



Speech by


## Howard Hobbs

MEMBER FOR WARREGO

Hansard Wednesday, 14 November 2012

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### EDUCATION LEGISLATION AMENDMENT BILL

 **Mr HOBBS** (Warrego—LNP) (5.14 pm): I rise to speak to this education bill. I refer particularly to the section relating to national professional standards for teachers. I wish to bring to the attention of the House what I believe is a grave injustice on one of our Queensland teachers. Tracy Tully was suspended from her position as the principal of Charleville State High School in April 2011 without any notice of the allegations against her. Tracy had 30 years of employment with Education Queensland. This bill deals with this type of arrangement. In a letter her husband, Bob, states—

We first learnt of the 'allegations' ... through an article in the *Courier Mail* on 16th January 2012. This was negligently authorized by Education Queensland. Our solicitor advises us that this action constitutes a failure to comply with the law and breaches of Education Queensland's duties to their employees under the RTI Act 2009 Section 37 which states that EQ had an obligation to contact and notify Tracy of their action.

It was not until 13 April 2012—one year later—that Tracy got any idea of the allegations against her. A right to information document showed that the *Courier-Mail* article was in regard to Tracy, referred to as principal 1, and the principals of Augathella and Burpengary state schools. The article claimed that there were serious allegations against principal 1—that the principal had made physical and verbal threats against students, staff and community members. This information instantly spread around the state, interstate and amongst Tracy's peers and the education community in general. Another similar article was published in the *Toowoomba Chronicle*. Education Queensland has clarified that Tracy is principal 1. Very serious issues arise in respect of the conduct of the education department; namely, the noncompliance with a statutory obligation of considerable importance to Tracy, total disregard and discourtesy and serious prejudice to Tracy by not warning her of the release of the document.

In relation to these matters there is a further issue which arises. This was the first time that Tracy was made aware of any allegations against her. Tracy's solicitor advised her that the article was printed in an attempt to isolate her, make her resign and break her. He said that this had been common practice by the Education Queensland ethical standards unit for many years. He advised that Education Queensland employees were too fearful to stand up for their rights and that most principals quickly resigned, which was the outcome that Education Queensland wanted. Tracy advised her solicitor that she would not be resigning, that she would follow the process and procedures and that her ultimate outcome was to change Education Queensland's policy and procedures for internal investigations to a just, financially effective and rigorous system resulting in equitable outcomes. Tracy will not tolerate another Education Queensland employee being treated like her ever again.

It is Education Queensland's duty to supply particularised allegations. Obstruction in this duty prevents solicitors advising their clients as to the law and possible implications of allegations. Particulars are very important given the potential significance of allegations in the context of the criminal law. Fairness and efficiency to provide particulars are stated in the Public Service Act at section 25. It was one year later. Tracy strenuously rejects all of the allegations. The letter continues—

One of our grave concerns is with the power vested in the DG—

in this case Julie Grantham—

to grant approval for Greg Dickman—

one of the district directors—

and two other senior education officers, to enable and preside over a public forum, held at the Warrego Racecourse, Parry Street, Charleville in March 2011 and led by the then former Mayor of the Murweh Shire ... Mark O'Brien. Mark O'Brien deliberately whipped a group of indigenous people into a frenzy, colluding to conspire against us both, in a calculated effort to destruct our good names and careers.

At the end of 2010 at a secondary principals conference held in Toowoomba a principal advised those principals present that principals were disappearing from their schools. He said that they are being suspended without notice of their offences and that Lyn McKenzie and Julie Grantham were behind it. He named a few of these principals and advised that he had purposely held a closed meeting that day to exclude the regional office staff. This principal knew exactly what he was saying. Tracy's solicitor repeatedly asked for the allegations against her but was denied. Tracy attended each interview with absolutely no knowledge of the allegations against her except towards the end—that is, she told two boys that you had to pass year 9 English to get into the Army. That was an allegation. Another was that she promised some boys motorbikes. These are some of the ludicrous allegations against her. Tracy's solicitor has confirmed to her that they are confident that there is nothing in the allegations that is even worthy of suspension. Prior to her investigation interviews, I met with the director-general and requested that Tracy have access to her laptop, which was taken from her workplace, so she could get the evidence she needed. That was agreed to but did not happen. It did not happen. They never gave her the computer. When they finally did have a meeting, they said 'There it is.' It had been changed. The format had changed. She could not go through the computer to try to find the stuff that they were after. It is unbelievable that this can happen in this day and age. I can understand how it happened under the previous government under its union rules, but it should never happen in the future under us. I hope that today we will start the process to fix these systems.

On Monday, 22 October following his meeting with the education minister in the presence of myself, police Inspector Mick Dowie witnessed the DG knowingly misinform the minister that Tracy refused to participate in her investigation interviews. That was not the case. During her interviews she was badgered to manipulate her answers. At one stage she was even asked by interviewer Brett Heath, the assistant director, who she thought the complainant was, because the interviewer was not sure. He was confused with the names. During a second interview, Todd Donaldson was actually making up the allegation as he read from his notes to Tracy. When Tracy requested him to repeat the allegations so she could write them down, he was unable to. He forgot it. The interview was immediately stopped. The ESU officers claimed that Tracy refused to attend interviews and her solicitor's documents clearly refute this. They also said that there were no medical certificates. She has all of the medical certificates. They are all there and have been there all of the time. Interestingly, every employee who made a complaint in this particular case against her were involved in workplace performance situations over the last eight years.

This bill refers to the quality of teachers. The bill says that the QCT has the responsibility for developing and applying professional standards which detail the abilities, experience, knowledge and skills expected of Queensland teachers. Here we have a situation where we have a very professional person who was strong and who wanted to make the school good, and she wanted to get drugs out the school. A new police inspector wanted to do a Weed Out program—that is, to reduce the amount of drugs likely to be around—and it only happened after this. This is the background to this, because the people who were affected were implicated and some were since charged. Under the previous government, Education Queensland has allowed this situation to continue. Bob and Tracy say—

Our concern is that as taxpayers, we are funding this fascist management of the education department. If the general public was informed of this malpractice and the gross misappropriation of crucial education funds spent on these unethical investigations, there would be a public outcry. Millions of dollars are spent on these investigations annually; public school parents would be horrified to know that their children have been robbed of these vital funds that would have helped their children's safety and quality education over the past years. These funds if better spent, should have taken Queensland from just short of the bottom rank to a significantly higher rank on the national education benchmark.

I call on the Minister for Education to appoint an appropriate person to fully investigate the process for disciplinary inquiries in Queensland and in particular for Mrs Tracy Tully. Another area of inquiry should include the suspension of the three teachers at the Burpengary State School as well. I ask the minister to do this because, if this goes to a CMC inquiry, what usually happens is that these things are referred back to the department and we do not really want that. We need an independent person to ensure that in the future good teachers have the ability to do the job that they are supposed to do.