

## **HIGHER EDUCATION BILL 2003**

### *Second Reading*

Resumed from 17 November.

**HON DERRICK TOMLINSON** (East Metropolitan) [12.27 pm]: I have been chastised for speaking too long and for overstating my position on this Bill; therefore, I have given an undertaking to be brief. The point I made in my previous contribution - I was perhaps making it at great length because I was rehearsing the history of some 60 years of tertiary education in Australia - is that if one analyses the history of tertiary education, one sees a centripetal tendency of the centralisation of coordination and control to be shifted to the federal Government. The functional autonomy, and I would even dare to say the academic freedoms, of universities are diminished by the need to conform to centralised accreditation and regulation. Some might argue that the six longstanding universities are not affected by that centralisation, which affects only the newer universities that are trying to establish themselves. I would deny that view from close experience. Regrettably, I cannot give the House the reference for my academic studies because I never completed and published them. However, members might refer to the "Liberal Party's Politics and Education Policy", author, Derrick Tomlinson, published by the Australian Council for Educational Research in 1975. I rehearsed the history up to that point. Before the Dawkins reforms, the tendency was toward increasing centralisation, coordination and control, which diminished the functional autonomy of the institutions. The Dawkins reforms changed all that. They did away with the multi-tiered system of colleges of advanced education, institutes of technology and universities by creating one category of universities. The institutes of technology became universities of technology. For example, the Western Australian Institute of Technology became the Curtin University of Technology - not new technology, just technology.

Hon Simon O'Brien: It was a good job that was changed.

Hon DERRICK TOMLINSON: Yes, it was a good job. The colleges of advanced education were amalgamated into a single university, as is the case of Edith Cowan University. Hon Graham Giffard is laughing. Did I say something funny?

Hon Graham Giffard: You did a minute ago; I did not realise it when you said it.

Hon Simon O'Brien: Our Graham is a bit slow with his acronyms!

Hon DERRICK TOMLINSON: The Dawkins reforms reversed the tendency. Centralised control still existed because the Commonwealth controlled the purse strings after 1973. The functional autonomy of universities has been eroded. However, the downside of the Dawkins reforms was that they extended the spectrum of universities from those of higher standing - such as the Universities of Melbourne and Queensland, Monash University, the Australian National University and the University of Western Australia - to those of lesser standing. Those of least standing were those formed from the amalgamation of colleges of advanced education, particularly in regional areas. They are trying very hard but, in my estimation, they will probably not reach the international standing of universities.

That is where we were. Now this Bill has been brought before the House. Ostensibly, all it does is provide that those universities that presently have the title will stay universities and will be self-accrediting institutions. Institutions established in the future will have to meet certain requirements before they can call themselves universities and confer degrees. However, that should be related to almost 60 years of history, since the Murray report of 1948, and the centripetal tendency towards increasing centralisation and control and the erosion of functional autonomy and academic freedom. This should also be projected forward, with the knowledge that the federal minister has already stated his preference for a two-tiered system, under which some universities will be teaching and research institutions and others will be for teaching only. The teaching and research universities will be those - probably numbering up to 19, but at present amounting to only 11 - that have international standing, and can compete with universities anywhere on the standing of their scholarship. The other institutions will become teaching-only institutions. I do not know - it defies imagination - how an institution can be called a university if it does not have a research component. Teaching and research - particularly research - are fundamental to the nature of a university. Take away the research, and all that is left is the transfer of knowledge generated elsewhere to the teaching in that institution. It is not a university. It is better characterised as a college. That is stage 1. That is the first warning. I extend that by saying that if we have that situation, universities that believe that under this Bill they are protected from the requirements of accreditation are deluded, because to categorise this and that level of university as a teaching and research university or a research university, there must somehow be a process of evaluation and accreditation, and it will affect all universities, even the top 11. That is the first stage of the reintroduction of centralised control to deny functional autonomy.

The second thing I suggest is that the process is already in place, because Mr Gregor Ramsay has been appointed by the Government to develop the scheme, and has already told universities that some of them will be

disappointed, some of the courses of some universities will disappear, some of them will have their schools reduced, and others will enjoy the benefit of rationalisation in the university sector. That is not a promise; that is a reality under way. Hence, my warning that this is totally unnecessary legislation, because the university system itself is a self-regulating system. The system for international scholarship of universities and the international fraternity of universities is self-regulating. Regulation is not needed. Where do the best scholars go? They choose the best universities. Where do the least able go? They go to the lesser regarded universities. It is a fact of life. That is self-regulation. There is another reason that I warn about this legislation. This Bill came from the vice-chancellors. Just as the 1991 Bill in this State and in this Parliament came from the vice-chancellors, so this legislation has come from the vice-chancellors to protect themselves against the incursion of lesser beings. Instead, they will reintroduce and expose themselves to further centralised control and denial of functional autonomy.

I sound those warnings. It is unnecessary legislation. I believe it opens up an unfortunate future. However, I recognise that this is uniform legislation. Every other State has accepted it. Therefore, it is a fait accompli. When someone is about to be raped, the best thing for her to do is to close her eyes and think of England. It is a fait accompli. There is no escape from the trend that is in train. Secondly, I recognise that, although the recommendation originated from the vice-chancellors, it was a decision of the intergovernmental Ministerial Council on Education, Employment, Training and Youth Affairs. I recognise that the signatory to the agreement for Western Australia was the then Minister for Education, Hon Colin Barnett. I also recognise that my party room has made the decision to support this legislation. Therefore, the Opposition will vote for the legislation. I have very strong reservations. Were I allowed more time, I would elaborate on and hope to make members understand my concerns. History is repeating itself. Only fools do not learn from history. However, the Opposition will vote for the legislation.

**HON CHRISTINE SHARP** (South West) [12.40 pm]: There is a certain irony in the Bill before us today. The Bill purports to protect the standard of university education in this State, yet my reading of the long-term effect of this Bill is that it will feed into the reverse process; that is, the Bill will open our State to a plethora of new universities, many of which will originate from overseas and, despite the accreditation provisions, be of a far lower standard than the standard currently provided through our traditional system of public universities. Effectively - this is the irony of the Bill - this Bill is not about protecting university standards but about destroying university standards. As I have looked further and further into the effect of this Bill in recent times, I have become more and more appalled by it, because I do not think that sufficient thought has been given to the response to the problems with which the Bill purports to deal. I understand that one of the apparent reasons for the adoption of national protocols for accrediting university standards was that a shonky institution, called Greenwich University, was operating on Norfolk Island. That was the catalyst for the plethora of uniform legislation across Australia to implement national protocols, which were agreed to at a single meeting of the Ministerial Council on Education, Employment, Training and Youth Affairs. These protocols were not the subject of a formal intergovernmental agreement but were simply ticked off at a single meeting by our education minister and other education ministers. As Hon Derrick Tomlinson pointed out, this occurred under the previous Government when Hon Colin Barnett was minister. This was all set in train at a single meeting. The excuse for it was that a shonky institution was operating on Norfolk Island. If we implement these national protocols, we will feed into the momentum that is putting enormous pressure on our public universities and the standard of their research and level of teaching.

Let us go back one point. The quality of university education cannot be maintained in a resource vacuum. That is the first point that we need to understand. The trend over the past eight years has been towards a tremendous reduction in commonwealth funding of our public universities. It has been estimated that there has been a massive 33 per cent reduction in commonwealth grants to our public universities since 1996; that is, since this whole strategy was developed by the Howard federal Government. In fact, members of the federal Opposition, in speaking in the federal Parliament about the commonwealth equivalent of this Bill and using more realistic indices of wages and salary increases than were being used by the federal Government, estimated that in the past eight years roughly \$1 billion a year has been taken away from our public universities and institutes of higher education. That is a scary figure. That is the resources context of this Bill. How can the quality of university education be maintained in the face of resource reductions of this magnitude? We can pass as many Bills as we like about accreditation and standards for degrees, but in fact what we are doing is ignoring the context of the resources and the shifting of those resources to private tertiary providers. The very provisions that this Bill seeks to enact will support that system of downgrading and open our public universities to enormous competitive pressure from lesser institutions.

Hon Derrick Tomlinson: They won't be able to compete.

Hon CHRISTINE SHARP: They will not be able to compete. Essentially, the cultural context that we have traditionally considered is part of a university education - the cultural context of life on campus - is to provide a

true education in its full sense and produce young people who have absorbed a sense of values and wisdom and who have a high level of knowledge. This Bill will help to throw that out the window.

Hon Derrick Tomlinson interjected.

Hon CHRISTINE SHARP: Since 1996 we have seen a huge increase in student contributions. It is estimated to be about an 85 per cent increase in student contributions since 1996. That does not include the recent announcement that will see a further 25 per cent increase in higher education contribution scheme fees for public university students next year. Students on the HECS will now have to work longer hours in their part-time jobs to try to supplement some kind of income to keep going at their university because of the level of HECS that is confronting them.

What is the result of this overall trend? The result is, first, a casualisation of academic work in that there is not the same security of appointment for many academics. Academics also face more administrative work and less time for teaching. They face larger class sizes. In 1990 the ratio was 12 students to one staff. It is now up to 18 students to one staff. Industry-funded research is destroying the independence of research in our universities because, as Hon Derrick Tomlinson has pointed out, our vice-chancellors are effectively desperate for sources of funding to maintain the functions that we as a society expect of a full university education.

The federal Government's vision of higher education is private providers which offer streamlined courses, limited pastoral care, limited cultural education and virtually no research and which squeeze out the competing public universities that will offer the full suite of attributes. In other words, they are private degree factories. This Bill will establish and accredit that system in Western Australia.

I will now refer to something Hon Derrick Tomlinson raised during his remarks about the fundamental difference between a tertiary institution that offers only teaching and a tertiary institution that also offers research. He suggested that the institution that is limited to teaching does not deserve the term "university". I concur totally with the honourable member's remarks. However, this Bill will make it much easier for those institutions to apply to use that precious term "university". Ironically, although we want to make it more difficult, over time it will become easier.

A summary of the effect of this Bill can be found in the eleventh report of the Standing Committee on Uniform Legislation and General Purposes. The key elements of the protocols that will be implemented by this Bill are described at pages 5 and 6. Those national protocols are about the standards for the adoption of the title of "university", which will allow for the application of the term "university" to all sorts of other tertiary providers. This legislation is also about the establishment of new universities and the approval process for overseas universities wishing to establish in Western Australia. A very important part of this legislation is about opening Western Australia to overseas universities that want to establish campuses in this State. Of course, most members would have heard on the news last night that the final details of the Australia-United States Free Trade Agreement have been agreed upon. That agreement will be formally ratified on 1 January. These matters must be taken into account, together with other agendas, in determining whether this Bill will open our system to greater competition from overseas universities that wish to establish campuses in Western Australia. According to this Bill they can do that without requiring an Act of Parliament. Our public universities and the University of Notre Dame are all established under individual Acts of Parliament. That will no longer be necessary once this Bill is passed. This Bill will permit overseas institutions to operate in Western Australia without a specific Act of Parliament. It will also provide for the Commonwealth Government to accredit universities to operate in Western Australia, also without any oversight by this Parliament. This Bill authorises non-university higher education and endorses award standards for full fee paying overseas students. This is another of the real agendas of this Bill; this is about the \$400 million per annum income that was described in the parliamentary secretary's second reading speech that is earned by providing tertiary education to full fee paying overseas students. Fine; okay. Do we have to do that in a way that undermines our traditional standards of public university education for Western Australian students?

Hon Derrick Tomlinson: Regrettably, it is the only way some universities can finance programs.

Hon CHRISTINE SHARP: Yes. There is an enormous amount to regret in this Bill. Effectively, we will open our great public universities to greater competition from new institutions, non-university institutions, overseas institutions and full fee-paying students. This is the irony in this Bill: that which it purports to regulate and standardise it is effectively encouraging, endorsing, permitting and spreading. I am referring to the downgrading of public universities and the implementation of a second-tier system. As Hon Derrick Tomlinson said, it means that the overall impact will be felt in every university in the land. The great universities will not be able to compete.

I note that the Minister for Education and Training replied to the standing committee's request for greater information about the Bill and the national protocols in the following terms, which is recorded at page 11 of the report -

*... there are no apparent disadvantages to the State in promoting consistent criteria and standards across Australia in relation to higher education quality assurance.*

I read that sentence several times because I was absolutely staggered that the Minister for Education and Training apparently does not understand what is being enacted and the overall long-term implications of what we are doing. He has apparently no recognition of the risks that are posed to our universities by this Bill. However, I am cognisant of the pressures that the Minister for Education and Training feels: the pressures of the trends of commonwealth funding, the pressures of the applications for overseas students and the fact that there are many non-regulated tertiary operators offering diploma courses on the Internet and so on that do not have any accreditation. I understand the context. However, I am deeply disappointed not about the problem that this Bill identifies, because I can see the problem as well. Instead of this Bill being a solution, it will take us further down the path of downgrading our universities. Ironically, through the accreditation factors to be implemented, this Bill will legitimise doing that. We should take a stand in this Parliament on this Bill. In November 2004 we are far more cognisant of the trend than perhaps was the previous Minister for Education in 2000 when, at a single national meeting of ministers, he signed the national protocol. There is far more context to the trend in funding and the trend announced only last week of changing industrial arrangements in universities to require workplace agreements and to prevent any positive discrimination in favour of the National Tertiary Education Union.

Debate interrupted, pursuant to sessional orders.

[Continued on page 8317.]

*Sitting suspended from 1.00 to 2.00 pm*