




Speech By
Hon. Meaghan Scanlon

MEMBER FOR GAVEN

Record of Proceedings, 22 April 2026

CIVIL LIABILITY (HOLDING INSTITUTIONS ACCOUNTABLE FOR CHILD ABUSE) AMENDMENT BILL

Introduction

 **Hon. MAJ SCANLON** (Gaven—ALP) (3.44 pm): I present a bill for an act to amend the Civil Liability Act 2003 to allow institutions to potentially be held vicariously liable for claims for the abuse of children under their care, supervision, control or authority if the abuse is perpetrated by persons not employed by the institutions but in relationships akin to employment by the institutions, and for other particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Justice, Integrity and Community Safety Committee to consider the bill.

Tabled paper: Civil Liability (Holding Institutions Accountable for Child Abuse) Amendment Bill 2026 [566](#).

Tabled paper: Civil Liability (Holding Institutions Accountable for Child Abuse) Amendment Bill 2026, explanatory notes [567](#).

Tabled paper: Civil Liability (Holding Institutions Accountable for Child Abuse) Amendment Bill 2026, statement of compatibility [568](#).

Mr DEPUTY SPEAKER (Mr Krause): Member for Gaven, before you start your speech, I will ask members leaving the chamber to do so quietly and quickly. I also remind the members for Lytton, Greenslopes, Bundaberg, Waterford, Aspley, Logan and Bulimba that they are on warnings.

Ms SCANLON: There are moments in this parliament that transcend politics. There are moments when the noise of the chamber—the pointscore, the press releases, the partisan theatre—has to fall away and we have to look each other in the eye, as elected representatives, and ask ourselves a very simple question: are we doing right by the people who sent us here? Today is one of those moments. Today I am introducing the civil liability amendment bill and I want every member of this House, on both sides, to truly understand what this bill means, not as a legal mechanism but as a statement of values, as a declaration of whose side we are on.

Right now in Queensland there are hundreds of survivors of child sexual abuse who have been told by the law, the cold operation of the law, that they cannot pursue justice through one of the key legal pathways once available to them, not because of what happened to them—that it was not real—not because they were not devastated and not because they do not deserve accountability but because of a technicality, a legal distinction so clinical, so removed from the lived reality of trauma, that it would be almost incomprehensible to most Queenslanders if they understood and knew that this existed. It is our job to fix it.

Let me be absolutely unambiguous about something from the outset: a victim of child abuse is a victim regardless of who the perpetrator is, regardless of whether the perpetrator was employed by an organisation or volunteered for one, regardless of whether they received a wage, a stipend or nothing at all. The violation is the same. The trauma is the same. The shattering of trust, of safety, of childhood itself is the same.

When a child is abused, they do not experience it through the lens of employment law. They do not lie awake at night wondering whether their abuser was technically an employee or an independent contractor. When our legal system creates a distinction that says, 'You can pursue this pathway if your abuser was employed but not if they were a volunteer,' we are not just creating a legal anomaly; we are sending a message to survivors—a demoralising, deeply unjust message that says, 'The institution that enabled your abuse, that placed your abuser in a position of power, gets to walk away.' That is not justice. That is not what Queensland stands for and it is precisely why this bill exists.

In November 2024 the High Court handed down its decision in *Bird v DP*. The case centred on child sexual abuse by a Catholic priest. The victim sought to hold the diocese vicariously liable. The High Court found it could not because priests receive a stipend, not a wage, and are therefore not employees. Without an employment relationship, vicarious liability could not attach. I respect the High Court. The justices were interpreting the law as it existed, but here is what matters most: the High Court itself said, in its own judgement, that reformulation of the law of vicarious liability is 'properly the province of the legislature'. They handed it to us. The highest court in this land said, 'We cannot fix this, but you can. You, the elected representatives of Queensland, have the power and responsibility to act.' Mr Deputy Speaker, 525 days later the Crisafulli LNP government has done nothing. I will also directly address the suggestion—

Ms Fentiman interjected.

Mr DEPUTY SPEAKER (Mr Krause): Order! Member for Waterford, you are on a warning. You can leave the chamber for one hour.

Whereupon the honourable member for Waterford withdrew from the chamber at 3.49 pm.

Ms SCANLON: I will also address the suggestion from those opposite that the recent AA decision dealing with non-delegable duties has somehow been resolved. It has not. As lawyers in this field have made very clear, AA and *Bird* addressed fundamentally different legal doctrines. A development in one does not cure the deficiencies in the other. Claiming otherwise gives survivors false hope and gives this government an excuse to keep doing nothing. Queensland does not exist in isolation. When a landmark High Court decision affects survivors across this country, and other jurisdictions look at their laws, assess the gap and act. That is what a responsible government does. Victoria acted and the ACT acted. Both jurisdictions—

Mrs Frecklington: New South Wales.

Ms SCANLON: I take the interjection from the Attorney-General. She notes other jurisdictions and yet does nothing. Both jurisdictions recognised that the *Bird* decision—

Mrs FRECKLINGTON: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER: Pause the clock, please.

Mrs FRECKLINGTON: I take personal offence and I ask the member to withdraw.

Ms SCANLON: I withdraw.

Mr DEPUTY SPEAKER: Member for Gaven, thank you for withdrawing. Could you please also address your comments through the chair.

Ms SCANLON: I withdraw. Both jurisdictions recognised that the *Bird* decision had created an unacceptable barrier for survivors and moved to legislate to ensure their laws reflected the values of their communities and the clear signal from the High Court that parliament needed to step in. Other states are actively working on solutions right now. Queensland is watching from the sidelines. That is not good enough for a state of our size, our population and our responsibility. We are not leading on this; we are not even keeping up. We are falling behind, and the people paying the price are not politicians, they are survivors.

I will walk this House through exactly what the Crisafulli LNP government has and has not done since November 2024. In the immediate aftermath of the *Bird* decision the government said it was monitoring the situation, as if watching survivors who had been denied justice was an appropriate response to a High Court decision that explicitly called for legislative action. Then came the AA decision, and rather than acknowledging that two separate legal issues existed and that *Bird* still needed a legislative fix, the government pivoted. Suddenly AA had changed the picture. Suddenly things might be all okay. That framing was not just legally wrong; it was designed to manufacture a justification for continued inaction.

In November 2025, a full year after the *Bird* decision, the Leader of the Opposition asked the Attorney-General directly, 'Will the Attorney introduce laws by the end of this year regarding vicarious liability to support victims of child sexual abuse?' It was a clear question. It deserved a clear answer and it did not receive one. The end of 2025 came and went without legislation, without a draft, without even a firm commitment to act.

Dianne, whom I have had the privilege of meeting on a number of occasions, was in the gallery that day. She told media on the weekend—

I was a bit disappointed, the day in parliament, that Mr Crisafulli is sitting there texting on his phone and not acknowledging us. Again he is not here for an important piece of law reform.

Ms SIMPSON: Mr Deputy Speaker, I rise to a point of order. The member knows the conventions of the parliament. It is inappropriate for the member to refer to people just because they are not physically in the House at this time. It is completely against convention.

Mr DEPUTY SPEAKER: Thank you, member for Maroochydore. I appreciate that point of order being raised. Whilst I did not hear directly what was said, it is a longstanding convention that you do not refer to a member's absence from the chamber.

Mr Crandon interjected.

Mr DEPUTY SPEAKER: Member for Coomera, you know better than that. Member for Gaven, please refrain from that in the future.

Ms SCANLON: Thank you, Mr Deputy Speaker. Survivors travelled to this parliament—

An honourable member interjected.

Mr DEPUTY SPEAKER: Just one moment, member for Gaven. Who was it who said, 'Why don't you warn him?'

Mr Russo: It was me, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Thank you, member for Toohey. You are warned under the standing orders for reflecting on the chair.

Ms SCANLON: Survivors travelled to this parliament, they sat in the gallery with hope and the Premier of Queensland was on his phone. That is not standing with victims; that is using victims as a political backdrop while failing them in practice.

I have met many extraordinary Queenslanders in my time in public life, but the meetings I have had over the last months with survivor advocates have been among the most profound in my career. These are people who have taken the most unimaginable trauma and transformed it into decades of advocacy—not just for themselves but for every survivor who comes after them. They are the true heroes of this bill. Val is in the gallery today. On the weekend she said—

I am here as an adult. I'm safe ... as a child I was not ... I did not get my childhood, because trauma took it, before I even understood what was happening. I carried fear, sadness, and responsibilities that were never meant for a child ... so when legislation or a decision comes along and says no—it just kills you inside. It just kills you inside again.

That is what a failure to act, not an abstract policy failure, does to real people. A real human being who survived something horrific and who found the courage to seek justice has been told no—again. I also acknowledge Emily, Dianne, Colin, Joan, Darcy and Joan from Micah Projects, the ALA, Maurice Blackburn, Slater and Gordon and all of the powerful advocates who have been lobbying for change for a year now. To those survivor advocates who shared their stories with me and my office: your courage and refusal to give up is what brings us here today.

This bill amends the Civil Liability Act to extend vicarious liability beyond the traditional employment relationship, ensuring institutions can be held responsible for abuse committed by those acting under their authority, including volunteers. It closes the gap that Bird revealed. It does not guarantee outcomes. Survivors will still go through the courts, but it opens the door. It gives survivors another legitimate pathway to seek the justice they need, the justice they want and the justice they deserve.

After this speech I will move to bring this bill back from committee within seven weeks, not the standard nine months, because the people in this gallery have already waited long enough. I call on the Crisafulli LNP government to support that motion because Val, Dianne and every survivor watching today deserves to know this parliament takes their pain seriously. If those opposite vote against this motion, if they choose to send this to the back of the queue, I want them to be clear about what they are doing. They are choosing process over people. They are choosing institutional comfort over survivor justice. If they block this, if they delay this, they are not standing on the side of victims; they are standing on the side of offenders. They are standing on the side of abusers, on the side of paedophiles and the organisations that harbour them. That might be uncomfortable to hear, but it is the truth. The survivors in this gallery, who have waited decades for a parliament willing to say it plainly, deserve us to call it out for what it is. For those who carried the weight of what was done to them and could not find a way through, this is for them too. There is a clear choice and every member of this House will have to make it. The Labor opposition have made theirs. I commend the bill to the House.

First Reading

Hon. MAJ SCANLON (Gaven—ALP) (3.57 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Justice, Integrity and Community Safety Committee

Mr DEPUTY SPEAKER (Mr Krause): In accordance with standing order 131, the bill is now referred to the Justice, Integrity and Community Safety Committee.