

LEGISLATIVE COUNCIL
HANSARD
Thursday 11 December 2025

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

[excerpt]

MINISTERIAL STATEMENT

Retained Human Remains

[11.16 a.m.]

Ms WEBB (Nelson) - Mr President, I rise to respond to the ministerial statement delivered by the Leader and as mentioned by the Leader for the Government. This statement is in response to the Coronial Project Coroner's Findings Report released on 8 September this year. At the outset, I note that the coroner's report on this matter has not been tabled in this parliament and, given it's very salient to the current debate, I now seek leave to table the Coronial Project *Coroner's Findings Report of investigation into deaths without inquest*, dated 8 September 2025.

Leave granted.

Document tabled.

Ms WEBB - I thank honourable members, as ensuring this document remains part of a clear public record is paramount, particularly since, as I recently discovered, the previously available dedicated Coronial Project webpage on the coroner's website appears to have been taken down, which makes tracking down the findings report rather difficult for those affected or interested in this matter.

Imagine waking up one morning, sitting down to eat your breakfast while reading the local newspaper, turning the page, and then discovering in an advert a loved one's name listed as having had some part of their body retained in a museum collection. Or possibly even worse, sitting down to a Sunday lunch with family to take a phone call from a family friend who informs you that they have seen your dead sister's name on such a list: a dead sister who died in awful and traumatic circumstances decades ago when you were both young teenagers or 20-year-olds. That nightmare was the waking experience of many Tasmanians following the publication of a full-page advert in the *Saturday Mercury* on 25 January this year, printed on page 5.

For members who may have missed it, that advert detailed the names of 126 deceased persons, their date of birth or age at the time of their death, the date of their death and their last known residential address. It's important to note that the 126 names listed were of a greater total of 177 human specimens which were handed to the University of Tasmania without consent and which the Coroner's Office were then informed of in 2016. The purpose of the advert was to call for anyone related to those individuals to contact the Coroner's Office to assist with that office's enquiries.

That January advert contained distressing details, including the fact that some of the deceased were children and infants. That, and the fact we know that autopsies only tend to be undertaken in the instances of suspicious, sudden or unexplained deaths, makes this abrupt and public notification without any apparent trauma-informed warnings or support provisions all the more distressing and shocking. I'm on the public record raising these concerns, so I will not belabour them now. However, for the purposes of this ministerial statement update and the promised forthcoming state apology, it's important that we note and acknowledge not just the distressing nature of the information, but also the manner in which that distressing information was communicated.

I'm sure other members in this place have heard from constituents, those families' harrowing experiences following the discovery that a loved one has had body parts removed without consent, and which were potentially placed on public display in the RA Rodda Museum of Pathology. Time today prevents me from detailing the many stories that I and my office have heard this year: people trying to cope with the discovery their parent had been treated in this appalling and unacceptable manner; parents discovering their young children, and in at least one case, an infant, had not been buried whole, and being forced to grieve all over again; utterly heartbreaking, and also, the siblings, some of whom had to struggle with deeply personal moral questions regarding whether they should or should not inform their elderly parents or parent.

Members may have heard of the situation of Mr John Santi, who has had the strength to speak publicly about the discovery his elder brother Anthony, or Tony as he went by, was part of this coronial project. Tony had died of a motorcycle accident when he was 19 years old in 1976. For those not familiar with Mr Santi's recent statements on this matter, it's worth drawing members attention to the *SBS* interview given by Mr Santi, and I quote this from him in that interview:

After 50 years, I had to rebury his body part. We went and laid that to rest with him. That's something we should never have had to do. One of the hardest parts is having to rebury him. He's been buried twice.

Mr President, despite Santi not being a very common surname in Tasmania, John and his family discovered Tony's name on the published January advert, rather than being sought before that in a more private manner. To say they were outraged and distressed is an understatement, and I do not think John would mind me saying so. For 50 years, John had been going to tend to his brother's grave, to then discover Tony had not been interred completely due to this indignity being inflicted at some stage by someone in authority, someone who should have known better.

It was unlawful at the time, as it is now, for a coroner or anyone else to remove or retain any part of a dead body for any purpose other than investigating the manner and the cause of the death of that person. However, John was one of the few lucky ones. I say that and I use that word advisedly, in that he did succeed in obtaining Tony's remains at the conclusion of the coroner's inquiry so that he could inter those remains into Tony's grave.

Yet, there were still more shocks to come. Despite being told the samples were small in scope, possibly even just a blood sample, when John opened the box delivered to the cemetery to double-check the remains had not been cremated in accordance with the family's objections to cremation, he was shocked and horrified to discover he was holding almost the entire brain of his brother Tony. It's no surprise that this results in more questions and increased sense of betrayal, let alone for those many families who requested the return of their loved one's remains

but were denied by the coroner's office. We cannot lose sight of the fact that these 177 'specimens', as the accepted coronial language describes them, were taken and retained without consent.

Then, to add insult to injury, people were subsequently denied consent to reclaim and repatriate, in an appropriate manner, their family member's remains. Is that degree of cruelty the best we can do? Is that the best our formal systems and arms of the state has to offer? In the context of this ministerial statement, it's important to consider the formal coroner's findings report dated 8 September 2025. Clause 8 states:

There was no jurisdiction for a coroner to authorise removal or retention of any part of a dead body for any purpose other than investigating the manner and cause of death of that person.

Followed by this, in clause 9:

I think it is reasonable to state that the expectation of families is and would have been that the body of their loved one is complete. The fact parts had been retained without knowledge or approval would come as a surprise to many, indeed most members of the community.

Clause 10:

Body parts sourced or retained from the post-mortem examination cannot be used for medical research or education, or at least not without the knowledge and consent of relevant family members.

And finally I will quote:

The retention of human remains without family or coronial approval or even knowledge is an historic practice out of keeping with, and offensive to, contemporary standards and values. It is inconceivable to my mind that it would ever happen again, although the fact that the practice continued for as long as it did and ended only comparatively recently is also almost equally inconceivable.

Shockingly, the inconceivable did occur, and has left real damage in its wake. Further, as I stated in correspondence to the Attorney-General on 12 September this year, that inconceivable action was undertaken by state appointees and employees, presumably within state and public institutions. It is not only a matter of respect for the parliament but also to acknowledge the pain and grief inflicted here is not purely historic.

While recognising the coroner's findings report emphasises these abhorrent practises are historic, having ceased in the 1990s, that does not diminish the fact the hurt, the trauma and anger caused to living family members by recent revelations is very current and deeply felt. For many, the experiences since January this year have added an additional layer of grief and anger that must also be addressed and acknowledged.

There are the further distressing instances where people discovered their family member was involved after the coroner's findings report was released in September this year. Further, that their loved one's body part had already been destroyed under the burial warrants issued by the coroner pursuant to the act. It is in that spirit of transparency I need to emphasise my deep

disquiet, not only of the unauthorised and I believe illegal actions which occurred between 1966 and 1991, but of the systemic failures of how our systems responded to and dealt with affected family members now.

I do not wish to take away from the diligent, empathetic and care taken by individuals going about their jobs throughout this process since the 2016 notification. However, the system was flawed and for whatever reason must be addressed. Local Tasmanians who should have been identifiable via authorised searches were not. There were grave issues surrounding processes for recognising appropriate next of kin or even recognising that in some unforeseen circumstances such as this, we need more flexibility in order to recognise for example, more than one individual next of kin. There did not appear to be sufficient recognition that some current family members may be very elderly now, particularly if their loved one died in 1966. Expecting them to navigate online and digital ID requirements, forms and communications was extremely problematic.

The protracted nature of the investigation, understandable given the number of illegally retained body parts, but lack of forthcoming information or updates was extremely difficult for affected families. Many found the whole system bewildering and alien. They had no idea what to expect or where to go to get assistance in understanding what was happening and why it had to happen the way it was. That was largely the extent of my office's involvement in this matter, trying to find out and explain what the administrative processes were, assist in filling out and forwarding the necessary online forms, and ask about options available for families who may wish to reclaim their loved one's body parts.

In at least one instance, it was arranged and agreed by the Coroner's Office, who wished to have only one point of contact for each specimen under investigation, that my office would be that designated contact point for a particular family. Imagine my surprise when I received formal correspondence from the Coroner's Office instructing me to cease advocating for affected people on this matter. This was at a time that we were helping family members argue their case why cremation of their loved ones remains went against their religious beliefs and they were seeking alternative options.

Clearly, this was not an aspect of any formal judicial investigation, it concerned the aftermath of such formal proceedings. I have a very healthy respect for the separation of powers and carefully double checked those potential ramifications before making any public statement or undertaking any inquiry. To be told to stop asking procedural questions on behalf of my constituents was very, very surprising and disturbing. More importantly, it added yet another layer of confusion and betrayal by authorities for the families involved.

Additionally, I have heard of many instances where communication channels have failed, resulting in people thinking they had articulated their wishes to reclaim their loved one's body part, only to find out after it had been cremated the request had been delivered to the wrong person or had not been made through the required channels. These people were in shock and traumatised. Why was it their responsibility to understand how this system worked, convoluted as it was.

Why is it that my office is still fielding calls months after the September findings report from people who are only now discovering that their family member was on that list of illegal specimens and are seeking answers regarding what happened? Where is their loved ones remains now and are they able to reclaim them to inter them in their loved one's grave? Still questions were being asked to help get answers, particularly in one recent instance where the individual had been, would you believe it, referred to my office by the coroner's office, despite

my office previously being told to desist in advocating on people's behalf.

It's shocking, hence, I raised these examples as it was not just the actions of 1966 through to 1991 which harmed and distressed so many people. Unfortunately, our current systems, whose responsible arms of the state also inflicted additional confusion and despair which should have been avoidable. Therefore, those very recent, systemic failings and ramifications must also be part of the focus of this ministerial statement and subsequent formal state apology to be delivered in this parliament.

Mr President, as members go about their business in this place and as I have also done, we question that which doesn't make sense, and we call for accountability. We want to know as part of our due diligence, where does responsibility lie. Who is responsible for decision making, for implementation? On what basis are decisions made? Where is the oversight, the accountability? Basically, where does the buck stop should things go wrong? We ask those questions virtually on a daily basis, on matters of government policy and we know how frustrating it is when we don't get clear, direct, and informative answers to those questions. How frustrated we feel in the face of apparent dissembling, obfuscation, and stonewalling. Imagine then what it must be like to face such dissembling, obfuscation and stonewalling when seeking to comprehend the awful discovery that a part of your child, your sibling, spouse, parent, had not been buried along with the rest of them, but instead to have had been retained and kept illegally and in some cases placed on public display at the Rodda museum. To be honest, I really cannot imagine the full breadth of how that feels.

I believe the harsh reality is it is a uniquely devastating and lonely path to travel for those who woke up one morning to discover it's stretching out from beneath their feet. Quiet devastation remains devastation nonetheless and in this shocking saga, that devastation has been wrecked by the state in one form or another. It's right and proper for the state to accept responsibility for this devastating period during which position was abused spanning decades, and which will ultimately take the form of a formal parliamentary apology sometime during hopefully, the first half of next year. However, the other crucial responsibility the state must deliver is getting to the absolute bottom of this appalling situation completely, transparently and also accountably.

Crucially, responsibility is not solely about finding out what happened at the time, which as we now know spanned the period of 1966 to 1991, it's also about taking responsibility for what did or did not occur subsequent to that period and what is happening now. Basically, if body samples had been retained from living patients and placed on display without their knowledge and consent, at the very least that would be considered serious malpractice. Decades of malpractice undertaken by state employees.

It cannot be surprising then bereaved family members want complete answers. Where the coroner's findings of the 8 September this year remain silent, the government is going to have to step in and fill those gaps, Mr President. Which laws, regulations and employment codes of conduct were broken.

Was the Tasmanian government of the time made aware of the 2001 findings of the New South Wales Walker inquiry which raised concerns regarding retention of organs at autopsy? If so, what did they do about checking Tasmanian practice at the time? Why didn't the relevant Tasmanian minister and department, both of which were made aware of the practice in Tasmania following the New South Wales Walker inquiry, according to Clause 16 of the coroner's findings report of September this year? Why didn't they take action then?

Was the Australian Health Minister' Advisory Council Subcommittee on Autopsy Practice final report of April 2002 implemented and if not, why not? Regarding the identification processes initiated in 2022, how was it that so many living close family members were not identified and contacted in a timely and private and trauma-informed manner?

What was the role and how integrated was the University of Tasmania in the investigation following the 2016 notification by the R A Rodda Museum of Pathology's Curator at the coroner's office of concerns regarding some of the samples retained in its collection?

What planning and care was invested in ensuring an adequately trauma-informed approach was developed and implemented in the interests of looking after bereaved family members during all stages of the coronial inquiry in its aftermath?

Unfortunately for many, the recent investigations undertaken by the coroner's office raised further concerns and questions. These matters may be pursued under the current Tasmanian Law Reform Institute's review of the *Coroners Act 1995*, which was referred to the TLRI by the Attorney-General in early May of this year in light of the serious concerns raised by the family of Eden Westbrook. Although the TLRI reference preceded the coroner's findings of this particular matter, it may also provide a useful vehicle by which related concerns can be raised and future reforms identified.

I acknowledge that both the current Health minister and Attorney-General have initiated relevant inquiries within their respective portfolios following the release of the coroner's findings as a result of advocacy by myself and others regarding previous and current practices. I state on the record now, that I hope any answers derived from these recently instigated inquiries are frank, rigorous and complete at the time they are delivered. Further, that those answers are provided well before the planned formal parliamentary apology.

It may transpire that little further detail could be ascertained; that records were not kept as they should have been. We know that answers may not always tell us what we want to hear, but all those who have contacted my office want to know is that the questions have been asked by authorities, that thorough investigations have occurred and, crucially, the answers are honest, frank, do not cut corners and therefore can be trusted.

To reiterate, I recognise the additional inquiries and referrals made by the Health minister and the Attorney-General respectively; however, much is weighing on the degree those inquiries deliver full and satisfactory responses. Crucially, clear answers are needed to the questions: were any laws broken at the time of autopsy body parts being removed? Who was responsible and who had oversight of those responsible? Lastly, what is being done about holding those responsible accountable now?

To put it bluntly, I fear that failure in this regard risks undermining any future state apology, rendering it a shallow hand-wringing exercise, rather than signalling genuine responsibility. It is very necessary to ensure affected Tasmanians may be able to transition from their current journey of trauma onto an eventual road to recovery.

I touched briefly on the future apology. We've heard that the government is committed to ensuring proper consultation will occur with those affected prior to the apology's finalisation and delivery. I welcome that commitment and reiterate my offer to assist in any appropriate manner where I can.

I also reiterate those calls, some of which were also raised in the other place last week,

that consideration be given to any practical assistance which could be provided for those affected Tasmanians living in the north and north-west or remotely in other regions to travel to Parliament House for that apology. I'm also aware of some family members who now live interstate who may need assistance to link in online, for example. Sadly, we know there may also be some for whom this is all too hurtful and overwhelming and will be unable to take part in any further commemorations at all.

I also wish to take this opportunity to reiterate my previous calls that there is some formal involvement of the University of Tasmania in the consultation and liaison process surrounding the development and delivery of the formal state apology. If there is shared culpability, then there should also be a shared responsibility.

To conclude, I welcome the delivery of this ministerial statement and the outlined commitment by government to a subsequent formal parliamentary apology to be delivered within the first half of next year.

Again, for the purposes of clarification, particularly for anyone who may be listening via the broadcast, this debate underway now is not the formal apology. Instead, today's ministerial statement is an explanatory precursor, if you will. As I mentioned earlier, I requested this step of a ministerial statement update this year for the purpose of placing firmly on the public record for those affected, the government and this parliament's commitment to formally acknowledge the wrong committed and the hurt and trauma inflicted. People needed to hear that commitment sooner, rather than later. They needed and deserved to know what follow-up steps and inquiries were being made by the authorities.

Given the shocks already inflicted by hearing via newspaper adverts or news reports about these unacceptable practices perpetrated upon their loved ones, people deserved advance warning of something which, although desperately needed, will still be deeply distressing to sit through, as the eventual formal apology will prove to be for many. That was the primary purpose of this ministerial statement.

In light of the areas of silence within the coroner's findings report and the subsequent silence from the authorities in response to that report, this ministerial statement was requested by myself for the government to provide a formal update of ongoing efforts to fill those gaps in areas of silence and also a commitment to both those affected and the parliament that a formal apology will be delivered. I was also concerned that the awful anniversary of 25 January did not come around next year without an update being provided to all those affected bereaved Tasmanians.

Clearly, that time frame provided insufficient time to undertake the necessary community consultation and preparation for a formal apology. Hence, this update before the parliament rises at the end of the year was necessary. I thank the Attorney-General and the Health minister for acting on my request, and, further, that the ministerial statement was provided in both chambers, which is not a usual or common parliamentary practice, to allow that all members of this parliament have the opportunity to address this matter on behalf of their constituents should they wish to do so. A systemic failing as grievous as this warrants that degree of gravitas, I believe.

Further, the additional purpose of the ministerial statement was to acknowledge that there is more work to be done between now and the eventual formal parliamentary apology. We know that, the government knows that, those family members affected by this travesty expect that, and there will be no closure without it. As I've outlined, it has in fact been traumatic

navigating the administrative process to get to this stage of proceedings for many affected family members, additional to the trauma initially inflicted by the death of their loved ones.

To close, I will reiterate a statement or a plea I made in correspondence to the Attorney-General in September this year, which was:

While recognising the coroner's findings emphasises these abhorrent practices are historic and ceased in the 1990s, that does not diminish the fact that the hurt, trauma and anger caused to living family members by recent revelations is very current and deeply felt.

Although these abhorrent practices may be historic for many, the hurt, grief and trauma remains very real and very current for many affected who lost loved ones in deeply traumatic circumstances. They've now been forced to grieve twice and in some cases even bury their loved ones twice. We cannot undo the past, but we can and we must do our share of heavy lifting to take responsibility and do whatever it takes to alleviate that hurt and anger, to deliver some semblance of peace, closure and healing for the bereaved who have been forced to grieve twice.

Mr. President, I note the ministerial statement.

[end of Excerpt]