



MEG WEBB

Independent Member for Nelson

Emerging Details Contained in Commission of Inquiry Report Raise Further Urgent Concerns

Tuesday, 31 October 2023

Independent Member for Nelson Meg Webb highlighted in Parliament today further unexplained details in the final Report of the Commission of Inquiry which may relate to the section 18 misconduct-related notices the Commission stated it had issued.

“Following the tabling of the Commission’s Final Report, it became startling clear the Commissioners had identified serious and worrying obstacles that impeded their ability to conduct the inquiry as they felt appropriate, including the finalisation of potential adverse or misconduct findings

“The Report indicates 30 section 18 notices were sent to 22 people as part of the procedural fairness processes required under that section, however no further detail was provided in the main body of the Report on the identify of recipients of those notices or further actions taken.

“I highlighted in Parliament today that a close reading of the Report identifies references in the Notes sections to numerous ‘Procedural Fairness Responses’ from a range of individuals, including statutory officers, and state entities.

Ms Webb said the Commission’s Report cites Procedural Fairness Responses from the following eight entities:

- State of Tasmania
- Office of the Solicitor-General
- Department of Health
- Department for Education, Children and Young People
- Integrity Commission
- Tasmania Police
- Office of the DPP
- Teachers Registration Board

“Additional to these entities, 22 individuals are cited in the report as providing ‘Procedural Fairness Responses’ to the Commission, including statutory officers such as the Ombudsman, the CEO of the Integrity Commission, the Solicitor General and the Commissioner for Children and Young People.



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“It is not clear whether providing a ‘Procedural Fairness Response’ indicates these entities and individuals were all intended subjects of an adverse finding or misconduct finding by the Commission, but thanks to apparent state interference in the Commission completing these processes, we are left with serious questions unanswered.

“Tasmanians have a right to know clearly and definitively what the correlation is between the Procedural Fairness Responses provided by the entities and persons referenced in the Commission’s Report, and the 30 section 18 notices issued by the Commission to 22 individuals.

“It is also only fair to those cited in the Commission’s Report as providing Procedural Fairness Responses to have these question marks hanging over them fully and transparently resolved one way or another.

“In order to move forward, Tasmanians must be confident in government agencies and our oversight watchdogs who may hold key roles in implementing the Commission’s recommendations – it is unacceptable for a cloud to be hanging over them.

“The Tasmanian community requires this clarification; victims/survivors, whistleblowers and witnesses deserve it.”

Ms Webb also said the government must accept responsibility for the fog of uncertainty and concern now arising through examination of the detail contained in the Report.

“The Premier must disclose when he or any government department first become aware of the Commissioners’ concerns that sections 18 and 19 of the Act, including the State’s interpretation of those sections, was impeding their capacity to make the adverse and/or misconduct findings they felt necessary?”

“It is of grave concern that despite the Commission’s best endeavours, it appears the State’s efforts to control the process has purposefully obstructed the Inquiry’s mission, and cruelly sabotaged the community’s hopes for justice, full accountability, reform and cultural change,” Ms Webb said.

Attached:

1. Copy of Adjournment speech as delivered by Meg Webb MLC in the Legislative Council, Tuesday 31 October 2023
2. Background Briefing Paper, 31 October 2023.