

**THE ROYAL SOCIETY OF TASMANIA, NORTHERN BRANCH
ADDRESS AS GUEST SPEAKER
BY
HER EXCELLENCY THE HONOURABLE BARBARA BAKER AC
GOVERNOR OF TASMANIA
QUEEN VICTORIA MUSEUM AND ART GALLERY, INVERESK
SUNDAY 22 FEBRUARY 2026**

Good afternoon. Thank you for your invitation to speak with you about my role as Governor.

The role can be encapsulated into three areas of work: constitutional, ceremonial and community. I shall say a little on each, though they are not evenly allocated in my time. Also, there is no such thing as a “usual or normal” day, as the Governor.

There is another word – “controversial”. May I suggest that if you are hoping for “controversial”, I must disappoint you, as that is something that a Governor should assiduously and carefully avoid.

Introductory Remarks

When I was appointed as the 29th Governor of Tasmania and the second woman [1], several people told me it was a “cushy” role, with a light workload and good remuneration. I can say that the latter is correct, but the former is not. May I note that in the 2024-25 financial year, the Governor and the Lieutenant Governor participated in 556 official events.[2] Of course, there are other duties, such as planning and other internal duties.

It is hard for me to fathom that it was nearly five years ago that I began my term as Governor and moved into Government House with my husband, two dogs, and some clothes and books.¹ Time has flown, and we have very much enjoyed the privilege. I say “we”, not in the Royal plural, but because Don has been a great support, coming to all my events, talking to thousands of people, and becoming an expert tour guide of Government House Tasmania and the gardens. I am sure there will be much that we may miss after 15 June!

The appointment of the Governor, as I am sure you may know, is made by The King on the advice of the Premier. The Governor is appointed at The King’s pleasure, so there is no fixed

¹ The *Government House Land Act 1964* provides that the land described therein is dedicated for the purpose of the residence of the Governor.

term.² A five-year term is usual, but this can be shortened or extended by agreement between the Governor and the Premier. The Governor is The King's representative in Tasmania and exercises His powers and functions, except for the power to appoint and terminate the appointment of the Governor.³ The Governor is not subject to the direction or supervision of The King, and the King does not play a day-to-day role in the government of Tasmania.

The Governor's role has three main parts. May I first concentrate on the constitutional part of the role.

1. Constitutional

The Governor derives authority from s7(1) of the *Australia Act 1986*. This provides that "Her Majesty's representative in each State shall be the Governor." The office of the Governor exists by virtue of the Letters Patent 2005. The Commission of appointment authorises, empowers and commands the Governor to exercise the powers contained in the Letters Patent. Other powers are vested in the Governor by Acts of Parliament and by conventions established over time.

Traditionally, there are three aspects of the Governor's constitutional functions. First, as protector of the system of parliamentary democracy and responsible government, second, as part of the Parliament and third, in presiding over the Executive Council. May I say a little about each.

1.1 Protector of Parliamentary Democracy and Responsible Government

The essential constitutional role of the Governor is to ensure that a democratically elected government always holds office and does so under the rule of law.⁴

The principles of responsible government require that a Governor act on ministerial advice. This principle is given statutory force in most powers given to the Governor by statute as it is provided by s43 of the *Acts Interpretation Act 1943*.⁵

² Clause I Letters Patent, 21 November 2005.

³ *Australia Act, 1986 (Cth)*.

⁴ Peter Boyce, *The Queen's Realms*, (The Federation Press 2008) p2.

⁵ In any Act the expression "the Governor" shall mean "the Governor of this State acting with the advice of the Executive Council."

However, when exercising a reserve power, the Governor can act on his/her own without or contrary to the advice of his/her responsible minister, although governed by accepted conventions. Other than these powers, a Governor can exercise discretionary powers to refuse to act in breach of the Constitution or the law.

These reserve powers include:

- the power to dissolve or to refuse to dissolve the House of Assembly; and
- the power to appoint and dismiss Premiers.

After a general election, it is usually straightforward for the Governor to ask the leader of the party with a majority of members to form a government. However, if the election result is a hung parliament, where no political party wins a majority of seats, this becomes more difficult. The convention is for the Governor to appoint as Premier the person who holds, or is most likely to hold, the confidence of the lower House.⁶ The appointment of the Premier also involves the grant of a commission to that person to form a government.⁷

During my term, I have exercised a reserve power on several occasions:

In 2024, Premier Rockliff requested me to dissolve the House of Assembly for an election, some 15 months early.⁸ (The previous general election was held on 19 May 2021.)⁹

The accepted convention is that where the Government is not facing a no-confidence motion on the floor of the House, the Governor should follow the advice of the Premier unless there are extreme or exceptional circumstances. (The question of what constitutes extreme circumstances has not been clearly answered by convention.¹⁰ Reasonable minds have differed.¹¹)

⁶ Anne Twomey, *The Veiled Sceptre*, (Cambridge University Press, 2018) 116, 117, citing SA de Smith and Rodney Brazier, *Constitutional and Administrative Law* (Penguin Books, 8th ed, 1998) 168.

⁷ Twomey, above 117, citing Vernon Bognador, *The Coalition and the Constitution* (Hart Publishing, 2011) 13.

⁸ "The Governor, by proclamation, may prorogue Parliament or dissolve the Assembly, whenever he shall deem it expedient so to do, but shall not have the power to dissolve the Council" *Constitution Act 1934* (Tas), s12(2).

⁹ The term for the House of Assembly is 4 years, unless it is sooner dissolved by the Governor. -s23(2) *Constitution Act 1934*.

¹⁰ The Hon William Cox, *The Exercise of the Reserve Powers of the Governor of Tasmania* [2011] <https://classic.austlii.edu/au/journals/SGSocUphAUCon/2011/2.html>, accessed 20/02/2026.

¹¹ Ibid (discussion about the opinions provided to Governor Sir Phillip Bennett in 1989).

The government had commenced its term in majority in 2021, but had been in minority since May 2023. It was arguable that there was a workable Parliament, but the stability of the government was sufficiently doubtful, with no possibility of a stable alternative government being formed for a reasonable period.¹² I was not satisfied that there were compelling or extreme circumstances to depart from the convention that the Governor ought to accept the Premier's advice to dissolve the House. I accepted the advice and dissolved the House.

After the 2024 election, the Premier advised that he could command the confidence of a majority of the House of Assembly members and form a government. I reappointed the Premier and granted him a commission to form a government.

A more recent example of my exercise of a reserve power was in respect of the 2025 Tasmanian election, after a no-confidence motion against Mr Rockliff, moved by the Opposition Leader, Mr Winter, was carried. Premier Rockliff did not resign as Premier and requested that I dissolve the House of Assembly. I told the Premier that I needed time to consider this. As part of this consideration, I took into account:

- that an election had been held recently in March 2024;
- whether an alternative government could be formed by the Opposition party (having 10 members) with the support of other members, which would avoid an election. If an alternative government were not possible, the House could not function, and I would have no choice but to dissolve it.[3]
- I spoke separately with both Mr Rockliff and Mr Winter as part of this consideration. (I did not speak with the Leader of the Greens. A letter from the Leader of the Greens to Mr Winter advising him that the Greens were ready to offer supply and confidence to him as Premier was made public on the Greens' website.)

I concluded that there was no real possibility of an alternative government being formed.

As noted by highly respected constitutional expert, Professor Anne Twomey, "it is a serious matter to refuse a dissolution, and there is a risk that if it is refused to one Premier and another Premier appointed, the second Premier will also lose confidence of the House and the Governor will be forced to give the second Premier the dissolution that he refused to the first."¹³ [4]

¹² The Leader of the Opposition had made it clear publicly that she would only govern in majority.

¹³ Anne Twomey, *The Governor-General's Role in the Formation of Government in a Hung Parliament* (2011) 22 PLR 52, p 64.

The 2025 election result meant that any government formed by the commissioned premier would govern in minority.[5] Mr Rockliff was the last leader to have held the confidence of the House (Mr Winter never gained confidence). The incumbent Premier, notwithstanding as caretaker, advised me that he expected to be able gain the confidence of the House. I accepted his advice and followed the convention that the incumbent has the right to remain in office, to face the parliament and to test the numbers on the floor. I recommissioned Mr Rockliff. The House of Assembly was to sit promptly, some 13 days later, on 19 August 2025. [6]

In addition, I have twice considered requests to prorogue Parliament (arguably a reserve power) for about three days each time, to enable countbacks after members of Parliament had resigned. In each case, I had to consider whether this was ‘expedient’ to do so. On both occasions, the Government was expected to win a seat on the countbacks. I accepted the advice to prorogue Parliament. It was for a short period on each occasion, and there was no motion of no confidence before the House.

1.2 Part of the Parliament

The second part of the Governor’s constitutional role is as part of our Parliament.¹⁴ I summon the Parliament to sit, open Parliament after an election, give Royal Assent to Bills of Parliament, dissolve the House of Assembly for the purpose of holding elections, issue writs for elections and sign the return of the writs, containing the certified results.

Turning to the practical aspect of Royal Assent, I am given copies of the Bills and the Second Reading speeches several days before the President of the Legislative Council with the Clerk of the Council (or the Speaker of the House and Clerk of the House if an Appropriation or money Bill) present the Bills to me. I read the Second Reading Speeches and peruse the Bills. I may ask questions or seek clarification from the relevant minister before assent.

At the assent appointment, the Clerk gives me a message from the Attorney-General stating that the Bill has passed all legislative stages and that it is “in order to give assent”.

After Royal Assent is given, by signing the Bill “in the name of His Majesty,” I sign messages to each Chamber that assent has been given. A notice of the Royal Assent is published in the Gazette. The Bill has become an enforceable law. [7]

¹⁴ Section 12 *Constitution Act 1934*

1.3 Executive Council

The third part of the constitutional role is to preside over the Executive Council.¹⁵ The Premier and the Ministers form the Executive Council.

The Council is the supreme executive authority in Tasmania and gives legal effect to regulations, proclamations, and appointments of judges, magistrates, and senior statutory positions. These are approved by the Governor on the advice of the Executive Council.

As I have said, principles of responsible government require that a Governor act on ministerial advice, unless exercising a reserve power. However, the application of the principle of responsible government may conflict with the rule of law, which holds that the executive government, including the Governor, must act in accordance with the Constitution and the law.

Former Governor, the late Honourable Sir Guy Green, argued that a Governor in Council can refuse to act on advice if it is unlawful. He made the point that a Governor's obligation to ensure that the actions being taken are lawful does not extend to undertaking a full legal analysis of any proposed action or making a final determination of the lawfulness of such an action in the way a court does.¹⁶ What the Governor must ensure is that the processes of the Executive Council and the advice given satisfactorily address the question of legality.

In this regard, let me put these principles into practice. Several days before each meeting, I receive the agenda items, accompanying papers, and a briefing from the Clerk of the Executive Council. The advice from the relevant minister for each item sets out what I am being asked to do, the source of power to take that action, and the particulars of any conditions that must be satisfied before the power can be exercised.

If not satisfied, the Governor can take practical steps such as querying the advice or obtaining legal advice. This should resolve the issue, as the legal opinion may either remove doubts about the constitutionality of the proposed action or prompt the government to withdraw the advice.¹⁷

¹⁵ Clause VII Letters Patent 21 November 2005.

¹⁶ Sir Guy Green, *Governors, Democracy and the Rule of Law*, Menzies Oration on Higher Education, University of Melbourne 29 October 1999. Green, p 7.

¹⁷ Twomey, p 694.

During my term, I have found that any queries I have raised have either led to the item's withdrawal from the meeting agenda until it can be checked, remedied or led to an amendment to legislation.

In addition, I have sought legal advice from the Solicitor General on several occasions. Any matters have thus far always been resolved. [8]

2. Ceremonial Role

Turning to my ceremonial role, this includes the formal swearing-in of the Premier and Government Ministers, Judges and senior office holders.

Government House is also the venue for investiture ceremonies for honours, awards and medals. Investitures for the Order of Australia occur twice each year, with the Australia Day list and the King's Birthday list. The Governor also presents awards to Scouts and Girl Guides and attends commemorative events such as Anzac Day and Remembrance Day and delivers speeches at significant State ceremonies.

At Government House Tasmania, we hold an annual Order of St John of Jerusalem Investiture, when I wear a flowing black mantle of the Order and the eight-pointed white cross.

I also attend and conduct official inspections and ceremonies, including parades of Graduate Police Officers at the Tasmania Police Academy.

Since the late 1980s, Government House has regularly hosted many diplomats, Ambassadors, High Commissioners, and other dignitaries during their official State visits. These visits are unique to Government House Tasmania and occur around once a month. They provide opportunities to promote Tasmania's business, education and cultural activities. The Ambassadors are always impressive, sometimes speaking up to five or six languages. Last year, we hosted Ambassadors of the European Union, Finland, Belgium, Indonesia, and the United Arab Emirates, as well as the High Commissioners for Singapore and for India.

In my ceremonial role, in May 2023, I had the honour of representing our State at the Coronation of Their Majesties, King Charles III and Queen Camilla. The service was inclusive, with representatives from multiple faiths. The Australian Governors sat just ten rows behind our Governor-General. We could clearly see The King and Queen and other members of the Royal Family arrive. The foreign Royals sat opposite us, so we could see them

Crown Prince Frederik and Crown Princess Mary. I was surprised to see world leaders walk past us to take their seats, well behind us, particularly President Macron and his wife. Such are the “upgrade” benefits of our Commonwealth membership!

A few days later, I was granted an audience with His Majesty. At last-minute advice from The King, Don also attended my audience. We spoke about topics of mutual interest, about our community garden, our extensive tree plantings at Government House, and His Majesty’s personal plantings in 1974 and 1994. His Majesty’s commitment to the environment and sustainable living is widely acknowledged.

In July 2024, as part of my ceremonial role, I officially named the new *Spirit of Tasmania V* in Rauma, Finland. [9]

3. Community Engagement

May I turn to my third “C” role, and busiest-time commitment, of community engagement. To give you an idea of the number of events, in the last financial year, there were around 71 receptions, morning and afternoon teas at Government House, 16 school visits to Government House, 12 forums, lectures, fundraising, and musical events, 129 official callers, and 148 external events. 183 speeches were delivered.

Through this part of the role, the Governor aims to encourage and recognise high and dedicated achievement in community service, education, industry, the arts, and sport. Governors have become involved in the activities of many community and charitable organisations. This part of the role is an invaluable opportunity to meet people and organisations around our State. Additionally, through our social media, information about my community activities can be accessed across the State.

The Governor’s community engagement activities include visiting all Tasmania’s Councils during the five-year term; acting as Patron of over 130 charities and not-for-profit organisations; attending statewide events for local, state or national organisations; opening international or national conferences; visiting schools and aged care homes; hosting receptions at Government House, for example for community organisations, conference delegates, educational bodies, and for significant anniversaries.

I have hosted formal dinners for various groups, including representatives from our arts, science education, and health sectors, as well as our 29 Mayors, to acknowledge their contributions to

Tasmania and strengthen their connections. I have also hosted lunches for those patronages focused on youth, health, and women's issues.

I have hosted charitable initiatives to support vulnerable Tasmanians. I commenced an annual International Women's Day fundraiser lunch, raising funds for women's organisations such as the Hobart Women's Shelter, Women's Legal Service Tasmania, and this year through Rotary for women suffering from gynaecological cancer. Last year, I also hosted a King's Birthday fundraiser lunch for the Beacon Foundation, an organisation that supports youth in gaining employment.

In addition, we hosted TasPride events to mark the 2025 and 2026 TasPride Festival, showing support for the LGBTIQ+ community.

During my term, we have worked with the Department for Education, Children and Young People (DECYP) on a project to enhance civic learning. This resulted in an educational program for Grade 5/6 students, incorporating pre-visit learning activities and guided tours of the State Rooms. I discuss the role of the Governor and our system of government with the students. After completing this pilot program, we received an increased number of school visits later in 2025. It is anticipated that this initiative will expand access to Government House and will increase school visits this year.

In 2022, a community garden was established at Government House, specifically for the School Food Matters Program, which provides nutritious lunches for primary school children across Tasmania.

In addition to this Program, our Government House Kitchen team, using produce from our main vegetable and fruit gardens, provides hundreds of prepared meals to various charities during Homelessness Week, and fortnightly donations to organisations such as the Hobart Women's Shelter and Sexual Assault Support Service.

Another initiative, "Lunch on the Lawns" and "Family Day" at Government House, has been an opportunity for members of our community, albeit around Hobart, to bring a picnic lunch and enjoy the gardens and the music of the Army, Navy Bands, the Police or the Derwent Valley Pipe Bands.

I have accepted additional patronages, including the Tasmanian Bike Collective, the PCYC, the School Food Matters Program, Epilepsy Tasmania and the JackJumpers basketball team.

My community engagement role is rewarding, interesting, and always varied— from opening and participating in the annual Aboriginal MannaLargenna Day events; to opening a Cuboree for scouts, as the Chief Scout in Tasmania. I have been to a firing range for army cadets, on a Globe 17 aircraft, a submarine, navy ships, tall ships, the Antarctic icebreaker RSV *Nuyina* and have stepped up into a Bushmaster.

As Governor, I am continually impressed by the extensive voluntary work within our communities. This part of my role gives me regular opportunities to express our thanks to the many, many individuals and organisations for their contributions.

There is always something to learn. When someone laughed at my plan to open a Budgerigar Show, I could report a Royal connection and that over 50,000 budgerigars were exported from Australia to England in the late 19th century because of their popularity. The late Queen Elizabeth had over 100 of them, kept as free-flying birds that returned to their regal cages at Windsor Castle whenever they wished!

Office of the Governor

The Governor could not perform these duties without the support of the Official Secretary, the Deputy Official Secretary and all the wonderful support staff employed by the Office. Additionally, the Governor is assisted by a permanent Aide-de-camp and eight honorary aides.

Highlights

May I briefly turn to some of the efforts of which I am pleased. In regard to the constitutional part of my role, there have been no controversies in respect of the discharge of these duties, although it is difficult for the public to understand that I do not have a magic wand to fix problems in Parliament. It is, of course, the role of the Governor not to become embroiled in politics.

The role of Governor involves formality and tradition but can be carefully balanced with modernity. As part of this modernity, I have aimed to increase Tasmanians' access to Government House by welcoming diverse groups and introducing new programs.

I am pleased that, during my term, I have, with the support of the Office, modernised communication at Government House, including expanding social media and, for the first time, the appointment of a senior media and communications advisor. A Facebook page was created

to share photos of the Governor's engagement with our communities. Not only does this increase information about the Governor's role but may also help the public better understand it. Access to information about the role and activities for people across our State has increased. An example is the post on our Facebook page offering short reasons for the reappointment of Mr Rockliff as Premier after the 2025 election. The first-time employment of a senior IT person has also helped improve access.

I am pleased to have introduced works by contemporary Tasmanian artists into the foyer and hall at Government House, giving the artists recognition and increasing their public exposure. Government House acquired an Aboriginal artwork by Belinda Casey, which is displayed in the front foyer alongside a collaborative work of *caradi (friendship)* by Lola Greeno and Natalie Holtsbaum.

I have met thousands of Tasmanians and have learned about our communities and the many achievements of Tasmanians, whether in volunteering, business innovation, academia, education, sports, or the arts. Discovering beautiful gardens and historical buildings throughout Tasmania has been wonderful.

As for events, being Patron of and opening the annual Mannalargenna Festival in Tebrakunna in the north-east of Tasmania; taking the salute at the Tall Ships sail past at the Wooden Boat Festival; and unveiling the statues of Tasmanian opera star Amy Sherwin last week have been particular highlights. It was also a great privilege to attend the Coronation and the launch of *Spirit V* in Finland. There are many more, too many to mention, and this talk must end. On that note, I shall conclude with what I think are some lighter moments.

Lighter Moments

Being called Her Majesty, Her Honour, and Governor-General. The top award goes to *Her delicatessen!!!*

I was surprised to be included in the weekend papers as a quiz question – ‘Barbara Baker is Governor of which state?’

When I was in the Drawing Room at Government House Tasmania pre- recording a speech for a crime fiction festival, a police car roared past with its siren blasting. The attendees at the crime fiction festival a week later were most impressed.

During a reception for the Bicentenary of the Supreme Court of Tasmania, one of our border collies ran into the ballroom, to the consternation of many lawyers.

At an event at St John's Park, I was seated waiting to give an address, when the organiser of the event kept me safe from several cockroaches crawling around my feet.

Many questions from school students – for example, *who is your boss?*

One last matter: What are the Difficult Parts of the role?

At times, keeping my personal views to myself. It is important to represent all Tasmanians and to be non-partisan and neutral.

Sometimes it is hard to be in the public glare. If published material is inaccurate or unfair, it is hard not to respond, but it is wise not to do so, as this can lead to further commentary.

It is well time I stopped. Thank you for your patience, and best wishes to the Royal Society.

Notes

[1] I wanted to continue modernising the role that my predecessors had started. To do that, I considered that Government House, Tasmania, should become more accessible to the public. Soon after starting in the role, it became apparent that many people did not understand the Governor's role. So, I started to talk about the role when appropriate.

[2] Annual Report 1 July 2024 – 30 June 2025. I was absent for 49 days when the Lieutenant Governor administered.

[3] The constitutional position, when a government has been in office but has been defeated in a no confidence motion *and* the Premier has advised a dissolution, is that the Governor may either grant the dissolution or refuse a dissolution and instead commission another person to form a government and carry on the government of the State without an election.¹⁸

¹⁸ Anne Twomey, *The Governor-General's Role in the Formation of Government in a Hung Parliament*, (2011) 22 Public Law Review 52.

[4] The Canadian King/Byng affair is often referred to in such cases, when in 1926, the Governor-General refused a dissolution to one party while granting it to another.¹⁹

[5] The result of the election was that the Liberal Party won 14 seats, the Labor Party 10, the Greens 5, independent members 5 and the Shooters, Fishers and Farmers Party 1.

[6] The *Constitution Act 1934*,(s8B), provides that a Minister of the Crown ceases to hold office as a Minister, 7 days following the day of the return of the writs (5 August, the date of return of writs) unless reappointed. A convention is that a State must not be without a government, so an appointment had to be made before 13 August and, thus, before the sitting date of 19 August 2025. The Premier and Ministry were sworn in on 11 August 2025.

[7] Last financial year, I granted *Royal Assent* to 44 Bills.

[8] Last financial year, I presided over 24 Executive Council meetings.

[9] Last financial year, I officiated at 29 swearing-in, investiture and presentation ceremonies, recognising achievement and service across the Tasmanian community.

¹⁹ Ibid p. 64.