



Knowmore
Legal Service

Quality and safety of Australia's early childhood education and care system

Submission to the Education
and Employment
References Committee

3 October 2025

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About Knowmore

Our service

Knowmore Legal Service (Knowmore) is a nation-wide, free and independent community legal centre providing legal information, advice, representation and referrals, education and systemic advocacy for victims and survivors of child abuse. Our vision is a community that is accountable to survivors and free of child abuse. Our aim is to facilitate access to justice for victims and survivors of child abuse and to work with survivors and their supporters to stop child abuse.

From 2013 to 2018, our service assisted people who were engaging with or considering engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). From 1 July 2018, Knowmore has delivered legal support services to assist survivors of institutional child sexual abuse to access their redress options, including under the National Redress Scheme (NRS). Knowmore also delivers financial counselling services to people participating in the NRS, and works with other services in the NRS support network to support and build their capability. Since 2022, Knowmore has also been assisting survivors who experienced child sexual abuse in non-institutional settings, and providing legal and financial counselling support to people engaging with the Territories Stolen Generations Redress Scheme (Territories Redress Scheme).

Knowmore uses a multidisciplinary model to provide trauma-informed, client-centred and culturally safe legal assistance to clients. Knowmore has offices in Sydney, Melbourne, Brisbane, Perth, Adelaide and Darwin. Our service model brings together lawyers, social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide coordinated support to clients.

Knowmore is funded by the Commonwealth Government, represented by the Departments of Attorney-General and Social Services and the National Indigenous Australians Agency.

Our clients

In our Royal Commission-related work, from July 2013 to the end of March 2018, Knowmore assisted 8,954 individual clients. The majority of those clients were survivors of institutional child sexual abuse. Almost a quarter (24%) of the clients assisted during our Royal Commission work identified as Aboriginal and/or Torres Strait Islander peoples.

Since the commencement of the National Redress Scheme for survivors of institutional child sexual abuse on 1 July 2018 to 30 June 2025, Knowmore has received 219,650 calls to its 1800 telephone line and has completed intake processes for, and has assisted or is currently assisting, 22,660 clients. Almost 2 in 5 clients (39%) identify as Aboriginal and/or Torres Strait Islander peoples. About 1 in 9 clients (11%) are classified as priority clients due to advanced age and/or immediate and serious health concerns including terminal cancer or other life-limiting illness.

Knowmore's submission

Our call for national leadership

As a nation-wide community legal centre assisting victims and survivors of child abuse, Knowmore calls for national leadership to keep children safe in early childhood education and care. We hope that the Education References and Employment References Committee will make strong, evidence-based recommendations, informed by the significant work that has already been done by previous inquiries, including the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission).

In recent months, there have been many news reports about allegations of child abuse in early childhood education and care.¹ While the recent round of reporting has been kickstarted by allegations of widespread abuse in Victoria,² we know that the issue is not limited to Victoria, nor is it new.

For more than ten years, Knowmore has been assisting victims and survivors across Australia to understand their rights, and explore their legal and justice-making options. Many of our clients experienced sexual abuse in early childhood education and care. For many victims and survivors, helping to improve systems and prevent harm is an important part of their healing journey – they are motivated to come forward because they do not want anyone else to experience the same harms and injustice that

¹ See, for example, Benita Kolovos, *Melbourne childcare worker charged with sexual abuse offences as 1,200 children to be tested for infectious diseases*, The Guardian, 1 July 2025, accessed 15 September 2025, <www.theguardian.com/australia-news/2025/jul/01/melbourne-childcare-worker-charged-child-sexual-abuse-ntwnfb>; Lottie Twyford, *Affinity Education childcare worker charged with indecent treatment of child at Brisbane centre*, ABC News, 17 July 2025, accessed 15 September 2025, <www.abc.net.au/news/2025-07-17/indecent-treatment-childcare-centre/105540888>; Jessica Kidd, *Calls for tightening of safety training after Sydney children care centre abuse allegations*, ABC News, 1 August 2025, accessed 15 September 2025, <www.abc.net.au/news/2025-08-01/sydney-outside-school-hours-care-children-charges-offences-afp/105598416>.

² See Benita Kolovos, *Melbourne childcare worker charged with sexual abuse offences as 1,200 children to be tested for infectious diseases*.

were a part of their childhoods. Many years from the Royal Commission, it is devastating for us and our clients to see this issue continue at such a horrific scale.

While the Royal Commission has driven significant change, many sound recommendations remain outstanding from this landmark inquiry and others. In relation to this, we echo the comments of the National Children's Commissioner Anne Hollonds in July 2025, following the news of a childcare worker alleged to have sexually abused numerous children in Victoria:

This is not the first time and it won't be the last, unless governments across the federation take urgent action to implement the evidence-based recommendations from numerous inquiries over the past decades that will help keep our children safe.³

Knowmore welcomes the recent attention to safety in early childhood education and care by many governments across Australia. However, we are concerned that the commitment to action falls significantly short of what we know is required to prevent child abuse, ensure safety, and provide justice to victims and survivors.

As a nation-wide problem, safety in early childhood education and care requires a coordinated, nation-wide approach. In August 2025, we wrote an open letter to the Attorneys-General, calling for cooperation between federal, state and territory governments to implement the required reforms.⁴ In the present inquiry, we emphasise the need for the Australian Government to play a leadership role.

Our submission has 3 parts:

- First, we make general comments, relevant to the inquiry as a whole, about the widespread, ongoing problem of abuse in early childhood education and care, and the need for national leadership to keep children safe from harm.

³ Australian Human Rights Commission, *National Children's Commissioner calls for urgent action on 'safer' childcare*, 2 July 2025, <humanrights.gov.au/about/news/media-releases/national-childrens-commissioner-calls-urgent-action-safer-childcare>.

⁴ Knowmore, *Open letter to Attorneys-General: a call for nation-wide leadership to keep children safe in childcare*, 4 August 2025, <[Knowmore.org.au/open-letter-to-attorneys-general-a-call-for-nation-wide-leadership-to-keep-children-safe-in-childcare/](https://knowmore.org.au/open-letter-to-attorneys-general-a-call-for-nation-wide-leadership-to-keep-children-safe-in-childcare/)>.

- Second, we outline reforms to keep children safe in early childhood education and care.
- Third, we make comments about improving support for victims and survivors of child sexual abuse, noting victims' and survivors' experiences of the legal system, the importance of free legal assistance and wraparound support, and the importance of redress.

Recommendations

Recommendation 1

The Australian Government must lead a coordinated, nation-wide response to keep children safe from harm in all places, including early childhood education and care. This response must be evidence-based, informed by the significant work that has already been done by previous inquiries, including the Royal Commission into Institutional Responses to Child Sexual Abuse.

Recommendation 2

The Australian Government should implement the following reforms as a priority to further support coordinated, nation-wide action to keep children safe in all places:

- appointing a federal Cabinet Minister for Children
- establishing a Ministerial Council for Child Wellbeing
- establishing a National Early Childhood Education Reform Commission
- passing a National Children's Act and an Australian Human Rights Act.

Recommendation 3

Federal, state and territory governments should continue to work together through the Standing Council of Attorneys-General to urgently implement nationally consistent working-with-children checks, reflecting best practice standards.

In considering what constitutes best practice standards for working-with-children checks, governments should have regard to the recommendations of previous inquiries and reviews, including the *Working with children checks* report of the Royal Commission into Institutional Responses to Child Sexual Abuse and the Victorian Rapid Child Safety Review.

Recommendation 4

The South Australian and Northern Territory governments should urgently establish reportable conduct schemes, reflecting best practice standards.

In considering what constitutes best practice standards for reportable conduct schemes, governments should have regard to the recommendations of previous inquiries and reviews, including the Royal Commission into Institutional Responses to Child Sexual Abuse in volume 7 of its final report and the Victorian Government's review of Victoria's reportable conduct scheme.

Recommendation 5

The Australian Government should lead work with state and territory governments to implement nationally consistent reportable conduct schemes, reflecting best practice standards.

Recommendation 6

The Australian Government should lead work with state and territory governments to ensure nation-wide implementation and enforcement of the Child Safe Standards and the National Principles for Child Safe Organisations.

Recommendation 7

In addition to the Australian Government passing a National Children's Act and an Australian Human Rights Act (see recommendation 2), all state and territory governments should pass comprehensive human rights laws to better protect the human rights of children, victims and survivors.

Recommendation 8

The Australian Government should work with state and territory governments to amend the National Quality Framework for education and care services to require national mandatory child safety training for all early childhood education and care workers. In amending the National Quality Framework, consideration should be given to recommendations from previous inquiries and reviews, including the Royal Commission and the Victorian Rapid Child Safety Review. In particular, the National Law in each jurisdiction should require training to be completed regularly by all individuals working within early childhood education and care settings, including volunteers and individuals in non-educator roles.

Recommendation 9

The Australian Government should lead work with state and territory governments to address the staff shortage affecting the early childhood education and care sector, including by ensuring adequate pay to attract and retain suitably qualified staff.

Recommendation 10

The Australian Government should lead work with state and territory governments to ensure adequate funding of all child safety regulators in Australia. This will require an increase in funding for many of the relevant regulators.

Recommendation 11

The Australian Government should lead work with state and territory governments to set and implement a 10-year strategy to fundamentally reform the early childhood education and care strategy. This strategy should move away from a for-profit model of early childhood education and care.

Recommendation 12

The Australian Government should lead work with state and territory governments to implement a national information exchange scheme. The national information exchange scheme should enable direct information-sharing for child safety purposes between relevant organisations, both within and across jurisdictions.

Recommendation 13

The Australian Government, and all state and territory governments, should ensure that victims and survivors of child sexual abuse have access to free, independent and trauma-informed legal assistance and wraparound support in relation to the comprehensive range of legal issues that victims and survivors experience.

Recommendation 14

The Australian Government should work with state and territory governments on a national framework for redress and/or reparation schemes. This should include developing knowledge around best practices, scheme design and administration (consistent with recommendation 29 of the previous Joint Standing Committee on Implementation of the National Redress Scheme).

Developing a national framework for redress and/or reparation schemes should form part of planning for the end of the National Redress Scheme. As with planning for the end of the National Redress Scheme broadly, developing a national framework for redress and/or reparation schemes should take place via a transparent process and should be in partnership with victims, survivors and Redress Support Services.

General comments relevant to the inquiry as a whole

We make general comments below, relevant to the inquiry as a whole, about the following matters:

- the widespread, ongoing problem of abuse in early childhood education and care.
- the need for national leadership to keep children safe from harm in all places, including early childhood education and care.

The widespread, ongoing problem of abuse in early childhood education and care

Dr Erin Harper from the University of Sydney has described the data about abuse in childcare services as 'messy and difficult to track'.⁵ However, it is clear that there is a systemic problem, exposing children in early childhood education and care to an unacceptable risk of harm.

Some significant indicators of safety in early childhood education and care are provided by the independent national authority, the Australian Children's Education and Care Quality Authority (ACECQA). The ACECQA reports on the number of serious incidents (such as child injuries that requires medical attention) and confirmed breaches of regulations by children's education and care services.⁶ In 2023–24, there were 148 serious incidents per 100 approved services and 201 confirmed breaches per 100

⁵ Erin Harper, *How many serious incidents are happening in Australian childcare centres? We don't really know*, The Conversation, 3 July 2025, accessed 16 September 2025, <theconversation.com/how-many-serious-incidents-are-happening-in-australian-childcare-centres-we-dont-really-know-260410>.

⁶ Australian Children's Education and Care Quality Authority, *NQF Annual Performance Report*, December 2024, pp 12, 19 and 23, <www.acecqa.gov.au/sites/default/files/2024-12/2024-NQF-Annual-Performance-Report.pdf>.

approved services. Both the rate of serious incidents and the rate of confirmed breaches have increased over recent years.⁷

Incidents are likely to be under-reported for a range of reasons. As Dr Harper outlines, the relevant people in a childcare service may:

- not be aware that an incident has occurred
- not know that an incident is reportable
- not know how to properly report an incident
- choose not to report an incident due to a fear of investigation or scrutiny.⁸

The Royal Commission highlighted that child sexual abuse has been widespread in Australian institutions, affecting 'countless thousands' of children and 'occurring in almost every type of institution where children reside or attend for educational, recreational, sporting, religious or cultural activities'.⁹ This includes childcare services, including 'short-term and non-residential care for children at childcare centres, family day care and play groups'.¹⁰

The Royal Commission provided a detailed case study about a childcare worker who 'was able to groom and abuse a number of children without his conduct being reported'.¹¹ Importantly, the Royal Commission observed that the case study highlights systemic issues that 'relate both to organisations and the broader systems they operate under'.¹² The Royal

⁷ Australian Children's Education and Care Quality Authority, *NQF Annual Performance Report*, p 12.

⁸ Erin Harper, *How many serious incidents are happening in Australian childcare centres? We don't really know*.

⁹ Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission), *Final report: preface and executive summary*, December 2017, pp 1 and 5, <www.childabuseroyalcommission.gov.au/preface-and-executive-summary>.

¹⁰ Royal Commission, *Final report: volume 2, nature and cause*, December 2017, p 57, <www.childabuseroyalcommission.gov.au/nature-and-cause>.

¹¹ Royal Commission, *Report of case study no. 2: YMCA NSW's response to the conduct of Jonathan Lord*, June 2014, p 4, <www.childabuseroyalcommission.gov.au/sites/default/files/file-list/Case%20Study%202%20-%20Findings%20Report%20-%20YMCA%20NSW.pdf>.

¹² Royal Commission, *Report of case study no. 2: YMCA NSW's response to the conduct of Jonathan Lord*, p 121.

Commission also published narratives,¹³ which included the accounts of victims and survivors who experienced abuse in early childhood education and care.¹⁴

Child sexual abuse is obviously a severe violation of a child's human rights, with impacts extending across the victim or survivor's life. These include impacts on:

- physical health
- mental health
- relationships
- connection to culture
- education
- employment
- housing
- economic security.¹⁵

These impacts have significant flow-on effects – for victims and survivors, their families, governments, and people and communities in Australia broadly. Conversely, there are significant positive flow-on effects to preventing child sexual abuse, in addition to the most important consideration: the moral imperative to keep children safe from harm.¹⁶

The Royal Commission made 409 recommendations, the majority of which were directed to Australian governments (including federal, state and territory governments).¹⁷ Many of these recommendations are specifically directed towards:

¹³ Royal Commission, *Narratives*, accessed 16 September 2025, <www.childabuseroyalcommission.gov.au/narrative>.

¹⁴ See, for example, Royal Commission, *Libby and Craig's story*, accessed 16 September 2025, <www.childabuseroyalcommission.gov.au/narrative/libby-and-craigs-story>; Royal Commission, *Lincoln's story*, accessed 16 September 2025, <www.childabuseroyalcommission.gov.au/narrative/lincoln-johns-story>.

¹⁵ Royal Commission, *Final report: volume 3, impacts*, December 2017, pp 73–156 <www.childabuseroyalcommission.gov.au/impacts>.

¹⁶ See Royal Commission, *Final report: volume 6, making institutions child safe*, December 2017, p 42, <www.childabuseroyalcommission.gov.au/making-institutions-child-safe>; Royal Commission, *Final report: volume 3, impacts*, pp 202–234.

¹⁷ Royal Commission, *Final report recommendations*, December 2017, <www.childabuseroyalcommission.gov.au/recommendations>.

- making institutions (including early childhood education and care settings) child safe¹⁸
- improving institutional responding and reporting¹⁹
- improving record keeping and information sharing²⁰
- improving how working-with-children checks (WWCCs) work.²¹

Although Australian governments have made considerable reforms to address child sexual abuse, none have fully implemented all the relevant recommendations from the Royal Commission. In all jurisdictions, many recommendations remain unimplemented, to the detriment of children, victims and survivors.

In addition to the Royal Commission, there have been many relevant reviews and inquiries at the state and territory level. We note, in particular, the Rapid Child Safety Review in Victoria, which provided its report to the Victorian Government in August 2025.²²

In our view, the starting point for improving safety in early childhood education and care is the many sound recommendations that have already been made by previous inquiries. Our submission does not repeat all of those recommendations. Instead, we focus on the need for national leadership, highlighted by recent events.

The need for national leadership to keep children safe

As highlighted by our comments on page 6, our submission is informed by our experience as a nation-wide service, assisting victims and survivors of child abuse in all Australian jurisdictions. There are 2 striking features of the regulatory environment for safety in early childhood education and care:

¹⁸ Royal Commission, *Final report recommendations*, pp 4–16.

¹⁹ Royal Commission, *Final report recommendations*, pp 17–21.

²⁰ Royal Commission, *Final report recommendations*, pp 22–29.

²¹ Royal Commission, *Final report recommendations*, pp 63–72.

²² Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, August 2025, <www.vic.gov.au/rapid-child-safety-review>. See also Victorian Parliament, *Inquiry into the handling of child abuse by religious and other organisations: reports*, November 2013, <www.parliament.vic.gov.au/get-involved/inquiries/inquiry-into-the-handling-of-child-abuse-by-religious-and-other-organisations/reports/>; Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, *Report*, August 2023, <www.commissionofinquiry.tas.gov.au/report>.

the complexity of the regulatory environment and the significant inconsistencies between jurisdictions.

In each jurisdiction, there are many different regulatory frameworks that apply to safety in early childhood education and care. These regulatory frameworks may include, for example, the following:

- the National Quality Framework for education and care services (National Quality Framework), which varies in implementation across states and territories²³
- Child Safe Standards and the National Principles for Child Safe Organisations
- a working-with-children-check scheme²⁴
- a reportable conduct scheme
- a mandatory reporting law
- a 'failure to report' offence.²⁵

Most of the relevant regulatory frameworks are complex in their own right and this is only compounded when the interactions between them are considered. The frameworks overlap partially, but not fully, and typically differ both in terms of who the framework applies to and what the framework requires the person to do. Different frameworks also use different concepts. There is limited guidance on what a person should do when faced with unclear or conflicting requirements.

These challenges are multiplied for many organisations. This includes organisations that work across multiple sectors — for example, religious organisation that provide both out-of-home care and education

²³ See Australian Children's Education and Care Quality Authority, *National Law*, <www.acecqa.gov.au/nqf/national-law-regulations/national-law>.

²⁴ Royal Commission, *Working with children checks report*, August 2015, pp 19–20, <www.childabuseroyalcommission.gov.au/working-children-checks>.

²⁵ Royal Commission, *Final Report: Volume 7, Improving institutional responding and reporting*, 15 December 2017, p 56, <www.childabuseroyalcommission.gov.au/improving-institutional-responding-and-reporting>.

services.²⁶ It also includes organisations that work across state and territory borders. For example, organisations that deliver services in 2 or more jurisdictions need to comply with the many different regulatory frameworks that apply in each jurisdiction. Supposedly equivalent frameworks are often inconsistent across jurisdictions, adding to the complexity of the regulatory environment and creating further challenges for the implementation of effective measures to ensure safety in early childhood education and care.

Knowmore is particularly concerned by the resulting gaps in protection and the associated risk of jurisdiction-shopping by perpetrators. In 2017, the Royal Commission highlighted that weaknesses in the relevant regulatory systems were enabling perpetrators 'to move between jurisdictions and sectors, targeting the vulnerable'.²⁷ Now, more than 7 years later, the Attorney-General of Australia has commented:

*It is notable that nefarious individuals have been shopping around the Working with Children Check system and exploiting loopholes.*²⁸

There is no good reason for the delay in addressing these problems, which has occurred under successive governments at the federal, state and territory level. Solutions to these problems are long overdue and require national leadership. We make specific comments about working-with-children checks on pages 24 to 26.

In relation to the need for national leadership, we note that the federal, state and territory governments in Australia have all endorsed the National

²⁶ See generally Victorian Parliament, Family and Community Development Committee, *Betrayal of trust: inquiry into the handling of child abuse by religious and other non-government organisations*, November 2013, volume 1, p 143, <www.parliament.vic.gov.au/get-involved/inquiries/inquiry-into-the-handling-of-child-abuse-by-religious-and-other-organisations/reports/>.

²⁷ Royal Commission, *Final report: volume 8, recordkeeping and information sharing*, December 2017, p 214, <www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_8_recordkeeping_and_information_sharing.pdf>.

²⁸ Australian Government, Attorney-General's portfolio, *Press conference – Sydney*, 15 August 2025, accessed 18 September 2025, <ministers.ag.gov.au/media-centre/transcripts/press-conference-sydney-15-08-2025>.

Framework for Protecting Australia's Children (National Framework).²⁹ The National Framework recognises that all jurisdictions are responsible for working together to protect children in Australia, but in particular, that 'the Australian Government provides national leadership in improving the wellbeing of Australia's children, families and communities'.³⁰ As the Victorian Rapid Child Safety Review notes with respect to the need for national action:

*... the actions of Victoria alone will not fix the quality and safety issues in [early childhood education and care]. Significant national action is also required to drive a system of services that deliver safe and quality education and care to the nation's youngest children.*³¹

In Knowmore's view, the Australian Government must lead a coordinated, nation-wide response to keep children safe from harm in all places, including early childhood education and care. This response must be evidence-based, informed by the significant work that has already been done by previous inquiries, including the Royal Commission.

Recommendation 1

The Australian Government must lead a coordinated, nation-wide response to keep children safe from harm in all places, including early childhood education and care. This response must be evidence-based, informed by the significant work that has already been done by previous inquiries, including the Royal Commission into Institutional Responses to Child Sexual Abuse.

Of particular relevance to the need for a coordinated, nation-wide response, we note the following recommendations from the Australian Human Rights Commission (AHRC) and the Victorian Rapid Child Safety Review:

²⁹ Australian Government, *Safe and supported: The National Framework for Protecting Australia's Children 2021–2031* (National Framework), 2021, pp 2–3, <www.dss.gov.au/the-nationalframework-for-protecting-australias-children-2021-2031>.

³⁰ Australian Government, National Framework, p 15.

³¹ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p 3.

- appointing a federal Cabinet Minister for Children, with responsibility for the human rights and wellbeing of children in Australia³²
- establishing a Ministerial Council for Child Wellbeing, reporting to the National Cabinet³³
- establishing a National Early Childhood Education Reform Commission, prioritising national reforms relevant to early childhood education and care³⁴
- passing a National Children's Act and an Australian Human Rights Act.³⁵

We consider that the Australian Government should implement these reforms as a priority to further support coordinated, nation-wide action to keep children safe in all places.

Recommendation 2

The Australian Government should implement the following reforms as a priority to further support coordinated, nation-wide action to keep children safe in all places:

- appointing a federal Cabinet Minister for Children
- establishing a Ministerial Council for Child Wellbeing
- establishing a National Early Childhood Education Reform Commission
- passing a National Children's Act and an Australian Human Rights Act.

We make further comments about the need for a National Children's Act and an Australian Human Rights Act on pages 32 to 34.

³² Australian Human Rights Commission, *'Help way earlier! How Australia can transform child justice to improve safety and wellbeing (Help way earlier)'*, 2024, p 12, recommendation 2, <humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf>.

³³ Australian Human Rights Commission, *Help way earlier*, p 12, recommendation 3.

³⁴ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p 28, recommendation 3.

³⁵ Australian Human Rights Commission, *Help way earlier*, p 12, recommendation 4.

Reforms to keep children safe in early childhood education and care

Guided by our experience assisting victims and survivors of child abuse, and the recommendations of previous inquiries and reviews, Knowmore considers that the Australian Government should lead work with state and territory governments to implement a range of reforms to keep children safe in early childhood education and care. We discuss the following reforms below:

- nationally consistent working-with-children checks, reflecting best practice standards
- nationally consistent reportable conduct schemes, reflecting best practice standards
- nation-wide implementation and enforcement of the Child Safe Standards and the National Principles for Child Safe Organisations
- comprehensive human rights laws to better protect the human rights of children, victims and survivors
- regular, mandatory training for all workers in early childhood education and care
- addressing staff shortages in early childhood education and care
- increased funding for child safety regulators
- addressing the role of profit in early childhood education and care
- a national information exchange scheme, enabling direct information-sharing for child safety purposes between relevant organisations, both within and across jurisdictions.

We also emphasise the need to improve support for victims and survivors of child sexual abuse, including in the context of early childhood education and care. We make further comments about this on pages 49 to 59.

Nationally consistent working-with-children checks

As the Attorney-General's recent comments highlight (see page 20), limitations of the working-with-children check system are contributing to the widespread, ongoing problem of abuse in early childhood education and care. The Royal Commission made detailed comments about working-with-children checks in the *Working with children checks report* in August 2015.³⁶ The Royal Commission summarised Australia's working-with-children check system as follows:

*Each state and territory has its own scheme, and each of the eight schemes operates independently of the others. They are inconsistent and complex, and there is unnecessary duplication across the schemes. There is no integration of the schemes, and there is inadequate information sharing and monitoring of WWCC cardholders.*³⁷

Even ten years ago, action was long overdue, with the Royal Commission observing:

*These problems are not new and have been recognised by governments for some time. We believe that the absence of any action to fix these problems is a significant and inexcusable failure on the part of governments – these problems cannot continue to be ignored.*³⁸

Despite the Royal Commission's warning, there has not been adequate action by governments to improve consistency across Australian states and territories, and address gaps in protection. In addition to detailing specific weaknesses of Victoria's working-with-children-checks (as at 15 August 2025),³⁹ the Victorian Rapid Child Safety Review reiterated the need for a nationally consistent approach to working-with-children checks, with adequate standards in all states and territories.⁴⁰

³⁶ Royal Commission, *Working with children checks report*.

³⁷ Royal Commission, *Working with children checks report*, p 3.

³⁸ Royal Commission, *Working with children check report*, p 4.

³⁹ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, pp 37–43.

⁴⁰ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p 43.

We note that, on 15 August 2025, the Standing Council of Attorneys-General (SCAG) agreed to implement significant reforms to working-with-children checks, including the reforms outlined in the following table.⁴¹

Table: Reforms to working-with-children checks agreed to by the Standing Council of Attorneys-General in August 2025

Agreed reform	Critical date
Mutual recognition, across jurisdictions, of a decision to deny or revoke a working-with-children check	To be implemented by the end of 2025
Improving consistency across jurisdictions, including a consistent risk assessment framework and exclusion criteria	For consideration at SCAG in late 2025
Removing barriers to information sharing	Reporting back to SCAG in late 2025

We also note that the Australian Government has committed to establishing a secure system for continuous monitoring of working-with-children-check holders against new criminal history information.⁴² Knowmore broadly supports these planned reforms, which align with recommendations of the Royal Commission and the Victorian Rapid Child Safety Review.⁴³ We make further comments about information sharing on pages 46 to 48.

We recommend that federal, state and territory governments continue to work together through SCAG to urgently implement nationally consistent working-with-children-checks, reflecting best practice standards. In considering what constitutes best practice standards, governments should have regard to the recommendations of previous inquiries and reviews,

⁴¹ Standing Council of Attorneys-General, *Communique*, 15 August 2025, p 1, <www.ag.gov.au/sites/default/files/2025-08/scag-communique-15-august-2025.pdf>.

⁴² Standing Council of Attorneys-General, *Communique*, 15 August 2025, p 1.

⁴³ Royal Commission, *Working with children checks report*, pp 6–15; Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p 43, recommendation 6.

including the Royal Commission's *Working with children checks* report and the Victorian Rapid Child Safety Review.

Recommendation 3

Federal, state and territory governments should continue to work together through the Standing Council of Attorneys-General to urgently implement nationally consistent working-with-children checks, reflecting best practice standards.

In considering what constitutes best practice standards for working-with-children checks, governments should have regard to the recommendations of previous inquiries and reviews, including the *Working with children checks* report of the Royal Commission into Institutional Responses to Child Sexual Abuse and the Victorian Rapid Child Safety Review.

While Knowmore supports reforms to improve working-with-children checks, we also emphasise the Royal Commission's warning about the risk of over-relying on working-with-children checks:

While an important tool, WWCCs – in the absence of broader child-safe strategies – do not make organisations safe for children [WWCCs] can provide a false sense of comfort to parents and communities, and may cause organisations to become complacent due to the belief that people who have undergone WWCCs do not pose any risk to children – this is not the case.⁴⁴

This brings us again to the need for national leadership to keep children safe from harm in early childhood education and care (see pages 18 to 22) and to drive implementation of the full range of reforms outlined on page 23.

Nationally consistent reportable conduct schemes

The Royal Commission observed that there are 3 main obligatory reporting models in Australia: mandatory reporting, 'failure to report' offences and

⁴⁴ Royal Commission, *Working with children checks* report, p 3.

reportable conduct schemes.⁴⁵ As highlighted by our comments on page 19, the inconsistencies between these reporting models, both within and across jurisdictions, contributes to a complex regulatory environment in which there are significant challenges in implementing effective measures to keep children safe.

Reportable conduct schemes are particularly relevant to preventing and responding to institutional child sexual abuse, including in early childhood education and care. As the Royal Commission explained:

*In Australia, a reportable conduct scheme is the only model for independent oversight of institutional responses to complaints of child abuse and neglect across multiple sectors. Such schemes oblige heads of certain institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees. The schemes also oblige the oversight body to monitor institutions' investigation and handling of allegations.*⁴⁶

The Royal Commission recognised that independent oversight of allegation-handling by institutions contributes to child safety in the following ways:

- increasing institutions' competency, transparency and accountability in handling complaints of sexual abuse and other harmful conduct towards children
- ensuring greater consistency in how complaints are dealt with across institutions and sectors
- ensuring the risk of institutional child sexual abuse is addressed, including by ensuring that allegations come to the attention of regulatory authorities and the criminal legal system where appropriate.⁴⁷

We consider that reportable conduct schemes are especially important, given the failures by many institutions, including early childhood education

⁴⁵ Royal Commission, *Final report: volume 7, improving institutional responding and reporting*, p 9.

⁴⁶ Royal Commission, *Final report: volume 7, improving institutional responses and reporting*, p 19.

⁴⁷ Royal Commission, *Final report: volume 7, improving institutional responding and reporting*, p 247.

and care services, to respond appropriately to allegations of child sexual abuse. The Royal Commission made detailed comments about these failures in volume 7 of its final report,⁴⁸ noting that the leaders of institutions often prioritise the institution's reputation and legal interests over appropriate responses to child sexual abuse.⁴⁹ Knowmore therefore supports rigorous reportable conduct schemes in all states and territories to improve oversight of allegation-handling by all institutions, including early childhood education and care services.

All Australian states and territories, except South Australia and the Northern Territory, have passed laws to implement a reportable conduct scheme.⁵⁰ South Australia and the Northern Territory have fallen behind in not having a law of this nature. We recommend that the South Australian and Northern Territory governments urgently establish reportable conduct schemes, reflecting best practice standards. In considering what constitutes best practice standards for reportable conduct schemes, governments should have regard to the recommendations of previous inquiries and reviews, including the Royal Commission in volume 7 of its final report and the Victorian Government's review of Victoria's reportable conduct scheme.⁵¹

⁴⁸ Royal Commission, *Final report: volume 7, improving institutional responding and reporting*, pp 141–173.

⁴⁹ Royal Commission, *Final report: volume 7, improving institutional responding and reporting*, pp 142.

⁵⁰ *Children's Guardian Act 2019* (NSW); *Child Wellbeing and Safety Act 2005* (Vic); *Child Safe Organisations Act 2024* (Qld); *Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022* (WA); *Child and Youth Safe Organisations Act 2023* (Tas); *Ombudsman Act 1989* (ACT).

⁵¹ Royal Commission, *Final report: volume 7, improving institutional responding and reporting*, pp 22–26; Victorian Government, Department of Families, Fairness and Housing, *Review of Victoria's reportable conduct scheme: final report*, March 2024, pp 7–13, <www.parliament.vic.gov.au/4964f5/globalassets/tailed-paper-documents/tailed-paper-8192/review-of-victoria_s-reportable-conduct-scheme---final-report.pdf>.

Recommendation 4

The South Australian and Northern Territory governments should urgently establish reportable conduct schemes, reflecting best practice standards.

In considering what constitutes best practice standards for reportable conduct schemes, governments should have regard to the recommendations of previous inquiries and reviews, including the Royal Commission into Institutional Responses to Child Sexual Abuse in volume 7 of its final report and the Victorian Government's review of Victoria's reportable conduct scheme.

We note that the Royal Commission recommended that reportable conduct schemes be nationally consistent,⁵² providing detailed comments about the benefits of consistency.⁵³ We consider that the Australian Government should lead work with state and territory governments to implement nationally consistent reportable conduct schemes, reflecting best practice standards.

Recommendation 5

The Australian Government should lead work with state and territory governments to implement nationally consistent reportable conduct schemes, reflecting best practice standards.

Nation-wide implementation and enforcement of the Child Safe Standards and the National Principles

The Royal Commission proposed 10 Child Safe Standards to provide guidance to institutions about best practice in child safety and to lay 'the

⁵² Royal Commission, *Final report: volume 7, improving institutional responding and reporting*, p 283, recommendation 7.9.

⁵³ Royal Commission, *Final report: volume 7, improving institutional responding and reporting*, p 282.

foundation of a nationally consistent approach to children's safety in institutions'.⁵⁴ The Royal Commission recommended that institutions implement the Child Safe Standards,⁵⁵ and that state and territory governments pass laws to require compliance of institutions engaged in child-related work, including education and childcare services.⁵⁶

The Child Safe Standards have since been incorporated into the National Principles for Child Safe Organisations, which have been endorsed by the Australian Government and all state and territory governments.⁵⁷

The legal situation in relation to the Child Safe Standards and the National Principles for Child Safe Organisations is complex. However, it is clear that many early childhood education and care services are falling significantly short of compliance with these important standards and principles. The widespread, ongoing problem of abuse in early childhood education and care itself highlights this fact (see pages 15 to 18).

Further, many of the issues discussed in this submission illustrate inadequate compliance with the Child Safe Standards and the National Principles for Child Safe Organisations. For example, principle 5 requires that 'People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice'.⁵⁸ However, issues relating to working-with children checks, including an over-reliance on working-with children checks to ensure the suitability of staff (see pages 24 to 26 above), suggest inadequate compliance with principle 5. Likewise, principle 7 requires that 'Staff and volunteers are equipped with the knowledge, skills, awareness and training to keep children and young people safe through ongoing education and training'.⁵⁹

⁵⁴ Royal Commission, *Final report: volume 6, making institutions child safe*, pp 12 and 16.

⁵⁵ Royal Commission, *Final report: volume 6, making institutions child safe*, p 24, recommendation 6.4.

⁵⁶ Royal Commission, *Final report: volume 6, making institutions child safe*, p 28, recommendations 6.8 and 6.9.

⁵⁷ Council of Australian Governments, *National Principles for Child Safe Organisations*, accessed 24 September 2025, pp 6–7, <www.childsafety.gov.au/system/files/2024-04/national-principles-for-child-safe-organisations.PDF>.

⁵⁸ Council of Australian Governments, *National Principles for Child Safe Organisations*, p 6, principle 5.

⁵⁹ Council of Australian Governments, *National Principles for Child Safe Organisations*, p 6, principle 7.

However, issues relating to the training of workers in early childhood education and care (see pages 34 to 39 below) suggest inadequate compliance with principle 7.

If the Child Safe Standards and the National Principles for Child Safe Organisations are to be truly effective in driving 'a nationally consistent approach to children's safety in institutions', as envisioned by the Royal Commission,⁶⁰ there must be national leadership to ensure the standards and principles are consistently implemented in practice (see our comments about the need for national leadership on pages 18 to 22). We consider that the Australian Government should lead work with state and territory governments to ensure nation-wide implementation and enforcement of the Child Safe Standards and the National Principles for Child Safe Organisations.

Recommendation 6

The Australian Government should lead work with state and territory governments to ensure nation-wide implementation and enforcement of the Child Safe Standards and the National Principles for Child Safe Organisations.

We also note that comprehensive human rights laws would support the implementation of the Child Safe Standards and the National Principles for Child Safe Organisations. In relation to this, we emphasise principle 2:

*Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.*⁶¹

We make further comments about the need for comprehensive human rights laws below.

⁶⁰ Royal Commission, *Final report: volume 6, making institutions child safe*, p 16.

⁶¹ Council of Australian Governments, *National Principles for Child Safe Organisations*, p 6, principle 7. See also Knowmore, *Submission to the inquiry into Australia's Human Rights Framework*, July 2023, pp 12–14, <knowmore.org.au/wp-content/uploads/2023/08/submission-inquiry-into-australias-human-rights-framework-cth.pdf>.

Comprehensive human rights laws

The human rights of children in all parts of Australia are inadequately protected. This contributes to violations of children's human rights and inadequate responses when such violations occur, including in the context of early childhood education and care.

The inadequate protection of children's human rights is linked to the generally inadequate protection of people's human rights in Australia. The AHRC has described Australia's human rights protections as 'patchy', 'forming an incomplete and piecemeal framework, with many gaps'.⁶² The AHRC summarised the significance of these gaps as follows:

*The gaps in our legal coverage of human rights mean that there is not a consistent, principled and complementary framework for protecting human rights. Decision makers are not required to consider and act in accordance with human rights. There are limited avenues to seek review of government decisions or actions that violate a person's human rights.*⁶³

Similarly, in relation to children's rights, the AHRC has observed:

... legal protections of child rights in Australia continue to be piecemeal and inconsistent across the country and do not provide children with an effective remedy for any child rights violations ...

*There is currently no federal legislation that directly and adequately incorporates the full spectrum of child rights, and that can effectively hold the Australian Government to account for protecting child rights across the nation. Policy affecting children is uncoordinated, widely spread across portfolios, and there is a lack of monitoring and accountability for reform.*⁶⁴

⁶² Australian Human Rights Commission, *Free and equal: a Human Rights Act for Australia (Free and equal)*, December 2022, p 46, <humanrights.gov.au/sites/default/files/free_equal_hra_2022_-_main_report_rgb_0_0.pdf>.

⁶³ Australian Human Rights Commission, *Free and equal*, p 47.

⁶⁴ Australian Human Rights Commission, *Help way earlier*, p 29.

Given the focus of our work, we are especially concerned about the human rights implications of child sexual abuse. As noted on page 17, child sexual abuse is a severe violation of a child's human rights, with impacts extending across the victim or survivor's life. The impacts identified on page 17 all have further human rights implications, which are not adequately addressed by the existing laws in any Australian jurisdiction.

In Knowmore's view, comprehensive human rights laws are needed in all Australian jurisdictions to better protect the human rights of children and of victims and survivors of child abuse.

As noted on page 22, we recommend that the Australian Government pass a National Children's Act and an Australian Human Rights Act as a priority, consistent with the recommendation of the AHRC. We note that this also aligns with the recommendation of the Australian Parliament's Joint Committee on Human Rights in May 2024 that the Australian Government establish a Human Rights Act.⁶⁵

Victoria, Queensland and the Australian Capital Territory have already taken this important step to improve protection of people's human rights, including the human rights of children.⁶⁶ We implore other jurisdictions to follow suit and for all jurisdictions to work towards implementing the strongest possible model for protecting the human rights of children.

Knowmore has made detailed comments about the importance of human rights law for children, victims and survivors, including in a submission to the Australian Parliament's Joint Committee on Human Rights.⁶⁷ We recommend that, in addition to the Australian Government passing a National Children's Act and an Australian Human Rights Act, all state and territory governments should pass comprehensive human rights laws to better protect the human rights of children, victims and survivors.

⁶⁵ Australian Human Rights Commission, *Free and equal*, p 33; Australian Parliament, Parliamentary Joint Committee on Human Rights, *Inquiry into Australia's Human Rights Framework*, May 2024, pp 310–311, recommendation 2, <www.aph.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/HumanRightsFramework/Report>.

⁶⁶ *Charter of Human Rights and Responsibilities Act 2006* (Vic); *Human Rights Act 2019* (Qld); *Human Rights Act 2004* (ACT).

⁶⁷ Knowmore, *Submission to the inquiry into Australia's Human Rights Framework*.

Recommendation 7

In addition to the Australian Government passing a National Children's Act and an Australian Human Rights Act (see recommendation 2), all state and territory governments should pass comprehensive human rights laws to better protect the human rights of children, victims and survivors.

We also note that human rights standards require access to redress for the harm experienced by victims of crime.⁶⁸ We make further comments about the importance of redress for victims and survivors of child sexual abuse on pages 55 to 59.

Regular, mandatory training for all workers in early education and care

Under the National Quality Framework, each state and territory sets its own training requirements for workers in education and care services.⁶⁹ This contributes to inconsistencies in the quality and content of training across jurisdictions, including in relation to preventing and responding to child abuse. Reforms to establish nationally consistent child safety training should therefore be developed to help keep children safe in early childhood education and care settings across Australia.

In December 2017, the Royal Commission highlighted the 'gap in quality training for staff about protecting children from institutional child sexual abuse'.⁷⁰ In summarising the crucial role of training for staff in reducing the

⁶⁸ See, for example, Knowmore, *Submission to the independent review of Queensland's Human Rights Act*, 26 June 2024, pp 11–13, <www.knowmore.org.au/wp-content/uploads/2024/06/submission-independent-review-human-rights-act-qld.pdf>.

⁶⁹ *Education and Care Services National Law Act 2010* (Vic), s 162A. We note that the *Education and Care Services National Law Act 2010* (Vic) has been adapted by all other jurisdictions through an application act, with the exception of Western Australia, which has passed corresponding legislation (*Education and Care Services National Law Act 2012* (WA)).

⁷⁰ Royal Commission, *Final Report: Volume 6, Making institutions child safe*, p 291.

occurrence of child abuse in institutions, the Royal Commission observed the following:

We heard through our case studies, commissioned research and private sessions that education and training of staff and volunteers could have assisted with the prevention, detection and response to child sexual abuse. Education and training is a core strategy in improving an institution's capacity to protect children and can contribute to creating a child safe culture by clearly and consistently reinforcing the message that child safety is important. Institutions should ensure their staff and volunteers have the knowledge, skills and attitudes to effectively prevent, identify and respond to child sexual abuse within institutional contexts.⁷¹

It has been almost 8 years since the Royal Commission recommended reform to staff education and training to keep children safe in institutional settings.⁷² Despite this, there remain significant issues with training requirements for staff across the childhood education and care sector. This was highlighted by the ACECQA Review of Child Safety Arrangements under the National Quality Framework (the ACECQA Review) in December 2023, which recommended that the Education and Care Services National Law be amended to require mandatory child safety training for all staff that work with children.⁷³

The ACECQA Review was considered by all Australian Education Ministers during a meeting on 22 August 2025, when Ministers agreed to several reforms around child safety in early childhood education and care, as

⁷¹ Royal Commission, *Final Report: Volume 6, Making institutions child safe*, p 189.

⁷² See, for example, Royal Commission, *Final Report: Volume 6, Making institutions child safe*, pp 25–27, recommendation 6.6 and p 293, recommendation 6.11.

⁷³ Australian Children's Education and Care Quality Authority, *Review of Child Safety Arrangements under the National Quality Framework: Final Report – Findings and recommendations for the NQF and inter-related child safety mechanisms (Review of Child Safety Arrangements under the National Quality Framework)*, December 2023, p 11, recommendation 12, <www.acecqa.gov.au/sites/default/files/2023-12/Review%20of%20Child%20Safety%20Arrangements%20under%20the%20National%20Quality%20Framework-full_report.pdf>.

outlined in the *Decision Regulation Impact Statement*.⁷⁴ The Education Ministers acknowledged that there is a 'knowledge and training gap in the education and care sector, raising a potential risk to children where sector understanding and capability is inadequate and outdated'.⁷⁵ The Education Ministers agreed to further consider options for reforms, including legislative reform to require all staff working directly and indirectly with children to complete mandatory, nationally consistent child safety training.⁷⁶

In recent months, widespread allegations of child sexual abuse in early childhood education and care centres across Australia have demonstrated the urgent need to strengthen child safety training for individuals responsible for the care of children.⁷⁷ We have proposed reforms to address the gap in training for staff in early childhood education and care, below.

Drawing on guidance from the Royal Commission and the Victorian Rapid Child Safety Review, Knowmore considers that the following reforms should be made to training on child-safe practices for individuals working with children.

- The National Quality Framework for education and care services should be amended to provide for national mandatory child safety

⁷⁴ Australian Government (Department of Education), *National Child Safety Review Decision Regulation Impact Statement*, 8 September 2025, <www.education.gov.au/early-childhood/resources/national-child-safety-review-decision-regulation-impact-statement>.

⁷⁵ Australian Government (Department of Education), *National Child Safety Review Decision Regulation Impact Statement*, p 101.

⁷⁶ Australian Government (Department of Education), *National Child Safety Review Decision Regulation Impact Statement*, pp 101-129.

⁷⁷ See, for example, Benita Kolovos, *Melbourne childcare worker charged with sexual abuse offences as 1,200 children to be tested for infectious diseases*; Lottie Twyford, *Affinity Education childcare worker charged with indecent treatment of child at Brisbane centre*; Jessica Kidd, *Calls for tightening of safety training after Sydney children care centre abuse allegations*.

training for all individuals involved in the provision of early childhood education and care.⁷⁸

- The approach to training should be national, but with local training tailored to the relevant state and territory laws.⁷⁹ We make comments on pages 18 to 22, highlighting the need for greater consistency in the relevant state and territory laws.
- Individuals required to complete training should include volunteers and people who may not directly work with children, such as management and administrative or non-educator staff, with training to be tailored based on the person's role and degree of contact with children.⁸⁰
- Training should be reinforced continuously during an individual's engagement with the organisation.⁸¹
- Training should include education on the nature and indicators of child maltreatment (child sexual abuse), induction on the organisation's child safe strategies and practices, and broader child safety training.⁸²
- Training should also include clear guidance on how staff can report concerns, allegations and complaints, as part of a 'speak-up' culture. This should include how to anonymously report to regulators if staff do not feel supported to speak-up in their service.⁸³
- Staff should be provided cultural competency training to ensure early childhood education and care centres are welcoming and

⁷⁸ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 16, recommendation 20.1.

⁷⁹ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 16, recommendation 20.1.

⁸⁰ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 16, recommendation 20.1.

⁸¹ Royal Commission, *Final Report: Volume 6, Making institutions child safe*, p 194.

⁸² Royal Commission, *Final Report: Volume 6, Making institutions child safe*, p 189 and pp 212–214, recommendation 6.6.

⁸³ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 16, recommendation 22.

celebrate the diverse cultural identities of children and their families.⁸⁴

In addition to the above principles, we also consider that comprehensive training should be provided in relation to all regulatory frameworks that apply to safety in early childhood education and care, as listed on page 19.⁸⁵ For example, as of 15 August 2025, mandatory child safety training was not required as part of the application process for any state or territory working-with-children check.⁸⁶ In this regard, we support the recommendations of the Victorian Rapid Child Safety Review and the ACECQA Review that all applicants must complete mandatory online child safety training and testing before being approved for a working-with-children check.⁸⁷

We recommend that the Australian Government work with state and territory governments to amend the National Quality Framework for education and care services to require national mandatory child safety training for all early childhood education and care workers. In amending the National Quality Framework, consideration should be given to recommendations from previous inquiries and reviews, including the Royal Commission and the Victorian Rapid Child Safety Review. In particular, the National Law in each jurisdiction should require training to be completed regularly by all individuals working within early childhood education and care settings, including volunteers and individuals in non-educator roles.

⁸⁴ Royal Commission, *Final Report: Volume 6, Making institutions child safe*, p 195.

⁸⁵ The Royal Commission discussed the inadequacy of training on child safety regulatory frameworks for individuals working with children in institutions generally. See Royal Commission, *Final Report: Volume 6, Making institutions child safe*, pp 25–27, recommendation 6.6 and p 293, recommendation 6.11; Royal Commission, *Final Report: Volume 7, Improving institutional responding and reporting*, pp 9–11.

⁸⁶ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 42.

⁸⁷ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 9, recommendation 6.3; Australian Children's Education and Care Quality Authority, *Review of Child Safety Arrangements under the National Quality Framework*, p 12, recommendation 14.

Recommendation 8

The Australian Government should work with state and territory governments to amend the National Quality Framework for education and care services to require national mandatory child safety training for all early childhood education and care workers. In amending the National Quality Framework, consideration should be given to recommendations from previous inquiries and reviews, including the Royal Commission and the Victorian Rapid Child Safety Review. In particular, the National Law in each jurisdiction should require training to be completed regularly by all individuals working within early childhood education and care settings, including volunteers and individuals in non-educator roles.

Addressing staff shortages in early childhood education and care

The Victorian Rapid Safety Review noted that having enough suitable staff is the 'number one factor' that supports safety in early childhood education and care centres.⁸⁸ The Review particularly recognised the importance of the 'four eyes' principle – a policy adopted by 'quality services' requiring that 2 adults should be in eyesight of each other when with children. Many participants in the Victorian Rapid Child Safety Review heard that the 'four eyes' principle is the most effective safety measure in early childhood education and care centres.⁸⁹

Knowmore is deeply concerned that staff shortages in early childhood education and care may be impacting the ability of services to consistently implement the 'four eyes' principle.⁹⁰ We note that recent reviews of early childhood education and care have been consistently

⁸⁸ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 57.

⁸⁹ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 57.

⁹⁰ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 57.

raised concerns about staff shortages.⁹¹ For example, the ACECQA has commented that the sector is 'experiencing persistent and increasingly acute shortages of appropriately qualified early childhood teachers and educators'.⁹² This is reflected in early childhood education and care centres operating below their minimum staffing requirements,⁹³ and contributes to child safety risks, including the risk of child sexual abuse.

Given the significant, ongoing staff shortage affecting the early childhood education and care sector, it will not be effective to simply raise educator-to-child ratios, without also addressing the staff shortage.⁹⁴ We recommend that the Australian Government lead work with state and territory governments to address the staff shortage affecting the early childhood education and care sector, including by ensuring adequate pay to attract and retain suitably qualified staff.⁹⁵

⁹¹ Australian Government (Productivity Commission), *A path to universal early childhood education and care: Inquiry report – Volume 2 Supporting papers*, 28 June 2024, pp 130–132, <www.pc.gov.au/inquiries/completed/childhood/report/childhood-volume2-supporting.pdf>; Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 59; Australian Children's Education and Care Quality Authority, *Review of Child Safety Arrangements under the National Quality Framework*, pp 9–10.

⁹² Australian Children's Education and Care Quality Authority, *Review of Child Safety Arrangements under the National Quality Framework*, p 9.

⁹³ See, for example, Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, pp 57–63; Australian Children's Education and Care Quality Authority, *Review of Child Safety Arrangements under the National Quality Framework*, pp 47–50; United Workers Union, "I can't guarantee the safety of children": Early educators speak out, 9 July 2025, accessed 25 September 2025, <www.unitedworkers.org.au/media-release/i-cant-guarantee-the-safety-of-children-early-educators-speak-out/>.

⁹⁴ Educator-to-child ratios are based on the age and number of children being educated and cared for at a service and vary across each state and territory. For example, the educator to child ratio for children aged over 24 months and less than 36 months is 1 educator to 5 children in all states and territories excluding Victoria, where the ratio is 1 educator to 4 children; Australian Children's Education and Care Quality Authority, *Educator to child ratios*, accessed 24 September 2025, <www.acecqa.gov.au/nqf/educator-to-child-ratios>. See also Australian Government (Productivity Commission), *A path to universal early childhood education and care: Inquiry report – Volume 2 Supporting papers*, p 23.

⁹⁵ Australian Government (Productivity Commission), *A path to universal early childhood education and care: Inquiry report – Volume 2 Supporting papers*, p 119.

Recommendation 9

The Australian Government should lead work with state and territory governments to address the staff shortage affecting the early childhood education and care sector, including by ensuring adequate pay to attract and retain suitably qualified staff.

Increased funding for child safety regulators

Knowmore holds significant concerns that the funding of child safety regulators is not adequate for the regulators to carry out their functions, including in relation to safety in early childhood education and care.

In a recent inquiry into the early childhood education and care sector, the Australian Government's Productivity Commission explained:

The resources provided for regulators to carry out assessment and rating visits, alongside other functions, do not seem to be sufficient to allow for the current number of operating services to be assessed in a reasonable timeframe. Previously, through the National Partnership Agreement on the National Quality Agenda, the Australian Government provided funding to each state and territory government to support the operation of their regulatory authority. The most recent agreement expired in 2018, and was not replaced with any other mechanism for Australian Government funding ...

Inadequate resourcing, and the resulting inability of regulatory authorities to carry out core functions with sufficient frequency, needs to be addressed as a matter of priority.⁹⁶

A recent ABC News article further illustrated these issues in relation to Victoria's reportable conduct scheme, reporting that the scheme had recorded a 136% increase in notifications over a 7-year period, without an

⁹⁶ Australian Government, Productivity Commission, *A path to universal early childhood education and care (Inquiry report – volume 2: Supporting papers)*, p 500.

increase in funding, despite requests for more funding by the relevant regulator (the Commission for Children and Young People).⁹⁷

In our view, regulators must be appropriately resourced to address all notifications and to use the data collected to identify and address patterns of behaviour by individuals across multiple organisations.

The Productivity Commission recommended that the Australian Government 'provide additional funding to the state and territory regulatory authorities that administer the National Quality Framework, to allow sufficient monitoring of quality and support for quality improvement'.⁹⁸ This was echoed by the Victorian Rapid Child Safety Review in its recommendation for 'Funding for effective regulation'.⁹⁹

Knowmore supports these recommendations. Given the complex regulatory environment, we note that the relevant regulators are not limited to the regulators administering the National Quality Framework – they include the regulators administering all of the frameworks outlined on page 19.

We consider that the Australian Government should lead work with state and territory governments to ensure adequate funding of all child safety regulators in Australia. This will require an increase in funding for many of the relevant regulators.

⁹⁷ Josie Taylor, *Victoria's children's commissioner concedes 'no one' overseeing key decisions of office, Joshua Brown red flag*, ABC News, 19 July 2025, accessed 25 September 2025, <www.abc.net.au/news/2025-07-19/vic-childrens-commissioner-joshua-brown/105548902>.

⁹⁸ Australian Government (Productivity Commission), *A path to universal early childhood education and care (Inquiry report – volume 2: Supporting papers)*, p 502, recommendation 8.3.

⁹⁹ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p 54, recommendation 13.

Recommendation 10

The Australian Government should lead work with state and territory governments to ensure adequate funding of all child safety regulators in Australia. This will require an increase in funding for many of the relevant regulators.

In our view, the issue of funding for child safety regulators is closely linked to the issue of funding for support services that assist victims and survivors of child sexual abuse. Access to free legal assistance and wraparound support is particularly important for assisting victims and survivors to understand their legal options and assert their legal rights. We make further comments about the importance of free legal assistance and wraparound support on pages 52 to 55.

Addressing the role of profit in early childhood education and care

In our view, the for-profit model for early childhood education and care services has created incentives for providers to prioritise the financial interests of shareholders over their duty to keep children safe. Most early childhood education and care services are managed by private for-profit providers.¹⁰⁰ We recognise the important role that for-profit providers have played in expanding the supply of early childhood education and care in Australia over the past decade. However, this growth has led to a market driven by financial incentives rather than investment in quality and safety, increasing the risk of children experiencing abuse in care.¹⁰¹

Recent reviews and inquiries have highlighted many issues with for-profit early childhood education and care. For example, when compared to not-for-profit providers, for-profit providers in Australia tend to have:

¹⁰⁰ See Australian Children's Education and Care Quality Authority, *NQF Snapshot Q2 2025*, August 2025, p 8, <www.acecqa.gov.au/sites/default/files/2025-08/NQFSnapshotQ22025.pdf>.

¹⁰¹ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, pp 23–24; United Workers Union, *"I can't guarantee the safety of children": Early educators speak out*.

- lower quality ratings as assessed by regulators¹⁰²
- higher staff turnover¹⁰³
- more casual and part-time staff¹⁰⁴
- lower paid staff¹⁰⁵
- less qualified staff¹⁰⁶
- higher service fees.¹⁰⁷

We are particularly concerned by the impact of the for-profit model on staffing, due to the implications of inadequate staffing for child safety. We make further comments about this on pages 39–41.

The Productivity Commission explains the role of the for-profit model in contributing to issues of quality and safety in early childhood education and care:

*When a lower quality service can be offered without a risk to demand and profit for that service, providers will only invest in quality if they are forced to or have a non-commercial desire to do so ... Not-for-profit services face different incentives ...*¹⁰⁸

Without significant reforms to address the role of profit in early childhood education and care, too many services will continue to prioritise profit over safety in early childhood education and care.

¹⁰² Australian Government (Productivity Commission), *A path to universal early childhood education and care: Inquiry report – Volume 2 Supporting papers*, p 31; Australian Children's Education and Care Quality Authority, *NQF Snapshot Q2 2025*, p 14; Australian Children's Education and Care Quality Authority, *NQF Snapshot Q4 2020*, February 2021, p 17, <www.acecqa.gov.au/sites/default/files/2021-02/NQFSnapshot_Q4_2020.pdf>.

¹⁰³ Australian Government (Productivity Commission), *A path to universal early childhood education and care: Inquiry report – Volume 2 Supporting papers*, p 135.

¹⁰⁴ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 88.

¹⁰⁵ Australian Competition and Consumer Commission, *Childcare Inquiry Final Report*, December 2023, p 25, <www.accc.gov.au/system/files/childcare-inquiry-final%20report-december-2023_0.pdf>.

¹⁰⁶ Australian Competition and Consumer Commission, *Childcare Inquiry Final Report*, p 111.

¹⁰⁷ Australian Competition and Consumer Commission, *Childcare Inquiry Final Report*, p 84.

¹⁰⁸ Australian Government (Productivity Commission), *A path to universal early childhood education and care: Inquiry report – Volume 2 Supporting papers*, p 31.

We note that the Australian Government has passed a law to suspend or cancel Child Care Subsidy funding for centres failing to meet quality, safety and other compliance requirements under the National Quality Framework.¹⁰⁹ While Knowmore supports reforms to create incentives to improve safety in early childhood education and care, we are concerned that cutting funding will reduce access to early childhood education and care.¹¹⁰ In the context of a shortage of appropriate early childhood education and care services,¹¹¹ this may further limit the options for parents to remove their children from unsafe situations.

The Victorian Rapid Child Safety Review concluded that Australia's early childhood education and care system 'needs a 'fundamental reset', commenting that 'The market has been allowed to run too far, for too long'.¹¹² The Review recommended that the Australian Government 'set a 10-year strategy to fundamentally reform the [early childhood education and care]' system, reconsidering 'the current market model and reliance on the market' (among other things).¹¹³

Knowmore supports this recommendation. We consider that the Australian Government should lead work with the state and territory governments to set and implement the relevant strategy, and that the relevant strategy should move away from a for-profit model of early childhood education and care.¹¹⁴

¹⁰⁹ *Early Childhood Education and Care (Strengthening Regulation of Early Education) Act 2025* (Cth).

¹¹⁰ Matt Grudnoff, *The big reform that could make our childcare system cheaper and safer*, The New Daily, 4 August 2025, accessed 25 September 2025, <www.australiainstitute.org.au/post/the-big-reform-that-could-make-our-childcare-system-cheaper-and-safer/>.

¹¹¹ Australian Competition and Consumer Commission, *Childcare Inquiry Final Report*, pp 19–21.

¹¹² Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 24.

¹¹³ Jay Weatherill AO and Ms Pam White PSM, *Rapid Child Safety Review*, p 5.

¹¹⁴ See also Matt Grudnoff, *The big reform that could make our childcare system cheaper and safer*.

Recommendation 11

The Australian Government should lead work with state and territory governments to set and implement a 10-year strategy to fundamentally reform the early childhood education and care strategy. This strategy should move away from a for-profit model of early childhood education and care.

A national information exchange scheme

The Royal Commission summarised Australia's complex laws about information sharing, highlighting how these laws hinder efforts to prevent and respond to child sexual abuse:

The sharing of personal and sensitive information is restricted by obligations under privacy legislation, confidentiality or secrecy provisions in legislation governing the provision of services for children, and other laws. While all jurisdictions have some form of legislative or administrative arrangements to enable information sharing to protect children, these arrangements are limited in a number of ways, especially with respect to information exchange across state and territory borders.

Even where information sharing is legally permitted or required, there may be reluctance to share. Concerns about privacy, confidentiality and defamation, and confusion about the application of complex and inconsistent laws, can create anxiety and inhibit information sharing. Institutional culture, poor leadership and weak or unclear governance arrangements may also inhibit information sharing and, as a result, undermine the safety of children.¹¹⁵

Recognising the importance of information sharing for child safety, the Royal Commission recommended that federal, state and territory governments establish a national information exchange scheme to enable information related to the safety and wellbeing of children to be shared in

¹¹⁵ Royal Commission, *Final report: volume 8, recordkeeping and information sharing*, December 2017, pp 138–139.

and across Australian jurisdictions.¹¹⁶ In 2018, the Australian Government accepted this recommendation in principle, committing to 'prioritise collaboration with other jurisdictions to promote legislative and administrative arrangements for information sharing'.¹¹⁷

Despite this commitment in 2018, there has not yet been the necessary collaboration between governments to establish a national information exchange scheme of the type envisioned by the Royal Commission. In August 2025, the Victorian Rapid Child Safety Review has confirmed that issues with information sharing continue to impact the safety of children in early childhood education and care.¹¹⁸ Many of the recent news reports about allegations of child abuse in early childhood education and care have also highlighted issues with information sharing.¹¹⁹

As noted on page 25, SCAG has recently agreed to remove barriers to information sharing as part of its planned reforms to working-with-children checks.¹²⁰ Knowmore broadly supports these reforms (see our comments on pages 25 to 26).

In our view, Australia's present approach to information sharing is unnecessarily complex and contributes to a serious risk that information will not get where it needs to go. We recommend that the Australian Government should lead work with state and territory governments to implement a national information exchange scheme. The national information exchange system should enable direct information-sharing for child safety purposes between relevant organisations, both within and across jurisdictions.

¹¹⁶ Royal Commission, *Final report: volume 8, recordkeeping and information sharing*, p 239, recommendation 8.6.

¹¹⁷ Australian Government, *Response to the Royal Commission into Institutional Responses to Child Sexual Abuse*, 2018, p 25, <www.childsafety.gov.au/resources/australian-government-response>.

¹¹⁸ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, pp 46–48.

¹¹⁹ See, for example, Jessica Kidd, *Calls for tightening of safety training after Sydney children care centre abuse allegations*; Eden Hynninen and Josie Taylor, *Childcare giant Goodstart failed to report worker who was later investigated for alleged sexual assaults*, ABC News, 19 August 2025, <www.abc.net.au/news/2025-08-19/goodstart-childcare-sexual-assault-allegations-male-staff-member/105666322>.

¹²⁰ Standing Council of Attorneys-General, *Communique*, 15 August 2025, p 1.

Recommendation 12

The Australian Government should lead work with state and territory governments to implement a national information exchange scheme. The national information exchange scheme should enable direct information-sharing for child safety purposes between relevant organisations, both within and across jurisdictions.

Improving support for victims and survivors of child sexual abuse

As highlighted by our comments on page 17, child sexual abuse has severe, lifelong impacts, with significant ripple effects. The Royal Commission made detailed comments about the need for meaningful redress and appropriate support for victims and survivors of child sexual abuse.¹²¹ The children who experience sexual abuse today in early childhood education and care will need support to mitigate the harm done to them, heal from the abuse and to later make informed decisions about their redress and justice-making options.

They will also need support to navigate the support service system, which is complex and fragmented, with fractures typically reflecting the limitations of funding arrangements. The need for support often extends beyond the child who has experienced abuse. As the Royal Commission recognised, 'The need for support often extends to secondary victims, such as family members, carers and friends and others in the institution where the abuse occurred'.¹²² Knowmore is therefore concerned that the recent attention to improving safety in early childhood education and care has not been matched with similar attention to improving support for victims and survivors and their families.

Our comments below reflect the focus of our work, providing victims and survivors of child abuse with legal and related support. These comments address the following matters:

- victims' and survivors' experiences of the legal system

¹²¹ Royal Commission, *Redress and civil litigation report*, September 2015, <www.childabuseroyalcommission.gov.au/redress-and-civil-litigation>; Royal Commission, *Final report: volume 9, advocacy, support and therapeutic treatment services*, December 2017, <www.childabuseroyalcommission.gov.au/advocacy-support-and-therapeutic-treatment-services>.

¹²² Royal Commission, *Final report: volume 9, advocacy, support and therapeutic treatment services*, p 9.

- the importance of free, independent and trauma-informed legal assistance and wraparound support in relation to the comprehensive range of legal issues that victims and survivors experience
- the importance of redress for victims and survivors of child sexual abuse, including child sexual abuse perpetrated in early childhood education and care.

Strengthening protection of the human rights of children, victims and survivors is also essential to embedding a trauma-informed approach across the legal system. We have made comments about this on pages 32 to 34 above.

Victims' and survivors' experiences of the legal system

It takes great courage for victims and survivors of child sexual abuse to even approach the legal system, particularly as in many cases this is a system that has failed to protect them from harm as children. The impacts of child sexual abuse (outlined on page 17) are often interrelated and exacerbated by victims' and survivors' experiences of the legal system. In addition, victims and survivors often experience a lasting distrust of institutions, including government and legal institutions.¹²³ These impacts are cumulative, and create further barriers for victims and survivors in navigating a complex legal system.

Many victims and survivors of child sexual abuse achieve life-changing outcomes through the legal system. For example, we make further comments on page 57 about the often life-changing outcomes achieved by many of our clients under the National Redress Scheme (NRS). Despite this, many victims and survivors are let down by legal processes that are not survivor-focused – processes that are inaccessible, retraumatising and culturally unsafe. Many victims and survivors never receive justice for the abuse perpetrated against them as children, and many feel that the legal system only exacerbated the harm.

These issues are heightened for many victims and survivors of child sexual abuse who experience intersectional marginalisation – for example,

¹²³ Royal Commission, *Final report: volume 3, impacts*, pp 138–140.

Knowmore has previously made detailed comments about the barriers to accessing redress for Aboriginal and/or Torres Strait Islander survivors and survivors with disability.¹²⁴

Of particular relevance to the present inquiry, we highlight the significant barriers to navigating the legal system and accessing appropriate support for victims and survivors while they are children. These include:

- a lack of accommodation of children's communication needs¹²⁵
- the fact that children often depend on adults for care, support and access to legal services¹²⁶
- a lack of appropriate legal services and courts¹²⁷
- negative experiences of the legal system, which may be linked to other issues, such as the experiences of children in out-of-home care or in relation to the police¹²⁸
- limited protection of the human rights of children, victims and survivors (see our comments on pages 32 to 34).

In relation to children's experiences of services broadly, we note the following comments by Dr Kate Fitz-Gibbon in 2025 in a report engaged by the Royal Commission into Domestic, Family and Sexual Violence in South Australia:

¹²⁴ See Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 25–45, <www.knowmore.org.au/wp-content/uploads/2023/03/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme-cth.pdf>.

¹²⁵ Law Council of Australia, *The Justice Project Final Report – Part 1: Children and Young People*, pp 20–22, <www.lawcouncil.au/files/web-pdf/Justice%20Project/Final%20Report/Children%20and%20Young%20People%20%28Part%201%29.pdf>.

¹²⁶ Law Council of Australia, *The Justice Project Final Report – Part 1: Children and Young People*, pp 23–24.

¹²⁷ Law Council of Australia, *The Justice Project Final Report – Part 1: Children and Young People*, pp 26–29; Royal Commission into Domestic, Family and Sexual Violence, *With Courage: South Australia's vision beyond violence*, August 2025, p 499, <www.royalcommissiondfsv.sa.gov.au/_data/assets/pdf_file/0006/1174695/With-Courage-Report.pdf>.

¹²⁸ Law Council of Australia, *The Justice Project Final Report – Part 1: Children and Young People*, pp 24–25 and 38–89.

*... young people described feeling fearful, silenced, unsupported, and at times, invisible ... too many young people interviewed for this study detailed encountering disbelief, dismissal or delays. For numerous young people involved in this study, their decision to disclose their experience of violence resulted in the enactment of further harm against them.*¹²⁹

The combined impact of these issues is a legal system that often fails to provide adequate support to victims and survivors of child sexual abuse, including in the context of early childhood education and care.

The importance of free legal assistance and wraparound support

As highlighted on page 50, the legal system is complex and often inaccessible and retraumatising for victims and survivors of child sexual abuse. Many inquiries, over many years and across Australian jurisdictions, have highlighted the need to provide victims and survivors with greater support to navigate the legal system. For example, the Victorian Victims of Crime Commissioner (VOCC) made the following comments in a systemic inquiry into victim participation in the justice system in November 2023:

There have been sufficient reviews and inquiries, including reviews examining the existing system in depth, to demonstrate that the current approach to victim support is not meeting victims' needs.

...

Victims need, and deserve, a properly resourced victim support system that can provide the type of support they need, including in

¹²⁹ Dr Kate Fitzgibbon, *Silence and inaction: children and young people's experiences of violence and systemic failure in South Australia*, July 2025, p 77, <www.royalcommissiondfsv.sa.gov.au/publications/silence-and-inaction-paper>; Royal Commission into Domestic, Family and Sexual Violence, *With Courage: South Australia's vision beyond violence*, p 17.

*duration, intensity and specialisation. The current victim support system has already been found to be inadequate and falling short.*¹³⁰

In relation to legal assistance specifically, the Victorian Victims of Crime Commissioner commented that:

Findings relating to victims' unmet legal needs are not new.

...

*Victims' views, consultations with experts and stakeholders, and the overwhelming evidence from previous reviews and inquiries, support the VOCC's conclusion that enhanced legal advice and assistance is fundamental to victim participation in the justice system.*¹³¹

The Victorian Victims of Crime Commissioner recommended that the Victorian Government 'fund an enhanced victim support system in Victoria'¹³² and expand the existing Victims Legal Service in Victoria 'to provide victims with specialist, state-funded legal assistance in relation to the comprehensive range of legal issues that victims face'.¹³³ Knowmore supports these recommendations.

However, as a nation-wide service that assists victims and survivors of child sexual abuse, we are concerned by the gaps in assistance in all parts of Australia and recognise the importance of a nationally consistent response. In Knowmore's view, victims and survivors of child sexual abuse in all parts of Australia should have access to free, independent and trauma-informed legal assistance and wraparound support in relation to the comprehensive range of legal issues that victims and survivors experience. This is particularly important for ensuring that victims and survivors not only have meaningful access to legal options, but to the full

¹³⁰ Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, November 2023, p 360, <www.victimsofcrimecommissioner.vic.gov.au/media/lpufjx5h/silenced-and-sidelined_systemic-inquiry-into-victim-participation.pdf>.

¹³¹ Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, p 369 and 373.

¹³² Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, p 362, recommendation 17.

¹³³ Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, p 376, recommendation 21.

range of services that can assist victims and survivors with redress, justice and healing.

Some elements of such a service already exist, or will soon be piloted, in many parts of Australia.¹³⁴ However, there is not presently a service that provides free, independent and trauma-informed legal assistance and wraparound support in relation to the comprehensive range of legal issues that victims and survivors of child sexual abuse experience (see our comments about the complex and fragmented support service on page 49).

We envisage a comprehensive service assisting victims and survivors of child sexual abuse with at least the broad range of matters identified by the Victorian Victims of Crime Commissioner. In addition to those matters, the same comprehensive service should be funded to assist victims and survivors of child sexual abuse to understand and access their redress and compensation options (see further discussion on pages 52 to 55).

Based on our experience as a multidisciplinary service, we consider it essential for this legal assistance to be delivered by dedicated services that can provide wraparound support, recognising the impacts of child sexual abuse and the importance of a trauma-informed response (see pages 52 to 54). The following are key features of Knowmore's service delivery model that we recommend be embedded as good practice in the delivery of free, independent and trauma-informed legal assistance to victims and survivors:

- a targeted service that ensures funding is first used to assist victims and survivors who most need legal assistance and who are least able to otherwise access this assistance
- an integrated, multidisciplinary team that brings together lawyers, social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide a holistic, comprehensive response to clients' legal and associated non-legal needs

¹³⁴ See Knowmore, *Submission to the Australian Law Reform Commission Inquiry into justice responses to sexual violence*, 7 June 2024, pp 15–16, <www.knowmore.org.au/wp-content/uploads/2024/06/submission-justice-responses-to-sexual-violence-cth.pdf?trk=public_post_comment-text>.

- a supportive, client-centred culture that focuses on providing victims and survivors with assistance at a pace that is suitable for them
- staff and systems built on an understanding of the profound and life-long impacts of childhood trauma on clients' lives, to drive responses that are trauma-informed and appropriate
- a framework of Aboriginal and/or Torres Strait Islander cultural safety, which has an appreciation and conceptualisation of Aboriginal and Torres Strait Islander cultural knowledge as its own discipline at its centre.

In summary, Knowmore is a service that delivers targeted, joined-up, timely, appropriate, survivor-focused, trauma-informed and culturally safe legal assistance and other support to victims and survivors of child sexual abuse.¹³⁵ We consider this offers an invaluable and necessary model for properly supporting victims and survivors of abuse more broadly with the legal issues that they experience.

Recommendation 13

The Australian Government, and all state and territory governments, should ensure that victims and survivors of child sexual abuse have access to free, independent and trauma-informed legal assistance and wraparound support in relation to the comprehensive range of legal issues that victims and survivors experience.

The importance of redress for victims and survivors

As noted on page 34, human rights standards require access to redress for the harm experienced by victims of crime. This includes victims and survivors of abuse in early childhood education and care.

¹³⁵ The qualities of targeted, joined-up, timely and appropriate reflect what the Law and Justice Foundation of New South Wales has previously identified as the 4 key precepts of public legal assistance services. See Pascoe Pleasence, Christine Coumarelos, Suzie Forell, Hugh M. McDonald, *Reshaping legal assistance services: building on the evidence base*, A discussion paper, Law and Justice Foundation of New South Wales, April 2014, p iii, <www.victorialawfoundation.org.au/resources/reshaping-legal-assistance-services-building-on-the-evidence-base>.

Our further comments below are informed by our extensive experience assisting victims and survivors of institutional child sexual abuse to access the National Redress Scheme (see the discussion about our service on page 4). This experience has equipped us with a deep appreciation of the importance of redress for victims and survivors of child sexual abuse, as well as a keen understanding of how the National Redress Scheme can be improved.

Our comments below address the following matters:

- general comments about the National Redress Scheme
- the importance of meaningful redress and justice-making options beyond 1 July 2028.

General comments relevant to the National Redress Scheme

Australian governments established the National Redress Scheme in 2018, in response to recommendations from the Royal Commission. In explaining the need for redress, the Royal Commission noted the severe impacts of child sexual abuse, and concluded that civil litigation was not a feasible option for many victims and survivors of institutional child sexual abuse.¹³⁶ Holding institutions accountable was an important feature of the National Redress Scheme's design.¹³⁷ In relation to governments, the Royal Commission added:

*Governments may also have an additional level of responsibility because of their roles as regulators of institutions and government policies that encouraged or required the placement of children in institutions.*¹³⁸

The National Redress Scheme generally offers eligible victims and survivors:

- a redress payment of up to \$150,000, depending on the type of abuse experienced – the average payment is about \$89,000, with

¹³⁶ Royal Commission, *Redress and civil litigation report*, pp 91–92.

¹³⁷ Royal Commission, *Redress and civil litigation report*, p 248.

¹³⁸ Royal Commission, *Redress and civil litigation report*. P 248.

some victims and survivors receiving a higher payment, and some victims and survivors receiving a lower payment¹³⁹

- counselling and psychological care, and
- a direct personal response (that is, an apology or other recognition) from the institution(s) responsible for the abuse.

Knowmore advocates to improve victims' and survivors' access to and experience of the National Redress Scheme.¹⁴⁰ Nonetheless, for many victims and survivors, the redress they receive from the National Redress Scheme is life-changing. Our clients frequently tell us that their redress outcomes have helped to address the impacts of the child sexual abuse perpetrated against them. For example, some of our clients have used their redress payments to establish a stable housing situation, in turn providing them with the security to pursue education or employment opportunities. Many of our clients have also benefitted from the counselling and psychological care component of redress, experiencing improved mental health and relationships, with positive flow-on effects across their lives.¹⁴¹

The importance of meaningful redress and justice-making options beyond 1 July 2028

The National Redress Scheme will stop accepting applications in less than 2 years' time (on 30 June 2027) and end altogether in less than 3 years' time (on 1 July 2028).¹⁴² In our view, planning for the end of the National Redress Scheme must include planning to ensure that victims and survivors have ongoing access to meaningful redress and justice-making options beyond 1 July 2028. In this respect, we note the comments of the previous Joint Standing Committee on Implementation of the National

¹³⁹ Joint Standing Committee on Implementation of the National Redress Scheme (Joint Standing Committee), *Redress: journey to justice*, November 2024, p 17, paragraph 1.18, <www.parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/RB000213/toc_pdf/RedressJourneytoJustice.pdf>.

¹⁴⁰ Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services' management of the National Redress Scheme*, 3 June 2025, p 6, <www.knowmore.org.au/wp-content/uploads/2025/06/submission-dss-management-national-redress-scheme-cth.pdf>.

¹⁴¹ This is consistent with the Royal Commission's observations about the ripple effects of child sexual abuse. See Royal Commission, *Final report: volume 3, impacts*.

¹⁴² *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), sections 20(1)(e) and 193(1).

Redress Scheme (previous Joint Standing Committee) about redress and reparation schemes generally:

*There are a growing number of redress or reparation schemes around Australia. Their scope, eligibility and design have variations (or possibly overlap). Each is administered separately. This adds complexity to options available to survivors.*¹⁴³

This is consistent with our experience assisting victims and survivors of child abuse. We frequently see significant inconsistencies and complex interactions between various redress, reparation and support options for victims and survivors.¹⁴⁴ These inconsistencies and complexities are often confusing and distressing for our clients, who often feel that their redress, reparation and support options do not adequately recognise the harm done to them as children or meet their healing needs.

The previous Joint Standing Committee made the following recommendation relevant to improving the consistency and fairness of redress and reparation options across Australia.¹⁴⁵

Recommendation 29 of the previous Joint Standing Committee

The Committee recommends that the Australian Government work with state and territory governments on a national framework for redress and/or reparation schemes. This could include developing knowledge around best practices, scheme design and implementation.

Knowmore supports this recommendation. We consider that developing a national framework for redress and/or reparation schemes should form part of planning for the end of the National Redress Scheme. As with planning for the end of the National Redress Scheme broadly, we consider that developing a national framework for redress and/or reparation

¹⁴³ Joint Standing Committee, *Redress: journey to justice*, p 27, paragraph 1.141.

¹⁴⁴ See Knowmore, *Submission to the Australian Law Reform Commission Inquiry into justice responses to sexual violence*, p 47.

¹⁴⁵ Joint Standing Committee, *Redress: journey to justice*, November, p 27, recommendation 29.

schemes should take place via a transparent process and should be in partnership with victims, survivors and support services, including Knowmore and Redress Support Services.

Recommendation 14

The Australian Government should work with state and territory governments on a national framework for redress and/or reparation schemes. This should include developing knowledge around best practices, scheme design and administration (consistent with recommendation 29 of the previous Joint Standing Committee on Implementation of the National Redress Scheme).

Developing a national framework for redress and/or reparation schemes should form part of planning for the end of the National Redress Scheme. As with planning for the end of the National Redress Scheme broadly, developing a national framework for redress and/or reparation schemes should take place via a transparent process and should be in partnership with victims, survivors and Redress Support Services.

A national framework for redress and/or reparation schemes should include access to the legal and related support needed to effectively navigate the relevant redress and/or reparation schemes. We make further comments about this on pages 52 to 55.

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