

# **Submission to the Senate Education and Employment Legislation Committee Inquiry into the Australian Tertiary Education Commission Bill 2025**

# Capacity Statement

I submit this response in my personal capacity as a student of the University of Sydney, and therefore a participant in the higher education system of Australia.

Though I hold the position of Fellow of the University of Sydney Senate, this submission:

- does not reflect the views of the University of Sydney, its Senate, its management, or any university governance body;
- relies exclusively on public information, personal experience, and publicly available research; and
- should be understood solely as my own perspective as a student, union member, activist, and elected student representative.

I take seriously the fiduciary duties associated with my role , and nothing in this submission is derived from non-public Senate discussions or confidential materials.

# 1. Introduction

The *Australian Tertiary Education Commission (ATEC) Bill 2025* represents one of the most significant reorganisations of higher education governance in decades. It responds to real, long-running failures in the current system: fragmentation, inequity, funding volatility, and the marketisation of public education.

But it also risks entrenching another model that concentrates power without democratising it; centralises oversight without redistributing material resources; and expands managerial governance without empowering the people who make universities function – students and staff.

My submission advances three core propositions:

**1. Stewardship cannot be technocratic.**

Real system stewardship requires participatory governance, democratic accountability, and material redistribution – not merely new performance metrics or compact oversight.

**2. The Bill's equity mechanisms lack structural force.**

Without legislated requirements for redistribution of funding, staffing conditions, and cost-of-living supports, “equity objectives” risk becoming symbolic.

**3. The Bill risks consolidating the corporatised university model.**

The Group of Eight universities, including the University of Sydney, have been shaped by three decades of New Public Management, reliance on international student revenue, and managerial centralisation. ATEC, if not democratically constituted, may reinforce this system rather than reform it.

My analysis focuses on how the Bill affects:

- governance;
- equity and access;
- labour conditions;
- First Nations self-determination;
- marketisation; and
- democratic accountability.

## 2. The Structural Crisis of Australia's Universities

### 2.1 The consequences of marketisation since the Dawkins reforms

The Dawkins reforms of the late 1980s initiated a transformation from public institutions to quasi-corporate actors competing for revenue, rankings, and research funding.

This shift has led to:

- excessive reliance on fee-paying international students;
- massive executive salary escalation;
- unprecedented managerial expansion;
- erosion of collegial governance;
- casualisation of the academic workforce; and
- rising levels of student and staff surveillance, performance management, and metrics-driven compliance.

These dynamics are not theoretical. They are visible daily to students, staff and public observers. They are documented in the Higher Education Standards Panel's own reports, TEQSA publications, NTEU research, and independent scholarship.

The Bill, while attempting to create coherence, risks leaving this underlying political economy intact.

### 2.2 The University of Sydney as an example of national trends

Because the Bill will affect major public institutions, it is appropriate to discuss them. All examples provided below are based on publicly available material and widely reported facts.

At the University of Sydney, as at other Group of Eight universities:

- Over half of all teaching is carried out by insecure academic staff.
- The university recorded surpluses exceeding \$1 billion during the pandemic years while conducting mass redundancies.
- Rising student-to-staff ratios have reduced teaching quality and academic support.
- The campus is increasingly shaped by corporate partnerships and consultancy-led strategies rather than collegial discipline-based governance.

These patterns reflect national issues, not institutional failings: universities are responding to incentives created by Commonwealth policy.

A new national steward must not reinforce these incentives.

## 3. Analysis of the ATEC Bill

### 3.1 Centralisation

ATEC is given sweeping powers: compact negotiation, performance assessment, systemic advice, reporting, and future authority over enrolment allocations.

Yet:

- No staff or student representatives are mandated as Commissioners.
- Advisory committees are non-binding.
- Commissioners are appointed solely by the Minister.
- There is no mechanism for community participation or accountability.

This risks replicating a top-down managerial logic. It is inappropriate for a national steward to be structurally shielded from the democratic input of those most affected.

#### **Recommendation:**

Legislate that at least one Commissioner must be:

- a democratically elected student representative;
- a democratically elected staff representative;
- and that advisory committees include voting student and staff members.

### 3.2 Mission-based compacts

While the Bill frames compacts as collaborative, they clearly function as instruments of managerial oversight:

- ATEC may assess performance, suspend compacts, or apply default compacts.
- Compacts will include “expectations,” creating quasi-contractual obligations.
- Institutions will face new reporting burdens, especially smaller or regional universities.

For large institutions like the University of Sydney, compacts may reinforce reputational hierarchies that already distort national equity and regional development priorities.

Compacts must not become a new form of compliance-driven New Public Management.

#### **Recommendation:**

All compact performance indicators should be co-designed with:

- students;
- staff unions;
- First Nations communities;
- regional communities.

### 3.3 Equity objectives

The Bill establishes a “National Tertiary Education Objective,” emphasising equity across First Nations, disabled, low-SES, and regional cohorts.

But:

- There is no statutory requirement for targeted funding.

- No mandate for disability access investment.
- No recognition of student housing insecurity.
- No obligation to lower HECS/HELP indexation or cap debt burdens.
- No funding for cost-of-living or welfare supports.
- Without redistribution, equity remains aspirational.

**Recommendation:**

Embed equity weightings and minimum standards into the legislation itself, including obligations for universities to materially support disabled students, regional pathways, and First Nations students.

## 3.4 International student management and political risk

Future amendments will give ATEC power to allocate international student commencements.

Without safeguards, this invites:

- political interference;
- racialised narratives about “foreign students”;
- destabilisation of university budgets without replacement public funding.

International students are not revenue instruments; they are members of the community, and their presence enriches campuses academically, culturally, and socially.

**Recommendation:**

Any caps must be paired with substantial replacement government funding and anti-racist legislative protections.

## 3.5 Labour conditions

Australia’s universities rely on an academic precariat.

At my own university, and across the Group of Eight:

- up to 70% of undergraduate teaching is performed by insecure workers;
- casual staff experience wage theft, unpaid hours, and high turnover;
- workloads for permanent staff continue to escalate.

The Bill mentions “quality” but makes no attempt to guarantee the labour conditions that underpin quality.

**Recommendation:**

Legislate that compact performance indicators must include:

- levels of secure academic employment;
- staff-student ratios;
- protections for academic freedom and union participation.

## 3.6 First Nations participation

The creation of a First Nations Commissioner is welcome but insufficient.

The Bill does not grant:

- collective decision-making authority for First Nations communities;

- mechanisms of co-governance;
- or recognition of Indigenous knowledge systems beyond consultation.

This is misaligned with the principles of self-determination and Indigenous leadership recommended in the Universities Accord Final Report.

**Recommendation:**

Make the First Nations Advisory Committee's approval a prerequisite for certain classes of decisions, especially those affecting First Nations students, communities, and knowledge.

## 4. Recommendations

### 4.1 Democratise ATEC governance

Legislate that at least one Commissioner must be:

- a democratically elected student representative;
- a democratically elected staff representative;
- and that advisory committees include voting student and staff members.

### 4.2 Establish compact indicators only through participatory co-design

All compact performance indicators should be co-designed with:

- students;
- staff unions;
- First Nations communities;
- regional communities.

### 4.3 Legislate material equity funding

Embed equity weightings and minimum standards into the legislation itself, including obligations for universities to materially support disabled students, regional pathways, and First Nations students.

### 4.4 Protect international students from political interference

Any caps must be paired with substantial replacement government funding and anti-racist legislative protections.

### 4.5 Secure labour reforms through ATEC compacts

Legislate that compact performance indicators must include:

- levels of secure academic employment;
- staff–student ratios;
- protections for academic freedom and union participation.

### 4.6 Strengthen First Nations co-governance

Make the First Nations Advisory Committee's approval a prerequisite for certain classes of decisions, especially those affecting First Nations students, communities, and knowledge.

## 5. Conclusion

The ATEC Bill presents real opportunities. Whether it becomes a vehicle for democratising and rebuilding public education, or simply a new technocratic scaffolding over the corporatised university, depends on how it is amended.

Australia deserves a tertiary education system that is genuinely public and democratic. This Bill can move us toward that future, but only if strengthened substantially.