

Parliament of Victoria

‘A moment of reckoning’: Recent developments in Victoria’s child safety framework

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No. 1 | January 2026

Research Note

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Content warning:

This paper contains information that some readers may find distressing as it refers to sexual abuse and sexual assault of children.

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Abbreviations

ACECQA	Australian Children’s Education & Care Quality Authority
ECEC	Early childhood education and care
ECLA Bill and ECLA Act	Early Childhood Legislation Amendment (Child Safety) Bill 2025 and <i>Early Childhood Legislation Amendment (Child Safety) Act 2025</i>
EMM	Education Ministers Meeting
National Law	<i>Education and Care Services National Law Act 2010</i>
NCCC	National Continuous Checking Capability
NQF	National Quality Framework
QARD	Quality Assessment and Regulation Division (former Victorian division within Department of Education)
Rapid Review	Rapid Child Safety Review, August 2025
Royal Commission	Royal Commission into Institutional Responses to Child Sexual Abuse
SCAG	Standing Council of Attorneys-General
SSR, SSR Bill and SSR Act	Social Services Regulator (new), Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025 and <i>Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Act 2025</i>
VECRA (and VECRA Bill and VECRA Act)	Victorian Early Childhood Regulatory Authority etc.
VECWR	Victorian Early Childhood Workforce Register
WWCC	Working with Children Check

Executive summary

Child safety in Victoria’s early childhood education and care (ECEC) sector has been in the spotlight for many years, but reached a crisis point in July 2025 after two men were charged with over 200 offences relating to abuse against children in ECEC centres in Melbourne’s west. The Victorian Government responded to the charges with a rapid review of the state’s child safety laws, including worker screening and information-sharing provisions, among other issues within the legislative and regulatory framework. In recognition of their shared responsibilities for ECEC, federal, state and territory governments also reached agreements to coordinate cohesive legislative and regulatory responses on a national level.

Four Victorian Acts were passed between August and December 2025 addressing worker screening vulnerabilities and introducing more substantive reforms—including a new independent early childhood regulatory authority, a register of early childhood workers and the removal of worker screening from the Department of Education to an independent regulator. Complementary reforms are planned for introduction in other jurisdictions.

This paper summarises the events and discussions that have resulted in these reforms to the ECEC sector. While the charges in July brought urgency for reforms, a number of reports have highlighted sector failings across several states, going as far back as 2015 to the Royal Commission into Institutional Responses to Child Sexual Abuse. The paper also outlines the key issues that were identified in these reports that have compounded the need for reform, including the complexity of regulation in the sector, the need for more workforce training, improved information-sharing and other aspects. Finally, each of the four pieces of legislation introduced in Victoria between August and December 2025 is briefly summarised, together with some of the stakeholder responses to the reforms.

Introduction

Child safety in the early childhood education and care (ECEC) sector has attracted considerable attention over recent years. In Victoria this reached a crisis point with the child abuse allegations against Joshua Dale Brown being revealed in July 2025. Brown's alleged offences were the most recent instances in a succession of safety failings identified in the ECEC sector across several years and in various states and territories. These issues have been detailed in several reports, notably as far back as 2015 via the Royal Commission into Institutional Responses to Child Sexual Abuse, and the charges have brought new urgency to the need for governments to address long-standing recommendations for child safety reform.

The Brown allegations prompted the Victorian Government to commission a rapid review of the state's child safety laws, including worker screening and information-sharing provisions, among other issues within the legislative and regulatory framework. In recognition of their shared responsibilities for ECEC, federal, state and territory governments also reached agreements to coordinate cohesive legislative and regulatory responses on a national level.

The Victorian Parliament passed urgent legislation in late August to immediately address worker screening vulnerabilities. A further three Bills introducing more substantive reforms—including a new independent early childhood regulatory authority, a register of early childhood workers and moving worker screening from the Department of Education to an independent regulator—were debated and passed across November and early December 2025. Complementary reforms are planned for other jurisdictions.

This paper summarises the events and discussions that have resulted in these reforms to the ECEC sector. It explores the background and context to current events in the sector, providing a timeline going back to 2015 and leading up to the Brown allegations, the Rapid Review and the announcements of legislative and regulatory reform in Victoria and federally. The paper then examines the key issues contributing to the need for reform, including the complexity of regulation, the need for more ECEC workforce training and the need for improved information-sharing. The paper then provides a brief summary of the four pieces of legislation introduced in Victoria in 2025. Finally, the paper outlines stakeholder responses to the reforms.

The paper is not intended to be an exhaustive exploration of the reports, legislation or events but rather an overview of major recent developments in Victoria.

1 | Background and context

While the immediate context of the most recent reforms stems from the July 2025 sexual assault allegations against Brown in a Melbourne childcare centre, there have been consistent calls for reform to the Victorian safety framework for children in care. This section provides an overview of recent developments in relation to reforming Victoria's ECEC sector and the broader childcare safety framework.

Royal Commission

The Royal Commission into Institutional Responses to Child Sexual Abuse ('the Royal Commission') handed down its final report in 2017. Amongst the Royal Commission's over 400 recommendations, many related to the ECEC system and ongoing risks to child safety, including legislating compliance with the Child Safe Standards, developing reportable conduct schemes, and clarifying mandatory reporting requirements for ECEC workers.¹

The Royal Commission also released a specific report on working with children checks (WWCC) in 2015 with 36 recommendations, including: creating a consistent system across state and territory jurisdictions; making training mandatory; ensuring a wider range of

¹ Royal Commission into Institutional Responses to Child Sexual Abuse (2017) *Final report: Recommendations*, 15 December, Canberra, Attorney-General's Department.

information can inform the cancellation or refusal of a WWCC; and establishing a federal register of ECEC workers.²

The Victorian Government's response to the Royal Commission accepted 293 recommendations in full or in principle, including those relating to the Child Safe Standards and reportable conduct schemes.³ They accepted most of the recommendations relating to WWCCs but said they required further consideration of those relating to expanding the definition of 'child-related work' and the continuous checking process for WWCCs.⁴

Ombudsman's report

In 2022 a report from the Victorian Ombudsman found significant shortcomings in Victoria's child safety scheme and WWCC system. The report followed a police investigation in which a former Melbourne City Mission worker, Alexander Jones, was convicted of sexually assaulting a 13-year-old boy.⁵ It called for the strengthening of the WWCC system, calling Victoria's scheme 'weaker than many other parts of Australia'.⁶

Jones had obtained a WWCC despite having been investigated as a 'person of interest' in relation to similar offences in New South Wales years earlier and had been flagged by NSW child protection services as a person suspected of sexually abusing a child.⁷ As Jones was never charged, this information was not disclosed during his Victorian WWCC process, and the Ombudsman's report stated that even if Working with Children Check Victoria (WWCCV) had been made aware, the current laws didn't allow them to suspend or revoke the man's WWCC. The report went on to say:

That Alexander Jones was able to obtain and subsequently keep a [Victorian] Working with Children clearance highlights clear legislative shortcomings limiting the effectiveness of Victoria's Working with Children Check scheme.⁸

The report recommended amending the *Worker Screening Act 2020* ('Worker Screening Act') to give the Secretary of the Department of Justice and Community Safety (DJCS) more powers to refuse, suspend, or revoke a WWCC if they 'reasonably suspect' the applicant poses a risk to child safety.⁹ The report recommended that a wider range of information be allowed to be used to make this determination, rather than requiring evidence of a criminal charge or conviction.¹⁰

A government spokesperson responded to the report by stating it was reviewing the legislation in line with the recommendations.¹¹

In April 2025, Premier Jacinta Allan acknowledged more needed to be done to reform the WWCC system and that the laws would be reviewed, after the former Victorian Children's Commissioner Liana Buchanan said her office was 'hamstrung' by current laws restricting her sharing evidence or information around the risks a person poses to children with WWCCV.¹²

² Royal Commission into Institutional Responses to Child Sexual Abuse (2015) *Working with Children Checks report*, August, Sydney, Royal Commission into Institutional Responses to Child Sexual Abuse.

³ Victorian Government (2018) *Victorian Government Response to the Royal Commission into Institutional Responses to Child Sexual Abuse*, Melbourne, Victorian Government.

⁴ *ibid.*

⁵ Victorian Ombudsman (2022) *Investigation into a former youth worker's unauthorised access to private information about children*, 14 September, Melbourne, Victorian Ombudsman.

⁶ D. Harrison et al. (2022) 'Victorian ombudsman calls for stronger working with children checks in wake of Alex Jones case', *ABC News*, 14 September.

⁷ Victorian Ombudsman (2022) *op. cit.*

⁸ *ibid.*, p. 77.

⁹ *ibid.*, p. 80.

¹⁰ *ibid.*, p. 80.

¹¹ S. Ilanbey (2022) 'Authorities "failed our most vulnerable children"', *The Age*, 15 September.

¹² J. Taylor (2025) 'Victoria's working with children check system slammed over repeated failures', *ABC News*, 10 April.

Allegations of sexual assault in childcare centres

On 1 July 2025, Victoria Police announced they had charged a Melbourne childcare worker, Joshua Dale Brown, with over 70 offences relating to sexually assaulting infants and children in his care.¹³ Police allege the assaults occurred while Brown was working at several childcare centres in Melbourne's west, and at the time of the announcement Brown had already been in custody for two months following his arrest.¹⁴ On 4 December police announced that Brown had been charged with an additional 83 offences, including assault and abuse, bringing the total charges to 156, and identified four new children as victims.¹⁵

Brown had a valid WWCC at the time of the alleged offences and had worked at over 20 childcare centres across Melbourne's western suburbs between January 2017 and May 2025.¹⁶

The day after announcing the original charges against Brown, police announced they had charged a second man from Melbourne, Michael Simon Wilson, with multiple child sexual abuse offences, including rape and possessing child abuse material.¹⁷ Police announced that Wilson and Brown were 'known to each other' but that Wilson was not a childcare worker.¹⁸ Wilson's arrest on rape charges in April led to the arrest and charging of Brown, after police discovered child abuse material on a device belonging to Wilson and evidence that it had been transmitted by Brown.¹⁹

Government response

Premier Allan and the Minister for Children, Lizzie Blandthorn, accompanied police at the press conference announcing the investigation and charges against Brown in July 2025. They announced that while the cases were being investigated through the police and the courts, the state's early childhood regulator—the Quality Assessment and Regulation Division (QARD) within the Department of Education—would immediately commence an investigation into the conduct of the early education providers in which Brown had worked.²⁰ The Premier stated that Minister Blandthorn was already working with ministers and officials from both federal and state and territory governments to 'implement national changes to improve safety, to strengthen regulation and to increase penalties'.²¹

The Premier also announced an immediate ban on personal mobile devices at ECEC centres by 26 September with fines of up to \$50,000 for non-compliance, and that the government would develop its own childcare worker registration system while it waited for a national one.²² The government would also provide a \$5,000 Immediate Needs Payment for any families affected by the charges and investigation.²³

The government released four Bills relating to childcare safety in 2025, one in August and three in November. These Bills are outlined in the 'New legislation' section.

¹³ B. Kolovos (2025) 'Melbourne childcare worker charged with sexual abuse offences as 1,200 children to be tested for infectious diseases', *The Guardian*, 1 July.

¹⁴ B. Kolovos (2025) 'Victoria orders urgent review into childcare safety after allegations of abuse by worker', *The Guardian*, 2 July.

¹⁵ C. Morgan (2025) 'Accused childcare paedophile charged with abusing more children', *The Age*, 4 December.

¹⁶ M. Marozzi (2025) 'More Melbourne childcare centres added to where accused abuser Joshua Brown worked', *ABC News*, 15 July.

¹⁷ C. Kelly (2025) 'Second Melbourne man charged with child sexual abuse crimes as urgent childcare review announced', *The Guardian*, 2 July.

¹⁸ *ibid.*

¹⁹ C. Jaeger & S. Groch (2025) 'Accused rapist who led police to alleged paedophile Joshua Brown hit with new charges', *The Age*, 21 October.

²⁰ (2025) 'Mornings', *ABC News*, online transcript, 1 July.

²¹ *ibid.*

²² J. Allan, Premier (2025) *Statement from the Premier*, media release, 2 July.

²³ *ibid.*

Rapid Child Safety Review

On 2 July 2025, the government announced a rapid review of the childcare sector, to report back by 15 August. The review was tasked with examining immediate actions available to the government on a state level, including mandating CCTV in childcare centres and improving the national framework for childcare.²⁴ The following day, the Premier announced that former Premier of South Australia Jay Weatherill and former senior public servant Pamela White would lead the review.²⁵ The Premier stated that the government would ‘adopt every recommendation of the review and implement them as quickly as possible’.²⁶

The Rapid Child Safety Review report (‘the Rapid Review’) was delivered to the government on 15 August, and the government released both the report and its response to its recommendations on 20 August.²⁷ The 22 recommendations included:

- establishing a new National Early Childhood Worker Register;
- better equipping regulators to deregister ECEC workers if they are assessed as unsuitable to work with children;
- overhauling the WWCC system, including requiring providers to validate an employee’s WWCC before they begin work, and mandatory training for all applicants;
- widening the intelligence that can be used in assessing WWCC applications; and
- establishing an ECEC regulator independent from the Department of Education.²⁸

Twelve of the recommendations fell within the Victorian Government’s jurisdiction, and seven in the Federal Government’s, while ten applied nationally or would require changing the *Education and Care Services National Law Act 2010* (‘the National Law’) (i.e. would require legislative changes from both the federal and state governments).²⁹

Select committee

On 20 July 2025, the Legislative Council established a select committee to inquire into the ECEC sector, including:³⁰

- the adequacy of current quality and safety standards;
- the quality and oversight of educator training, professional development and qualifications, the impacts of Victoria’s predominantly privatised system;
- the impact of workforce conditions, the adequacy of staff-to-child ratio regulations;
- whether there is sufficient oversight of the Department of Education and any other matter in relation to the adequacy; and
- implementation, compliance and/or enforcement of child safety standards and regulations in the sector.³¹

The first hearings for the inquiry were held on 8 December, and included the co-lead of the Rapid Review, Pamela White, as well as representatives from the Department of Education, the Commission for Children and Young People (CCYP), the Independent Broad-based Anti-

²⁴ *ibid.*

²⁵ Jacinta Allan, Premier (2025) [Statement from the Premier](#), media release, 3 July.

²⁶ *ibid.*

²⁷ Victorian Government (2025) [Public response to Rapid Child Safety Review](#), 22 August, Melbourne, Victorian Government; J. Weatherill & P. White (2025) [Rapid Child Safety Review](#), August, Melbourne, Department of Premier and Cabinet; J. Allan, Premier (2025) [Child safety overhaul](#), media release, 20 August.

²⁸ Weatherill & White (2025) *op. cit.*

²⁹ *ibid.*

³⁰ A. Gray-Barberio (2025) ‘[Select committee: Establishment](#)’, *Debates*, Victoria, Legislative Council, 30 July, pp. 2681–2684.

³¹ Parliament of Victoria (2025) ‘[Inquiry into the Early Childhood Education and Care Sector in Victoria](#)’, PoV website.

corruption Commission (IBAC) and the Victorian Ombudsman. An interim report is due to be released on 30 March 2026, and the final report is due 30 July 2026.³²

Federal reforms

Since the Royal Commission released its WWCC report in 2015, federal governments have implemented several reforms to the ECEC sector to address risks to child safety. The split in responsibility for the sector across different levels of government has added to the difficulty in addressing gaps and problems (see 'Key Issues' section), but also means that many initiatives are co-managed between federal and state or territory governments and regulators.

Following the revelations of child abuse in Victoria in 2025, the Standing Council of Attorneys-General (SCAG) and the Education Ministers Meeting (EMM) have met several times to devise and implement reforms across at both a federal and state level.

The Education Ministers Meeting agreement

In August 2025 the EMM announced the ministers had agreed to 'the Early Childhood Education and Care Reforms'. These reforms were led by Victoria and were introduced through the *Early Childhood Legislation Amendment (Child Safety) Act 2025* (see 'New legislation' section) as part of a larger suite of actions agreed to by the EMM and coordinated by the Federal Government. The reforms included several changes to the sector to ensure child safety, including:

- mandatory child safety training;
- a national assessment of the use of CCTV in childcare centres;
- banning mobile phones in centres from September 2025;
- more unannounced spot checks on providers; and
- tougher penalties under the National Law and National Regulations.³³

One of the key proposals was the establishment of a national register of ECEC workers, following several reports of workers retaining their WWCC despite having them denied or revoked in other state or territory jurisdictions (see 'Key issues' section for more detail). In August 2025, the Federal Government had legislated several enforcement amendments to improve child safety and childcare quality in the sector.³⁴ The EMM then announced the establishment of a National Educator Register a week later, with plans to roll it out from February 2026.³⁵

The Victorian Early Childhood Workforce Register, established in July 2025 and placed under the responsibility of the Victorian Early Childhood Regulatory Authority in November 2025 (see 'New legislation' section), was designed as an interim arrangement while the national register was being established and would ultimately link to the national register.³⁶

The Standing Council of Attorneys-General agreement

The Standing Council of Attorneys-General (SCAG) released a communiqué on 15 August 2025 in which all Attorneys-General agreed to 'urgently work towards implementation, by the end of 2025, of mutual recognition of negative notices (WWCC declines and revocations)'.³⁷ This would mean that a person denied a WWCC in one jurisdiction would not be granted one in another. Victoria announced this mutual recognition following an August SCAG meeting

³² *ibid.*

³³ Education Ministers Meeting (2025) *Communiqué: August 2025*, media release, 22 August.

³⁴ B. Kolovos & D. Jervis-Bardy (2025) 'Jason Clare criticises 'drip feed' of information as accused childcare paedophile's workplace list grows', *The Guardian*, 16 July; Australian Parliamentary Library (2025) *Bills Digest: Early Childhood Education and Care (Strengthening Regulation of Early Education) Bill 2025*, 28 July, Canberra, Department of Parliamentary Services.

³⁵ Education Ministers Meeting (2025) *op. cit.*

³⁶ Allan (2025) *Child safety overhaul*, *op. cit.*

³⁷ Standing Council of Attorneys-General (2025) *Communiqué: Child safety - Working with children check reform*, 15 August, SCAG.

and implemented it through the *Worker Screening Amendment (Strengthening the Working with Children Check) Act 2025* (see ‘New legislation’ section).

In November 2025 SCAG published an agreement setting out six ‘priority actions’ for national laws on child safety regulation.³⁸ Where the EMM’s agreed reforms were focused on quality of services within the ECEC sector, SCAG’s reforms concentrated mainly on the worker screening process, monitoring staff behaviour and information-sharing between law enforcement and regulatory bodies.

The first of those six actions—for all jurisdictions to be connected to the National Reference System and implement mutual recognition of negative WWCC notices—is expected to be completed by early 2026.³⁹

Another action was to establish an operational National Continuous Checking Capability (NCCC) in partnership with state/territory police and screening agencies. In November 2025, the Federal Government announced that it would commence a pilot of the NCCC, to which states and territories would progressively onboard over the coming years.⁴⁰ The initiative would help regulatory authorities track changes in the status of WWCC holders regarding criminal charges and disciplinary findings.⁴¹

The four other actions from the SCAG agreement are:

- a consistent approach to disqualifying offences;
- a consistent approach to risk assessment frameworks, including establishing benchmarks for WWCC processes and an implementation framework;
- clear information-sharing pathways between jurisdictions to support mutual recognition, including addressing cultural barriers to information-sharing; and
- mutual recognition of WWCCs between jurisdictions.⁴²

³⁸ Standing Council of Attorneys-General (2025) *Standing Council of Attorneys-General Agreement to Deliver National Working with Children Check Reform*, media release, November.

³⁹ *ibid.*

⁴⁰ M. Rowland, Attorney-General (Cth) (2025) *Albanese Government announces \$37 million to support Working with Children Check Reform*, media release, 14 November.

⁴¹ C. Long (2025) ‘National criminal history tracker to be established for working with children checks’, *ABC News*, 13 November.

⁴² Standing Council of Attorneys-General (2025) *Standing Council of Attorneys-General Agreement to Deliver National Working with Children Check Reform*, op cit.

Timeline of developments

Table 1: Summary of recent developments in Victoria's childcare safety system

August 2015	Royal Commission releases special report on WWCC including 36 recommendations.
December 2017	Royal Commission into Institutional Responses to Child Sexual Abuse final report is handed down.
September 2022	Victorian Ombudsman's report finds significant shortcomings in Victoria's WWCC system and recommends amending <i>Worker Screening Act 2020</i> .
April 2025	Premier announces WWCC system would be reviewed after former CCYP says system isn't working.
1 July 2025	Police announce they have charged Joshua Dale Brown with over 70 offences relating to sexually assaulting infants and children in several ECEC centres in Melbourne's west. A further 87 charges are announced in December, bringing the total to 156.
2 July 2025	Police announce they have charged Michael Wilson with multiple child sexual abuse offences including rape and possessing child abuse material. Premier announces rapid review of the childcare sector by Jay Weatherill and Pamela White, and a Victorian Register of ECEC workers to commence in August.
30 July 2025	Parliamentary Select Committee on the Early Childhood Education and Care Sector in Victoria is established and terms of reference for an inquiry are set, due to report in July 2026. Hearings commence in December 2025.
15 August 2025	SCAG releases communiqué with plans to work towards reforms to the sector, including mutual recognition of negative WWCC notices, mandatory training and an assessment of CCTV use in childcare centres.
20 August 2025	Rapid Review report, with 22 recommendations, is released as well as government response.
22 August 2025	Education Ministers Meeting agrees to reforms to the ECEC sector.
26–27 August 2025	Worker Screening Amendment (Strengthening the Working with Children Check) Bill 2025 is introduced as urgent and passes Parliament, receives Royal Assent on 27 August.
28 October 2025	Victorian Early Childhood Regulatory Authority Bill 2025 (VECRA Bill) introduced to Parliament.
12 November 2025	Early Childhood Legislation Amendment (Child Safety) Bill 2025 (ECLA Bill) and Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025 (SSR Bill) introduced to Parliament.
20 November 2025	VECRA Bill and ECLA Bill pass Parliament, receive Royal Assent on 25 November and 9 December, respectively. SSR Bill receives significant amendments in Legislative Council.
9 December 2025	SSR Bill passes Parliament with amendments, receives Royal Assent on 16 December.

2 | Key issues

This section outlines how the most recent reforms are the result of extensive negotiation between states and territories and the Federal Government and seek to address a number of issues raised across several reviews and repeated failings identified in the ECEC regulatory system.

Complexity and independence of regulation

Child safety remains a complex allocation of responsibilities between national and subnational jurisdictions, each operating within the shared regulatory scheme known as the National Quality Framework (NQF). The NQF ensures the same law is applied in each state, but with necessary jurisdictional variations for WWCC laws and tribunals. This framework is jointly used by federal, state and territory governments and their respective regulatory authorities (see also 'Early Childhood Legislation Amendment (Child Safety) Act 2025' in 'New legislation' section).⁴³

In 2023, the Australian Children's Education and Care Quality Authority (ACECQA) found that, under the NQF, the 'system of design, verification and enforcement can be time consuming and costly', data can be 'fragmented', and it is difficult to determine the 'interoperability of monitoring across different programs'.⁴⁴ ACECQA found these gaps posed ongoing risks to both providers and children.⁴⁵ The separation and sharing of various responsibilities was highlighted again in Victoria's Rapid Review in August 2025 and by other stakeholders.⁴⁶

In Victoria, there have also been calls for a regulatory authority that is better resourced and independent of government for some time, with experts calling for a stronger independent regulator like the New South Wales Office of the Children's Guardian. Academic Anne-Marie Morrissey said the lack of independence in the system had led to a lack of transparency, while former National Children's Commissioner Anne Hollonds said that in-department regulators 'don't have enough teeth to act' and 'are often not visiting centres' enough.⁴⁷

Divergence in the working with children check system

A key mechanism for ensuring child safety in the ECEC sector is the WWCC system. WWCCs were first introduced in New South Wales in 2000, with other states following suit in subsequent years. Victoria's was introduced in 2006 through the *Working with Children Act 2005* before later being moved to the Worker Screening Act. Table 2 indicates the timeline for each state and territory.

Table 2: Year of introduction of WWCC (or equivalent) system⁴⁸

2000	2001	2006	2010	2011	2012	2014
New South Wales	Queensland	Victoria Western Australia	Northern Territory	South Australia	Australian Capital Territory	Tasmania

⁴³ Australian Children's Education & Care Quality Authority (2023) *Final Report – Findings and recommendations for the NQF and inter-related child safety mechanisms*, December, ACECQA, p. 19.

⁴⁴ *ibid.*, pp. 63–64.

⁴⁵ *ibid.*

⁴⁶ Weatherill & White (2025) *op. cit.*, pp. 89–90; The Front Project (2025) *Victoria's childcare safety actions give parents comfort, bolster calls for national reform*, media release, 20 August.

⁴⁷ W. Tuohy & L. Mannix (2025) 'On-site child safety experts, independent regulation called for to combat 'paedophile's dream'', *The Age*, 3 July.

⁴⁸ Royal Commission into Institutional Responses to Child Sexual Abuse (2015) *Working with Children Checks report*, *op. cit.*, p. 31.

In its 2015 special report into WWCCs, the Royal Commission identified gaps and inconsistencies between jurisdictions in the implementation of the WWCC system.⁴⁹ Inconsistencies included discrepancies in who needs a WWCC, record-keeping procedures, variation in monitoring and information-sharing and complications with WWCCs not being portable across borders.⁵⁰

To address this divergence, federal, state and territory governments agreed to the National Principles for Child Safe Organisations and the National Standards for Working with Children Checks in 2019.⁵¹

However, divergence has continued. In 2022, the Ombudsman found Victoria's system still held a much smaller scope for screening applicants than other jurisdictions by not allowing 'evidence of conduct that does not result in criminal charges or disciplinary findings' to be considered in assessing WWCCs, while also having less 'discretion to reassess a person's suitability'.⁵² In 2023, 'inconsistencies in policy requirements and checking processes' were still hampering effectiveness, while the Rapid Review also recommended a more coordinated approach between jurisdictions.⁵³ Some of these gaps were addressed through recent amendments to the Worker Screening Act (see 'New legislation' section).

The WWCC National Reference System is one harmonisation measure that has already been established—'a central database established and maintained by the Australian Criminal Intelligence Commission that records WWCC decisions'—and Victoria has had access since December 2021.⁵⁴ However, national measures such as a register of childcare workers (see 'Federal reforms' and 'New legislation' sections) and the proposed National Continuous Checking Capability are still seen as important monitoring measures to be introduced.⁵⁵

Table 3 summarises the main points at which different states and territories' WWCC schemes diverge.

⁴⁹ Royal Commission into Institutional Responses to Child Sexual Abuse (2017) *Final report: making institutions child safe—volume 6*, 15 December, Canberra, Attorney-General's Department; Royal Commission into Institutional Responses to Child Sexual Abuse (2017) *Final report: recordkeeping and information sharing—volume 8*, 15 December, Canberra, Attorney-General's Department.

⁵⁰ E. Hakansson et al. (2025) *More than a check: Enhancing the Working with Children Check scheme to strengthen the safety net around children*, February, Richmond, Australian Childhood Foundation, p. 14.

⁵¹ Australian Children's Education & Care Quality Authority (2023) op. cit., pp. 63, 75; Australian Human Rights Commission (2019) *National Principles for Child Safe Organisations*, February, Sydney, AHRC, p. 4.

⁵² Victorian Ombudsman (2022) op. cit., pp. 69–70.

⁵³ Australian Children's Education & Care Quality Authority (2023) op. cit., p. 63; Weatherill & White (2025) op. cit., p. 9.

⁵⁴ Victorian Government (2022) *Victorian Government Annual Report 2021: Royal Commission into Institutional Responses to Child Sexual Abuse*, February, Melbourne, Victorian Government.

⁵⁵ Weatherill & White (2025) op. cit., p. 43.

Table 3: Points of divergence between jurisdictions' working with children (or vulnerable people) schemes

Working with children check divergence between jurisdictions ⁵⁶	
Scope of system ⁵⁷	While most jurisdictions operate 'Working with Children Check' systems, ACT and Tasmania's systems have an expanded scope of 'vulnerable people'.
Length of validity ⁵⁸	In most jurisdictions, WWCCs are valid for five years, but periods of validity can also vary to three years (WA, Qld) and two years (NT).
Assessable information ⁵⁹	Assessable information for screening agencies judging WWCC suitability varies between jurisdictions. While all consider convictions, variation occurs as to what other legal and disciplinary information can impact a WWCC assessment, such as police intelligence, child protection reports, Intervention Orders and related court orders.
Scope of workplaces and people requiring WWCCs ⁶⁰	Who requires a WWCC varies across jurisdictions and may depend on: age; position; whether someone is a volunteer or employee; number of days expected to work with children over a certain period; and whether the contact is expected or incidental. The minimum age for requiring a WWCC ranges from 14 (e.g. NT) to 18 (e.g. Vic).
Reportable conduct scheme (RCS) ⁶¹	Most jurisdictions have an RCS, whereby allegations of reportable conduct must be reported to the relevant oversight body, but some do not (NT and SA; Qld's will commence on 1 July 2026).
Time period for mandatory reporting ⁶²	Time periods within which the head of an organisation must report any reportable conduct to their regulatory authority vary: 3 business days (Tas, Vic); 7 business days (NSW, WA); and 30 days (ACT).
Review process for appeals of WWCC application or revocation decisions ⁶³	In Victoria, the new independent Social Services Regulator will fill the role of assessing and re-assessing WWCC decisions, replacing the roles of QARD and VCAT. In most jurisdictions, this review role is filled by civil and administrative tribunals. Exceptions include NSW (review process is handled internally by the Office of the Children's Guardian) and NT (a refused WWCC applicant may apply directly to a local court).

⁵⁶ Information in this table was compiled with the assistance of each state or territory's parliamentary library.

⁵⁷ Australian Institute of Family Studies (2024) 'Pre-employment and volunteer screening checks', AIFS website.

⁵⁸ *ibid.*

⁵⁹ *ibid.*; Victorian Ombudsman (2022) *op. cit.*, p. 69.

⁶⁰ Australian Institute of Family Studies (2024) *op. cit.*

⁶¹ SA Department for Child Protection (2024) *The South Australian Government 2023-2024 Annual Report: Responding to the Recommendations of the Child Protection Systems Royal Commission and the Royal Commission into Institutional Responses to Child Sexual Abuse*, September, Adelaide, Government of South Australia, p. 11; J.-P. Langbroek & A. Camm, Minister for Education and the Arts, and Minister for Child Safety and the Prevention of Domestic and Family Violence (2025) *Reportable Conduct Scheme fast-tracked to better protect Queensland children*, media release, 16 October; Northern Territory Government (date unknown) 'Report child abuse', Northern Territory Government website.

⁶² NSW Office of the Children's Guardian (2025) 'How the scheme works', NSW OCG website; Office of the Independent Regulator (2025) 'Reportable Conduct Scheme', OIR website; Commission for Children and Young People (2017) *Information sheet 7: Reporting to the Commission*, 30 May, Melbourne, CCYP; Queensland Family & Child Commission (2025) 'Reportable Conduct Scheme', QFCC website; Ombudsman Western Australia (2023) *Reportable Conduct Scheme: Frequently Asked Questions*, July, Perth, Ombudsman WA; ACT Ombudsman (2018) *The ACT Reportable Conduct Scheme: An introduction*, February, Canberra, ACT Ombudsman.

⁶³ Northern Territory Government (date unknown) 'Working with children clearance: appeals', Northern Territory Government website; NSW Office of the Children's Guardian (2025) 'Internal review of Working

Information sharing

Information-sharing mechanisms have been a point of frustration for many involved with ECEC regulation and the WWCC system. Former Victorian Children's Commissioner Liana Buchanan has been lobbying for change since 2019. Although in her ten years as commissioner Buchanan referred almost 2,000 people to have their WWCCs reassessed, she said she had been inhibited by information-sharing mechanisms that meant she could not share evidence or information suggesting that someone posed a risk to children with the screening unit administering the Working with Children Check scheme.⁶⁴

The Rapid Review echoed this view, saying that limitations on the CCYP's ability to share unsubstantiated reportable conduct allegations with the WWCC scheme was due to 'narrowly drafted provisions in the Child Wellbeing and Safety Act 2005'.⁶⁵ It further noted the current limit of 'substantiated findings' being considered 'assessable information' needed to be changed, as the status quo 'enables "red flags" to be missed leading to a piecemeal and incomplete picture of risk'.⁶⁶

ACECQA found in 2023 that WWCC systems around the country needed 'development work' to work with the WWCC National Reference System, 'including both internal operation processes and legislative change' to enable cross-border information-sharing.⁶⁷

Mandatory training

Several of the Royal Commission's recommendations back in 2017 related to improving training for staff in the ECEC workforce to ensure workers understand the Child Safe Standards, their obligations under the NQF, and the risks of child sexual abuse in the sector.⁶⁸

Other ECEC stakeholders reiterated this view, including the Australian Childhood Foundation (ACF), which in February 2025 recommended a 'nationally consistent' program of training content that is 'co-designed with people with lived experience of child sexual and other forms of abuse'.⁶⁹ Academic and clinical psychologist Dr Cher McGillivray echoed this call, insisting 'trauma-informed training' should be a government priority.⁷⁰

The ACF tracked media across the previous two years for failings in the ECEC sector, highlighting how systemic failures have persisted across many jurisdictions and noting a lack of child safety knowledge among WWCC-accredited workers.⁷¹ The National Centre for Action on Child Sexual Abuse (NCACSA) also found that despite widespread community support for addressing child sexual abuse, 'understanding of harmful sexual behaviours is very limited and needs to be extended', particularly among carers and parents to aid awareness and detection of abuse risks.⁷² NCACSA stated this was particularly important given that:

with Children Check decisions', NSW OCG website; Victoria Legal Aid (2025) '[Appealing a Working with Children exclusion](#)', Victoria Legal Aid website; Department of Justice (Tas) (2025) '[Refusals and appeals](#)', Department of Justice (Tas) website; Access Canberra (date unknown) '[Working with Vulnerable People scheme](#)', Access Canberra website; Government of South Australia (2025) '[Working with Children Checks](#)', SA.gov.au; Department of Communities (WA) (2025) '[Working with Children Check - Screening process and outcomes](#)', WA.gov.au; Queensland Government (2025) '[Negative notice holders](#)', Queensland Government website.

⁶⁴ Taylor (2025) op. cit.

⁶⁵ Weatherill & White (2025) op. cit., p. 45.

⁶⁶ *ibid.*, p. 46

⁶⁷ Australian Children's Education & Care Quality Authority (2023) op. cit., p. 64.

⁶⁸ Royal Commission into Institutional Responses to Child Sexual Abuse (2017) *Final report: Recommendations*, op. cit.

⁶⁹ Hakansson et al. (2025) op. cit., p. 26.

⁷⁰ C. Schelle (2025) '["The system is so broken": Privacy restrictions helping alleged child abusers, says safety advocate](#)', *The Age*, 14 July.

⁷¹ Hakansson et al. (2025) op. cit. pp. 19–21.

⁷² National Centre for Action on Child Sexual Abuse (2024) *The Australian child sexual abuse attitudes, knowledge and response study: report 1: top line findings*, October, NCACSA, pp. 77–78.

... there is a high likelihood that disclosing children go unbelieved and unsupported, while some adult victims and survivors also go unsupported after a disclosure. These responses may perpetuate the lifelong harm of child sexual abuse.⁷³

See the ‘New legislation’ section for how this issue is reflected in recent reforms.

Over-reliance on screening

Increasing training and information-sharing are part of broader efforts to reduce reliance on the WWCC screening process. The Royal Commission’s special report into WWCCs stated, ‘In the absence of a range of measures being implemented to ensure the safety of children in organisations, WWCCs can provide false comfort to the community that organisations are child-safe’.⁷⁴ Dr McGillivray also called the perception of WWCCs a ‘false sense of security’.⁷⁵

This commentary stems from a reliance in WWCC assessments on criminal history checks and convictions, and not necessarily other information such as allegations of reportable conduct and disciplinary or regulatory findings against a worker. The Royal Commission report noted, ‘The existence of that information depends on abuse being reported to the appropriate authorities (such as police and disciplinary bodies)’ and that ‘the majority of perpetrators have not been convicted of child abuse in the past, meaning that WWCCs would have limited effectiveness in protecting children against those people’.⁷⁶ The Royal Commission heard that the average amount of time it takes for survivors to report child sexual abuse is over two decades—too late to address an immediate risk to child safety—while 85 per cent of complaints are withdrawn or left on the ‘cutting room floor’ of police stations.⁷⁷

As the Australian Institute of Family Studies wrote in 2024, additional safeguards must include ‘interviews, thorough reference checks, policy development for child-safe environments, and robust accountability frameworks for responding to allegations’.⁷⁸ ACECQA suggested that improvements in record-keeping would also be beneficial, including ‘confirming qualifications are appropriate and keeping accurate records of previous behaviours that flag an individual as a “person of interest”’.⁷⁹ Professor Rosemary Sheehan identified how greater responsibility taken on by employers to check employment history could help flag a ‘fragmented’ employment history, as was the case with Brown.⁸⁰ Such an employment history can make it difficult to assess a person’s suitability for a role and ‘goes against childcare wellbeing standards, which prioritise stability and continuity of care’.⁸¹

CCTV in childcare centres

The introduction of a CCTV trial for childcare centres nationally has been pitched as another deterrent to child abuse, but only as part of broader monitoring measures.⁸² ACECQA noted concerns around privacy, placement and storage, stating that while CCTV may create a ‘perception of preventing harm’ and provide useful evidence in capturing harm when it occurs, it may not actually stop harm.⁸³ There have also been warnings from abroad about

⁷³ National Centre for Action on Child Sexual Abuse (2024) op. cit., p. 78.

⁷⁴ Royal Commission into Institutional Responses to Child Sexual Abuse (2015) *Working with Children Checks report*, op. cit., p. 29.

⁷⁵ Schelle (2025) op. cit.

⁷⁶ Royal Commission into Institutional Responses to Child Sexual Abuse (2015) *Working with Children Checks report*, op. cit., p. 29.

⁷⁷ Schelle (2025) op. cit.; Royal Commission into Institutional Responses to Child Sexual Abuse (2014) *Interim report: volume I*, 30 June, Canberra, Attorney-General’s Department, p. 6.

⁷⁸ Australian Institute of Family Studies (2024) op. cit.

⁷⁹ Australian Children’s Education & Care Quality Authority (2023) op. cit., p. 60.

⁸⁰ R. Sheehan (2025) ‘What are working with children checks? Why aren’t they keeping kids safe at daycare?’, *The Conversation*, 2 July.

⁸¹ *ibid.*

⁸² S. Borys & N. Hegarty (2025) ‘CCTV trial for hundreds of childcare centres to be rolled out later this year’, *ABC News*, 22 August.

⁸³ Australian Children’s Education & Care Quality Authority (2023) op. cit., p. 30.

the risk of hacking, as noted in the UK, with calls for safeguards, consultation and national standards around any possible CCTV implementation in Australian contexts.⁸⁴

3 | New legislation

The Victorian government introduced four pieces of legislation relating to childcare safety following Brown's and Wilson's charges in July 2025. The Worker Screening Amendment (Strengthening the Working with Children Check) Bill 2025 was introduced and passed in August. Three subsequent Bills—the Victorian Early Childhood Regulatory Authority Bill 2025 ('the VECRA Bill'), the Early Childhood Legislation Amendment (Child Safety) Bill 2025 ('the ECLA Bill'), and the Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025 ('the SSR Bill')—were debated concurrently in the Legislative Assembly before being debated and passed separately in the Legislative Council across November and December 2025.

The following section details the key provisions from the resulting Acts but is not intended to be an exhaustive summary, nor provide legal advice or legislative interpretation.

Prior to these Bills, some amendments were made to the Worker Screening Regulations 2021 on 29 July 2025 via the Worker Screening Amendment (Risk of Harm to Children) Regulations 2025.⁸⁵ These regulations prescribed 'additional relevant disciplinary or regulatory findings' that could be grounds for a reassessment of a WWCC holder's suitability to hold a clearance.⁸⁶

Worker Screening Amendment (Strengthening the Working with Children Check) Act 2025

The Worker Screening Amendment (Strengthening the Working with Children Check) Bill 2025 was designed as an immediate response to the Rapid Review. It was introduced and debated urgently on 26 August 2025 and passed both houses the same day. The Bill received Royal Assent on 27 August, with the resulting Act ('the Act' in this section) coming into effect immediately.

The Act amended the Worker Screening Act to allow the relevant departmental secretary to suspend or revoke a person's WWCC when made aware of a charge, conviction, or finding of guilt for a 'relevant offence'.⁸⁷ The Act defined 'relevant offences' as 'any offence of a type of which the Secretary has requested to be notified by the Chief Commissioner of Police'.⁸⁸

The secretary is now required to suspend a person's WWCC clearance if notified that a person has been charged with, convicted of or found guilty of a relevant offence, as well as the offences already listed under Schedule 5 of the Worker Screening Act. These amendments meant that the secretary can now include less serious offences than previously required under the Worker Screening Act, which were largely restricted to serious offences such as sexual offences, child abuse offences, and violent offences against adults and children.⁸⁹

The Act also introduced a new section that requires the secretary to immediately suspend a person's WWCC if they are intending to revoke their WWCC because of a serious offence or disciplinary outcome.⁹⁰ This effectively means a person's WWCC is immediately suspended while they are under investigation for a serious offence or disciplinary action.⁹¹

⁸⁴ L. Brocki et al. (2025) 'A UK hack shows Australia needs to be very careful about its CCTV trial for daycare centres', *The Conversation*, 28 October.

⁸⁵ Worker Screening Amendment (Risk of Harm to Children) Regulations 2025.

⁸⁶ 'Explanatory Memorandum', Worker Screening Amendment (Risk of Harm to Children) Regulations 2025.

⁸⁷ Worker Screening Amendment (Strengthening the Working with Children Check) Bill 2025.

⁸⁸ Worker Screening Amendment (Strengthening the Working with Children Check) Act 2025, s 3.

⁸⁹ Worker Screening Act 2020, schedules 2, 4.

⁹⁰ *ibid.*, s 8.

⁹¹ *ibid.*

The Act widened the circumstances in which a person can be denied a WWCC in Victoria to include instances where they have ‘been excluded from child-related work under a corresponding working with children law’.⁹² This means if a person is denied a WWCC in another Australian state or territory, their Victorian WWCC must be revoked. This provision reflects the government’s commitment to ‘mutual recognition’ between states and territories agreed to at the August 2025 SCAG meeting.⁹³

The Act also allowed for the suspension of a WWCC if the holder is found to have provided false or misleading information on their application, among other minor amendments.⁹⁴

Victorian Early Childhood Regulatory Authority Act 2025

The Victorian Early Childhood Regulatory Authority Bill 2025 was introduced on 28 October 2025 and was debated concurrently with the SSR and ECLA Bills in November (see below). The Bill passed Parliament without amendment and received Royal Assent on 25 November 2025.

The government stated that the resulting Act (‘the Act’ in this section) acquitted the recommendations of the Rapid Review to establish an independent early childcare regulator (recommendation 9) and to develop an early childhood worker register (recommendation 4).⁹⁵ These provisions will commence on 1 January 2026.⁹⁶

Victorian Early Childhood Regulatory Authority

The main purpose of the Act was to establish the Victorian Early Childhood Regulatory Authority (VECRA). The Act established VECRA as a statutory authority and outlined its functions, which include maintaining the Victorian Early Childhood Worker Register (see below) and other functions delegated to the ‘Regulatory Authority’ defined in both the *Children’s Services Act 1996* (‘CSS Act’) and the National Law. The Regulatory Authority was previously the Secretary of the Department of Education, who delegated functions and powers to the QARD, but the Act moved these to VECRA.⁹⁷

Functions of the Regulatory Authority detailed under the CSS Act that were moved to VECRA include:

- monitoring and enforcing compliance;
- receiving and investigating complaints;
- collecting information for the purposes of regulating children’s services;
- reviewing and reporting on the performance of children’s services and their compliance with the Child Safe Standards;
- providing education, information and advice on the Child Safe Standards; and
- keeping a register of ECEC providers.⁹⁸

⁹² *ibid.*, s 1(d).

⁹³ Standing Council of Attorneys-General (2025) *Communiqué: Child safety - Working with children check reform*, op. cit.

⁹⁴ *Worker Screening Amendment (Strengthening the Working with Children Check) Act 2025*, s 9, new section 93A(1).

⁹⁵ B. Carroll, Minister for Education (2025) ‘[Second reading speech: Worker Screening Amendment \(Strengthening the Working With Children Check\) Bill 2025](#)’, *Debates*, Victoria, Legislative Assembly, 29 October, pp. 4392–4389.

⁹⁶ *Victorian Early Childhood Regulatory Authority Act 2025*, s 2.

⁹⁷ Victorian Government (2025) ‘[Role of the Regulatory Authority](#)’, Victorian Government website.

⁹⁸ *Children’s Services Act 1996*; *Education and Care Services National Law Act 2010*, s 8.

Functions of the Regulatory Authority detailed under the National Law that were moved to VECRA include:

- providing education, information and advice on the Child Safe Standards; and
- collecting, analysing and publishing information and data regarding compliance with the Child Safe Standards.

Section 16B of the National Law also outlines the information-sharing functions of the secretary, which the Act transferred to VECRA (as the new Regulatory Authority).

Other powers were given to VECRA under the amendments introduced by the Early Childhood Legislation Amendment (Child Safety) Act in November 2025 (see below).

The Regulator

The Act outlined how the Minister can appoint the new Regulator, who ‘has all the functions and powers of the Authority and is responsible for undertaking the strategic leadership of the Authority’ (VECRA). Sections 10–14 outlined the eligibility requirements for a person to be nominated and appointed as the Regulator, as well as the grounds for their removal. A person may serve as the Regulator for up to five years and may be reappointed.⁹⁹

The previous arrangement, in which the Secretary of the Department of Education served as the Regulator, meant that the department was effectively regulating itself and the services it provided, creating a conflict of interest. The Act removed this conflict by establishing VECRA as an independent regulator of education and care services.¹⁰⁰

Victorian Early Childhood Workforce Register

Part 3 of the Act provided for the Victorian Early Childhood Workforce Register (VECWR). VECWR was introduced in July (about three months before the introduction of the Bill for the Act) and was made operational in August, and the Act provided for VECRA to be responsible for the Register.¹⁰¹

All early childhood workers are required to provide the VECWR with the information prescribed by the Act. This includes the following information about the person’s:

- name;
- date of birth;
- gender;
- contact details;
- role in which they’re employed at an ECEC service;
- previous or current work in other ECEC centres and the dates they were employed; and
- WWCC status and information.¹⁰²

The Act also allowed further required information to be prescribed in regulations.¹⁰³

The Act defined ‘early childhood worker’ broadly to include service staff members, volunteers, and students on placement in ECEC providers, and included workers in ECEC programs in hospitals.¹⁰⁴

The Act restricted the use and disclosure of information held on the VECWR and creates several new offences for unauthorised access, use or disclosure of this information, with a

⁹⁹ *Victorian Early Childhood Regulatory Authority Act 2025*, s 11.

¹⁰⁰ ‘Explanatory Memorandum’, *Victorian Early Childhood Regulatory Authority Bill 2025*, p. 2.

¹⁰¹ Allan (2025) *Child safety overhaul*, op. cit.; Victorian Government (2025) ‘[Early Childhood Workforce Register](#)’, Victorian Government website.

¹⁰² *Victorian Early Childhood Regulatory Authority Act 2025*, s 24.

¹⁰³ *ibid.*

¹⁰⁴ *ibid.*, s 3.

penalty of 60 penalty units for a person (approximately \$12,210) and 300 penalty units (approximately \$61,053) for a body corporate.¹⁰⁵

Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Act 2025

The Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025 was introduced in the Legislative Assembly on 12 November and was debated concurrently with the ECLA and VECRA Bills. It passed the Legislative Assembly on 14 November and was amended in the Legislative Council, and the amendments were accepted by the Assembly on 9 December 2025.¹⁰⁶

The resulting Act's ('the Act' in this section) primary purpose was to consolidate several child safety and disability services and position them within the Social Services Regulator (SSR). However, Opposition and crossbench amendments to the Bill meant that the provisions that would merge several disability services and regulators with the SSR were removed.¹⁰⁷

Chapters 1 and 2 of the Act came into operation on 16 December 2025, the day of Royal Assent. The remaining provisions come into effect on a day to be proclaimed and before 1 January 2028. The amending Act set out an 'Intended sequencing of commencement' detailing the order in which these remaining provisions will commence.¹⁰⁸

Consolidating schemes to the SSR

The Act amended several Acts to consolidate several child safety regulation and enforcement schemes under the SSR:

- Working With Children Check Scheme
- Reportable Conduct Scheme
- Child Safe Standards
- the education and guidance functions of the CCYP.¹⁰⁹

The Act also moved the compliance and education functions of the Reportable Conduct Scheme and the Child Safe Standards from the CCYP to the SSR.¹¹⁰ These functions mainly focus on children and young people in child protection services and the youth justice system.

Wider triggers to reassess and investigate WWCC

The Act lowered the threshold of allegations and intelligence that can be used when assessing, refusing or revoking a WWCC. Previously, only a formal charge, conviction, or disciplinary finding could result in a WWCC being denied or revoked. The Act expanded this to allow the SSR new powers to consider any child safety risk information when considering WWCCs (a function transferred to them by the Act). 'Child safety risk information' was given a broad meaning in the Act to include 'any information that is relevant to assessing a risk to the safety of a child but does not include a relevant disciplinary or regulatory finding'.¹¹¹ The

¹⁰⁵ *ibid.*, ss 31–33; Department of Justice and Community Safety (2025) '[Penalties and values](#)', DJCS website.

¹⁰⁶ '[Explanatory Memorandum](#)', Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025

¹⁰⁷ K. Rooney & G. McArthur (2025) '[Allan government postpones key child safety reform in row over disability watchdogs](#)', *The Age*, 20 November.

¹⁰⁸ [Social Services Regulation Amendment \(Child Safety, Complaints and Worker Regulation\) Act 2025](#), Part 3.1.

¹⁰⁹ '[Explanatory Memorandum](#)', Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025.

¹¹⁰ *ibid.*

¹¹¹ [Social Services Regulation Amendment \(Child Safety, Complaints and Worker Regulation\) Act 2025](#), s 7A(1).

information that can be used to trigger a re-assessment was also expanded to include ‘criminal intelligence’ and ‘child protection information’.¹¹²

The Regulator was also given broader powers to make ‘broad enquiries of other agencies as to any regulatory or disciplinary enquiries and investigations’ in their assessment.¹¹³ Furthermore, the Act allowed a finding of reportable conduct in other jurisdictions to trigger a re-assessment of a person’s eligibility to hold a WWCC in Victoria.¹¹⁴

The Act allowed for an interim bar to be placed on a person’s WWCC while they are under review, re-assessment, check, or application.¹¹⁵ The definition of ‘child safety risk information’ also applies in these cases.

Other amendments

The Act’s provisions also introduced new requirements that:

- an applicant must undertake mandatory training before they can be granted a WWCC;
- workplaces must verify a potential employee’s WWCC before hiring them; and
- ECEC workplaces must register all their workers with the SSR, including when they leave or move to a new employer.¹¹⁶

It also moved the review process from VCAT to an expert panel internal to SSR.¹¹⁷

Early Childhood Legislation Amendment (Child Safety) Act 2025

The Early Childhood Legislation Amendment (Child Safety) Bill 2025 was introduced on 12 November 2025 in the Legislative Assembly and debated concurrently with the VECRA and SSR Bills. It passed the lower house on 14 November and was passed by the Council with amendment (see below) on 20 November. The amendments were agreed to by the lower house on 2 December, with Royal Assent being granted on 9 December.¹¹⁸ All provisions will have commenced by 27 February 2026.¹¹⁹

The resulting Act (‘the Act’ in this section) introduced reforms to the National Law. These had been agreed to by the EMM in August and led by Victoria.¹²⁰ The Act also responded to recommendations of the Rapid Review and ACECQA’s Review of Child Safety Arrangements under the National Quality Framework, published in December 2023.¹²¹

Changes to the Education and Care Services National Law

The Education and Care Services National Law is an applied law system, which means the same law—in this case the *Education and Care Services National Law Act* which was initially introduced in Victoria—is subsequently applied in other states and territories through an ‘application’ Act or a corresponding Act but with variations according to how the law is implemented in each region.¹²²

¹¹² *ibid.*

¹¹³ ‘Explanatory Memorandum’, Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025, p. 50.

¹¹⁴ *Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Act 2025*.

¹¹⁵ *ibid.*, Part 3.1A.

¹¹⁶ ‘Explanatory Memorandum’, Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025.

¹¹⁷ *ibid.*, p. 69.

¹¹⁸ [Early Childhood Legislation Amendment \(Child Safety\) Bill 2025](#).

¹¹⁹ [Early Childhood Legislation Amendment \(Child Safety\) Act 2025](#), s 2.

¹²⁰ Education Ministers Meeting (2025) *op. cit.*

¹²¹ ‘Explanatory Memorandum’, [Early Childhood Legislation Amendment \(Child Safety\) Bill 2025](#), p. 1.

¹²² For more information, see Australian Children’s Education & Care Quality Authority (undated) ‘[National Law](#)’, ACECQA website.

One of the key national reforms is the establishment of a new National Early Childhood Worker Register, which will complement the registers such as VECWR that each state and territory is expected to introduce.¹²³

Further amendments to the National Law included:

- a new statutory duty for service providers to give 'paramount consideration' to the safety, rights and best interests of children;¹²⁴
- mandatory child protection training for all who work with children, and child safety training for all who provide education or care services;¹²⁵
- a new offence of 'inappropriate conduct' with penalties up to \$172,000;¹²⁶
- provisions to ensure images and videos of children can only be taken with devices issued by the service or provider, and staff members and educators cannot bring their own device with them while working with children;¹²⁷ and
- extending the statute of limitation for commencing proceedings against an individual or provider after becoming aware of an allegation—from 'within 2 years of the date of the alleged offence' to 'within 2 years after the date on which the person [in Victoria, this means VECRA, someone authorised by VECRA or a police officer] becomes aware of the alleged offence'.¹²⁸

New powers for VECRA

The Act also introduced several new or expanded powers and enforcement mechanisms for VECRA. The Act enabled VECRA to:

- issue suspension notices, supervision notices and mandatory training notices to staff members, as well as share information about those decisions with the services the staff members work at and publish information about enforcement actions;¹²⁹
- refuse applications for provider's approval from people who have been denied approval in the previous 12 months;¹³⁰
- take disciplinary action against providers for contravening the National Law, including managers;¹³¹
- cancel a provider's approval in certain circumstances, such as if the provider has been deregistered as a corporation, is under administration or is in liquidation;¹³² and
- suspend a provider's rating while an investigation is undertaken.¹³³

The Act also created several new offences, expanded the number of 'infringeable' offences, and increased penalties. Existing maximum penalties for offences under the National Law were multiplied by three, while the maximum penalties for large providers (providers that have 25 or more services) were multiplied by nine.¹³⁴

¹²³ *Early Childhood Legislation Amendment (Child Safety) Act 2025*, s 107.

¹²⁴ *ibid.*, s 61.

¹²⁵ *ibid.*, s 78.

¹²⁶ *ibid.*, s 79.

¹²⁷ S. Kilkenny, Attorney-General (2025) '[Second reading speech: Worker Screening Amendment \(Strengthening the Working With Children Check\) Bill 2025](#)', *Debates*, Victoria, Legislative Assembly, 26 August, pp. 3169–3171.

¹²⁸ *Early Childhood Legislation Amendment (Child Safety) Act 2025*, s 11(3); *Education and Care Services National Law Act 2010*, s 284.

¹²⁹ *Early Childhood Legislation Amendment (Child Safety) Act 2025*, s 84.

¹³⁰ *ibid.*, s 117, new section 16HAA.

¹³¹ *ibid.*, s 119.

¹³² *ibid.*, s 117, new section 16HAB.

¹³³ *ibid.*, s 117, new section 138A; Carroll (2025) op. cit.

¹³⁴ Carroll (2025) op. cit.

Council amendments

Minor amendments were introduced by the government and agreed to in the Legislative Council. Where a provider is directed to suspend or ensure the supervision of a staff member or volunteer, the original Bill allowed the provider to respond to this direction in a show-cause process but did not provide the same avenue of recourse for the staff member or volunteer.¹³⁵ The amendments extended to both the provider and the worker the ability to respond to the regulator's decision.¹³⁶

4 | Stakeholder responses to reforms

Parties

Liberal-National opposition

The Victorian Liberal-National opposition has expressed support for reforms but has roundly criticised the Labor government for delays in introducing legislation. In July 2025, it released a six-point plan titled *Safe from the start*, outlining reforms deemed necessary to fix the childcare system, particularly pointing back to the Ombudsman's 2022 recommendations to amend the Worker Screening Act.¹³⁷

Despite criticising delays in introducing legislation and also the lack of time allowed for consideration and consultation on the legislation, lead speaker and then-Shadow Minister for Education Jess Wilson expressed broad support for VECRA and the VECWR ('one of the most important ways we can safeguard children against abuse'), the amalgamation of early childhood safety functions under SSR ('this is overdue reform'), and increased information-sharing between regulators ('this basic and fundamental oversight should have been in place long ago').¹³⁸

The Coalition supported the move of the ECEC regulator to an independent body outside the Department of Education, enabled by the VECRA Act, and the consolidation of the WWCC system, the reportable conduct scheme and the child safe standards under the SSR Bill.¹³⁹ However, it opposed the measures in the SSR Bill that proposed consolidating several of Victoria's disability regulatory bodies into the SSR, provisions that were eventually removed in the Legislative Council.¹⁴⁰

Greens

Leader of the Victorian Greens Ellen Sandell made only general comments on the Bills as they were introduced but described the need for legislation as 'urgent' and criticised the government's lack of action amid 'years of these warnings'.¹⁴¹

¹³⁵ B. Carroll, Minister for Education (2025) '[Council's amendments: Early Childhood Legislation Amendment \(Child Safety\) Bill 2025](#)', *Debates* [Proof], Victoria, Legislative Assembly, 2 December 2025, p. 79.

¹³⁶ *ibid.*

¹³⁷ B. Battin & J. Wilson, Leader of the Opposition & Shadow Minister for Education (2025) '[Safe from the start: our plan to protect children in childcare](#)', media release, 23 July.

¹³⁸ J. Wilson, Shadow Minister for Education (2025) '[Second reading debate: Early Childhood Legislation Amendment \(Child Safety\) Bill 2025; Social Services Regulation Amendment \(Child Safety, Complaints and Worker Regulation\) Bill 2025; Victorian Early Childhood Regulatory Authority Bill 2025](#)', *Debates* [Proof], Victoria, Legislative Assembly, 12 November, pp. 87–90, 101–103.

¹³⁹ E. Mulholland, Deputy Leader of the Opposition in the Legislative Council (2025) '[Second reading debate: Early Childhood Legislation Amendment \(Child Safety\) Bill 2025; Social Services Regulation Amendment \(Child Safety, Complaints and Worker Regulation\) Bill 2025; Victorian Early Childhood Regulatory Authority Bill 2025](#)', *Debates* [Proof], Victoria, Legislative Council, 20 November, pp. 61–65.

¹⁴⁰ *ibid.*

¹⁴¹ E. Sandell, Leader of the Victorian Greens (2025) '[Second reading debate: Early Childhood Legislation Amendment \(Child Safety\) Bill 2025; Social Services Regulation Amendment \(Child Safety, Complaints and Worker Regulation\) Bill 2025; Victorian Early Childhood Regulatory Authority Bill 2025](#)', *Debates* [Proof], Victoria, Legislative Assembly, 12 November, pp. 121–124, p. 122.

In July, the Greens called for the regulation of the ECEC sector to be moved out of the Department of Education (as the VECRA Act did) and moved a successful motion to establish a select committee into the sector.¹⁴² The Greens had also called for changes to the WWCC system in early August and pushed for an independent specialist child safety regulator.¹⁴³

Childcare spokesperson Anasina Gray-Barberio supported the legislation in general in the Legislative Council but stated that the Greens had 'concerns that the bills are not strong enough' to address the 'systemic crisis' facing the ECEC sector.¹⁴⁴ Sandell echoed these comments, stating that the Bills failed 'to address the true causes of why we are here today, which is that the for-profit model of childcare is broken and it fundamentally does not work'.¹⁴⁵

While supporting the child safety aspects of the SSR Bill for allowing for 'consistency and stronger oversight', the Greens also opposed the consolidation of disability services into the SSR, fearing that 'establishing a super-regulator that is not strictly all child focused ... might dilute its child safety focus and not be as effective'.¹⁴⁶ The Greens moved amendments to the SSR Bill seeking to 'remove all parts of the bill that relate to disability'.¹⁴⁷

Gray-Barberio also stated the Greens supported the VECRA Bill as 'a step in the right direction' but argued the new regulator doesn't have 'enough teeth to fully address the systemic structural issues that have led to this crisis'.¹⁴⁸ The Greens moved two amendments to the VECRA Bill, proposing that the Integrity and Oversight Committee have veto powers over the regulator and that authorised officers must uphold the standards. These amendments were not agreed to.

The Greens supported the ECLA Bill but raised concerns about the proportionality of the penalties for the offences it contained. They raised an amendment to strengthen public reporting requirements of the Regulatory Authority, which was not agreed to.

Crossbench

Animal Justice Party Member Georgie Purcell supported the Bills in the Legislative Council but supported the Greens' amendments to the VECRA Bill to give the regulator more resourcing and enforcement powers.¹⁴⁹ Purcell also raised similar concerns regarding the disability provisions of the SSR Bill.¹⁵⁰

Legalise Cannabis Victoria MP David Ettershank echoed the Greens and AJP's concerns that the 'baggage' of reforms to disability regulation were of 'grave concern'.¹⁵¹ Ettershank moved amendments to the SSR Bill designed to protect any whistleblowers of child abuse allegations through 'secure terms of employment so that people can speak out and they are

¹⁴² Gray-Barberio (2025) 'Select committee: Establishment', op. cit.

¹⁴³ Victorian Greens (2025) *Greens say Working With Children Check loopholds must be closed*, media release, 7 August.

¹⁴⁴ A. Gray-Barberio (2025) 'Second reading debate: Early Childhood Legislation Amendment (Child Safety) Bill 2025; Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025; Victorian Early Childhood Regulatory Authority Bill 2025', *Debates* [Proof], Victoria, Legislative Council, 20 November, pp. 5179-5184, p. 5180.

¹⁴⁵ Sandell (2025) op. cit., p. 123.

¹⁴⁶ Gray-Barberio (2025) 'Second reading debate', op. cit., p. 5180; Sandell (2025) op. cit, p. 124.

¹⁴⁷ Gray-Barberio (2025) 'Second reading debate', op. cit., p. 5182.

¹⁴⁸ *ibid.*

¹⁴⁹ G. Purcell (2025) 'Second reading debate: Early Childhood Legislation Amendment (Child Safety) Bill 2025; Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025; Victorian Early Childhood Regulatory Authority Bill 2025', *Debates* [Proof], Victoria, Legislative Council, 20 November, pp. 5193-5195, p. 5194.

¹⁵⁰ Purcell (2025) op. cit.

¹⁵¹ D. Ettershank (2025) 'Bills: Victorian Early Childhood Regulatory Authority Bill 2025 Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Bill 2025 Early Childhood Legislation Amendment (Child Safety) Bill 2025 - Cognate debate', *Debates* [Proof], Victoria, Legislative Council, 13 November, pp. 3-5, p. 4.

not damaged in their employment for doing so’.¹⁵² Ettershank’s amendments also sought to ensure workers are protected from ‘vexatious or unsubstantiated claims’ and would be paid while they were suspended.¹⁵³ He also moved an amendment to appoint an ‘independent expert advisory panel’ to review regulator decisions, but these and the other amendments were negated.¹⁵⁴

Child safety advocates

Victoria’s Acting Principal Commissioner for Children and Young People Meena Singh stated the Rapid Review and subsequent legislation was ‘a singular moment for the future of child safety in Australia. It must be the beginning of truly orchestrated action built on evidence, and the courage to accept and act on the flaws in our current systems’.¹⁵⁵ The CCYP stated it supported the decision to move the Reportable Conduct Scheme and administration of the Child Safe Standards from the CCYP to the SSR.¹⁵⁶

National Children’s Commissioner Anne Hollonds welcomed the reforms announced in response to the Rapid Review, following what she said had been recommendations and reviews ‘sitting on a shelf’ until now.¹⁵⁷ Hollonds identified ‘significant barriers’ to reform, saying ‘if we don’t identify those barriers, name them, and work out how to overcome them, we might find ourselves in a similar position in the future’.¹⁵⁸

Child safety experts and advocates said Victoria’s Rapid Review could act as a blueprint for other states and territories and national reforms, with one calling it ‘a moment of reckoning’.¹⁵⁹ These experts joined others in calling for state and national governments to use the review as an opportunity for more systemic reform of the sector.¹⁶⁰ Others drew attention to the risks posed by a predominantly for-profit sector to child safety. ‘While the current market-driven model for early childhood education and care remains,’ said CEO of the Front Project Caroline Croser-Barlow, ‘the risks to quality and safety ... will persist’.¹⁶¹

SNAICC—National Voice for our Children, who advocate for Aboriginal and Torres Strait Islander children’s safety and care, welcomed the Rapid Review findings. However, the body also said that the review must include Indigenous children and, in particular, childcare services in remote and regional communities where ‘community-controlled models are already demonstrating best practice’.¹⁶² ‘While safety reforms are welcome,’ said SNAICC CEO Catherine Liddle, ‘without structural change to the workforce, funding model and regulatory systems, too many children will continue to fall through the cracks’.¹⁶³

Childcare sector

The peak body for childcare workers, Early Learning Association Australia, supported the recommendations of the Rapid Review, but also expressed concern that many

¹⁵² D. Ettershank (2025) ‘Committee: Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Act 2025’, *Debates* [Proof], Victoria, Legislative Council, 4 December 2025, pp. 87–113, p. 89.

¹⁵³ *ibid.*

¹⁵⁴ *ibid.*, pp. 104, 106, 109.

¹⁵⁵ Commission for Children and Young People (2025) *Rapid Child Safety Review reforms*, media release, 20 August.

¹⁵⁶ Commission for Children and Young People (2025) *Commission’s work drives increased accountability of organisations to prevent, detect and respond to child abuse*, media release, 29 October.

¹⁵⁷ (2025) ‘Childcare advocates say Victorian report highlights need for federal government to ‘do the heavy lifting’ to improve sector’, *ABC News*, 21 August.

¹⁵⁸ *ibid.*

¹⁵⁹ *ibid.*

¹⁶⁰ *ibid.*

¹⁶¹ The Front Project (2025) *op. cit.*

¹⁶² SNAICC – National Voice for our Children (2025) *Safety reforms welcome, but need for change remains*, media release, 22 August.

¹⁶³ *ibid.*

recommendations relied on Commonwealth funding.¹⁶⁴ The association requested ‘clear direction and assurance from all levels of government that they will properly fund our members to ensure they can support their staff’, while also drawing attention to the under-resourced sector and concerns about increasing regulatory burden.¹⁶⁵

Other peak bodies such as Childcare Alliance Australia and Early Childhood Australia (ECA) also supported the reforms as they were announced, with ECA stating, ‘Substantive reform is required to change the early childhood sector from a regulated market focused on parental workforce participation to a universal system focused on children’s rights and entitlements’.¹⁶⁶

Disability sector

The SSR Bill was widely criticised when first introduced for proposing to combine childcare and disability regulatory bodies.¹⁶⁷ Organisations and individuals across the sector argued against the consolidation of these services, leading the government to amend the Bill to remove these provisions and pass only those relating to child safety and the ECEC sector.¹⁶⁸

¹⁶⁴ Early Learning Association Australia (2025) *ELAA commends the Victorian Government on Rapid Child Safety Review but urges Commonwealth to go further to protect our children*, media release, 20 August.

¹⁶⁵ *ibid.*

¹⁶⁶ Early Childhood Australia (2025) *ECA Welcomes the Victorian Government’s Child Safety Review*, media release, 21 August; Australian Childcare Alliance (2025) *ACA welcomes Child Safety Review findings and commits to working with government on reforms*, media release, 20 August.

¹⁶⁷ G. McArthur & K. Rooney (2025) ‘Plans to axe disability watchdogs ‘incredibly dangerous’, critics warn’, *The Age*, 14 November.

¹⁶⁸ Rooney & McArthur (2025) *op. cit.*

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Suggested citation

Florence, E. & A. Tonkin (2026) *'A moment of reckoning': Recent developments in Victoria's child safety framework*, Parliamentary Library & Information Service, Melbourne, Parliament of Victoria.

Acknowledgements

The Parliament of Victoria Library acknowledges the Traditional Owners of the lands on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, and we value Aboriginal and Torres Strait Islander history, culture and knowledge.

The authors would like to thank Marianne Aroozoo, Caley Otter, Debra Reeves, Ben Reid and Annie Wright for their assistance in the preparation of this paper. The authors would also like to thank the parliamentary libraries of each state and territory for their assistance in providing resources from their jurisdictions.

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Research Note

Parliamentary Library & Information Service

ISSN: 2204-4779 (Print) 2204-4787 (Online)