




Speech by

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MEMBER FOR INALA

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EDUCATION LEGISLATION AMENDMENT BILL

 **Ms PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (3.43 pm): This afternoon I rise to contribute to the debate on the Education Legislation Amendment Bill 2012. At the outset I put on the record that the opposition will be supporting this bill as we believe in the importance of education. As indicated by the Minister for Education, Training and Employment, this bill has four main objectives, including to enable the state schools of distance education to deliver an e-kindy program, to allow Queensland to adopt the new national professional standards for teachers, to ensure that teachers who fail to report likely future sexual abuse of a student will not be subject to criminal sanctions—namely, section 204 of the Criminal Code—and to replace the requirements that students permanently excluded from state schools receive annual written notice to make a submission to have the exclusion revoked with advice given at the time of exclusion and online in relation to how they can apply to return to school if they wish.

Firstly, I want to speak about the e-kindy initiative. Kindergarten and early childhood reform was a keystone of the former Labor government, which launched this initiative to provide our children with critical childhood education. On 29 November 2008 the then state Labor government signed the Council of Australian Governments agreement titled the National Partnership Agreement on Early Childhood Education. This agreement formulated a plan to ensure that all children have access to a quality early childhood education program by the middle of 2013. The agreement required that quality early childhood education be delivered by a qualified professional with a minimum of four years tertiary training delivering a minimum of 15 hours a week for 40 weeks in a year.

We on this side of the House value the importance of education. One only has to look back at our track record to see the massive investment in education during our time in government, and I will not go into further details about that as I put those achievements on the record during the motion that we debated in this House last night. Let me now turn specifically to e-kindy. As we all know, Queensland is a geographically dispersed state, with Queenslanders spread right across our great state from Coolangatta in the south, Cape York to the north and west to the borders of the Northern Territory and South Australia. While it is relatively easy to provide quality education in highly populated areas such as Brisbane, Townsville, Cairns, Mackay, Rockhampton and our regional centres, it is increasingly more difficult as you head inland and to remote areas such as the cape. However, since signing the national partnership agreement and the implementation of education reform by the former Labor government, the proportion of four-year-old children accessing a kindergarten program in Queensland has risen from just 29 per cent to approximately 68 per cent in 2011-12. This e-kindy initiative will allow us to reach some of those children in remote areas or on properties where a centre based program simply cannot be delivered.

While 68 per cent is a strong participation rate, further work and initiatives can always be implemented to increase the rate. That is why it is pleasing to see those opposite implement Labor's e-kindy plan. Labor's plan, just like the one before the House today, provided a method to roll out universal access to kindergarten for all Queensland children so they can have the best start in life. As outlined in the committee report, this bill will enable e-kindy—a digital form of kindergarten in the form of digital programs and teacher directed learning—to be beamed across the state to be delivered by parents and teachers in

remote and rural locations. As this program is delivered via the internet, the cost for delivering the program is minimal and will be provided by the state schools of distance education.

Whilst on the topic of early childhood reform, I want to take this opportunity to put on the record my thanks to the outgoing Director-General of the Department of Education, Training and Employment, Ms Julie Grantham. Ms Grantham has worked within the education system since commencing her career as a teacher in 1977. Since then she has worked her way up through the ranks to principal and most recently to the highest post in Education—that is, director-general. Ms Grantham's passion for education has no bounds, with her support for reforms occurring right across the sector, including early childhood, school education, employment, training and TAFE. I wanted to take this opportunity—and I note that the minister is in the House—to pass on our best wishes to Ms Grantham for her future endeavours.

I turn now to the issue of national professional standards for teachers. This bill amends the Education (Queensland College of Teachers) Act 2005 to allow Queensland to adopt the national teacher standards instead of having our own separate standard. This uniform standard was developed by the Australian Institute for Teaching and School Leadership from a direction from the ministerial council. The council endorsed a national agreement, recommending a uniform set of professional standards for the teaching programs.

It is worth noting that Queensland was already leading the way by having our own professional standards for teachers in operation in 2006. These standards were taken into consideration during the formulation of the national standards. These national professional standards will allow teachers to freely move around the country without the need to worry about different standards in different jurisdictions.

This bill also clarifies an amendment that was made during 2011 to the Education (General Provisions) Act in relation to mandatory reporting of sexual abuse. The amendment before the House today is purely of a technical nature. As outlined in the committee's report, the 2011 amendment widened the scope of mandatory reporting requirements to include a requirement on school based staff to report suspicions of likely sexual abuse. That means that if a suspicion of possible sexual abuse was raised, school based staff members had a duty to report their suspicion to the appropriate authority. The explanatory notes to the then amendments made it crystal clear that failure to do so would result in disciplinary action by the educational sector. However, the legislation itself unfortunately left school based staff open to criminal charges if they did not report their suspicions. This could lead to individuals reporting likely abuse even though a strong suspicion was not present just because they did not want to be subject to criminal charges. Therefore, this amendment, which removes the possibility of criminal charges but ensures that internal disciplinary action occurs, is a positive accept forward.

However, the amendment still maintains an onus on school based staff to report any suspicions that they may have but reduces the likelihood of reports being made purely on the basis that in not doing so may lead to criminal charges. In addition, I welcome the committee's recommendation that mandatory reporting requirements and associated training will extend to staff of the state schools of distance education to ensure that young Queenslanders participating in the e-kindy program will also be protected.

The final amendment in this bill revolves around the removal of the statutory requirement to issue an anniversary letter to a student who has been excluded from a state school at the one-year mark. Currently, section 314 of the act requires that once a student is excluded from a state school they are periodically sent a letter outlining their appeal rights, which then gives the individual 30 days from the date of the letter to apply for a review and, ultimately, a revocation of the exclusion decision. The opposition believes in natural justice and a fair go for all. Thus we question why the minister wishes to remove the requirement to notify individuals of their rights.

The Queensland Law Society has expressed similar concerns about removing the statutory requirement to notify individuals of their rights. Let us remember that we are talking about children here— younger than 17 years of age—and not adults. As legislators, we should be providing all possible safeguards so that we can ensure that our young people are aware of their rights and have an opportunity to act on them. Although I acknowledge that the department has introduced caseworkers to manage excluded individuals, that should not be the only method. A multipronged approach should be taken to ensure that our young people are aware of their rights. As the Queensland Law Society stated—

... young people who are excluded often do not know their rights in relation to the periodic review process. Additionally, there is little funding available for legal representation to assist young people in navigating reviews of decisions in this jurisdiction, which can be quite complex. Therefore, the anniversary letter can assist in making an excluded person aware of his or her rights to make an application or review each year.

Although the opposition supports the work undertaken by case managers right across Queensland, their work should be coupled with other methods such as the anniversary letter to ensure that all bases are covered. Our young people of today are citizens and the potential leaders of tomorrow. We need to empower our young people with all the tools that are available to provide them with the best possible start in life.

Education and educational reform is at the heart of what we stand for in the Labor Party. We believe that education is the pathway to success. When it comes to educational reform, I am proud to be a member of a party that has achieved so much—whether that be our learning or earning initiative, which required our youth to be in school learning or out learning skills that would help them gain employment, to the introduction of prep in Queensland, which brought us into line with Australian states providing our children with a flying start, to the intention to transition year 7 from primary to high school to align it with other states and to provide our year 7s with greater learning resources with which to learn than they would ever have before. We believe that education is one of the keys to opportunity. Our record investment in the past in the education system is testimony to this.

In conclusion, I want to contrast those achievements with an education minister who, one the one hand, is championing the rights of many young people through providing them with the best possible start in life through the e-kindy program but, unfortunately, on the other hand we have seen him close down the Queensland School for Travelling Show Children, the gazettal of which was undertaken only last Friday without proper consultation, or care, or actual understanding of the process as outlined under the act.

Under the Labor government, we stood up for all Queenslanders' rights and undertook massive educational reform that gave all Queensland children a flying start regardless of their background. Although I am not saying that those opposite are completely devoid of any reform skills in terms of education, they lack the insight that is required to develop a broad long-term vision for education in Queensland. Labor has a proud and strong tradition of education reform and I am proud to be associated with those achievements. We will be supporting this bill with our reservations noted, as overall it takes positive steps forward in the educational sphere. I commend the bill to the House.