nosed man - we have always been controlled. I see parliament as a place in which when I come to meet with anyone, they have anything up to a fair few amounts of other jobs going on. I don't know where Aboriginal issues sit with that so I have always thought that, for a long time. The first one who ever came out to be with us on Country was Jacquie; we took her to Riveaux Cave.

We have never had people take interest. It has always been a poisoned chalice, the Aboriginal thing - we are not taken seriously or seriously enough. That is why I always believe the minister for Aboriginal Affairs should be Aboriginal. I honestly believe we need to have - and with the politics we have two distinct groups of Aboriginals in Tasmania; if we have one from one group, they will slaughter the other group. It is not just me or - it is the nature of how we have lived as

PUBLIC

Aboriginal people. It is a bit like your north and south on another axle, I suppose. Understanding that having Aboriginal people represent Aboriginal people is of the utmost importance, I would think.

As Aboriginal people, we have Aboriginal sites, whether they are rock tools, a quarry, an ochre site or whether it is just a place where they stopped and had their lunch and have a fire hearth and stuff like that. These things are all that we have left, all our history. If you have a look around, you see a lot of history of everyone else's but you don't see us. We feel very responsible to keep that bit of history of who we are and when we see that torn away, whether it is for one thing or another - and usually it is for other people to make out of our sites - I find it difficult. It is about the politics you are all in, different parties will pull things apart differently, but it still ends up that we lose as Aboriginal people.

If we had two people within this who could cater for Aboriginal issues, there wouldn't be an Aboriginal person who would come into this place and allow one of our sites to be destroyed. It would be upheaval; they would tear up the Table. Until we can get to the stage where we have representation, we will always be as we are today - just allowing people to destroy our sites in front of us. I haven't even got my own great grandmother in a grave. I go to the grave and I know the grave is empty.

Standing as people, we have no capital in our own country. We have nothing. Our sites can be destroyed. You know when they destroyed that house up in South Hobart and everyone jumped up and down about that house, could you imagine if we could get people to that level about our sites and protecting our heritage? We have vulnerable sites today in the World Heritage Area, all those caves. If they start putting tracks in through there and people start walking in, all that is just going to go. We are going to lose that in my time; as a person, I feel proud and strong, but I feel fairly responsible as well. I feel that I take on these things personally and Aboriginal people do, not just me but all people. All those things contribute to why we need representation, whether it's at the federal level, the state level and both, until we get that we are not going to have any say in what happens to our people.

We have a look at Aboriginal people. More Aboriginal people get locked up, more Aboriginal kids are in the prison system, fewer of our kids are in the education system and fewer of our people are in houses. Why are we always on the bottom of the heap? We are always on the wrong end of society; on every corner you stand, we are as Aboriginal people on the wrong end of it. I find it very difficult.

It is the parliament that makes the law that sets everything up and has for 200 years. I feel it is a responsibility of a government to take that on, to heed that and to deal with it. It is a very controversial thing, isn't it? You have three different parties all fighting to be in the one place and to be the one representative and the strength of that system is completely different to the system we have lived under, and it is very hard to dovetail the two together. I imagine how hard it would be, but if you have a look at the politicians today and you come and sit and listen to them, one fellow will get up and he will talk on whatever and then he will get up and talk on something else. How can that fellow talk on four different things in the one day and be truly - you would know, you are in that position, you are doing it more than probably others - how can you represent all those things honestly?

CHAIR - You can represent them honestly but maybe you don't have the time to invest in fully researching them.

PUBLIC

Mr DILLON - That's right, and understanding Aboriginal issues. All of you have grown up, being told we did not even exist. That same schoolteacher told you that 10 times 10 made 100. And that's right: 10 times 10 does make 100. She also told you we did not exist so in the back of your mind there is a certain amount of not understanding of who we are as Aboriginal people.

In our minds, that 10 times 10 makes 100, but we are here. It is very important to understand. Years ago, I used to be upset with people when they were racist. Today I am probably not as upset. As I have got older, I have come to understand how these people did not even think we existed. I don't know; I might just have got old quickly. You cut them a little bit of slack for not understanding, but it still does not mean it is right.

Mrs PETRUSMA - Rodney, what would you see as the best model of representation for the Tasmanian Aboriginal people in parliament?

Mr DILLON - I think you need two people. You have two distinct groups. Whether you like it or not, we have always had two groups. It is not something that has happened in the last two years. Those two distinct groups have been there for all my life. It is not something that's just been created.

CHAIR - Can I set some rules for the table? Can we seek the call, just so everyone is in an orderly procession asking?

Mr DILLON - I thought it was like an Aboriginal meeting just then.

CHAIR - Are you finished, Mrs Petrusma?

Mrs PETRUSMA - For those two people, do you have a preferred model of how they would be elected?

Mr DILLON - No, not really. I have gone past probably thinking about what is preferred and what is not. We have not never got to that stage, but I think you need one from both groups. I suppose, if you voted in Aboriginals under a Commonwealth act, Tasmanian Aboriginal, TAC wouldn't get one in. If you voted it in under the old definition, we would not get one in. So, you need something that is in the middle. I do not know what that is.

Ms HICKEY - Are they represented statewide or 50 per cent northern, 50 per cent southern?

Mr DILLON - No. Probably the south would have a bit of a majority, but the north-east and the north-west together would probably be a similar amount to the south. Probably a bit close to half.

Ms HICKEY - You are recommending that if there two, that one would be open only to TAC members?

Mr DILLON - I certainly think so because otherwise it is not fair on them.

Ms HICKEY - Are they equal numbers?

PUBLIC

Mr DILLON - No, they wouldn't be. I would not like to think that you put one in from TRACA and not one from the other. They would probably think differently. That's their call and that's fine. I think you need something, somewhere how you can address both. But it is interesting the Garma Festival of Traditional Culture is starting today. They are talking about it at a federal level at Garma today. This same issue.

CHAIR - What are they talking about?

Mr DILLON - About having Aboriginal people represented in federal politics.

CHAIR - Specific seats, rather than Mick Dodson or Ken Wyatt, be elected.

Mr DILLON - And that comes from the Statement from the Heart.

Mrs RYLAH - Rodney, great to see you here. The definition issue is a difficult one. You know that we expanded the definition. I think you've raised a really pertinent point about how it could it be inclusive of all communities and all people. Are you aware that we currently have a member of parliament who is of Aboriginal descent?

Mr DILLON - I think there are two. One comes under the craypot licence. A lot of people can get Aboriginality so they can get a free craypot licence, then you have other ones who are genuine.

Mrs RYLAH - It was apparent to me that in the other House, they weren't aware.

Mr DILLION - Yes, a lady from the Labor Party in the north; she is from Merv Gower's family from Six Rivers.

Mrs RYLAH - Yes, I was interested in the lack of knowledge of existing Aboriginal members, which further highlights to me the fragmentation of -

Mr DILLON - I think they would recognise her, though.

Mrs RYLAH - Yes, I don't think they were aware of her.

Mr DILLION - They wouldn't recognise Robert Armstrong.

Mrs RYLAH - Rodney, about the issue of coming onto Country. I have been on Aboriginal Country since I was born. I come from Smithton. Aboriginal people were and are throughout that area. Our community went to school with them. The issues around representation, do you think that relates to hand-back issue as well?

Mr DILLION - Definitely, you have had groups of Aboriginal people who have been recognised in their areas, like down home

I will just take you back a little way if you have a minute. I grew up as kid in Nicholls Rivulet. Over the hill, we had the Mundys. All the poor families pretty much stuck together. The Lovells were a big family from Huonville. They use to come to our place. Their mothers and fathers used to have a cup of tea with our mum and dad. We would get some apples and we would go tickling

PUBLIC

the fish in the creek as boys. Then I played football against them, one bloke was called Abo Lovell. He was tough as nails. He was a big strong man.

Then we started up TAC. For a while TAC accepted all these people. We all went away and played football together at these Aboriginal football carnivals. Then there was a bit of a change in TAC. Not all these people were Aboriginal so they stopped them all from being Aboriginal. I had grown up with those people being Aboriginal all my life.

I was branch President of the Hobart TAC at one stage. They probably wouldn't tell you that, but I was. Then I had to decide whether I was going to keep accepting the people I had grown up with or I was just going to accept the Mansells and Maynards from up north. I stayed with the families that I had lived and grown up with and known all my life. I argued with them. Then it just became really tacky and not very nice. I could not give up these people whom I had grown up with.

I had lived with them. So that is how it started. They decided they were going to take what white history wrote about who was Aboriginal and who was not and use that as evidence against other Aboriginal people who we had known as Aboriginal all our life. That is where I come from as a person. I couldn't change that in me; that was how I was designed as a person to be with those people. That is how that happened with me. They hate me a fair bit and that is all right. I have always tried to do what I thought was right with the people I grew up with.

Mrs RYLAH - Can I take you back to the hand-back issue? I think this comes in with the representation and how we look at parliament.

Mr DILLON - With hand-back, we've never handed back - all the land that's been handed back, ALC's got that land and we don't have anything to do with that land. My great-great grandmother Fanny Cochran and her mother were two of the last people at Oyster Cove. We don't even go to Oyster Cove.

That meeting last year or the year before for the Statement from the Heart to go and represent Tasmania was at Risdon Cove. We won't go near Risdon Cove because there is too much nastiness. There is a lot of hatefulness. It is not worth your while to go somewhere where there is hate. I was fighting those fishing cases years ago, and mutton birds and swan eggs and stuff like that. I thought that we had a right to do it. The government did not think we had a right. Then I got sick of doing that because it was costing me too much money and I didn't have a lot of money. I went on to try to get some land back. I convinced the ALC to buy Murrayfield, some land in the south, so that people - now all the TAC people go there and that's fine. I don't want to have it like Oyster Cove is to me; all people go and use it.

If we have land hand-back, that's how land should be, but it's not. The land that has been given back is totally controlled, owned and operated by TAC, and if you are not in that group, you don't get to go on it.

Mrs RYLAH - Like preminghana?

Mr DILLON - Yeah.

Mrs RYLAH - Thank you.

PUBLIC

CHAIR - Rodney, in terms of representation - I think I know the answer to this but I reckon it is worth -

Mr DILLON - Ask it anyway.

CHAIR - asking you what you think. What have been the impediments to Aboriginal people standing for parliament and being elected to parliament under the system that we have had since colonisation?

Mr DILLON - It's the big R, isn't it? You would not want to see an Aboriginal person in parliament. I think all the parties have, traditionally, over the years - 99 per cent of Aboriginal people come from poverty and I think to be in parliament, over the years, it's not somewhere where you come from. There are not too many people - broke down on the side of the road - you'd never see a politician broken down on the side of the road. Well, not often. Do you know what I mean? It's the parties - up until only the last 15 years I suppose, it has only been then that people have started seeing the influence of dealing with parties and the importance of doing it before.

We have been flat out looking after our own families. We haven't even been able to get onto councils, let alone into parliament. It costs a lot of money to stand to be a politician. I don't think we would have people who would have that sort of freight to do that. To go around and campaign is a very big job, it's a huge job, and you need money behind you to do that.

Our people are flat out paying rent one from week to another, not to get to the next stage. I think the attitude is changing. I don't think we are as bad as what we used to be, but certainly when you come into parliament, there are those signals starting to come into the country. You see the flag when you drive down the street and you see the flag here and there. Those signals are indications that things have changed a little bit.

CHAIR - At a federal level we have Aboriginal people who have been elected to parliament: Mick Dodson in the Senate, Ken Wyatt in the House of Representatives, and from the Greens' point of view we have Jordon Steele-John. There are Aboriginal people represented, but you would agree that having Aboriginal people in parliament of itself isn't going to achieve the outcomes for Aboriginal people because if you look at the federal minister, he is already coming up against obstacles in terms of having the Uluru Statement given effect. How do you think the proposal you are talking about would make it different?

Mr DILLON - If you have a look at what has happened in New Zealand, I think that's a vast change. I am sure you all come from different parties, but at different times you would negotiate things out to do deals with one another.

CHAIR - As much as we possibly can, we try to cooperate.

Mr DILLON - I don't know if cooperation and deals are the same thing.

CHAIR - No, they are not.

Mr DILLON - I think that if you had some Aboriginal people like they have there - they have to negotiate with those people to get things done, and that negotiation would be vitally important to make those changes. I think that's where you would have the power of having two people in your party.

PUBLIC

CHAIR - So that we are really clear, we are dealing with a piece of legislation that doesn't include the proposition that has been put by yourself, TAC and the Elders, but when we look at the proposal for two members of the Aboriginal communities to be elected, do you believe that the best model is for direct election out of the communities?

Mr DILLON - Yes, I think so.

CHAIR - Off the ATSIC roll or the ALC roll? How do you do that?

Mr DILLON - One of each. You could use the ALC roll for the TAC and the ATSIC roll, the Commonwealth one, for the wider one.

Mrs PETRUSMA - That was similar to the question I had. On the ALC roll there are only few hundred people. If you are saying there is going to be two seats, how would we expand - I think nearly 26 000 identified as Tasmanian Aboriginal at the last census. How do we get in place a system that captures the 26 000 for both sides?

Mr DILLON - That's why you have the Commonwealth roll and the ALC roll. It is up to the ALC group to get those very few. How many are on the ALC roll?

Mrs PETRUSMA - It's only a few hundred. It's not very many people.

Mr DILLON - Is it 700, 500?

Mrs PETRUSMA - I think it was only 342 or something - and representative, like you said, of both groups. What is that Commonwealth roll? Our definition of -

Mr DILLON - There are three identifications you've got to have. You have to be recognised in the community, you have got to self-identify, and what's the third one?

Mrs PETRUSMA - An organisation needs to recognise you. The Tasmanian Government's definition is now the same as the Commonwealth's.

Mr DILLON - I can see where you are coming from and that's fine, but that old group of TAC people still needs representation. We need representation and they do too. It would be unfair of me to come here and say to you that we just accept the Commonwealth roll because then they wouldn't be recognised. I think they have to have the same recognition.

Mrs PETRUSMA - That's very honourable.

Mr DILLON - It's important to have that. I wouldn't be comfortable going in and thinking that one person could speak on behalf of either group because it's not like that.

Mrs RYLAH - Rodney, a proposal that has been put to us has been that if you choose to be on the Aboriginal roll, you wouldn't be voting on the normal electoral roll. It's an either/or choice. What do you think of that? I know it's the first time you have heard of it so you might want to think about that.

Mr DILLON - I could go back to prior to 1967 when we didn't have the vote at all.

PUBLIC

Mrs RYLAH - The proposal has come to us from TAC. They suggested that if someone voted on this one, they wouldn't vote on the other one.

Mr DILLON - I wouldn't think that. It's important to vote for everyone that you want to put into parliament. It's about having that relationship with those people as well.

CHAIR - Rodney, we have to deal with the legislation that is before the House to restore the numbers. If we step back from the multiple unresolved, unreconciled issues for Aboriginal people, do you think the parliament as it is now is functional and healthy?

Mr DILLON - I think you've got a democracy that's a lot healthier than in other places that I visit and travel to - understanding this is the system we've got to work in and this system is not going to change too quickly. I am mindful that we are not going to change what we have because the system is so ancient. Understanding that and trying to tweak it a bit is more important than throwing the whole lot of it out.

CHAIR - It's just that at the moment we are dealing with a parliament which, proportional to our population, is substantially smaller than in other places.

Mr DILLON - I deal with the Queensland Parliament as well, where they've got only the one lot to deal with. They brought the other lot out. It was interesting what they did there.

I do think that having the both Houses is important because sometimes, if one group is powerful and gets something through, it can make it very hard on Aboriginal issues. We need to have a wider range and two Aboriginal people in here would give it a better representation. Can you imagine if something went through and those two people both didn't want it to go through and they jumped up and down and carried on? It would be better than now because it is almost deathly silence now. Something can go through and there is nothing, it is just like the bell goes at 12 o'clock and everyone goes home. It is not only Aboriginal people, not only your parliament but the media and everything. In years past it was glossed over and stopped and that deadly silence is what has caused the problem.

Mrs PETRUSMA - Rodney, the bill does indicate a change from 25 to 35 seats. I have a two-part question. Do you support increasing the numbers to 35 with two members of parliament to be identified Aboriginal positions? Do you suggest they are out of the 25 or out of the proposed 35?

Mr DILLON - Out of the new 10, yes.

CHAIR - With the Tasmanian Aboriginal Centre's model and the Elders, too, I think it is desired to restore the numbers to 35 and you have delegated seats for Aboriginal people on top of that, so a 37-seat House is what you would have.

Mr DILLON - Yes. I don't have a formal request, I haven't thought about it, to be honest, but if you had the two people in that 35, you would have that representation covered well enough.

CHAIR - We have the Tasmanian Electoral Commission coming in shortly. The Tasmanian Aboriginal Centre's model is to have the extra because we have a Hare Clark system, which is a five-seat system, so it is a bit difficult to neatly fit it into that.

PUBLIC

Mr DILLON - I haven't put a great deal of thought into that but I would have presumed that having them in that 35 would have been as important. If you have two in 35, you are more than if you are two in 37.

CHAIR - Is there anything else you would like to tell us?

Mr DILLON - I've told you all how I feel and what I think. Was there anything else you needed to ask me?

CHAIR - Thank you very much. Whatever you are prepared to tell us is enough.

Mr DILLON - It is important and, as Aboriginal people, can you see how little we have been represented over the last 200 years?

CHAIR - Absolutely, no push back again that at all. It is just the historical fact.

Mr DILLON - That feeling of Aboriginal people, that feeling of hopelessness over a couple of generations, it just keeps going and you can see why people feel that hopelessness and haven't had that association with this place.

CHAIR - Do you think that, in dealing with the dispossession of your people and that sense of hopelessness you talk about and if we are serious about dealing with reconciliation, having two seats in the Tasmanian Parliament could create quite catalytic change, couldn't it?

Mr DILLON - I think it could, yes. Tasmania is probably one of the states that is capable of doing it. Where I travel, I don't think other states are capable of doing it.

Mrs RYLAH - Too divided?

Mr DILLON - No, I think they're too big and they just haven't got the strength. I think Tasmania, as a place, has the strength to make change. If you look at some of the things we have changed that have been significant in the last 20 years of my life, Tasmania has always been a place that has been able to do that and I don't think anywhere else has the goodwill to do that. I deal with politicians in Queensland a lot and I deal with them in Western Australia and Northern Territory and I don't think they have that will to understand what is going on. I think Tasmania is a better place for some reason and it has become more diverse.

CHAIR - And more connected, for all its fractures.

Mr DILLON - Yes, it is. I think it has a better understanding. Someone will always know of someone else's problem and I don't think you get that on the mainland. I don't think anyone knows of anyone else's situation. We have just been dealing with kids in the justice system. We've had kids locked up in as police lock-up; 80 kids locked up in a police lock-up.

CHAIR - After a royal commission, no less.

Mr DILLON - That is why I think Tasmania is a better place. We can argue over what is good and what is bad here, but I think it will be the first place to make change.

CHAIR - Thank you very much, Rodney.

PUBLIC

Mrs PETRUSMA - Can I go back to your last couple of statements? At the moment, you don't see any other state as having a good enough system that represents Aboriginal people but you see New Zealand as probably -

Mr DILLON - Probably our closest that I look at and we travel over there. I talk to people in New Zealand a lot about this issue, Sir Tipene O'Regan and some of the people, and how to get people in the parliament. They had the same things you are going to grapple with here: do either of the parties lose a bit of power because they have to negotiate with these people?

CHAIR - Well, yes, and that is a good thing.

Mr DILLON - That is the thing that is talked about. Yes, you do have to have diversity and you do have to recognise the First Nations People. We will be better off if we can get to that stage. Up until today, we are not anywhere near it, are we? All those social indicators are so far that way and we are not making any ground at all. It is not only having people in parliament but having assets of this country that were taken off us. It will be significant for them to be handed back. We come to places like this; we come in one day and say we want money to run this, and the next day we come in and say, 'You stole this off us, you have taken this and destroyed this'. You are going to the red-nosed man a lot.

Mrs PETRUSMA - Last question from me. You mentioned money. One submission estimated the estimated ongoing cost to increase by an extra 10 seats at about \$7.2 million per year. What are your thoughts on that amount of money?

Mr DILLON - For 10 people. How much is it, \$7 million?

Mrs PETRUSMA - It is \$7.2 million.

CHAIR - That is according to Treasury and Finance.

Ms HICKEY - It is a bit disputable because it does include the moving of Treasury.

Mr DILLON - It sounds like a lot of money. I reckon 10 Aboriginal organisations in Tasmania would not get that in total.

Mrs RYLAH - That is an interesting perspective.

CHAIR - Thank you, Rodney. Does anyone have a last question?

Ms DOW - Your last comment was about the inclusion of Aboriginal representatives in the parliament, which is what we are here to talk about today. You also spoke about having that input into policy development and you talked about the range of socio-economic indicators evident within Aboriginal communities within Tasmania. What other ways can the Tasmanian Parliament work with people around some of those?

Mr DILLON - We have seen Aboriginal people, traditionally, as very strong and proud owners of this land and it was sustainable for thousands and thousands of years. Now, just the other day, a young Aboriginal man I have known since he was a baby - he would be 45 now - I saw him crawling across the street on a wet day with his walking stick. We have come from being these proud owners

PUBLIC

of this land to being beggars in our own land. To see whether it is substance abuse, I go back to that issue of hopelessness. If we can make change in that and try to put things into perspective, I am sure people who have been in this parliament for a long time have never had the understanding of how Aboriginal people function, the feeling or the thinking of Aboriginal people about this place. I would like us to be able to walk through where all those ex-premiers have been - the ones ordered our people to be shot should have their photos turned around.

We still worship the people who shot and murdered my ancestors. We put them up on a pedestal. For us to come to that conclusion of us all wanting to be in this country and working together and living together and sharing - you had one boy crawling across the street because of his substance abuse and all the disorders when he was taken from his mum.

That boy was taken from his mum. I am not saying his mum was perfect, but we would have been better off helping the mum look after him rather than putting him into that system so he ends up where he is today. crawling across the street with a walking stick in the rain just coming down off his drugs.

There are a lot of things in representation. If we can get to the stage where we are breaking those cycles; we know that we can break those cycles if we have people in places who can make those changes. I deal with Ken and Pat in the Commonwealth Parliament. We have to see them, but they cannot make much change. They are only two people and they are not both in the same party. So, you have to go into two different rooms in two different parts of the place to try to do negotiations.

If you had two people in the state here in the one place I think you can make changes. The people in here do make changes. That is why they come in here, to make change and they do make change. They make change as a group, as a gang or as a selective group. I think that having that right to have that negotiation would be very powerful.

Ms HADDAD - How you would see that operate if two members were selected from the two groups that you have described? Thank you for explaining the history behind those two very distinct groups.

The Chair, Cassy, touched on this in one of her questions: you talked about speaking to Ken, the Liberal member, in Canberra and having to go across two different parties. Obviously, we do have Aboriginal people in the Tasmanian Parliament, but they are representatives of parties. How do you envisage two directly elected members of the Aboriginal communities would deal with the policy issues you see debated in the Tasmanian Parliament each year, and deal with one another, and deal with the three political parties that are currently represented?

Mr DILLON - It would be interesting, wouldn't? All of a sudden, the two groups that were opposite one another would have to start working together. We will argue over different issues apart, but we will argue over some issues together. I think this would bring more things together than it would pull apart.

CHAIR - Thank you, Rodney. I need to read a short statement before we release you from our loving care.

As I advised you at the commencement of your evidence what you have said to us here today is protected by parliamentary privilege. Once you leave the table you will need to be aware that

PUBLIC

privilege does not attach to comments you may make to anyone including the media, even if you are just repeating what you said to us. Is that all good with you?

Mr DILLON - That is fine.

CHAIR - Thank you.

THE WITNESS WITHDREW.

PUBLIC

Mr ANDREW HAWKEY, ELECTORAL COMMISSIONER, **Mr MIKE BLAKE**, COMMISSION CHAIR, AND **Ms KAREN FROST**, COMMISSION MEMBER, ELECTORAL COMMISSION, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. It is an important legal protection that allows individual giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in a court or place out of parliament. It applies to ensure that parliament receives the best information when conducting its inquiries.

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Is that all good with you?

WITNESSES - Yes

CHAIR - Thank you so much for coming in today to our committee hearings. We have asked you in because we are discussing a bill that will have an impact on the operation of the Tasmanian Electoral Commission should it pass the parliament. It would be very helpful to the committee if we could have some explanation of how it might work for the Tasmanian Electoral Commission should the next election be based on a 35-seat House. I don't know who would like to make an opening statement. I am trying to spare you the opening statement because you are apolitical.

Mr BLAKE - With that in mind, I might start. Thanks for the opportunity to chat to us, as I think it is important that you brought us into the process.

A couple of comments on the role of the Tasmanian Electoral Commission in this sort of forum in this committee today: as you would be aware, the commission was established under the Electoral Act 2004 and consists of the Electoral Commissioner, Andrew, and two other members - namely, Karen Frost and myself. I am currently the Chair. Karen and I were appointed by Her Excellency the Governor on 29 November 2016. Section 9 of the act sets out the functions and powers of the commission. These include to provide information and advice on electoral issues to the parliament, the government, departments and state authorities and, obviously, to committees like these.

Having said that, the commission takes no position on matters of policy. It is happy to provide historical, statistical and technical advice and information concerning the possible administrative impacts of various options you may be exploring. With that in mind we can respond to your questions.

CHAIR - Yes, thank you. We thought that would be the case. Mr Hawkey, do you want to say a few words?

PUBLIC

Mr HAWKEY- In relation to the question you have put forward, which what the impact of going to 35 would be, in some ways it is not a great impact. As has been discussed previously, you already have your electoral boundaries. They would be going from five to seven.

The key element is probably the fact that we have a greater field of candidates, although predominately, as we saw prior to 1998, the parties would have more candidates. So, it would be a deeper ballot paper rather than necessarily a wider ballot paper. There would likely be inbuilt changes to formality, which would need to include advertising campaign. The election night would probably be slightly longer because there would be more candidates and having to check every ballot paper to seven rather than five would slow down that process by a little bit, which would also mean longer scrutines. You are electing two further candidates and there will be additional counts, as we saw prior to 1998. They are the main consequences that would occur. Broader than that, your polling places and your timetables are still the same.

CHAIR - Mr Hawkey, have you had a chance to look at the bill we have on the table?

Mr HAWKEY - Yes.

CHAIR - In your view, is it straightforward legislation that simply restores the numbers to 35?

Mr HAWKEY - Yes, that's my reading of it but, yes, if you have made changes in the Constitution Act, you have also made changes to the formality in the Electoral Act, so it appears to me, not that I am a lawyer, to be a reasonably straight forward change.

Mrs RYLAH - Mr Hawkey, it has been raised with us that, in going from five to seven, the proportion of invalid votes will increase. Some theories have been put forward in that people fill it in backwards and make errors and so on. To alleviate that problem, it has been suggested we consider changing the voting system for an invalid vote, that a vote becomes valid if they have put the number 1 in it; as long as it has a 1, it is a valid vote to that point and it exhausts if they then make an error. At the moment everyone has to vote one to five to have a valid vote. Do you have a comment on that and what it really means statistically?

Mr HAWKEY - I do. I note the comments made by Dr Bonham, and some of the things he raised about the complications of seven, and the parties would have seven, I fully concur with those.

I am not a supporter of reducing formality, the main reason being that Hare-Clark works because of preferences. Hare-Clark works because you will get a candidate, like the Premier, who gets a very large first preference vote and that is passed on to other candidates. The lower the number of preferences placed, the higher the likelihood you will get exhausted votes. We saw in Lyons, over half a quota was exhausted. If you look at the ACT system, they have this saving provision - I had a look before coming - for those that have elected five members, often they have more than 15, 12, around that sort of percentage, of votes exhausted. In Tasmania about 4 to 6 per cent of a full vote is exhausted. There are implications at the other end.

A pure Hare-Clark system would have all preferences included but, in a practical sense, five or seven is a reasonable thing because you have to find a balance between making it too hard for people to fill in while you are making sure you ensure that Hare-Clark can facilitate properly. What we find with Hare-Clark is that it might come down to a few votes. If we look at Franklin at the last election, with one surplus to throw, there were four votes between the remaining Liberal and Greens candidates. Now, that surplus broadened the gap but if that surplus didn't have further preferences,

PUBLIC

you might have had a result down to four votes or less. I am a big believer that you have to find a balance, which I think going to seven does.

Looking at our historical data in our parliamentary reports, we do quite an analysis of informal votes for parliamentary elections. We divide what appears to be an apparently intentional informal vote, like leaving the ballot paper blank, those there are errors, and usually about a third appear accidental. A blank might be because someone can't read it, so there might be a bit of both there. Looking back at the last three or four elections before we changed to five, around 500 people made an error with the sixth or seventh preference. That is 500 people across each division but that is still a lot less than the exhausted, where you have a few thousand exhausted at the end. My personal opinion is that five or seven is a reasonable number. I would be concerned with one, because there will be people promoting it, even if we don't have it on the ballot paper; to just put a 1 down. I don't think that serves a Hare-Clark election, it certainly doesn't serve a recount process. You want to make sure that someone can fill it through preferences.

Mrs RYLAH - That is a really interesting comment. Thank you very much.

Ms HICKEY - I believe in the 2011 election for council members, the university trialled a scanning process. Do remember that?

CHAIR - Electronic voting?

Ms HICKEY - No, it wasn't electronic voting. You still had the docket but they scanned it through.

Mr HAWKEY - Is this local government?

Ms HICKEY - Yes, local government. How far are we getting with technology? The count was so excruciating in the last local government election but it went on for days and days here, too. Are you looking at that?

Mr HAWKEY - When local government went from two years to four years and we were electing all councillors, we were able to obtain a computer counting system from the Victorian Electoral Commission and modify that for Tasmania. We used it for 10 large councils in 2014, some in the north and some in the south, to do a data entry process of all councillor ballot papers. In 2018, we did it for 23 of our 27 that went to ballot for councillors because we could expand our access, again based in Launceston and Hobart. We found that the computerised system was more accurate and probably more timely for those elections.

At that first one in 2014 in Hobart, which was a big ballot paper with lots of preferences, we were about two-thirds through the count and there were fewer than one-and-a-half votes between those three candidates. I was far more confident in the accuracy of a double data entry process, which is blind and takes in rotations, than I would have been with hands throwing them into those - so, yes, data entry is something that works in the Tasmanian environment. Can we expand it to the House of Assembly? It is certainly on our radar. The difference with local government is that we have a close of poll, we open all the envelopes and then we are busily entering data. Within three to four days, I think we had them all entered by the Friday or Saturday. We had them all entered and, again, we are looking at about 180 000 ballot papers. With the House of Assembly, we have multiple columns so we will need to adjust the system for the multiple columns, but we have the 10 days of postal vote return so we could get quite a lot of it done that way.

PUBLIC

The AEC had a scan and data entry process a little bit different to ours for the recent Senate vote but they effectively had that done within their postal vote return period, so it is a way we are going. It is a matter of developing further systems and looking at the capability because it is still important to try to enter data at different places around the state, being what we are in Tasmania and that it is important to keep those representations. It is something we are moving to. Whether it is the next House of Assembly election or the one after, I am not sure, but it is certainly one of those things on our agenda.

Mrs PETRUSMA - Do you have any indication of the extra cost for the electoral commission if we went to a 35-seat House?

Mr HAWKEY - Not really. There is a range of elements. If you look at the size of the fields, that can differ on issues other than the numbers. You may have a day for scrutiny but we don't have any real quantitative figures as to how many staff will be needed but it may be a 10 per cent increase in the work load and it is only for some elements. Polling places will be same. How much are we going to put into an advertising campaign? Really, we haven't done any sort of analysis on that at the moment.

Mrs PETRUSMA - Is that something that could be done? You would be coming back to the Government for extra funding to do the election.

Mr HAWKEY - Yes, we have a broad budget for an election but under the reserve, by law, there isn't a set budget, there is a 'this is what it costs us'. In that sense, I wouldn't have thought we would have necessarily come back and said we want an extra this or that. We try to do it as cost effectively as we can and we talk about systems that we bring in, but we don't have a process to say that we want another x -amount of money. Certainly, we are not in a position to do that at the moment.

Mrs PETRUSMA - Before you came in, we had one of our Aboriginal Elders talking to us and I have read another submission from the Tasmanian Aboriginal Community. One of the suggestions put forward is that we go to a 35-seat parliament but on top of that we also have two Tasmanian Aboriginals to represent the community. One suggestion is that two could come from a separate Aboriginal electoral roll, or there might be two different rolls to represent the two different Tasmanian Aboriginal groups in the state. How do you see that as working, potentially?

Mr HAWKEY - Again, it is an interesting submission put forward.

In looking at this, the key thing was to look at New Zealand because it has that arrangement. I busily chatted to some friends and colleagues over there.

New Zealand has two rolls: the Maori roll and what is called a general roll. In their process, someone, when they have an enrolment form, can tick a box that says they wish to be put on the Maori roll, and effectively it's self-identification, which is the process that puts them on that roll. They are on that roll and stay on that roll until they have a process, which I think is every three or four years, called the options process, where they basically review that roll.

The number of Maori representatives in the parliament is based on special calculations that are done between those on the roll and those on the census. There is quite a complicated process, which I certainly don't know anything about, but it's based on those two factors.

PUBLIC

I also read what Mr Mansell was talking about, that the candidates would represent Aboriginal people. In the New Zealand case, they can either stand as a candidate for a recognised party or as an individual.

The other interesting thing to note is they don't actually have to be on the Maori roll to be a candidate for the Maori electorate. These are just their variations. I don't think it would necessarily suit at all here, but I am just giving the broad picture.

Another question that's an interesting one in this sense is, the number of 29 000 was put forward in one of the earlier submissions. At the recent review of the Maori option in August 2018, 52 per cent of the Maori population abroad were on the Maori roll and 47 per cent were on the general roll. So there may be people who identify as Aboriginal but don't necessarily want to go into that process. I have also asked them what sort of proportion wouldn't want to be on either roll, because we certainly know there are some feeling in Tasmania, people saying that's 'white man's business, not ours'. They don't have any figures in relation to that.

That is effectively the process that they have there. I think the critical issue for Tasmania is who is a Tasmanian Aboriginal. This is not a simple issue or process. As the administrator, in the sense of the Aboriginal Land Council process, that is not a comfortable process for anyone involved because of the requirement for the individual to prove evidence against three criteria: personal identification, which is straightforward, it's an application; community recognition, which again isn't necessarily a complicated process; but it is for the ancestral heritage.

As you are probably aware, we have a very divided, broader Tasmanian environment along those issues. The process of the Aboriginal Land Council is both very important to one side that feels that, as you have heard before, so many things have been taken from the Tasmanian Aboriginal community that they want to make sure it's their people that are part of it.

But on the other side, there are people who haven't been able to necessarily find their heritage, who feel very affronted and challenged by a white person who is doing that. This is the process under the legislation and there are issues around it. The Aboriginal Land Council of Tasmania is under review at the moment, and so it is an issue for far wiser, more involved heads to look at those issues rather than me.

I don't think, in any way, we should not think that that is a real issue. How we find a solution, I don't know. It may be well worth trying to find that solution for this representation, but it's not an easy process.

CHAIR - How many people are on the Aboriginal Land Council roll at the moment?

Mr HAWKEY - Around 700.

Mrs PETRUSMA - I think there are only a couple of hundred who took part in the last election process, 300-something.

Mr HAWKEY - I can't recall - probably something along those lines.

The other question you would ask then as well is: would this other roll make enrolment compulsory or voting compulsory? That has issues within the Aboriginal community as well.

PUBLIC

There are things that need to be considered, that need not to be left out if heading down that way.

Ms HADDAD - That is really interesting, and particularly the New Zealand insights are really helpful.

I wanted to take you back to your earlier answer, Mr Hawkey, around the rate of informal voting in a seven-member electorate versus a five-member electorate. You did mention that roughly 500 people per electorate made an error in their sixth or seventh preference. Do you have those figures for post-1998? I am interested in knowing whether or not there was a higher rate of informal voting when there were seven-member electorates versus reducing the electorate numbers to five.

Mr HAWKEY - I don't have them on me but they are certainly a part of our published documents in our parliamentary reports which we put out. I don't think I brought that table with me. Let me have a look here. I did bring some bits and pieces, but I don't think that was one of them. No, I haven't got that with me, sorry.

Ms HADDAD - Also, and this may be an issue of policy so it might be something you are not able to comment on. Do you have any views on the possibility, when it comes to countbacks, of political parties' tickets being exhausted? In the case of the Liberal Party at the moment, all of the members of their lower House ticket for Lyons are now sitting in the parliament in one way or another, and I am sure they will continue on very happily until the next election. If for some reason that didn't occur, I think there are provisions for a one-off by-election. What is the commission's view on having that buffer of having more people available for a countback and not having to resort to a one off by-election?

Mr HAWKEY - I think it is a very effective process having the recount process for two reasons. It's a timely and cost-effective process for a place like Tasmania, but also, there is a critical principle here that the parliament is elected on a day and the counting from that day, and that is the forty-second or whatever parliament. Having a recount allows you to restore that arrangement that was determined on that day. If you look at the by-elections in the federal government, they become other issues and you may change the parliament. The recount process says this is the will of the people and we can maintain that will of the people, whether it is the Greens candidates, the Liberal candidates or the Labor candidates.

One little thing I did prepare - if you are happy to receive it and I only have a few copies here - is this question. From 1998, here is a list of all the recounts undertaken. As you can see, each parliamentary party has had a dip. There are two there in yellow, two cases where we have run out. That can still happen with seven because there was one time when the Liberal Party elected five in Braddon. They still would have only had two as a backfill, with five possible resignations. It is always a possibility. That just shows you the relationship of how that is. It's really important for Tasmania to maintain that principle because this parliament doesn't have the risks you have at the federal level.

Ms HADDAD - Thank you. That was really informative.

Mrs PETRUSMA - Touching back on the Aboriginal community, you were talking about ATSIC compulsory voting and you identified that could be an issue for the Aboriginal community. Do you have any suggestions as to how we could overcome that barrier?

PUBLIC

Mr HAWKEY - No, I think there are much wiser, more involved heads that can deal with that. The key thing from my point of view is, we will take the legislation and administer that respectfully and professionally as it is.

Mrs PETRUSMA - In New Zealand, how they handle that?

Mr HAWKEY - They don't have compulsory voting at all. It's not compulsory to vote in New Zealand.

CHAIR - From an administrative point of view, if you had a House restored to 35 seats and if we moved towards Aboriginal representation in the parliament and allocated seats towards Aboriginal people, and you have a general election where the 37 seats are up, from the TEC's point of view, administratively how do you see that playing out?

Mr HAWKEY - The simplest process would be to have the five divisions of seven and have the two statewide because you are not developing any further electoral boundaries. You would have two rolls at a polling place and you would have two separate lines of ballot papers. At the moment you can vote at any polling place in the state for any division. We have all five divisions there, all five ballot papers. Within our process, you would have a sixth for those electors. How you went to count them on the night, you would probably look at a separate one because we only count the in-division votes at the moment, we do not do the out-of-division. Off the top of my head, you probably wouldn't want to count them on the night because you might have three or four in some polling places; you are risking the privacy and secrecy of the ballot if you have such small numbers. For example, there are three people in Waddamana, we know who those three are going to be and they have all voted for X. There is a general principle that you don't release any figures under 20 and that could be a possibility. You might not publish any figures on the day or that evening. You might bring them back and do them centrally.

CHAIR - Could you see the count being conducted more or less like a Senate count or by applying the Hare-Clark principles to the count?

Mr HAWKEY - I would look at the Hare-Clark system. It is something Tasmanians know and accept. Again, you would probably look at Robson rotation. If you have that, you have the recount process with the Hare-Clark. You just have a Hare-Clark election for two, which is not as good as large numbers but it is still practical. You could still undertake those same processes.

CHAIR - If the parliament found its courage and passed the House of Assembly Restoration Bill 2018 and we were on a 35-seat House at the next election, the Tasmanian Electoral Commission would cope and respond quite well, wouldn't it?

Mr HAWKEY - As we did with changing local government, we would be able to administer it.

CHAIR - Mike or Karen, is there anything you wanted to say before we release you?

Mr BLAKE - It has been a very interesting discussion. I would remind you that when we did the redistribution boundaries for the upper House two years ago, there was also a proposal put forward to have a single seat, one of the 15, to be Aboriginal-based. We could not deal with at the

PUBLIC

time because it was not part of our terms of reference. The act doesn't allow us to that. It is not a new concept. We have thought about it ourselves.

CHAIR - On that, Mr Blake, from a legislative perspective, what do you think could be the mechanism here for delivering the two seats?

Mr BLAKE - It changes the bill you have put forward. I would have thought it is just another line saying that we going to have two more seats. I am not a lawyer but it doesn't sound like a complicated change to the law. What is complicated is how you put it in place. Andrew has made that clear.

CHAIR - Are there no other statutes you can recall we would need to amend?

Mr HAWKEY - The Constitution Act would need to recognise it, as well as the Electoral Act. If we were looking at the Legislative Council, you would ask where it would fit in the periodical cycle. It would be more complicated for the Legislative Council because, if is a statewide representative, you are asking for an attendance ballot across the state rather than a pocket that maybe an LC seat might cover. Again, we would find a way. You could make it a postal vote if it were statewide, for the Legislative Council. There are variables you could look at that. It may be more effective to your postal vote, especially given different cultural elements within Aboriginal communities. If you look at the Aboriginal Land Council election process there are large gaps, periods that need to fit around the mutton bird season and other seasons. Those sorts of things you might need to consider as a separate element if you were looking at something for the Legislative Council.

Mrs PETRUSMA - Would it be a better process to have the Aboriginal representatives in the House of Assembly elections? Is it easier to do it statewide when everyone is voting instead of, as you identified, in the upper House where the votes are on a rotation of 3, 2, 3, 2, which becomes quite complex?

Mr HAWKEY - We will administer whatever the parliament thinks is suitable. We are very happy to do whatever the parliament thinks is appropriate.

CHAIR - Thank you very much for your time. Before you leave the table, I have to make a short statement after you have given your evidence. As I advised at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege and once you leave the table you need to be aware that privilege is not attached to comments you may make to anyone, including the media, even if you are simply repeating what you said to us. Is that all right?

Messrs HAWKEY and BLAKE and Ms FROST - Yes.

CHAIR - Thank you so much for coming in.

THE WITNESSES WITHDREW.

PUBLIC

EMERITUS PROFESSOR PJ BOYCE AO, ADJUNCT PROFESSOR, POLITICS AND INTERNATIONAL RELATIONS PROGRAM, UNIVERSITY OF TASMANIA, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Thanks for coming along and welcome to the committee. Before you begin giving your evidence, have you received and read the guide sent to you by the committee secretary?

Prof. BOYCE - Thank Yes, I have

CHAIR - I need to reiterate some important aspects of that document. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries.

It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred by you outside the confines of the parliamentary proceeding. This is a public hearing. Members of the public and journalists - indeed there is a journalist from *The Examiner* here today - may be present and this means your evidence may be reported. It is important that should you wish all or part of your evidence to be heard in private, you must make this request and give an explanation prior to giving the relevant evidence. Is that all good with you?

Welcome, Professor Boyce. We all have your submission, and thank you for that. We recognise you have been talking about this issue and working on this issue of Tasmania's democracy and the size of the parliament for some long time. We have read your submission, but perhaps you would like to speak to it briefly before we ask questions?

Prof. BOYCE - Thank you, Madam Chair. I do not want to repeat everything contained in my short written submission, but there is one particular point I would like to amplify. I don't think I spelled it out very specifically in my written submission.

In addition to the four reasons I gave why I support the case for the expanded House of Assembly, the point that I don't think I expressly emphasised, although I implied it, is that there are workload problems for all members of parliament, not just for ministers. These workload problems are more serious for Tasmania than any other legislature that I am aware of that follows the Westminster system.

The reason I think it is important to home in on this workload question is because it at least provides us with some factual evidence. In the case of the quality of a minister's performance we can differ and we almost inevitably will differ about the quality of that performance. But when we talk about workloads, we are talking about objective facts. The fact that Tasmania has to service a number of portfolio areas with less than half the number of ministers that larger parliaments can provide is a very serious issue indeed. When one considers that in 1856, with fewer than 70 000 Tasmanians at that time, it was thought necessary to have an assembly of 30 members, even though there weren't very many ministers needed at that time. I think that is a good starting point.

The role of government, especially the range of federal government services on which the state relies, has expanded considerably in the past few years. When I look at the responsibilities of the

PUBLIC

24 ministers in New South Wales against the nine ministers in Tasmania, it is a formidable contrast. It is really not sufficient, I think, to say that the public service can fill in because that is not really why we elect legislators. Parliamentary democracy depends on the members of parliament for the efficiency and effectiveness of government. I think that the quality of governance in Tasmania is the main political issue of the time. It has a moral dimension, but it is also central to the very notion of parliamentary democracy.

I can't accept the argument that the public won't support such a proposal without there having been a real test of this. I am not suggesting we conduct a survey; I am simply arguing that if the leaders of three parties agreed that there was now case for reducing the workloads of not merely ministers but all members of parliament, I think it would stand the test. I think that the public would come round. Although only a small percentage of the general public understands much about the minutia of government in any democratic system, I believe that if the case were made that the workloads have increased out of all proportion in the last couple of decades, and that we have had evidence that ministers can't always cope or that they are relying too much on the public service, or their minders. Of course, when you talk about minders, you get the public worked up.

If there is one issue on which the public will always agree in their written submissions on this issue, it is the number of minders. I don't think the government has to formally promise to reduce the number of minders, but you could argue that with the restoration of the House of Assembly to 35 members, there would by implication be more scope for being a bit restrictive on the number of staffers you need to engage. I think on that point, I should close because you just wanted a brief introductory remark.

CHAIR - Thank you very much for that, Professor Boyce. You talked about public perceptions and as parliamentarians we semi-regularly come across that broad antagonism towards politicians. You talked about how you think it is possible the public mood on restoration has shifted. Do you want to expand on that? It has been an interesting exercise in seeking submissions. Part of me was worried we would get hundreds of submissions from everyday Tasmanians saying you are kidding we do not need more politicians, do we? But we didn't get that. In fact, overwhelmingly, the submissions have been supportive of restoration.

Prof. BOYCE - Yes, that is very encouraging. There is a kind of kneejerk reaction from a section of the community. I would not want to hazard an estimate as to what percentage that is but I think it is being reduced now because there is more and more evidence, even in the public arena of the kind of challenges that members of parliament face.

I have always felt that there is not enough emphasis on the responsibilities of the state in dealing with the federal system. I do not think the average Tasmanian understands much about the burdens that confront Tasmanian ministers in dealing with the federal government. That has nothing to do with lack of sympathy by the federal government; it is simply that federalism has changed. The range of federal responsibilities has increased exponentially over the last three or four decades and that is not going to diminish.

Your question concerns my perception of the public response. The stock argument has always been in written submissions up until now that we are over-governed. I think that is a nonsense. I hope we could always find a very clear explanation of why it is nonsense to say we are over-governed. In fact, people are only referring to the number of representatives we have, a large number of whom are federal anyway, part of the national scheme.

PUBLIC

Perhaps this is naivety on my part, but I am confident the public would come to accept there is a need. With a couple of good explanations, especially from the Premier, but from all three party leaders, there would not be an almighty negative backlash. But then of course that is perhaps just my undue optimism.

I cannot do more justice to your very pertinent question about the public mood, except that I really believe there is more willingness to accept that a government and that parliamentarians as a whole now have to undertake more responsibilities than they once would have.

CHAIR - Thank you, Professor. It is interesting you talked about the perception of over-government. The point you make in your submission is that is about representation. When you look at some of the comparisons, the average size of a lower House for states with a population between 400 000 and 600 000, like Tasmania, is 45 members. So, it is unarguable that we are under-represented in Tasmania in terms of the size of the House of Assembly relative to our growing population.

Prof. BOYCE - Yes, it is really not possible to contradict that claim. It is factual in that we know what the other comparable legislatures consist of - Newfoundland is the nearest we have in population terms. I know a bit about its system. I have worked on the Canadian political system over many years. I do not pretend to know everything all the details of the workings of every province in Canada, but I am at least familiar with their structure and their reputation. Newfoundland is doing very well now. Newfoundland's economic history has been a bit like Tasmania's. They have just come out of their doldrums now and they are doing very well economically, so it's no longer a mendicant province - nor are we a mendicant state, of course not, never let it be thought.

CHAIR - Thank you, Professor.

Mrs PETRUSMA - Professor, in your opening paragraph you talked about how in Westminster systems a longstanding norm has been that the appointed ministry should represent approximately one-third of the governing party's membership in the legislature. If that was the case at the moment, we would only have about three or four ministers. I couldn't see it in here; what do you think is the ideal number of ministers then? The bill takes it up a total of 10; as you identify in our states, I think South Australia has 14 or 17 and other states have a lot more. What would you say is the ideal number of ministers to get anywhere close to what is the ideal?

Prof. BOYCE - I am just hazarding an off-the-cuff number here. I would have thought 13 or 14 for a state with our population would be necessary. South Australia has 14, I think; Western Australia has 17; Queensland has 21. Our population is not going to be equivalent to those for quite a while, but we have the same range of responsibilities and you can't actually reduce the workload of a minister simply because there is a smaller number of constituents within that electorate. I'm afraid, off my head, 13 or 14, but not nine; you'd need more than nine.

Mrs RYLAH - Professor, could you give me some of your thoughts in regard to the ratio between what you see as an ideal version of the size of a ministry and the size of the parliament, and the backbench.?

Prof. BOYCE - I don't think any formula has been widely touted and accepted as a sort of textbook formula, to answer that question; I wish there had been. It's clearly the parliaments of the provinces and states within the Westminster family of political systems that throw up the problem.

PUBLIC

It's never a problem with the British or Canadian national or even Australian national parliaments. It's always the provinces and the states. I don't really know how to answer that one. I think it's a very fair question, but I'm not sure I can answer it.

Mrs RYLAH - Could I help you then perhaps? From some of the evidence we have received, if you don't have a significant number on the backbench, sitting around the party room and debating issues - as you know, in a party system that's where much of the really strong debate actually occurs: in the party room - and if you have a backbench that is too small relative to a ministry that is large, the ministry holds sway on almost every occasion. Evidence we have received says that isn't an ideal outcome.

Prof. BOYCE - I accept that point unreservedly. You do need a significantly sized backbench, not merely to ensure that there will be ambitious potential ministers there, but also for committee work. I have heard from many public servants and officers of the parliament in the past that there simply isn't enough time for thorough committee work in the Tasmanian Parliament. Even this committee presumably has had to plan its timetable fairly carefully.

Mrs RYLAH - It's hard.

Prof. BOYCE - You would preferably need the same number as ministers in backbench roles, but that can't be possible in a small parliament really.

Mrs RYLAH - No. Thank you.

Ms HADDAD - I also had questions similar to Mrs Petrusma's questions about the ideal number of ministers, which you have answered. Instead I will ask you to expand on your views in your written submission about sourcing ministers from the Legislative Council.

Prof. BOYCE - I know that almost all state governments in Australia appoint several ministers from the second Chamber. Some of them seem to have a fixed view that a certain number are needed and that they will automatically look for five or six or whatever, in the case of New South Wales, and in Victoria, four or five. At least in Tasmania I don't think there is any sort of quota.

From an idealistic perspective, it's not a good idea to have ministers from the upper House if the upper House is intended as a House of review. On the other hand, I can certainly see why, in our present predicament, premiers have looked to the upper House.

There have been two treasurers in Tasmania, I think Labor-appointed, from the upper House, and New South Wales has had at least one treasurer from the upper House.

If you had a better ratio of ministers to backbenchers, that wouldn't be so necessary. It might be harder for a premier to justify it.

I can also understand that certain portfolios might lend themselves more comfortably to an upper House appointment. I remember back in the 1970s - I have to apologise that I have had three incarnations in Tasmania, starting with the early 1960s. I can remember when there was a lot of controversy surrounding the appointment of a single government minister from the upper House. One of the difficulties was trying to find someone who was going to be leader of the government in the upper House. I remember Mrs Phyllis Benjamin as leader of the government in the upper House, back in the late 1960s.

PUBLIC

Some of my concerns from that period have been resolved. I can remember leading a crusade for a Hansard back in the late 1960s and early 1970s.

Ms HADDAD - Thank you. Thank goodness you did.

Prof. BOYCE - That's one of my few successes, Madam Chair. I boast of that. It was a worthwhile cause.

Botswana was the only other country in the Commonwealth that didn't have one, and every time the matter came up, *The Mercury* and *The Examiner* would report the fact that Botswana was the other place. I think that bolsters the case.

Ms HADDAD - Indeed it does.

On that, since you have mentioned media outlets, I am interested in and you have touched on it, but can you expand a little more on your views on public perception of increasing the size of parliament?

As the Chair outlined, our written submissions received from the public are overwhelmingly supportive. I am one of those silly people who reads the comments, and I am advised not to read the comments in newspaper articles and online. Often the perception in the media is that it is 10 more snouts in the trough that we are talking about here. All of us as parliamentarians, and you, as an experienced person in this area, know that it's actually about representation and the devolving of tasks and responsibilities.

As you explained very well, the number of the population doesn't affect the responsibilities of the minister these days. It has changed federalism, as you described it.

You talked about testing that public perception. How best do you think we could do that as a committee and as a parliament to inform the public better about those real reasons behind the seeking of the change?

Prof. BOYCE - It is easy for me to talk because I don't carry the responsibilities of a parliamentarian. A statement could be composed by the committee that tries to educate the public, without being pontifical or unctuous or anything like that, about the increased responsibilities of parliamentarians affecting all members of parliament, not just ministers. I have a feeling that the climate has changed in the last couple of years because there has been so much evidence of heavy workloads and of struggles within particular ministries. You don't want to hop on partisan bandwagons if you are wanting to present a unified message but I really think that the mood of the general public at large is much more persuadable now than it was just a couple of years ago.

There will inevitably be those who say it is going to cost too much but the cost factor should be laid to rest. It is a miniscule percentage of the state budget. It is not that one would want to be extravagant but the cost of increasing the number of parliamentarians to 35 is really a very, very small outlay to improve not just the quality of governance but, ultimately, the satisfaction of the electorate. No electorate is ever going to be entirely satisfied with the performance of its parliamentarians but, generally speaking, I think Tasmanians are closer to the organs of government than their counterparts on the mainland.

PUBLIC

Ms HADDAD - It is one of the charming things about Tasmanian politics.

Prof. BOYCE - Yes, it is.

Ms HADDAD - It is one of the positives of our political system that people are closer to their representatives and demand more access to their elected representatives, as they should, than in the bigger states.

Prof. BOYCE - Yes. You are all very accessible. That has always been the case, I think.

Ms HADDAD - That is true. It is as we should be. I wish it were the case in other states.

CHAIR - It is quite an intimate political system here.

Prof. BOYCE - It is. In the past, on occasion, it has encouraged a bit of corruption.

CHAIR - Oh, yes.

Prof. BOYCE - Not now, but -

Mrs PETRUSMA - Not now.

CHAIR - No, of course, not now.

Prof. BOYCE - I can think of ministers for education who have found good high schools for sports champions brought to their attention. That is a long, long while ago, many, many years ago. There are these cases of patronage where the system goes wrong but they are not frequent. As far as I can tell, they are not frequent and I think they would be uncovered a bit more quickly if they did occur in Tasmania.

Ms HICKEY - Quite a few representations are saying that there are overworked ministries. Our scope only allows us to restore the parliament as it was. A couple of people have been quite surprised when I have asked if they realise it is only one extra minister. To increase the ministry, would a constitutional change be needed or is it something within our purview?

Prof. BOYCE - It would require legislation but it is so simple in Tasmania. There is no referendum needed for any of these changes. You could abolish the monarchy tomorrow without any fuss. Well, there would be fuss. It has always been emphasised during the republican debate that you could do it in Tasmania or any of the Australian states. It would be a very simple legislative amendment, from nine to 10.

Ms HICKEY - I was amused when you suggested that this committee might have had a struggle because we had no backbenchers. We had two meetings with apologies, or at least one, but it was very difficult to even get dates. Trying to form the committee was so symbolic of the problem.

Prof. BOYCE - Yes, but the committee role of parliamentarians is generally under-appreciated by the general public, yet it is really critical. Any legislative change that will make available more backbenchers to serve on committees will be a plus for the system as a whole. I wish I didn't sound so overly confident. I am not supposed to be overly confident in talking about parliamentary reform

PUBLIC

but I have had, over many years, strong convictions about the size of parliament. It is very difficult to allay those concerns and I believe they can be addressed without a lot of public fuss. If only the three party leaders could agree.

CHAIR - As they did, professor, in 2009 -

Prof. BOYCE - As they did. As I know they did.

CHAIR - when all three party leaders signed on to restoring the numbers and then, for various reasons, it didn't happen.

Prof. BOYCE - No. I was very disappointed about that because I was asked by the then premier to do a summary of the positions. It wasn't really a new public inquiry, just to bring together the submissions and the ideas that had already been floated. I didn't feel that the reasons given by two of the party leaders for abandoning the very positive response were adequate. One was that the public wouldn't - certainly, the Premier has gone on record as saying it would cost too much, although I think his reasons for being sceptical have changed a little, they have shifted a bit. The fact that the Liberal Party State Council moved for the reform at its 2018 meeting would have carried some weight. There are lots of Liberal spokesmen who believe that the change is needed. It is within the Liberal ranks that the homework needs to be focused. I would have thought they would do extremely well out of a restoration of the House of Assembly.

CHAIR - Why do you say that you think the Liberal Party would do extremely well?

Prof. BOYCE - The Liberals would soon discover that the change had made for an improved system. I don't know enough about the inner workings of Liberal Party membership to be too sure about that. I do interact with quite a few on a day-to-day basis and I don't know of a single local Liberal who would be opposed to it.

CHAIR - We have had some advice provided to us by Treasury and Finance about an estimate of the cost to restore the numbers and it sits in the order of \$7 million. There is nothing in that estimate that points to any potential offsets you were talking about, maybe there would be fewer minders if we restored the numbers. What is your response to the projected costs and the concern that has been stated by the current Premier in his submission about those costs?

Prof. BOYCE - I am not surprised at the amount that you cite because I knew it would be well over the ballpark figure mentioned in the 2010 report, which was \$3.1 million. I knew it would be well in excess of that. I still think it is a price well worth paying. It is a very small percentage of the overall budget, and how do you put a price tag on the quality of governance? It is the most critical element in the political system, so I would have thought \$7 million would be worth paying. When you consider the particular risks the state faces or has faced in the past in missing out on particular moneys, or emergency payouts that have had to be costed, I believe it would only be a very small percentage of that.

I can remember, just a few years ago, when Tasmania missed out on huge infrastructure grants because the minister and the public servants advising him at the time hadn't the time to prepare a submission. That doesn't happen very often, I hope, but I can't believe that the Tasmanian contributions to federal governance can be up to standard if the ministers are so hard pressed with four or five portfolios. I know there is one minister with five, another with four and I think the Treasurer has three.

PUBLIC

On the mainland, two is considered enough for anybody. Most of the premiers have two, at least, I think, but not many more than that. So, the answer to that question, is that I would try to justify it. If I were writing a think piece, I would certainly justify that \$7 million-plus as a very worthwhile expenditure; that you'd get more in receipt than your outlay in the quality of governance and, overall public respect. I wish I could quantify all of that, Madam Chair.

CHAIR - Thank you, Professor. Before I move on to Mrs Rylah's question, I just wanted to ask: given that we have been through the experience of the 2009 agreement which, for various different reasons didn't lead to the restoration of the parliament, what would be your message to the Premier and the Leader of the Opposition about approaching this in a tripartisan way, particularly given some of the existing resistance to cooperation in the Tasmanian Parliament?

Prof. BOYCE - The lack of cooperation and the resistance you speak of doesn't look good. It just doesn't look good, it looks bad from whatever angle. I say that as a nonpartisan observer. It does look to the wider community as if there just can't be any trust, any kind of confidential agreement among the three party leaders. That is how it looks, which is a great pity. I am sure that there is much more trust, agreement and civility than appears. I know that there is deep distrust on the part of many of members in the Liberal and Labor parties, about having to be too dependent on the Greens. We all know that; there is no secret about it. It is a blemish on the system as a whole because it should be possible.

I have always been an admirer of the Scandinavian systems. What I have found with regard to the Scandinavian systems is that the Greens, the Liberal Democrats, the Christian Conservatives, or whatever the other political parties are called, approach the drafting of legislation as a team. They get down together and have a genuinely joint approach. That extends to foreign affairs and defence. A very successful German defence minister was a leader of the Greens, as you would know. Most of the Scandinavian countries have been governed by coalitions for the entire twentieth century. I can remember when the Bethune government was elected in 1969, there were references in the media to the fact that the Labor Party had been in for 35 years, not quite as long as coalitions in Sweden or Denmark. There were immediate comparisons with the Scandinavian track record.

Getting back to your critical central question: how do you go about trying to convince the public that there can be unity?

CHAIR - Also trying to convince my fellow political leaders that unity in this instance works to the benefit of all, including the Tasmanian people and our democracy.

Prof. BOYCE - Yes, apart from just constantly asserting the claim, there is no magic formula; I wish there were. I would love to ask a lot of well-informed members of the Tasmanian public, what they would see as a good government. What would you really consider good performance? They won't often give you a consistent answer. I can only hope and pray that there can be sufficient mutual sympathy and support for at least the case to be made by the three party leaders. It would only be of very miniscule or minor assistance, but if I could do or say anything, I would be only too happy to do or say to bolster that case.

CHAIR - It is interesting, Professor. Ms Petrusma and I in the last term of the parliament worked with Lara Giddings on a tripartisan project to elevate domestic and family violence as a central issue and to let Tasmanians know there was a collective will to tackle this huge social

PUBLIC

problem. The feedback that we had from people - that they were so happy to see members of parliament working together - was really instructive for me. It really struck me that people want to see a lot more of that.

Prof. BOYCE - They do, they really do. Any demonstration of cooperation, mutual trust and communication will win many brownie points with the electorate. I think that is a reflection of their disillusionment not only just with the local system here but generally around the country, possibly even beyond the country. There is not very much evidence of it at the national level either at the moment.

CHAIR - In fact the opposite. It is almost like politics in Australia is atomising and becoming more fractured.

Prof. BOYCE - More fractured yes, I think so.

Mrs RYLAH - I would like now to turn to the question you suggested we ask, but I want to put it in a different way. You mentioned the quality of governance. I think that is an excellent way of succinctly capturing what we are trying to do here. What I would like to put to you is: what are the key elements of the high quality of governance that you see for the Tasmanian Parliament.

CHAIR - Good question.

Prof. BOYCE - I imagine and I can't quantify it, but I can just give a rambling list. They want to see proposals for legislation explained clearly and that there is communication among the three political parties as to where they stand with regard to proposed legislation. I think they are very impressed by the quality of debate. I think that is a genuine factor in good governance; that MPs speak clearly and explain their position or their party's position concisely and clearly.

I realise that members of the public will be expecting different things. They are not all going to be looking for the same elements or qualities in parliament. I think a bit more public demonstration of goodwill between party leaders, even just ceremonial gestures if you like. Ceremonial gestures are very important in the body politic. Obviously, the avoidance of unparliamentary language, which Madam Speaker can control.

CHAIR - You can try to control.

Ms HICKEY - I can try.

Prof BOYCE - You do. I would have to give it some thought to adding to the list. It is a very fair question that you put. How would the public recognise quality in governance? Respect for the constitutional conventions. That is to say, there wouldn't be any resistance if the Government lost its majority in the House. There have been a couple of Canadian examples over the past five or six years where this didn't happen. It ultimately happened but it didn't happen quickly.

The premier of British Columbia didn't resign quickly enough after the last provincial election there two years ago, though she'd lost her majority. She actually wanted to give the speech from the throne and she did give the speech from the throne as a minority leader without a majority. The governor of the province had to issue a warning and this has happened in several Canadian provinces over the last decade or so.

PUBLIC

Mrs RYLAH - Is that the equivalent of the Speaker's chair? Is that what you are saying? The leader spoke -

Prof. BOYCE - The leader wanted to stay as leader of a minority party and she hadn't mustered the support of the Greens or the NDP party, so there was a constitutional crisis for just a short period. They finally resolved it and being Canadians of course there was no violence.

I think I would need to take on notice that very pertinent question about how you recognise good governance.

CHAIR - We would be very open -

Mrs RYLAH - Would you be willing to do that, because that would be - ?

CHAIR - To send a further note.

Mrs RYLAH - Yes.

Prof. BOYCE - All right, a footnote then - a lengthy footnote.

CHAIR - Thank you.

Mrs RYLAH - That would be excellent, thank you.

Prof. BOYCE - I don't know whether to thank you, Mrs Rylah, for that new assignment.

CHAIR - Extra workload, homework.

Ms DOW - I just want to thank you, Professor, for your comprehensive submission and for what you have contributed today to the committee. You highlighted a very important point on state and federal relations and resourcing our ability to put forward bids and other things - the things that are important to Tasmania. You have talked about that a lot and I wanted to thank you for it.

As part of that you also talked about changes in ministerial contact with departmental staff. Something that has been raised with us during these committee proceedings has been the change in that relationship and the ability to provide frank and fearless advice, that type of notion, and how perhaps that may have changed for people involved in the system prior to the time when the numbers in the House were reduced. I wonder, do you have anything more to provide about the relationship between department advisers and ministers?

Prof. BOYCE - I don't know as much about the inner workings of the public service as I would like because I am not a salaried academic anymore. I tend to be very part-time indeed. I think there is an issue there, though.

I have heard that a lot of public servants don't really want the number in the House to increase because they would fear that their influence on ministers might decrease. I have no idea whether that is widespread. It probably would be logical that some department heads would think they could exercise a bit more control over their minister if the minister is already distracted by three or four other portfolios.

PUBLIC

CHAIR - Or isolated from the backbench.

Prof. BOYCE - Exactly. The question of minders - I don't know that you raised that one - is one that evokes an emotional response whenever it is discussed, not just here but elsewhere because the public tends to fear that these people are not accountable. I remember that when I presented the report of the 2010 survey to the then premier, Lara Giddings, she got very emotional and annoyed - I hope not with me personally as I was only the bearer of bad news. She became very emotional when the question of minders not having full accountability was raised. I think the public, by and large, do suspect minders but there need to be minders. There will always be minders of a certain number. They also need to be clearly identified.

I remember Lara Giddings saying very heatedly, 'But I am accountable, they are accountable to me and I am accountable to the parliament and to the electorate.' Which was true, but it didn't quite address it or mollify the critics.

As for the public service generally, I suppose it is almost inevitable that there'll always be a larger public sector here than in the other states. I know that it always comes up with the annual - is it biannual or annual? - review of the -

Mrs RYLAH - The Estimates committees?

Prof. BOYCE - Yes. It's not an easy one. The public service will always be needed here because of reasons other than simply the size of the parliament: the decentralised population, for example, and the tax - what is the formula I am after?

Mrs RYLAH - Fiscal equalisation? No? I don't know.

CHAIR - The Commonwealth Grants Commission.

Prof. BOYCE - Yes. Well, the Commonwealth Grants Commission can always make adjustments, I know, but the size of the national contribution to Tasmania is always going to be a subject of debate.

Going back to the question of the relationship of public servants to the ministers, I think there has been a dramatic change, not just in the last couple of years, but over, let's say, the last 40 years. Even 30 years ago, I could think of some heads of departments who were like gods. That's not, in itself, necessarily a good thing. One thinks of the then treasurer, Sir Kenneth Binns, for example. He was one of the two rulers of Tasmania in public mythology, along with Sir Allan Knight from Hydro.

Kenneth Binns used to ensure that Tasmania was well received at the Premiers' Conference because that was where the money was carved up and distributed. Ken Binns could always do a deal with one of the other states: his vote in return for a more generous concession to Tasmania.

I think the statistics show it worked fairly well for Tassie. Then there were other permanent heads. They were permanent at the time or they were seen to be permanent. Some of them lasted through successive premierships.

You can't presumably restore that system anymore, but at least you were dealing with strong permanent heads then, and that brought with it some benefits, I am sure.

PUBLIC

I haven't answered your question. I am stalling a bit there, I'm sorry.

CHAIR - Professor Boyce, we've come to the end of the time allocated for hearing your evidence. Is there anything you would like to say to the committee before we let you go?

Prof. BOYCE - Apart from thanking you for flattering with me with an invitation to make a submission, it would simply be that I hope that the committee will, of its own accord, reach an agreement over the necessity for the restoration of the House.

I can't think of a single issue facing the political life of Tasmania that's more urgent than that at the moment. I know I tend to become a bit too enthusiastic about my own cause, but it's not just my cause, it's a cause of a lot of other people.

I wish you well. If there was ever anything I could do to add a little bit of strength to any publicity, I would only to delighted to try. But I think you as a committee are quite capable of presenting a very strong case yourselves.

Thank you very much.

CHAIR - Thank you, Professor Boyce. Before you leave the table I have to say a few short words. As I advised you at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you said to us.

That's all good. Thank you very much.

Mrs RYLAH - Please don't forget the 'footnote'.

Prof. BOYCE - Oh, the 'footnote'. How much time are you going to give me for the 'footnote'?

CHAIR - Three or four weeks, a month.

Prof. BOYCE - Is a month all right?

CHAIR - Yes. We are not reporting until mid-October.

Mrs RYLAH - Serious thinking.

Prof. BOYCE - I will put my thinking cap on.

CHAIR - Professor Boyce, you are James's dad, aren't you? I kept looking at your face thinking, 'I can see James in there'. I just wanted to check that.

Prof. BOYCE - Yes, I am. I am meeting him in about an hour.

CHAIR - Thank you.

THE WITNESS WITHDREW.

PUBLIC

Ms CATH HUGHES WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Welcome, Ms Hughes, would you like to open by summarising some of the points you have made in your submission, and then we will open it up to questions?

Ms HUGHES - Certainly. I thank everybody here for giving me the opportunity, certainly for providing the public the opportunity by having this committee in the first place.

For those who do not know me personally, I feel I should probably provide a bit of a disclaimer in that I can't pretend to be unbiased. I know it is acknowledging my factual submission but this is an issue I personally feel very passionately about, partly as what I would call a little 'd' democrat, stemming from the philosophical and political point of view. As a point of disclosure, I was clearly working for the Tasmanian Greens in the parliamentary setting at the time the cut was made. I was working as a parliamentary staffer in 1996-97, witnessed the whole debate around the cut and the consequences and ramifications since. I can't claim to have the firsthand experience of the MPs involved, but that is part of my driving, personal obsession with this issue.

Disclosure out of the way, I can't be seen to be unbiased but I do feel that the facts speak for themselves and the track record speaks for itself. As you would have seen from the tenor of my submission, it might have been slightly surprising in that I am not at all interested in, and I think it is counterproductive to be, arguing that debate on restoration should be at all influenced by the perspective of any political allegiance to a party. While I am happy to disclose my association with the Greens, that is not my driving priority here; it is about what is best for the Tasmanian people. To quickly summarise, it feels it has been a while since I wrote that and I was out of the state when the call for submissions was publicised so I thought it was a last-minute scramble to get it in.

For me, the main takeaway point is that the initial decision was not based on any of the sound evidence provided at the time, so that is the fundamental crime, if you like, of what occurred there. It wasn't that there wasn't advice, that there wasn't thorough expertise that was independent or sourced outside of just the Tasmanian jurisdiction. There were national experts, there were proportional representation experts and things had been thoroughly canvassed, not for the purpose of the 1998 debate but by the previous independent inquiry.

I am sure you have already had to trawl through, and I am referring to the Morling inquiry of 1994 and, before that, the Ogilvie report of 1984. Also raised in the royal commission is what is referred to as the Beaumont report in 1982, the issue of the constitution of Tasmania's Parliament. They were the independent forums that had that advice as much as the political posturing that is always associated with this issue. All of that was very conveniently swept aside in 1998 for what have been acknowledged since as primarily partisan political reasons. In that instance, you are all now, unfortunately, charged with, 20 years after the fact, having to work out: do you keep this state limping or do you somehow find the mechanism by which to grasp the nettle and undo a mistake, as best you can?

My fundamental precept is that it was a fundamental mistake, that there was a collective rush of blood to the head in certain quarters that was all about disenfranchising a certain sector of the Tasmanian community, not just a political party but also those who might wish to represent interests other than those considered mainstream at the time. We all know that the main media voices were quite happy to go along with that at the time. They have also had to change their position, which I think is quite telling, as have representatives of the other Chamber, the upper House.

PUBLIC

The other key point is not only that the evidence was there as to why not do it, but the evidence was also there as to why it should have been kept the system that it was. All of that is still there as well. I would reiterate the exacerbation when Professor Richard Herr appeared for you last month, his frustration that it stalled despite all those inquiries. We have since had Professor Boyce's inquiry in 2011. I should probably leave the summary there but a couple of points that may come up in the questioning have occurred to me since I had the opportunity of reading the transcripts from previous witnesses who have appeared before the committee.

CHAIR - Why don't you detail those points now?

Ms HUGHES - Certainly. I will get my thoughts in order because I can ramble.

One of the points that came through to me with reading the submissions and the testimony of the witnesses is that when they have been representing the true cost of the cut in numbers, there is almost a uniform consistency in where people have registered those negative impacts. Impacts identified are those such as the workload for the executive, the ministers and the lack of a functioning backbench - which doesn't mean that the backbenchers aren't there, it is just that it is way too small and therefore its members are as exhausted as ministers. There is also an impact on the committee system, the need for a strong opposition and crossbench, accessibility, the perceived undue reliance on unelected advisers and bureaucrats et cetera. You have heard all of those and I don't think I have any new kernel of wisdom there.

I think something that has been lost there is the other crucial cost - the representative nature of the Hare-Clark system. It seems unanimous that Hare-Clark is something for Tasmania to be extremely proud of. If you go back to some of the submissions presented to the Morling and Ogilvie inquiries, we are referred to as the 'cradle of true Australian democracy' because the proportional representation system devised by Thomas Hare and Andrew Inglis Clark - and, I would also point out, Catherine Helen Spence, who always seems to get left out of that historic record - who deliberately and painstakingly developed an electoral system. We all know that Inglis Clark had a hang up about political parties and their dominance. Their primary objective was this mathematical equation, which I am not going to try to distil now. There are better experts within the Electoral Commission who can do that.

The fundamental principle a layperson can understand is when in ensuring whether a party, a loose coalition or independent has a certain percentage of an electorate's vote, that was accurately reflected in the number of seats won. This has always been a major complaint we have seen either in our federal parliament or other jurisdictions, that you can win a huge number of seats but only have 40 per cent of the vote or something like that. The experts warned of this in the Morling inquiry, but also in public rallies, the only forum provided in 1998, because there was no actual scrutiny beyond the parliamentary chamber - that by cutting the numbers of each electorate by two, you were distorting that mathematical purity to some extent. With that raise of a quota from the original 12.5, and there are seven by five, the electorates have changed over the history of the Tasmanian Hare-Clark system. George Howatt, whose work you will find in the Parliamentary Library, wrote a paper on the importance of seven-member Hare-Clark electorates in 1958. The previously referenced font of all wisdom, Bryan Stait, would have it at his fingertips, I am sure. He has also written other papers on that. He became recognised as an expert on the Hare-Clark system.

PUBLIC

Without taking up too much of your time, on the key point, that shift from 12.5 to 16.7 isn't just about, 'Oh yes, we know we are making this a real meaningful hurdle that you have to earn that amount of the electorate'. What we were doing was distorting that purity of the Hare Clark system that your vote would actually be reflected as much as physically as possible but if you got whatever the percentage was that should equate 12.3 seats then that is what the parliament reflected.

That was distorted. That therefore means the democratic integrity of what is recognised internationally as the most democratic electoral system was undermined and corrupted. That is where I believe that very strong words, such as collusion and corruption, shouldn't be bandied about lightly. That is where it applies; not necessarily that there was a bipartisan agreement to go this way or not. It was that knowing and deliberate move to disenfranchise the capacity of the Hare-Clark system to do what it was intended to do. The disenfranchisement also meant that by the time we get to what we consider the modern parliament of the 1950s onwards, post-World War II, where we had the establishment of the two major party system, the Australian federal system; the deliberate 'What we will do is reduce the numbers by removing those last two seats of the electorate'. That is where those not necessarily associated with either of the two major parties tended to be elected.

When Bruce Goodluck was elected as an independent in Franklin, he was number six or seven. They thought at the time the Greens would get elected but also you would see that other minor parties - say the Jacquie Lambie Network, T4T, Fishers shooters - all probably start to get a foothold in those last two seats if it was truly reflecting the Hare-Clark intention.

The really telling point in the historic record is, while still fundamentally floored in 1998, the preferred model of the then Premier Tony Rundle was four electorates by seven. That is the proof that it was recognised that the integrity of Hare Clark requires seven-member electorates. I think that is what the Liberal party submission to [more???11.43.16] input. That is why I feel it is not inappropriate to allege that people open themselves up to the perception of corruption by deliberately going to five by five, when they knew seven had been workshopped. We had had previous electorates of five and six, but seven was the one that so many vital criteria for a viable parliament as well as democracy.

I really wanted to emphasise that because I realised that I had omitted that in my submission. Then so much of the debate that I was seeing in the transcript was not necessarily meddling with Hare Clark, but other distribution models of electorate boundaries by leaving it at five. That misses the point completely.

Mrs PETRUSMA - The ACT has seven-member electorates. Is that for that reason you are articulating?

Ms HUGHES - I can't claim to be an expert of the ACT system. I did try to watch that because initially they had three electorates. One, I think, was seven and the others might have been a smaller number and then they shifted that again. I know that one of your previous witnesses raised concerns that going back to seven seats might increase the risk of informal voting. That is an interesting argument but I think it borders on being paternalistic. Clearly, we have had seven seats in the past and people are able to count. Anecdotally, when you look at the Senate voting patterns, there is quite a lot on the record to show that out of all the states and territories Tasmanians tend to be the ones who vote below the line. If we can count to 12, we can count to seven. If you have an education issue with informal voting then that needs to be addressed in a different forum. There is funding in the Electoral Commission to do that.

PUBLIC

CHAIR - You have been a keen, mostly willing observer of Tasmanian politics for close to a quarter of a century. I am sorry to put that on the table.

Ms HUGHES - That is frightening.

CHAIR - That is right. You 'fessed up front that you were there in 1996-97. In that time, you have either been working in the parliament or working outside of it looking in. There have been majority Labor governments, majority Liberal governments, balance of power parliaments and power-sharing governments. Stepping outside and looking at the impact of the reduction in numbers since 1998, what do you see in terms of governance and functionality.

Ms HUGHES - Without wanting to reflect on any current members here, I see a struggle and a frustration in an incapacity to deliver, either on individual agendas that people had promised their electorate or just good policy. I think it is fraught and that it means that there are unnecessary potential traps for new members because of the lack of corporate knowledge that is able to be transferred to newly elected members. That therefore has to have an erosion on quality of service delivered to the electorate; not necessarily because of maliciousness or an intellectual incapacity, but because people are thrown in the deep end. There is no blueprint or training for a parliamentary career whether it is as an adviser or an MP. It is such a unique environment that holds so much responsibility, particularly when you look at the integrity understanding of the ethics involved. So, you see people tripping up all the time in an avoidable manner.

A frustrating aspect of that is that we do not have the means to calculate the cost of it when people talk about the cost of parliamentarians. I see a paucity of people's talents being used effectively and efficiently. Unfortunately, there is no slack built into the numbers should somebody be elected who really does find themselves out of their depth. That happens in any workplace.

Then, unfortunately, the parliament is lumbered with them. That is very detrimental to that individual's mental health. Ideally, they would not be thrust into a position of responsibility but there are important positions that need to be filled, even if it is just on committees which I think are a vital part of the bloodstream.

That point is interesting. On the radio yesterday evening I heard the former Speaker Michael Polley making a very similar point. That surprised me, given that he was one of the architects of the current disaster.

CHAIR - I think he is feeling a bit regretful.

Ms HUGHES - We all pay lip service to the fact of having the strength of character to admit you did something wrong is exactly that: it is much harder to do. The point that he was making was the lack of capacity for there to be corporate-knowledge handover. He was specifically speaking about people being thrust immediately into the position of, say, Speaker when they are first elected to the parliament and that there isn't that time or space to learn the ropes through observation, through having a mentor or corporate knowledge exchange, but literally being thrown in the deep end and also the deep end in a fishbowl scenario, where everything is watched and scrutinised and pressurised. That has to have a detrimental impact.

When you are asking me to look back, one of the interesting developments has been that many of the people who advocated for this change potentially could be perceived as having benefitted

PUBLIC

from that change but have now changed their point of view when we are looking at Legislative Council members, newspapers, previous architects. I know David Llewellyn, for example, has been on the record -

CHAIR - As has Rene Hidding and in fact in parliament both of them made contributions saying, 'Oops, sorry, we got it really wrong and it should be fixed'.

Ms HUGHES - And the point that we nearly got to with the three leaders in 2010 signing up.

One of the other points that kind of segues into is that there has been a lot of discussion about whether the restoration of those other 10 MPs primarily should mean that the ministers' workloads would be lightened or made more manageable. I think that is potentially a bit of a misunderstanding of the situation before 1998. There wasn't a huge number of ministers before 1998. As we know, in the act it specifies the Cabinet numbers. If that is to be restored, you are not going to have a huge expansion of Cabinet. Where it helps in the ministerial load is when it comes to representing the electorates' requirements that you should therefore have more members keeping that minister connected to their electorate, whereas at the moment, certainly from the experience of minority government parliaments, Ms O'Connor, the pressure I saw on ministers of all colours being almost in tears because they knew they should be at that vital electorate meeting, and that they are letting down their own party branches, let alone constituents, but they have to be at the Cabinet meeting or they have to be at that COAG meeting. You just can't be in more than one place simultaneously.

I know also that Professor Herr emphasised the other travesty of Westminster parliaments of having treasurers placed in the upper House. Of course I concur with that, but at the same time I was a bit concerned there was a bit of a drift, reading the transcripts on that. It has only happened since the cut in numbers, whereas ministers were being sourced from the upper House prior to 1998. Peter McKay was the Liberal health minister up there, for example. The fact that there are Cabinet members sourced from the upper House can't necessarily be blamed on the 1998 cut. What we do need to ensure is that there is a capacity for the treasurer to remain on the treasurer's benches.

Mrs PETRUSMA - Thank you for your submission. It was the first one I read and it was great for me as the newest member of this committee to get some background information.

There are a couple of things you have spoken about today and this is just for me to fill in my information too. You mentioned public rallies in 1998. Were they to protest about the reduction in the numbers? Can you tell me a bit more about those and how many people were turning up to them? It's interesting because we have small numbers come up to meetings but we don't have public rallies. Can you describe what they look like?

Ms HUGHES - In the context, this was a very rushed bill so there was not a lot of lead-up time. As you can probably see from the historic record, that parliament, which was a minority government parliament, went to an early election. Parliament had broken for the winter recess and then I can clearly remember being in the office at the beginning of that winter break and hearing over the radio the premier announcing an urgent recall of the parliament.

That was the first we knew that not only was the parliament being recalled, but it was specifically for the purpose of rescinding the previous vote which had rejected the then Labor model of five by five. That had to be rescinded, which was just a motion - I think a two-thirds majority motion. You are probably more up with that than I am.

PUBLIC

Then the bill was tabled. Then, of course, they still had to have the prerequisite time. From recollection, once the bill was debated and passed, the parliament was again prorogued and we went to an early election. Everything was happening within that winter time frame.

From recollection, there might have been two or three weeks at the most, so the majority of that effort was almost a bit spontaneous. I can't recall there was an organisation or a group per se. There was a town hall meeting, which had a wide variety of speakers: parliamentarians, including Christine Milne as the then leader of the Greens; representatives from national bodies, such as Professor Townsley, who is recognised as a parliamentary expert; Professor Peter Hay and Marian Sawyer and other representatives from women parliamentarian organisations on the mainland.

It fostered a lot of national curiosity, to put it mildly. There were editorials through national papers. There was the proportional representation group of Australia. A lot of its emphasis was on many of the points you have already had put before you from a range of submissions: the lack of diversification, the distortion, and the erosion of the most recognised democratic parliament in Westminster parliaments around the globe.

The town hall meetings were packed, but at the time the mainstream newspapers were pro-changes; there was quite a bit of hostility in the representation.

The other main forum was the Salamanca Market. I remember a spontaneous group, Save Tasmania's Democracy, or something like that, was organised. They might have been the ones who caused a bit of controversy when the parliament was resumed. There was this storming of the Chamber, where individuals like John Hale, who is so not a storming-type individual, came into the parliament with the oak leaves from the oak trees to remind people. At the time, I don't know whether you can recall, there was that ghastly oak leaf motif carpet.

Ms HADDAD - We still have it in the Opposition rooms.

Ms HUGHES - Exactly. He and his group wanted to remind people that in Westminster parliaments, the House of government, the lower Chamber, emerged from people meeting under oak trees in England and this was a travesty counter to all of that.

Mrs PETRUSMA - How do we get that same passion today, to capture that for people to be demanding this to happen? We have heard that it is going to cost around \$7.2 million. As you can appreciate, other people say that money should be invested elsewhere. How do we get that same passion and drive to increase the numbers?

CHAIR - Or conversely, not have major protests against restoration.

Ms HUGHES - I think, unfortunately, there has been a calcification of the democratic marrow over these last 20 years. We now see this and widely recognise cynicism, people not trusting their elected representatives, which I think is one of the major travesties, because I don't think that reputation is deserved. It's a populist beat-up that people will buy into and play up when they think it's to their political benefit in case-by-case scenarios. I think part of that historic context of understanding out there is that 1998 wasn't that far from 1994, when there was the exhaustive Morling inquiry. Part of the outrage is that we have been through this. A lot of money was spent on that inquiry. There were three commissioners; they were exhaustive. It doesn't necessarily mean they engaged the imagination, but maybe it didn't engage the reckless rhetoric of too many polities. They didn't have to deal with social media, for example, back then. So, I think there was that sense

PUBLIC

that there was already an engagement; that this had already been explored, resolved but now we are kicking all of that out, and doing it in a rushed manner. It was so overt that this was about a government that felt they had lost control because they couldn't get the sale of the Hydro through the budget, so let us punish somebody and try to save our own skin. Then another mob of opportunists thought, 'Uh huh, this is how we are going to ensure that we stay in power for as long as possible'. It was very much the tenor of those who were engaging in that at the time. I don't know if you necessarily want to be going back to inflaming those passions.

Even if this committee comes up with the unanimous decision to support the bill and restore the numbers, I understand that the biggest obstacle in getting it through the lower House and beyond is that perception of the cost and too many polities; that has already been canvassed by some of the other witnesses here. I don't think there is a simple response to that. I think, unfortunately, you are reaping what you sowed - collectively, a generic 'you' - in 1998.

You can't really get around that. I think it has been exacerbated because there have since been other inquiries, such as the 2011 Boyce report, which was ignored. There was an agreement that was a Mexican standoff; as soon as one blinked, the other couldn't blink fast enough. That doesn't help to restore confidence. Unfortunately, you are cleanskins when it comes to the context of the fallout of 1998, but you are going to be bearing the brunt of it quite unfairly.

It is easy for me being on the outside and not having to be the one who bears the brunt. I have put a lot of thought into it, particularly in 2010. We knew it was still going to be a hard sell then, particularly with the global financial crisis still being so pertinent.

The only thing I could suggest that hasn't already been put to you is to emphasise that people are bearing the cost now. I think the retiring president of the upper House, Sue Smith, put it very succinctly in her valedictory speech -

The people of Tasmania should accept and acknowledge that the cuts in the House of Assembly have cost them.

I note the Premier's submission to the committee; it is useful to have the data of costs. It might be a bit different to what the Boyce report in 2011 flagged. In this day and age, it is absurd to just talk about the cost. It has always been cost-benefit, hasn't it? Where is the benefit in restoring the numbers in those equations? There are no figures given to that. I can understand the logistics of trying to calculate the cost lost over these last 20 years to the community, to the functioning of committees, the time lost with quorums not being able to be met and having to be rescheduled. That list can go on and on. I know it has been raised - having core legislation that then results in High Court challenges, where are the costs of those in those figures provided by Treasury?

It has also been very succinctly elucidated to the committee that the problem you are now facing is the upper House being treated as the 'Legislative Chamber' with 'We will fix the problem up there'. The lower House is treated as almost a subordinate legislation committee.

CHAIR - Or a rubber stamp.

Ms HUGHES - Or a rubber stamp. Get the parliament operating properly.

Mrs RYLAH - Ms Hughes' term was nicer.

PUBLIC

Ms HUGHES - Addressing a slightly different issue, I noticed there was quite a bit of discussion of other parliaments where committees look at legislation before it is debated. The irony there is that it is almost as if that is what the House of Assembly has been reduced to when you say, 'We will fix problems somewhere else, that committee analysis'.

It is not about playing semantic games but it is somehow being able to take control by rephrasing that this debate is not about cost. The cost has occurred. This is an investment in making the people's parliament more representative, which is getting back to the intent of Hare-Clark. It is about parliamentarians not politicians being able to access the parliament. I know Professor Herr was very strong about the distinction between parliamentarian and politician. It can be semantics but it is not.

Going back to the six and seven seats: if you accept there is a pattern, that there will be party representation, they might be the ones who get the first four, five seats. The representation of parliamentarians as human rights or business champions, whatever their cause might be, will come in as independents. So, if you are talking about increasing and investing Tasmanians' opportunity to be directly representing themselves rather than just parties in the Chambers, make it about the people. It is not just about whether this means well-paid ministers get a lighter workload, which I know you don't want, but that is the way the debate will be framed for you if you do not try to take control of it. It is about investment; it is about investing in an efficient and effective parliament. That is the best way of ensuring Tasmanians get value for money. Not just a dollar figure.

Mrs PETRUSMA - You talked of ministers a couple of times. In regard to costs, the bill takes it up to 10. We have had other submissions indicating that to do the workload of the other states and territories and keep up with the federal government, it needs to be more but we are still going to 10. What do you think is the ideal number of ministers for Tasmania?

Ms HUGHES - I would hate to just pluck any figure out of the air. I think that is as irresponsible as just deciding we are going to cut numbers. It probably relates to your previous question about the dynamic of 1998 compared to now. We have a much more complex society now. I think that has also been alluded to by some of your witnesses.

The nature of portfolios was much more straightforward and generic up to 1998. They were starting to become a bit more specific. If you are looking at the number of portfolios per minister, again that can be artificially manipulated by still unworkable super-departments. It might look like a minister has a smaller workload. You would need a much closer and rigorous examination of the criteria by which portfolios are designed and that might be working in other Westminster Houses of government. There is potentially an argument that if a modern complex society requires more specific and targeted portfolios, and therefore you have an increase, then non-treasury ministers therefore need to be sourced from the upper House, there might be reason to revisit whether the number should be restored to 19 in the upper House.

Ms HICKEY - There are two things, the first being how much did the 40 per cent 'Let's Not Forget' sway public opinion?

Ms HUGHES - That warrants another submission on its own. That was nasty, very, very nasty and so deliberate.

Ms HICKEY - It helped them justify -

PUBLIC

Ms HUGHES - It did, in a really lazy, cheap and deceitful way. That was bought in during the 1992-96 period of government. Therefore, during that period you had the Morling inquiry still saying that seven by five was the best model for the lower House. Revisiting that as a justification for the 40 per cent pay rise and deliberately ignoring that expensive independent investigation was outrageous and very deliberate.

It is a cheap sell; it is an easy sell, particularly for media outlets that want a cheap grab. To me, it was apples and oranges being compared in an almost bullying way. If you tried to point something out, as an individual, to somebody with a vested interest in the parliament, 'Hang on, these two shouldn't be connected', you were sort of bullied and made to feel at the time, 'How irresponsible, you are a fiscal recalcitrant'.

It is now very telling that people like Michael Baily from the TCCI have been on the record calling for the restoration in numbers. If you are looking at how to best sell a restoration of numbers, if I were to step back into the spin doctor role of a former life, I would definitely be exploring: it wouldn't just be the group of MPs coming out and announcing it, you would have people with you, like the TCCI, to take those questions; you would have someone like Professor Boyce to take those questions of parliamentary functions; those independent non-MPs because in some of those submissions - from Mr Hall, for example - it is said that it shouldn't be MPs talking about what benefits MPs but that is exactly what happens - sorry, I shouldn't be pointing to you - going back to your question of MPs justifying their boost to the wallet to justify costing the electors of Tasmania.

Ms HICKEY - I haven't read the royal commission from 1982. What connection does that have and what was it looking into?

Ms HUGHES - That was before my time; the Beaumont commission or the royal commission? That is the trouble with shortened titles. It was only peripheral, the make-up of the parliament mentioned in it, and I think it was more looking at the Constitution of Tasmania in a broader sense. There was lots of toing and froing with the then premier, Robin Gray, about expanding the terms of reference. It started with one and developed into another term of reference but the main finding was they felt no need to change the make-up or numbers of the entire parliament, both Houses, at that time.

Another theme that is consistently revisited through Ogilvie and Morling is that the focus should be about other reforms, such as a mechanism to break of potential deadlock between the two Houses, which was lost in 1998. There was a mechanism of at least a meeting of the two Chambers, which, I think, a working arrangements Joint House committee - when that was established, but which we have also lost - had flagged as a key reform priority. It used to be called a manager's meeting, and was to discuss deadlocks between the two Houses, and that has been lost. That is really one of the few examples that, if you are genuine about meaningful parliamentary reform, has been an outstanding matter that has been ignored for way too long.

Ms HICKEY - Thank you.

CHAIR - Do we have any more questions?

Ms HADDAD - I had lots, Cath, but you have spoken so eloquently in your written submission and in what you have presented to the committee today. You have genuinely covered much of the topics I had to ask you about. I am sure we can come back to you if we need it.

PUBLIC

Ms HUGHES - Please do.

CHAIR - Just before you go, Cath, as a political and media professional, how have you viewed the shift, for example, made by outlets like the *Mercury* on the issue of restoration? We have had editorials, we have had stories, in which the case is put that it is unarguable the House should be restored for a range of reasons and it has been a pleasant surprise to me, but I wonder what you think of it.

Ms HUGHES - I can remember my jaw being on the ground when I read the first *Mercury* editorial saying, 'We were all for this and we got it wrong'. That was photocopied on A3 and stuck up on the office board for some time. Then there was a subsequent one and another following. I have noticed since that the current editor has been a bit more reticent. He has acknowledged that he is a newcomer to the state and that this debate is something he is not familiar with. I hope Wayne Crawford is busily educating him.

CHAIR - We even had, a week and a half, two weeks ago, an editorial, I assume it was written by the editor, that said, Yes, we need more MPs'.

Ms HUGHES - That is the irony of what happened in 1998. All those vested interests thought their cosy club was only going to be open to them and they suddenly realised they were having difficulty getting past all the bureaucrats, the advisers, or ministers who were just too busy to take their call. Particularly for media outlets, not wanting to betray any confidences from when I was in the role of taking the calls from journalists, I am aware of their frustration of the amount of time it was taking to get answers to what they thought were straightforward, let alone the more curly, questions answered in time for deadlines and so forth, which is still pertinent even in the 24-hour cycle we have these days. The vested interests' noses got out of joint in that degree and suddenly realised, 'We thought this was only going to affect the ratbags, those Greenies or the Aboriginal community; it is now affecting us and this is not on'. That is just an ironic point of view, but I do think that is a critical of evolution of thought so it should be applauded, and the fact that it has been consistent.

The other point - that there is no fat in the government when things go wrong - was also something the media felt they had to have a responsibility in reporting, that when ministers of whichever shade made mistakes, whether it was over the TCC, whether it was over misleading parliament, because that had massive impacts. Those people were talking to business sectors that are finding that they were stalled; planners were finding reform stalled, finding that you are revisiting, that you are having to lose time while the new members got up to speed. It was just a reality check. I feel that one of the ironies of 1998 is that, yes, while a 25-seat parliament might have facilitated a perceived ease in getting the majority of seats, it is harder to form a workable government and they were hoist upon their own petard, I say in that context. They were warned that was what would happen.

CHAIR - Ms Hughes, is there any short statement you would like to make before we release you from our care?

Ms HUGHES - Just on that point, I notice one of your previous witnesses recommended that one way of dealing with, 'This is MPs talking about something that is going to benefit themselves; whatever the decision out of this committee, it should be sent to another independent arbiter'.

PUBLIC

With all due respect, I again stress my perspective - and that is all it is - that there have been enough independent arbiters. At this stage it would again buy into the eye-rolling of a disenchanted public, of, 'Here we go again, they don't have the courage of their convictions, this is just yet another mechanism of spending more money because you would have to pay them', so it should be added to the Treasury's list and it's just another perceived delaying mechanism.

I feel we have had so many independent arbiters; the problem is they were never listened to, so I feel you are wasting your time. You will be wasting the public's interest and goodwill. It is just a matter of political will to undo the mistake of your forebears.

CHAIR - Or courage even.

Ms HUGHES - Hmm, courage.

CHAIR - Thank you, Ms Hughes. As I advised you at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you said to us. Does that all sit comfortably with you?

Ms HUGHES - Absolutely. I am very familiar with that. Thank you all.

CHAIR - Thanks, Cath. That was very helpful.

THE WITNESS WITHDREW.

PUBLIC

Professor RICHARD ECCLESTON AND Dr ZOE JAY, INSTITUTE FOR THE STUDY OF SOCIAL CHANGE, UNIVERSITY OF TASMANIA, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Welcome. Thank you, Professor Eccleston and Dr Jay, for coming in today. Before we begin taking your evidence, I need to check whether you have received and read the guide sent to you by the committee secretary.

Prof. ECCLESTON - We did, thank you very much.

Dr JAY - Yes.

CHAIR - Even though you have done so, I am obliged to reiterate some of the points in that guide. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of the parliamentary proceedings. This is a public hearing. Members of the public and journalists may be present and this means your evidence may be reported. It is important that should you wish all or part of your evidence to be heard in private, you must make this request and give an explanation prior to giving the relevant evidence. Does that all sit comfortably with you?

Prof. ECCLESTON - It does.

Dr JAY - It does.

CHAIR - I am sure you have worked out between yourselves who will address which issues.

Prof. ECCLESTON - It's going to be improvised.

CHAIR - Okay, you are going to wing it. Perhaps, for the purposes of *Hansard*, you would like to speak to your submission before we start asking questions.

Prof. ECCLESTON - Certainly, and thank you, Chair. The one thing that, in terms of formalities, I would like to make clear and have recorded on *Hansard* is that we are speaking in our capacity as academic researchers and political scientists rather than representing the views of the University of Tasmania.

Also, we prepared a brief and general submission. I apologise in advance for its brevity. On reading it late last night I realised there were a couple of typos and missing pronouns.

This has been a long-running debate. As your previous witness indicated and as that discussion covered, it goes back to the 1990s and the consequences of the reduction in the size of parliament. I think our contribution is not so much in terms of the detail or of the history, but I guess the broader discussions about the nature of parliamentary democracy and electoral systems and representations, some of the trends and trade-offs, and what insights we can draw from other jurisdictions and international practice, in terms of some of these debates about the appropriate size, organisation and

PUBLIC

function of the parliament in a small jurisdiction like Tasmania. Part of the context here is that it is a very special community, but it is a relatively small jurisdiction to have a full-scale constitutional Westminster parliamentary system.

Do you want to add anything?

Dr JAY - No, I think that summarised it.

CHAIR - I will start with a question. We will go straight to the issue of the size of the parliament in this jurisdiction, relative to others. Our research demonstrates that the average size of the lower House for states with a population between 400 000 and 600 000 is about 45 members. Of the 75 bicameral state parliaments across the globe, Tasmania has the third smallest lower House, beaten only by two states in the United States with populations of approximately 55 000 each.

Taking on board what you have said, Professor Eccleston, do you think the relativity at the moment of the numbers to the population of Tasmania is set at about the right level, or would you agree that, relative to our population, our parliament is quite small?

Prof. ECCLESTON - Clearly, in terms of that data, it is small.

Talking about Westminster systems, parliaments actually have a more significant responsibility than state legislatures in the United States. Some of you may be aware that many state Houses in smaller jurisdictions in the United States only sit once every two years. They don't pay members of parliament or representatives. That's a huge issue around representation because under the American system, the executive is directly elected and it's only on a small range of issues that you actually need legislative oversight. That's quite a difference.

What we need to consider here is: what are the functions of a parliament in a Westminster system? I am sure Zoe will add to this. They are to provide really strong representation and representing the diversity of our community. They are to provide a government and a Cabinet, and they are also about that really important issue of accountability. Having a backbench is important for a couple of reasons that are particularly prominent in the debate. A backbench - and many of you are or have been in this situation - is important as a training ground and learning the skills of being a parliamentarian and often a minister. It's really important for constituency work as well. A government can both perform that executive function and govern, but also retain those connections to the community, so a backbench is really important. The size and diversity of the opposition is really important for a parliament as well.

CHAIR - And a healthy crossbench, where one exists.

Prof. ECCLESTON - Noted, and we can come to that point about proportionality and whether we want a majoritarian system or a parliament that reflects the diversity of the community. One thing that we are happy to talk about is the broad international trend where there is this shift towards dealignment and the fragmentation of traditional political parties. In that context, the overwhelming trend of parliamentary systems developed in Westminster jurisdictions since the World War II is towards that proportional system, and that is a kind of normative or value basis and judgment, but it is certainly central to the debate, and has been central to the debate in Tasmania for the past 20 or so years.

PUBLIC

Dr JAY - I would also add that small is not inherently a bad thing, but it does become an economy-of-scale problem in Tasmania because we have this Westminster system that is meant to function in particular ways with a robust and engaged parliament, and it does not necessarily have the capacity to do that if it becomes too small. There are situations where very small parliaments are appropriate but in the Tasmanian context, because of the system we have, we need to be a little bigger to meet that function. I think it is about recognising the system we have and being able to unlock its full potential.

Mrs RYLAH - Dr Jay, are you saying that our Constitution which sets us up as a Westminster system requires therefore a particular size of parliament? Are you saying there is a direct relationship between that and the parliament?

Dr JAY - It does not specify a specific number. There is no a hard-and-fast rule about how big is big enough. Since 1998 it has become apparent we cannot fulfil some of the functions our parliament is meant to do. It sounds like it can be quite tricky to organise committee sessions when there are not enough people to spread out across all of them at the same time. It is difficult to have a robust backbench and crossbench and opposition when half the parliament is made up of the executive. It means the parliament loses its oversight and deliberative capacities.

Prof. ECCLESTON - What is the Westminster system? It is a collection of norms and traditions that are more than 300 years old. We have a constitutional crisis emerging in Westminster as we speak but that is a topic for another day. It is really around practices. If you look at the averages, it is not formulaic. I think it might have been colleague, and in terms of disclosure, long-time professional mentor, Peter Boyce who made the comment that on average the executive takes up about one-third of the governing party in normal Westminster systems.

In terms of what we generally associate with the Westminster tradition and system of government, I think a 25-member House of Assembly is challenging. We have kind of adapted in drawing ministers and treasurers from the Legislative Council. You can adapt and improvise but in terms of this broad question around models of governance, it is probably only one of three or four arguments pertinent to the discussion about the restoration of parliament. There are certainly arguments that the House should be enlarged and indeed restored to 35 members.

CHAIR - I do not know if you watched Estimates this year. I will make it a comment: we had one spare government backbencher between two committees, which was fantastic for Labor and the Greens sitting at the table and being given the opportunity to ask questions. For government, it created all sort of difficulties because they did not have someone on the committees half the time, could not run interference for ministers when they felt the need to do so. Have you any observations on that in the committee system, how hard it is to get functionality and allow backbenchers to scrutinise their colleagues as well as get some of those skills up for the day they may be in Cabinet?

Prof. ECCLESTON - One of the functions of an effective parliament is around inquiry, as we are doing today. It is about engagement, about consultation and building a consensus.

I am of the view that parliaments should and could have a greater role in terms of policy development. The way to do that is through a robust and well-resourced committee system. The executive has its own very distinct and important function but having a parliament that has the resources, both in members and other resources and systems, is a way to try to build consensus and have a deeper conversation around many of the very complex and contested matters you are dealing with on a daily basis. With the adversarial nature of debate in the Assembly, we have a perennial

PUBLIC

risk of an impasse of a stand-off between the Council and the Assembly. One response: it takes time to develop these practices and cultures. If you have a slightly larger parliament and a more robust committee system, it can actually help.

I think of unicameral systems with a different history. New Zealand is an example of that, with the big electoral reforms from a completely majoritarian, winner-takes-all system up until the early 1990s. Then it moved quite a radically to the other end of the spectrum with mixed-member proportional representation - MMP. It took a while to figure out how to govern but a big part of the success of the New Zealand reforms has not only been the ability to build coalitions and partnerships and accommodation, it is also the role of parliament and the committee system in that. Part of the explanation is that, without an upper House, they didn't really have that function, but they do have a very elaborate committee system. That is at a scale above where we are, but that is one in a practical governance reform. An important function of the Westminster parliament that, as we all know, is difficult to service under the existing model.

Ms HADDAD - Thank you, for your written submission and for referring to it.

Professor Eccleston, you mentioned that in Westminster systems the executive is usually one-third of the lower House. Do you have a view around the size of Cabinet? What would be ideal in Tasmania, noting that this bill would intend to increase it from nine to 10? Is that a sufficient increase? Do you have any views the ideal size of the executive?

Prof. ECCLESTON - Your committee colleagues would have been in the hot seat as it were. A couple of observations. In a sense, our brief submission posed a range of questions that require deeper exploration. Currently we have nine ministers. In any Westminster system there may be exceptions. They are not set in stone. For example, the ACT has had a relatively stable bureaucratic structure and ministerial portfolio structure with seven ministers. However, in Canberra, the size of the economy is larger and it's a wealthy city-state. I think that governing in the ACT, with all respect to our colleagues in Canberra, is probably easier than governing the state of Tasmania.

Nine or 10, I'm not sure. My other observation, and I think we mention this is passing in our brief submission, is that part of systematic reforms to improve governance in a small jurisdiction like Tasmania is the rationalisation, the relationship between portfolios and agencies. The Government of Tasmania's key responsibility is service delivery. You have some quite clearly defined service delivery portfolios which are very significant. Then you have associated policy portfolios.

I think there is an opportunity for rationalisation there. The idea of particular agencies answering to six or seven ministers or to the entire Cabinet, adds to the complexity. It might be nine or it might be 10. Obviously, there are some cost implications of 10, but one of the overall contentions of our submission is that restoration of parliament really needs to be the beginning of the conversation about how we can provide effective and efficient governance in a small jurisdiction like Tasmania. How can we ensure that the 10 or so billion dollars a year spent by the Commonwealth, by the Government of Tasmania and by local government on services and infrastructure and all of the public goods we need as a is done efficiently and effectively?

Ms DOW - I thank you for your submission, and thanks for presenting to the Committee today. I wanted to flesh out a couple of the last two points you made about relations between state, federal and local governments. Do you see advantages in an increase in the number of members in the lower House toward putting together bids to our federal colleagues and working with departments,

PUBLIC

as has been suggested by others? It was suggested as providing an additional resource to do so, better highlighting the needs of Tasmania and perhaps ensure there is greater funding coming to meet those needs.

The second part of my question is around governance. You make it quite clear in your presentation that you think the restoration of the lower House is just the first part of that structural reform process. Another person who has presented to us today has offered, and I wonder whether you would be willing to provide additional information to the committee about some of your thoughts on improvements to governance that could be achieved, perhaps outside of changes to numbers but in the instance that numbers were increased as well.

Prof. ECCLESTON - There are a number of proposals but these are complex questions and at this stage we really wanted to make the point that this is a foundational element of broader reforms but we can't think that, in and of itself, just the restoration of the House of Assembly will necessarily result in that improved governance.

I would be reluctant to do it in a superficial and cursory way but some examples of that are threefold. One is how committee systems can be structured and run in other jurisdictions. There is clearly that relationship between the executive and the State Service. It would be interesting to do some work on that, as to how prescribed and varied those portfolios are. On the one hand there is a trend and both major parties in Australian politics have done this. If you have a signature priority in a policy platform, it is very tempting to name an agency and structure an agency around your policy priorities. Sometimes they might be temporary. On other occasions, and on an issue like climate and climate change, there are clearly fundamental policy, social, economic and environmental challenges that are going to require a sustained and concerted effort and that probably does warrant configuring an agency around an issue of that complexity and magnitude.

The issue of governance and service delivery is an ongoing issue that we at the university are certainly engaged in, and it is around coordination. All of the big social and economic challenges we are dealing with are complex and multifaceted, and, unfortunately, defy interventions from any traditional agencies or portfolios. How can we provide integrated services at the level of communities in effective ways? It is about putting the individual and the community at the centre rather than thinking about delivering specific programs, whether it is mental health, housing or learning pathways. That is really what this kind of complex challenge of place-based governance relates to. With your background and professional experience, you know the challenges at local government and state government levels and beyond. How can we better coordinate services? I think that is an ongoing challenge.

CHAIR - Place-based governance is interesting. If there is any jurisdiction in Australia that should get that place-based governance and coordination between the different levels of government and agencies together, it would be Tasmania, wouldn't it?

Prof. ECCLESTON - That is the challenge and the discussion many of us are starting to have. That is one of the foundational concepts behind the kind of strategic growth approach but certainly central to the university's quite innovative and ambitious strategy toward a contribution to place and partnering with others to shape and support place. It is an issue we are thinking hard about. This is where small-scale should be an advantage.

CHAIR - Yes, nimble.

PUBLIC

In your submission, Professor Eccleston, you talk about an issue raised with us in submissions and evidence, and that is the cost of restoration. You cite Emeritus Professor Boyce's original estimate of the costs of restoring the numbers by 10 and it sat at about \$3.5 million. We have advice provided to us by the Premier from the Department of Treasury and Finance that indicates that the cost of restoration would be \$7.4 million. Do you have any thoughts on the cost-benefit, perhaps, of restoring numbers in the House of Assembly?

Prof. ECCLESTON - I do. I noted the Premier's submission. We are talking about a significant sum of money but around 1000th of the state's Budget. We are looking at that \$5- to \$6- to \$7-million investment. You noted the changed in politics. It is easy to have a populist response to say that we want fewer politicians and better outcomes rather than spending that money on the enlargement of parliament. That is a populist position but it is up to advocates of the restoration and those of us who, from an academic perspective, see merit in it to make that argument. It is an investment but it is relatively modest investment.

Dr JAY - In the medium and long term, I don't know exact savings, but I think that having a parliament that can function at its full capacity is more likely to be more efficient in the long term. It is more able to catch, perhaps, mistakes or make suggestions in the committee process and in the legislative review and policy-shaping process. You can get in from the ground up on projects rather than things slipping through the cracks if you are a little bit more thinly stretched. It is a notable cost that needs to be justified. It can be justified by the long-term strengthening of both the democratic representativeness of the parliament, you have more people involved in the policy-making process, in the functionality of how that policy-making is done and you can review things a little more thoroughly.

Prof. ECCLESTON - It's about effectiveness, isn't it? What is the quality of the outputs? The argument is if they are both, you would hope that the quality of the decision-making and scrutiny might be better. One of the issues we are grappling with is around legitimacy and the community's engagement with and confidence in our political system. I think that a larger House of Parliament, with more members being able to engage with their communities, is advantageous. A slightly larger parliament should ensure that our representatives more accurately represent the diversity of our community.

It's great that we have a majority of women in the House of Assembly. I think that is partly because of Hare-Clark, and it means that voters get to decide who their candidates are rather than parties through preselection. I think we could go further.

CHAIR - In terms of diversity, certainly.

Prof. ECCLESTON - We are a different generation. Zoe is now teaching the next cohort of young Tasmanians who are passionate about their community, politics, law and social justice. We need more younger voices. You don't want middle-aged, white, wealthy guys in parliament. We want that greater diversity.

CHAIR - People living with a disability, Aboriginal people. Well, we do want some of you younger people, let's be really clear about this.

Ms HADDAD - Diversity of age and race - ethnically we're not particularly diverse -

CHAIR - Very homogenised and pasteurised.

PUBLIC

Prof. ECCLESTON - We talk about it in terms of the effectiveness of Westminster governance but it's really about the politics of representation and the history of the reduction in the size of parliament. As you can imagine - and Zoe is the real expert on comparative politics - there is a significant body of literature around electoral systems and which types of parties and party systems prefer certain electoral systems. This is no reflection on the circumstances in Tasmania, but it is probably a case study. Traditionally, early democracies were majoritarian, often British-style first-past-the-post, which creates a very clear governing party and an opposition.

As we have seen, as our society becomes more complex; the links between political parties and clearly defined interests are less clear, so we have ended up having multi-party systems.

Generally speaking, established political parties don't like proportional electoral systems. The goal of a proportional system, and Hare-Clark is a version of it, is that our representation in parliament accurately reflects the diversity of views and interests in the community.

Obviously, moving from seven-member electorates to five-member electorates made our system less proportional. This was a strategy trying to make it more difficult for minor parties to secure a foothold -

CHAIR - Or independents.

Prof. ECCLESTON - Or independents.

What all the evidence suggests is that once other parties are established, it is fairly difficult for people to wind back the clock, and I think Tasmania is an example of that. Support for all of the political parties will naturally vary over time, but we do have a multi-party system and there is increasing interest in Tasmania and around the world in independent candidates. That has passed.

The other assumption is that governing parties or majority parties would naturally do better with a lower quota, with a less proportional system. I am not sure whether Kevin Bonham has given evidence, but I discussed this with him and you will see his evidence. It's interesting that the current government actually would have had a larger majority with a larger House. In terms of the statewide primary vote, over 50 per cent of the vote, it was only the 1998 election, based on Kevin's analysis, where it actually would have made a difference in whether a government governed in majority or minority. I don't think that is significant there.

You have probably gathered, and this is my view and Zoe might have a different view, as society becomes more complex and pluralistic, it will become increasingly difficult for major parties to monopolise power and to form a majority government. However, and I don't think I'm contradicting myself, stability is very important. The idea of having a political system where different parties, groups and independents can negotiate policy, to provide certainty and stability around who is forming government and key issues like supply, is really important, but there need to be other ways of configuring power in coalitions. A larger parliament is probably more likely to ensure that a governing party or coalition or partnership, power-sharing arrangements, actually gets a majority, whereas clearly, in the current House of Assembly, it is almost inevitable that any one party will only have a majority of one or two.

Looking at the primary vote that major parties are receiving around Australia, securing 50 per cent of the vote on a statewide basis is extraordinary. That's the kind of high point of political

PUBLIC

support. We need to have a system and a culture that can accommodate that. I don't think necessarily a larger House with smaller quotas to get elected will mean that the parliament more accurately reflects the diversity of views in the community. Whether or not that will necessarily advantage major parties relative to smaller established parties relative to emerging parties is pretty much an open question. That's really what is driving this: both the history and the politics around the reduction in the size of parliament, and then this broader view that it will systematically benefit certain types of parties and interests relative to others. I don't think the evidence for that is so compelling.

CHAIR - We haven't seen any evidence that provides an answer to that open question.

Dr JAY - I think the representativeness of a larger parliament is really important in Tasmania. Our system is stuck - well, not stuck, but it is an interesting hybrid of that very classical adversarial Westminster two-party system and the majoritarian history that comes from that, and the more progressive, collaborative representative process that tends to come from proportional representation systems and from Hare-Clark. That creates a tension that makes us a bit reluctant to cooperate; we have a reluctance to participate in minority governments and coalition governments, but those are the norm in most parliamentary democracies around the world.

CHAIR - Including the federal government.

Dr JAY - Exactly, especially in countries like Germany where they have big cross-central coalitions. There are particular political, cultural and historical reasons why coalitions are especially important in some European countries, but, in general, as Tasmania becomes more diverse - and it already is incredibly diverse but it will only continue to get more so - we need to find ways to incorporate that into our political system and our representation. I think embracing that sort of cooperative dynamic of a larger and more representative parliament will have a trickle-on effect into the committee system so we have a more collaborative, discussion-based oversight process. Then that will also trickle into the issue we raised before about the government services and being able to tackle large issues from multiple policy points. It's a long-term cultural shift, but it's one that's worth investing in, in terms of stability.

Prof. ECCLESTON - Even a really traditional first-past-the-post, archaic system like they have in the UK is no foil against the fragmentation of parties around specific issues there. There is no guarantee of majorities. Again, New Zealand is a fascinating case study on that issue. Raymond Miller from the University of Auckland did some really interesting work. He was saying it took basically 10 years for the political parties and the political class to understand they were operating in a new environment. It was really unlikely that any of the major parties - the Nationals or Labour - would assume an absolute majority. They needed to have that contest of ideas and fight to see who could form a government but then be willing to negotiate with minor parties, in terms of parliamentary support or on particular legislative initiatives, and that is all managed through a committee system. It is interesting that - and I think this is right - the second term of John Key, the National Party prime minister, had an absolutely majority in the New Zealand parliament but decided to continue the coalition with the minor parties because that was their practice of operating. They knew after the next election, I think they saw Jacinda Ardern coming, and decided to keep governing effectively in a coalition or a partnership even when they didn't need to.

Ms HADDAD - That happened federally as well when the Liberals won a majority under John Howard and they could have governed without the Nationals but continued their coalition with the Nationals.

PUBLIC

Mrs RYLAH - I would like to go back to hear your comment from your university research perspective. What you have said before and what we often hear is that we want fewer politicians. I would like to put to you that what I hear when people say or write that is that they want fewer politicians, but they want more representation. Is that what you hear? Has anyone done any research on what that subtext really is?

Prof. ECCLESTON - You are absolutely right. My area of expertise and all of the Australian electoral surveys that are peer-reviewed right around the world suggest that politicians at the local government level who are closest to the people are held in the highest regard. That is kind of a strength of our system that it is so. It is so small. In the abstract, the legitimacy, confidence and faith in our political systems is in decline. Australia's is relatively good but it has declined over the last 10 or 15 years. Generally, all of the survey evidence suggests that local government and politicians who have a more direct and traditional connection to their community and to their constituents are more highly regarded. That is my understanding of the kind of research overall.

I think that part of the argument for enlarging parliament is that you would have backbenchers who are learning the ropes, who can be involved in policy, who can be those intermediaries between the community and the government and provide all that informal feedback to their ministerial colleagues. Whereas that is kind of a cut-off; that is a huge part of what your individual roles are in committees and in parliament. It is hard. In a larger parliament there would be a couple of members of the governing party in each of the five electorates who could do that constituency work.

Ms HADDAD - In my personal view, that role also does not diminish when someone is a minister or a shadow minister. In a small state like ours everybody has those constituency responsibilities, even in the federal parliament. I think it is incumbent on people to continue to manage their local electorate in a way that a backbencher would.

CHAIR - Yes, but Ms Haddad, one day you will be a minister and you will come to realise that as much as you want to spend more time in the electorate, there is a regular weekly meeting with the department, there is a Cabinet meeting, there is a speech to give at a portfolio function. So, it is an ever-present tension and source of stress, I think, to ministers.

Ms HADDAD - I am thinking back to the days when both the Chair and I worked for Duncan Kerr, when he was the federal member here. Anyone who was a federal minister had at least a day a week, if not a fortnight, or hopefully a week, carved out for constituent appointments in the office. Everybody in the community could get an appointment with him but that is not always the case for federal ministers in their electorates.

Mrs RYLAH - I would love to ask more questions on the issue I just talked to you about. In the light of time, because what I want to ask I think is too big, let us leave it at that. I might write to you, if that's all right.

Prof. ECCLESTON - That is all right, on this or any matter.

Ms HADDAD - Professor Eccleston went away with homework from me.

Prof. ECCLESTON - The door is always open.

PUBLIC

Mrs PETRUSMA - The institute does a lot of good work with the issues of the day and media stories whether it is on the economy, budget, housing. In regard to trying to sell the \$7.2 million ongoing cost, how would you balance it up against the need for more housing? If the media came to you, how would you say the \$7.2 million is justified as well as increased investment in the other areas that I know that you have articulated very well in the past? That is the same sort of issue that we face. I thought if they came to you and said how could you justify that alongside everything else.

CHAIR - Are you asking for the institute's help to sell our story, Mss Petrusma?

Prof. ECCLESTON - It goes back to the broader conversation around the role of universities. The one thing we are very focused on, apart from our university's whole new and emerging strategic direction, is how can we build capacity and focus the really significant expertise across the university to make a positive contribution to some of the long-term policy challenges we are facing as a state. In terms of our specific work program, wherever possible, if issues are significant we will try to make an evidence-based contribution to them. At the end of the day, values and interests are always implicit in these discussions so there is a particular responsibility, I think, for university-based research.

This is a very brief submission. I was just looking at my calendar: 22 March was a Friday so it's amazing work. I can remember being late to get home and edit this. But it is an important issue. We are very happy and do advocate acknowledging there are a range of views and interests. We are fiercely nonpartisan. We do not deal with the personalities but we can state our assessment of what the evidence is around what is established practice and what are the pros and cons to make that contribution. There are certainly issues we decide that we want to engage publicly in. We do that and obviously we increasingly work with government and other stakeholders in other capacities. One thing I can say is that we will be releasing a policy paper on campaign finance reform on Tuesday.

CHAIR - Excellent.

Prof. ECCLESTON - In fact, in this very room we had a chat and House meeting with the electoral commissioners and electoral staff from other jurisdictions and some academic colleagues looking at what reforms have occurred in other states and then really thinking about, given the particular context of Tasmania, Hare-Clark and the Legislative Council, some pragmatic reforms that could be considered as part of the review of the Electoral Act.

CHAIR - Thank you very much, Professor Eccleston and Dr Jay, for your submission, for your answers and for your openness. Before we let you out into this beautiful day, I have to make a statement after evidence for the purposes of *Hansard* and your safety from legal threat. As I advised you at the commencement of your address, what you have said to us here today is protected by parliamentary privilege. Once you leave the table you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you said to us. Is that all good with you?

Prof. ECCLESTON and Dr JAY - All good. Thank you.

CHAIR - Thank you so much.

THE WITNESSES WITHDREW.