Speech by

Ian Berry

MEMBER FOR IPSWICH

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EDUCATION LEGISLATION AMENDMENT BILL

Mr BERRY (Ipswich—LNP) (4.49 pm): I rise to participate in the debate on the Education Legislation Amendment Bill 2012. This bill amends, among other matters, the Education (General Provisions) Act 2006 by delivering e-kindy to eligible children. Queensland is a state holding a unique position among the other states and territories in Australia. Queensland's uniqueness is to do with its regionalised population and economy. Queensland's population of 4.47 million people has grown by 23 per cent in the last 10 years since 2001, but this growth has been a proportional increase throughout Queensland. For example, over this 10-year period, my city of Ipswich had an increase in population of 70,800 new citizens. Other than the greater Brisbane area, the population of Queensland grew over this period by 412,900. Excluding the Gold and Sunshine coasts, regional Queensland grew by 213,500 people.

It is in this setting—and with the limited resources available to our government when we came to power in March 2012 because of the overburden of a $65 billion debt and a deficit fiscal budget—that the Newman government implemented and endorsed the National Partnership Agreement on Early Childhood Education. Part of Queensland's uniqueness, besides the dispersal of population, is the large area of Queensland. Queensland is the second largest state and the third most populous. Therefore, governments have made this concerted effort to ensure pre-preparatory children, who are the subject of this diversity, are not left behind. As has often been quoted, 'education is power' and we need an efficient and effective education system for our children to grow up and continue to make this state great.

Children in rural and remote areas, including the children of diverse needs, who are aged four years six months as at 31 December in each year will be guaranteed the opportunity to have free access to kindergarten structured programs. Fortunately, Queensland is endowed with the human and technical resources of the state schools of distance education. These schools are well suited and equipped to deliver the educational programs which are necessary for our children to begin their learning journey. There are, understandably, restrictions in terms of location to the nearest learning centre and I mention, as other members in this House have mentioned, the 16-kilometre distance. Such programs need to be diverse, for they must have the rigour to cater for children who speak a primary language other than English, children who are physically challenged and children whose parents are in occupations which are not suited for the kindergartens in South-East Queensland, and I refer to itinerant workers. By having the state schools of distance education involved in e-kindy, it allows wherever possible a seamless transition of our young children through to secondary school.

I now turn to the issue of the anniversary notifications of expelled students. A sensible approach has been used in notifying errant excluded students from state schools. Now, upon an expelled student having been permanently excluded from a state school, the student is told once only that he has a right to reapply on each anniversary of his expulsion from that school. The obligation is now upon that student to reapply for the lifting of the permanent expulsion to the state school. The internet is with us today and there are means by which an expelled student can research and ascertain their anniversary of expulsion.

It may be that an expelled student has convinced another school to allow them to commence at that school and they may not wish to reapply to the school from which they had been excluded, or it may be that they have entered employment and that perhaps school was not easily suited to them in the first

instance. Exclusionary conduct by a student relates to a number of factors, whether singularly or more probably a combination. The goal is to have an expelled student finish their level of education at an acceptable level. Therefore, it is necessary for regional case managers to provide support, and that is indicated in the bill. It may be that a tertiary, hands-on educatory regime, such as an apprenticeship, is a more suitable course, or another school with a varied and different environment may also be an option. A regional case manager will have the expertise and experience to ensure that the expelled student is given not only further opportunity but guidance and assistance in re-entering the education system. In summary, an expelled student's needs will continue to be a concern and will be catered to by the state school system.

While mandatory reporting of sexual abuse may appear now to be more onerous, I say with respect to those who propound that opinion that in practice it is not. This is recognised by the Queensland Teachers Union adopting the provisions of this bill relating to the reporting—unqualified. This acceptance by the Queensland Teachers Union indicates to me that it has faith in its teachers being qualified to observe, inquire and summarily investigate in an inquisitive way the possibility of sexual abuse of a likelihood of sexual abuse of one of Queensland's children.

I feel that the word 'likelihood' connotes a standard of knowledge of sexual abuse or likely sexual abuse. The bill attempts to have teachers and other educationalists made aware of a conduct of others towards students. The intention is not to have the clearest of suspicions before a report is made but to report reasonable suspicions. Of course, every instance will depend on the student's age and demeanour and the actions or nonactions of the student and the parent or custodian of that student. All of these factors may be over a period of time.

Teachers will no doubt have the experience to diarise the observations so that an accurate report can be made, and teachers have the expertise and investigatory skills in order to report what they observe. Like all things in life, it is a matter of balance. This is particularly so now in the present climate where there is pressure on the federal government to hold an inquiry into the sexual abuse of students and children, among others, which happened over a number of years in institutions and sections within our society. This balance is about protecting our children—as opposed to the onerous task of recording the reports that may be made by having this section implemented in this bill. I make an observation only that of course one cannot judge whether there is a balance simply on the convictions that may or may not happen because convictions, I would respectfully say, are not a barometer as to whether the system is working or not; we know that convictions depend on evidence duly given.

It is proposed that the bill do not impose criminal sanctions on staff who do not report the likelihood of sexual abuse where they should have. Therefore, section 204 will not apply in instances where staff may not have reported the likelihood of sexual abuse, but criminal sanctions will apply in relation to actual sexual abuse.

I wish to commend the bill to the House. I give special credit to both the responsible committee and the chair of the committee, the member for Burdekin. I found it informative, well-researched and certainly pertinent to the issue before the House.