

A House of Review or a House of Activism?

It is with increasing concern I observe campaigning for the seat of Nelson, which ignores or reflects a failure to understand the role of the Legislative Council.

The Legislative Council was established as a house of review to provide checks and balances to the program of the government of the day, in the House of Assembly.

The Upper House has not been, and should not become, a mere platform for activists to pursue narrow-focused causes.

Many candidates say the role of a Legislative Council member is not to be simply part of a process of government scrutiny and the review of proposed legislation, but also to be an advocate for particular causes and positions, with candidates going on to outline what some of those predetermined positions are.

Any parliamentarian's role should include advocacy for their electorate and individuals within their electorate. But it's also paramount for a Legislative Council member to be an advocate for the good government of Tasmania.

To do so requires an objective and open mind, used to critically assess each and every issue, and approach each and every proposed legislative provision on an evidence-based, case-by-case basis.

To best fulfill the intended role of a Legislative Council member, they should be independent - not only independent of party endorsement, allegiance or influence, past or present, but also be an independent thinker.

You can't be truly independent if you are captive to an ideology which results in a predetermined position on issues without even having considered a particular proposal and the evidence for or against it.

Tasmania is a wonderful place to live, work and raise a family - in part as a result of a parliamentary system which has been generally successful.

In no way is the system perfect, and of course refinements and reforms should be constantly considered.

But to turn the Legislative Council into a house of activism, electing political crusaders and zealots with entrenched positions and platforms, is to suggest that the longstanding model of a house of review is not working.

The cable car proposal is a case in point. Unless there is Government intervention, this is not an issue which will concern the Legislative Council.

But we have already seen opinions expressed by some who are implacably opposed to any cable car no matter what the details are of the proposal - and also those who are whole-heartedly supportive, no matter the details of that proposal.

That is their right. But in my view, both those positions on the cable car are unhelpful and unwise.

Should the cable car ever come before the Legislative Council, all the details should be assessed on their merits, taking into account all the available evidence, and if that evidence is inadequate, obtaining the required information.

The Legislative Council's key activity is law-making. A hard-working elected member should be thoroughly occupied scrutinising government activity and undertaking a dispassionate, balanced, open-minded and objective analysis of legislation.

I believe my credentials and my professional experience of 32 years in private legal practice provide the skillset which is required for this role.

I am concerned that with the retirement of the sitting member for Nelson, Jim Wilkinson, there will be no lawyers left in the Council.

Activists fulfill an extremely worthwhile role in society - shining the light on issues, and seeking to persuade others to their point of view. However, that role should be confined to the community, not the Legislative Council.

Many candidates are also campaigning on what they can do for the seat of Nelson.

Very admirable - to a point. The Member for Nelson must not only take into account impact on Nelson residents, but as a member of the parliament of Tasmania, have a statewide focus.

All candidates campaign on the basis of being a voice for their electorate. But how can a member be an effective voice if they have already reached firm positions on issues, reflecting only the views of a portion of their electorate?

To be an effective voice, it is necessary to know and understand the electorate, in all its many and unique parts.

I have lived and worked in Nelson for the past 35 years. I am truly independent and have spent my working life interpreting legislation. I believe that is what Nelson needs.

Robert Manning, Independent Candidate for Nelson

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