



Speech by
Mr TERRY SULLIVAN
MEMBER FOR CHERMSIDE

Hansard 3 October 2000

CHILD CARE AMENDMENT BILL

Mr SULLIVAN (ChermSIDE—ALP) (4.31 p.m.): One measure of a good Government is the manner in which legislators care for the more vulnerable people in society. Among the most vulnerable are young children, and this Bill aims to protect our youngsters. I support the efforts of our Minister and the whole Beattie Government in bringing this much-needed legislation to the House.

Personal experience has demonstrated that changes were needed. My children are no longer young—they are tertiary, secondary and upper primary students—but in past years our family had access to occasional care when my wife did periods of short-term teaching relief. Our own experience convinced me that the quality of child care varied enormously and that some form of regulation was needed to bring below-standard carers up to a reasonable standard of care provision.

I take note of the comments of the member for Gladstone, who seemed to be giving credence to complaints from a very small sector of child-care groups. Her comments about more kids being able to give better emotional, social and intellectual development lacked credibility. If those carers who wrote to her really believe that, then why do they not do what people who look after large groups of children do—namely, four years of post-secondary study—and become fully qualified early childhood teachers who are trained specifically to handle large groups in specially designed and specifically equipped service centres? In a backyard circumstance they cannot claim to look after large numbers of children without formal training.

Honourable members should not pretend that more children equals better care. For commercial operators, more children equals better profits. I received letters, as did other members of this House, and that was an underlying message I could read between the lines. They did not want to do the work, take the steps or expend the money required to get formal qualifications, but they wanted to reap the profits.

Ms Bligh: They don't want to pay award wages.

Mr SULLIVAN: That is absolutely correct. In fact, one of my daughter's friends works in the child-care area. I know that she has difficulties with hours, with wages and with the conditions under which she works.

I saw terrible examples of lots of children being in one person's care, where they were fed chips and soft drinks while watching television, with limited or no play space and no organised activities. What the Minister and this legislation aim to do is stop that sort of abuse, which does occur.

My prior experience on the Board of Teacher Education, which people would now recognise as the Board of Teacher Registration, in ensuring that teachers were of good character, indicated to me that there were difficulties in trying to ensure proper steps to make sure that people of good character came into the profession. It was relatively easy in schools at which there were a number of teachers, parents and support staff in and out of the classrooms and the playground so that there was external supervision of the activity. But how can we possibly regulate care in an individual's home which is not open to public scrutiny? This Bill strikes a balance between the personal rights of the carer and the rights of the child in care. It also brings us into line with other States.

The member for Callide again showed in his contribution to the debate that he cannot be trusted to tell the whole truth about a situation. To say that public consultation was a farce and did not occur is simply not correct. There were more than 70 meetings held across the State, which is 70 more than the coalition had in the two years prior to the Beattie Government coming to power. The coalition in Government had absolutely no interest in this. It conducted no consultation. No steps were taken at all. Yet I know that this was on the agenda in the mid-1990s because I was on the then Minister's committee. It was being discussed.

Mr Seeney interjected.

Mr SULLIVAN: The member wants to talk, but he does not want to listen. That is typical of the member for Callide, unfortunately.

I know that this was on the agenda in the mid-1990s, because I was a member of the then Minister's committee. I was also on the shadow Minister's committee. We were being approached by people in the child-care area and they were saying there was a problem. If the member for Callide did just a tiny bit of homework, he would know that the coalition Minister took no steps to have public consultation and no steps to meet with the main providers in the industry. In fact, it was at that time that the Federal coalition was ripping the heart out of the child-care rebate.

The member's complaints ring hollow because he said that there should be different rules for the small country towns. By this does he mean there should be lesser standards set for the small country towns?

Mr SEENEY: Mr Deputy Speaker, I rise to a point of order. I have been particularly patient with the member for Chermside. I find his misconstruing of my comments offensive and I ask that they be withdrawn.

Mr DEPUTY SPEAKER (Mr Reeves): Order! The member for Chermside will withdraw those comments.

Mr SULLIVAN: I withdraw. In referring to small country towns the member for Callide said that they knew what to do, that they had a caring community and that they came to their own solutions. I can only wonder what those who so sadly lost their lives in, say, the Childers backpackers hostel fire would think about having lesser standards of care for people in small communities. We need fire and health and safety regulations in small country towns, where death and injury can occur just as they can occur in the large urban areas or in the regional cities. There is no difference between the child abuse that occurs in large urban areas such as Brisbane or the Gold Coast and that which occurs in a small country town or a regional town. If he believes that child abuse does not occur and has not occurred there, he has simply closed his eyes to historical fact.

Mr Seeney interjected.

Mr DEPUTY SPEAKER: The member for Callide will cease interjecting.

Mr Seeney: Oh, be fair.

Mr DEPUTY SPEAKER: The member for Callide will withdraw that remark about the Chair.

Mr SEENEY: I withdraw.

Mr SULLIVAN: I listened carefully and in silence to the contribution of the member opposite. Whilst I disagree significantly with what he said, I allowed him to have a say and I am now commenting on his contribution. I thank you, Mr Deputy Speaker, for your protection.

Over a number of years I have read research papers on child abuse and on child protection. I have read information provided by the Parliamentary Library and information provided by research groups which have looked at this problem throughout Australia. I have also attended seminars hosted by people who are looking at child protection both within and outside my electorate. I am aware that child abuse and child neglect is not the province of only larger urban areas. It is not only the province of the poor and underprivileged. Abuse of children and neglect of children occurs across all strata of the economic sectors within our society and in all population areas.

If anyone opposite suggests that small country towns have provided the solution in the past, then those members have ignored the number of cases that have come to the attention of child protection officers and Family Services officers who have had to step in because of neglect and abuse within those areas. I absolutely reject the comments made by those opposite who say that we need different rules, that we need a lesser set of standards or, "We know how to handle it because we have done it in the past."

In the past, there has been abuse in small country towns, just as there has been abuse in provincial cities and in the large urban areas.

Mr Seeney: And in Catholic schools.

Mr SULLIVAN: I heard the interjection from the member for Callide. He said, "And in Catholic schools." Are there any other schools that the honourable member wants to smear where there has been abuse?

Mr DEPUTY SPEAKER: Order! The member for Chermside will speak through the Chair. That is your final warning, member for Callide.

Mr SULLIVAN: I think the interjection of the member opposite shows a couple of things: how low he can get and how ignorant he is. I am sorry that we have had to put up with him. He is really making his reputation in this Chamber as the Santoro of the National Party.

Mr SEENEY: I rise to a point of order. Honestly, I find that objectionable and ask that it be withdrawn.

Mr SULLIVAN: I withdraw, and I apologise to Mr Santoro as well. I will deal now with the criminal history checks which form an integral part of this legislation. One of the most important amendments contained within the Child Care Amendment Bill is in clause 7 and proposes to prohibit individuals who have a criminal history of sexual or violent offences from providing independent home-based care. The disqualifying sexual and violent offences are contained within parts 4 and 5 of the Criminal Code and offences against the Child Protection Act 1999. It is very clear for everyone to see details of the offences and the disqualifying conduct.

Further, protection of children will be afforded by ensuring that home-based care will be prohibited if that care is being provided in a home-based setting where an adult who ordinarily resides there has a criminal history of sexual or violent offences. If a complaint is made against a child-care provider of home-based care, and the person or persons refuse to consent to a criminal history check, an authorised person, such as a child-care officer, must issue the relevant person with a prohibition notice barring that person from providing home-based care. This power must be communicated to the relevant person when consent is sought. This is a significant step forward. Such a provision does not currently exist.

As I said before, this Government has taken the time and energy to do something about an area which needed reform. The previous Government did nothing. This clause is designed to extend powers to protect children in an informal care setting. Obviously, individual privacy rights will be mitigated, and I acknowledge the concerns expressed by the Scrutiny of Legislation Committee on this matter. I commend the Scrutiny of Legislation Committee for bringing its concerns to the attention of the Parliament. The committee notes that conditions are built in to give protection to carers so that they have an opportunity to appeal against any decision. To some extent, their rights are protected as well.

It is a very delicate exercise to find the balance between the rights of the carer and the rights of the child—particularly very young children. However, as the committee noted, there are several safeguards surrounding the disclosure of a person's criminal history and the subsequent use of this information by the chief executive. The affected person will also have the ability to appeal against a decision made by the chief executive, on the basis of the person's criminal history, under the Children's Commissioner and Children's Services Appeals Tribunals Act 1996.

This legislation does not extend to care by relatives or care in the child's own home—what we commonly refer to as babysitting. The Minister has realised that there is no way in the world that babysitting arrangements which are made by all families could be regulated in this way. We are talking about regular fee for service. The legislation does not apply to those circumstances of small group instruction such as ballet, music or tennis coaching where we have small numbers of children in the care of an adult.

This is good legislation. It has been brought in by a Minister who has taken the time and the effort to consult with people and to provide a very delicate balance in a most difficult area. I support the legislation.
