

T R A N S C R I P T

SELECT COMMITTEE ON THE EARLY CHILDHOOD EDUCATION AND CARE SECTOR IN VICTORIA

Inquiry into the Early Childhood Education and Care Sector in Victoria

Melbourne – Wednesday 11 March 2026

MEMBERS

Anasina Gray-Barberio – Chair

Michael Galea – Deputy Chair

Melina Bath

Georgie Crozier

Jacinta Ermacora

Sarah Mansfield

WITNESSES

Lisa Briggs, Executive Director,

Lisa Thorpe, Sector Representative, and

Reuben Leigh, Policy Officer, Strategic Policy and Reform, Ngaweeyan Maar-oo.

The CHAIR: Welcome back. We will now resume the committee's public hearings for the Inquiry into the Early Childhood Education and Care Sector in Victoria.

I would like to begin this particular session by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands that we are gathered on, as well as elders here today for this hearing, and I pay my respects to your ancestors, your elders and your families. I particularly welcome any members who are here today to impart their knowledge of this issue to the committee, and I thank them for that.

All evidence taken is protected by parliamentary privilege as provided by the *Constitution Act 1975* and provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is recorded, and you will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

For the Hansard record can you please state your name and any organisation you are appearing on behalf of.

Reuben LEIGH: I am Reuben Leigh, and I am a policy officer at Ngaweeyan Maar-oo.

Lisa BRIGGS: Lisa Briggs, I am the CEO of Ngaweeyan Maar-oo, which is the official partner with the Victorian government on Closing the Gap.

Lisa THORPE: I am Lisa Thorpe, and I am the sector rep for early childhood development on Ngaweeyan Maar-oo. I am also the CEO of Bubup Wilam Aboriginal Child and Family Centre.

The CHAIR: We will now go around and introduce ourselves. Good morning. My name is Anasina Gray-Barberio, MP for Northern Metro and Chair.

Michael GALEA: Good morning. Michael Galea, Deputy Chair of the committee, Member for South-East Metropolitan.

Sarah MANSFIELD: Sarah Mansfield, Member for Western Victoria Region.

Melina BATH: Melina Bath, Eastern Victoria Region. Good morning.

Jacinta ERMACORA: Jacinta Ermacora here from Western Victoria Region, currently on Gunditjmarra land in Warrnambool.

The CHAIR: Thank you. We would now like to invite you to make any opening remarks or statement and request you keep it to a maximum of 10 minutes just so we ensure we have got plenty of time for discussion. Thank you.

Lisa BRIGGS: Thank you. Before I start, I just want to acknowledge that we are on Wurundjeri country. I pay my respects to elders past and present and to all the nations that you are currently from, and also to my cousins and colleagues presenting today.

Ngaweeyan Maar-oo is the official representative partner with the Victorian government on the National Agreement on Closing the Gap. Its role is to work with the state government on the implementation, oversight and accountability for the priority reforms which look at shared decision-making and co-governance and look at sector strengthening by building up the capability and capacity within the ACCOs and traditional owner

groups. It also has a very strong role, which I think is very relevant to this inquiry, around transformation and what that transformation may look like both in cultural safety, embedding cultural standards and reducing racism but also how you work with mainstream organisations, particularly those of universal services, which child care is. And then the last one is around data sovereignty, where we really need to be looking at a much stronger, evidence-based approach of what is required for Aboriginal people as part of growth and development.

We have provided you with a submission that is based around the national agreement itself, and we have also included particular parts in there of our sector representative, Bubup Wilam, who is a service provider of Aboriginal child care in Melbourne, and they are also a nationally recognised centre of excellence. So I think they provide an excellent concept and model of what we should be doing as part of what Bravehearts said – enforcement and growth – as part of uplifting the current sector.

I think for us one of the key chapters that we had to look at was chapter 3, page 18, within the submission. That was really strong around the cultural elements that need to be embedded. One of the things that we have found is that there are no statutory obligations currently within the standards or the guides that enforce any services around cultural accountability. I think it is time, particularly under treaty and with the processes that will be getting underway, for that to now be enacted as part of an obligation standard. That is all I have for you at the moment. Thank you.

The CHAIR: Ms Thorpe.

Lisa THORPE: I just want to make a quick statement that Bubup Wilam was established in 2009 when Closing the Gap came about in early childhood, and we have for the last 13 years been developing Bubup Wilam to be a centre of excellence for Aboriginal people run by Aboriginal people, and the whole organisation has been developing along the way. In 2023 we became a centre of excellence under the ACECQA standards, the regulatory national board, and we also became a registered training centre the same year, so an organisation, across the Commonwealth. Just last year a PhD on the Bubup Wilam model was completed by Angie Zarella. Everything we have done over the last 13 years we have now documented into a model that actually has a really good insight about how to take Aboriginal early years development and education into the future for Aboriginal services to run and develop these. So we have done the groundwork already. It is all based wholly and solely on how we are running Bubup Wilam as an Aboriginal early years centre, and development and health and wellbeing are all under the one roof.

The CHAIR: Is there anyone else? That is it?

Reuben LEIGH: No, I feel like everybody has touched on all the important points.

The CHAIR: Sure. No worries. I would like to begin. I want to acknowledge your submission and how you spoke about early years systems here in Australia having their roots in the structural dispossession and erasure of Aboriginal people's identities and how in the context of early childhood settings institutions were often used to separate children from their families, language and culture. Do you still see this happening prominently outside of your centres?

Lisa BRIGGS: More broadly, I think. When you have a look at target 12 under the Closing the Gap initiatives, on the removal of Aboriginal children, Victoria has the highest rate of removal in the nation. So that is a bit of a stain on Victoria, I believe, and we actually need to change that. Childcare centres have such an important role in building up the cultural identity of children so that they have really strong foundations, and Lisa will certainly be able to talk to that, but they also have a very strong role in ensuring that our children, who are very vulnerable – the most vulnerable in society – are actually completing their development goals. What we find is that if it was not for the Aboriginal community controlled early years centres, our early years development goals would be at a much worse rate. So there is a real process that the Victorian government need to think about when they are looking at regulation and what they need to do but also investment and expansion in increasing Aboriginal community controlled early years centres on that basis.

Just from Ngaweeyan Maar-oo's perspective, we have done a populationwide data analysis right up until 2041, and we are going to need 15,000 placements. Where are we going to put these kids? Within the wider industry, our industry, there are not enough centres. So we will need 70 new childcare centres by 2041, with another part of staffing of over 4500. For Lisa's model, and we really want to showcase that model of the centre of

excellence in providing that cultural embedment, those cultural standards, the practice, that identity and all the things that actually ensure that our children are thriving and not just surviving as part of growth – here is the model. But how do you enact that? How do you embed that so that the standards that they are setting are actually set across all the settings, not just Aboriginal community controlled but mainstream as well? Because there are not enough centres for us to be in. So how does Lisa then, through her education component as an RTO and the only registered RTO as an Aboriginal site to do so, actually do that? Because we have got enough of our own workforce that we need to look after and grow without looking at mainstream.

The other thing I think is when you are looking at all of the stuff that has happened around the inquiry and even prior, there is a really strong synergy between the new *Children, Youth and Families Act* and how they cross-collaborate. I am pretty sure – I am not 100 per cent certain because I have not read the latest one – that there was a strong recognition statement as part of it about Aboriginal culture and how it needs to be embedded. This cross-collaboration really needs to occur as part of any inquiry stuff to maintain that we have a standard, because at the minute the guidelines are wishy-washy, their interpretation is wishy-washy. So, again, how do we enact and enforce that so that then the centres that are actually providing the services are accountable and can be responsive as part of that implementation. They actually need strong partnership arrangements with ACCOs like Bubup Wilam to be able to do that. But again, it is not part of any standard or regulation to do that, so it is purely non-binding. If you want to, you will, but it does not reduce any of the risk of Aboriginal children and our vulnerability.

The CHAIR: Why do you think the mandating of this still is not at the level that it should be, because you are saying the guidelines are there, but even when they are there, they are still very opaque. Then as a partner of the Victorian government with treaty also being signed, what is holding the government back from embedding the self-determination and cultural safety?

Lisa BRIGGS: That is an excellent question.

Lisa THORPE: From what I can see and my experience of working at Bubup Wilam, the whole issue is about how we regulate early years centres and the privatisation of early years centres. There are over 60 per cent of early years centres in the country now that are privatised. I think the governments are going a different way that privatises children in these settings, which just does not allow for the whole thing we are talking about in the community-controlled setting. In the community-controlled setting we need to develop, enrich and support who we are as Aboriginal people. We have done it at Bubup for Aboriginal children, but it can also be seen as a good model in any circumstances, anywhere, because we are regulated under ACECQA, the national body. We have taken all the cultural elements of who we are as an Aboriginal organisation, and we own and control everything we do. So in all the different quality standards, we have just overlapped them with who we are as Aboriginal people. We have led with our Aboriginal stance first and we have picked it up and gone with it. We can all do that as Aboriginal services, no matter who we are. But the biggest part that I see as a failure is that the Commonwealth has different standards, the state has different standards, the regulatory bodies are different and early years itself is not funded as a community development process where we take care of and nurture our children. They are seen as profit-making margins across the whole country. It does not work that way, and so your centres themselves then fail because they are trying to make money and then your ratio and your staff quality start to fail. So it is not just one thing; there is a multiple set of different structures that I can see across the Commonwealth and the state that does not support early years development and education for any child in this country.

The CHAIR: Absolutely. We also heard evidence a few hearings ago that when it comes to governance, compliance and how authorised officers represent the regulator, they did not have that knowledge around how to be culturally responsive and how to be culturally safe when they were going and visiting Aboriginal early childhood settings. There is also a lack of representation in authorised officers and all these different layers. What recommendation or what suggestions do you have for the committee to ensure that there is equity, there is inclusion and we are reducing racism happening in the sector to ensure that all children are safe as well as their families and communities?

Lisa BRIGGS: I think for the accreditation providers, absolutely that has been noted so many times. There is a question about why they have not implemented cultural safety standards. Assessment officers continually come up – particularly around increasing Aboriginal knowledge as part of that workforce within the assessment criteria. I am not sure, to your question earlier, why it has not happened. There have been many submissions

over the years about how you update and uplift cultural competency standards. But they have never been adopted, and we are not really sure why. Is it an expense thing around the cost of compliance and going in there? Is it around a lot of mainstream providers not being able to adhere to those standards as part of the process?

Again, as Lisa was saying, without an Aboriginal workforce that sits within those accreditation standards or even advisers that can assist the agencies to interpret them and develop the assessment tools – there are great assessment tools where you can do cultural competency standards, some from South Australia. The health services use it all the time. The hospitals use it all the time. How are we using those lessons and those same assessment tools to transpire across all industries? We do not have to reinvent the wheel. But I do think there needs to be a much stronger commitment to ensure that that happens, and it must be led with Aboriginal people. It cannot happen without us.

The CHAIR: Just quickly, can I ask, because my time has run out: were you at any time engaged or consulted by the child safety review? Were you invited?

Lisa THORPE: Bubup Wilam is the only early childhood educational centre on the ground – long day care centre – that was engaged in the review. I am pretty sure that was not only in the Aboriginal space but also in the mainstream space. The review itself was done differently from DFFH, which was done in the state, so what we have seen in that space is not capturing what we need to do. We have done some work – Bubup Wilam has a position paper, and the mainstream early years collective have also done a position paper about what we see as the standards that we need to be putting in place for early years across the country, across the state, but also how we see things very differently. It is about the quality, about the rights of the child, which are not taken into any consideration – were you considering the rights of the child – and the rights of the staff to be able to carry out their roles in this space. The whole process of demonising men in the early years space by having cameras in the early years space and watching them is a complete invasion of privacy at all levels. It is also the poorest paid sector, with some of the hardest roles to play as an educator. And I think all those things come together. How does a young person who is struggling to get through a cert III or diploma have the weight on their shoulders to carry this out? Then the privatisation that happens is very thin on the ground.

We have got higher ratios at Bubup, and we have a whole lot of wraparound staff to support what we do, because you cannot let the ratio fall down: (1) if you do, it is in breach; and (2) the mainstream ratios are far too low. The whole thing about early years educators under the roof and not in the rooms – it is not one thing. It is not just a cultural factor. It is a factor of safety for the staff and the children and how we work these mechanisms to make sure our staff are safe, our staff are protected, our regulatory bodies are working to properly understand what they are doing in these spaces but also that the children are maintained safe. By ‘safety’ we have good quality educators and good quality regulatory bodies that ensure that they do not come in with judgement calls about racism. It is racist in lots of different spaces. When you have got spaces having a judgement call on Aboriginal people, it is discriminatory, and it is already why there are so many children in out-of-home care. There are multiple different factors and issues that impact on the early years world.

Right now that slowly is starting to change. If we have more children whose parents are not working and open the gates, which is good – we have been fighting for that for a long time – it is going to also increase the vulnerability of the staff and the children. If we do not have the capacity around them to ensure that they are educated in the right way with the cert III diplomas – we have taken on our own registered training organisation for the simple fact that it was about quality education, not tick and flick. To do a cert III so quickly –

The CHAIR: I am so sorry, Ms Thorpe, I have well and truly gone over my time, so I am going to hand it over to our Deputy Chair, Mr Galea. I am sure he has a lot of great questions for you.

Michael GALEA: I will accede to the high standard. Thank you, Chair. Thank you very much for joining us today. I would like to start with you, Ms Thorpe, but please, I am happy for anyone to answer. Just on the discussion earlier on the rights of the child, the new national law coming in specifically places the rights and interest in the safety of children as being now the required paramount consideration in childcare settings. Is this something that you agree with?

Lisa THORPE: Definitely. We have always maintained that the rights of the child must come first in everything that we do, and it is the rights and the safety of the child, well before any of these standards came

into place. We are governed by a set of child safety standards, but it is also about having Aboriginal children in an Aboriginal space. We are even, again, safer about that because we are protecting them also from what is happening out in the mainstream world. So our child safety standards are above reproach. They are actually embedded in everything we do.

Michael GALEA: They need to be above reproach, yes.

Lisa THORPE: Yes.

Michael GALEA: How do we, in practice, enact that to ensure that children are safe and comfortable to raise reports or indeed, as the case may be, that parents or staff members are safe to report? As we have heard from many previous witnesses, it is one thing to have the regulatory system in place, but we need the culture of providing that confidence. And perhaps, if I can ask you through the unique perspective that you can share from a cultural perspective, how do we ensure that there is confidence to report, and are there any specific barriers that you could identify?

Lisa THORPE: We have actually addressed a lot of the barriers ourselves in terms of how we have greater numbers. There is never, ever a situation –

Michael GALEA: Greater numbers of?

Lisa THORPE: Of staff, sorry, and actually how that works across the room. Also, we work with our families. So a child, if there is an incident that we do see or need to report, we do work with that. I mean, we do report if necessary, but we also work with the families and we also then advocate to ensure that actually we do the reports – we are mandated reporters – and then we also work to ensure that the safety of the child must always come first. We do that by having higher ratios and ingrained staff in the organisation. We do not use a lot of casuals; we do not use any casuals, actually. And we have worked hard on that, to employ every staff member we have got in the organisation, and they become employees, not short-term casuals. It is a big safety factor for the organisation, that everybody who works in this space –

Michael GALEA: Can you just draw that connection for me? So you are saying that by not having casual staff you are providing a safer environment. What is the process, the steps in between? How does that ensure that you have a safer environment?

Lisa THORPE: The way it is, it is just that they are known to the organisation. They build up a rapport with the organisation, and we are employing good quality staff, or if we are not employing, we are growing them ourselves. Our whole process is that we grow and develop the staff. We have a good ability to know who our staff are. They also work by the whole process that this is an Aboriginal organisation and these are our set of standards that we actually instil in our children and our community as an Aboriginal organisation. So they are the cultural safety measures that we put in place. That has got to come first, then your qualifications. And actually you need to be able to work in an Aboriginal space with Aboriginal people, and we are going to lead the way in how we want quality for our children and our community.

Michael GALEA: Thank you. Obviously prevention is the most important, as we have discussed, and having those mechanisms in place. When it comes to the worst-case scenario situation of a report needing to be made, are there any specific barriers that you would have in mind, whether it is broader scale or within the Indigenous sector, that would need to be taken into account so that we can ensure the safety of children?

Lisa THORPE: We work from the premise all the time that the child must be safe. At every point the child must be safe, and then we will take it from there. We build the picture up about how we are going to report. We then inform the family, ‘We’re going to report if you don’t start addressing these things.’ So we actually do a whole lot of work on how we are going to, and then if –

Michael GALEA: Sorry, I am not talking about general incidents. I am talking about the extreme end.

Lisa THORPE: Yes, but it is the mechanism of how you make the report, how you follow the report up and how you actually drive the report. Because making the report is one thing, but it is about how it is then carried out, how the process then happens. Does it happen? Doesn’t it happen? Or what happens? So making a report is one thing; ensuring that it is followed up correctly and followed out is another thing again. The service system

is not equipped enough to take on all the reports that may be out there. And then it is: how are we going to do this in a quality, culturally respectful way?

Michael GALEA: And what does the culturally respectful way look like?

Lisa THORPE: The culturally respectful way is actually to engage with us about how we are going to do it and to have the ability to see that we need to be in control of what we do. We are a professional organisation in our own right. We are governed at the highest level. If we bring all the early years centres up to that standard to say we are governed by whole processes, we expect quality. If we are going to be quality assured, we have to make sure that comes out to the children. So we follow that, but we bring in who we are as Aboriginal people to actually say that we also have a mechanism to ensure that cultural standards are above it.

Lisa BRIGGS: Can I add to that?

Michael GALEA: Yes. Please.

Lisa BRIGGS: I think one of the things that is lacking in the child protection mandatory reporting is the escalation –

Michael GALEA: Oh, apologies. Sorry, I am not talking about child protection; I am talking about early childhood.

Lisa BRIGGS: Yes. So even with mandatory reporting, using child protection as an example because that example exists right across the board in all the industries, there is a real structural and systematic process of escalation missing; it is more around the filtering. If you are actually going to do a mandatory report – and I am sure you would have seen all the reports that have been provided by the Victorian Aboriginal Child Care Agency, where they talk a lot about unsubstantiated reports and then the escalation process not really working. Within Victoria we are very lucky that we have an Aboriginal community controlled sector in industry, where you have education, you have child care, you have out-of-home care and you have child protection and legal, and it is that mechanism that is not used consistently across the board or recognised within legislation to ensure that you actually get the right responses and standards right across it. As a collective, we are actually a powerful group in setting the standards that are provided, at a higher bar than most, and we know that once those standards and processes are actually implemented and embraced, you actually do a lot of risk mitigation. It really does go down to those formalised partnerships and arrangements of co-design, co-governance and co-production of what the outcome is going to be, and I think if we do not do that, we are always going to have these fractures in between, no matter what we try to do.

Michael GALEA: Sure. I do not want to go outside the terms of reference, but I know from child protection that in the work of ACCOs, where they have been resource enabled to have that capacity to do that work, the outcomes speak for themselves that it is significantly better.

Lisa THORPE: Can I just add into there –

Michael GALEA: Sorry, I am just running out of time, so I want to touch back in on early childhood, the new regulator VECRA – being independent from government and no longer part of the Department of Education – and also the resourcing, where the rapid review called for it to be the most extensive out of all the states. Do you think that that increased vigilance, that inspection process, is going to help drive better child safety outcomes?

Lisa THORPE: I think the whole process is having good regulatory bodies to regulate, and I think the system needs to be regulated in a way where there are not too many – I am saying that there is national regulation and there is state regulation, and the two metropolitan early years centres are regulated under different banners. We actually work as a collective of Aboriginal early years centres, but your regulators are not regulated the same and your funding process is not the same. So we are doing our best to stay as a collective as an Aboriginal community controlled early years education development centre, but [inaudible], and they are not coming in with the understanding of how we are grouped as an organisation.

The other thing I wanted to add to the last question but that fits here is actually that the Aboriginal early years sector and the Aboriginal early years educational centres have a greater insight into families, into what is

happening in a child's life and how we can then walk with our families to actually support them to ensure that they are getting access to the right processes to ensure that their child is safe and that we work with our families. A lot of times it is the service system and how it is treating families who are coming from the process of out-of-home care and systematic discrimination, because they are in out-of-home care or for lots of different reasons. But because we are an early years educational centre, we will make the report but then we also walk with our families. We are not part of the child protection system, and we are not part of the mandatory service system. We do report – we are mandated to report – but then we walk and work with our families. If push comes to what needs to happen, the families are very well equipped and understand what is going on. We also then can support them with how to get their children back if necessary.

Michael GALEA: Thank you. You have also gone directly to my next question, which was going to be about the Commonwealth relationship, but I am well out of time, so I will pass it back to the Chair. Thank you.

The CHAIR: Thank you. Thank you, Ms Bath.

Melina BATH: Thank you for the very important work you do. You specifically mentioned Closing the Gap – that is your great focus – and you mentioned that Victoria is lagging behind on some of those key metrics in terms of Closing the Gap and priority reform in formal partnerships. You have been discussing that today and also building that connection with the community-controlled sector. I also want to raise the issue around data and information at a regional level. I am really pleased that you were consulted in relation to the rapid review; I am really disappointed that a regional body was not consulted, because they also have very valid and bespoke issues, although I am sure there are similarities. Your submission talks about fragmented systems, inconsistent cultural safety and the need for an integrated family model, and I think you will provide some examples. The integrated hub model – how could government expand and extend focus on that? From maternal health care to the early learning centres to school – how could government assist in that? I have had anecdotal evidence from when I visited the north of the state of where those connections and those warm handovers are passed through as knowledge – can you talk us through what government could do better in this space?

Lisa THORPE: The way Bubup has been established and the way that we have run it is that we control everything we do. Onsite we have a community health program which has your allied health, so it has all the health component and preventative health and also supports within there. We also have a child family strengthening person who actually works with issues with child protection or courts or intervention. We have all that, we do it all in house; we are not taking it out, because the service system out there is too big to have to try and deal with, so we deal with that first and then we go to the outside system together and we advocate for and support the families when they have to deal with the outside services. We do not take on child protection, we do not take on the family violence stuff – we actually work on it every single day and we are supporting our families to manoeuvre; we work with them and strengthen them if need be. But what we do as an Aboriginal organisation is ensure that our families can walk in this space and actually have the ability to consult in a fair manner without any judgement.

Melina BATH: You are really at the centre of the decision-making, not paralysed or on the external. I think – and I do not want to put words into your mouth – you are the forerunner, you are the exemplar, but there may be other services out there. I am doing this because the regions may not have this advantage or this model. If yours is the exemplar model, what needs to happen so that this is transferred across Victoria as a whole so that we can benefit all of those families and regions?

Lisa THORPE: At the summit that we had, the early childhood education development summit on Closing the Gap with the government, the model we talked about is that we have to have a sector that recognises what Aboriginal early years education development is: it is greater than just child care on one arm, and it cannot have maternal child health over there and it cannot have this over there. It has to be in a central point as an early childhood education and development sector in our own right – early childhood education is different to education, and it needs to be seen that it is a health educational development that sits together for early years in itself. In the first three years you learn more than you ever do again in your life. What is happening before children turn three is nothing, and it just sits in maternal and child health, which also has a history of not being a good service for Aboriginal people – all that stuff, all that information across the time, how maternal and child health were part of the removal process, and they operate in many cases the same way because they are under the same structure. It is about changing some of the structural work, some of the structural processes of how we put people into these services and they work within the service for the service, not as an add-on process.

Melina BATH: I am enjoying and applauding your service and then want to transfer this – what do we need to tell government to do to expand this? Is there block funding? Can you work us through what could be done differently in different regions to support this integrated model that you are operating?

Lisa THORPE: The summit was actually having an early childhood educational sector in its own right that actually brought it all together and how we then work across metropolitan and the regions and hopefully go interstate, but it was also about how we can actually support each other to grow. If we have an RTO that specialises in cert III and diplomas under an Aboriginal banner, and we are doing that, then we can support our workforce across the state. We actually grow the workforce not only for Aboriginal people – it is going to be a long time before we get enough Aboriginal people to run these early years centres – but it is about educating non-Aboriginal people to work in the Aboriginal space as well. You grow a strong workforce, you build. The funding needs to come directly to the centres themselves for them to be able to grow and to develop this whole process, and actually then it is how we have a sector that actually supports the growth so the centres on the ground are not left on their own and the centres on the ground are not caught in the new growth of privatisation, and that is what is starting to really happen in lots of areas.

Melina BATH: And I guess there is flexibility – there needs to be flexibility – but also you are not saying no accountability. There has to be high accountability and transparency, because that then shows that it is working or helps if it is not.

Lisa THORPE: I think part of that is that we are accountable as ACCOs. It is accountability first and foremost for our future generations of children and to develop our Aboriginal workforce. It is highly accountable.

Melina BATH: Thank you. There are other questions there as well. I want to talk about the priority reform shared access to data and information at a regional level. My understanding is quite often, for example, the education department will hold data, the DFFH will hold data – and I am going into you but also out to the regions: to Mildura, to Robinvale, we keep going around Horsham, wherever, East Gippsland. Unless the local ACCOs can access that information, which may really feed into their knowledge of their kids ultimately, then it is siloed. So walk us through what you would like to see in terms of data sharing from government to the ACCOs but then embedding that accountability with that and improving outcomes. Thanks, Lisa.

Lisa BRIGGS: Can I just add – thank you, Melina, for the question: I think one of the things with the regions is that data and evidence-based process is absolutely essential in terms of planning. Ngaweeyan Maaroo has done an audit on all 79 LGAs, and the role of the LGAs is also early child care or early years, both with maternal and child health and childcare centres and placement, including infrastructure from the Commonwealth as part of their bids and planning. What we have found is that we are counted but we are not included in any of that planning and infrastructure. So when you have a look at, needs based, what we are requiring or expansion of a Bubup Wilam service out into the regions, we need the local government to actually come on board and incorporate us into that planning as an obligation, not just as a non-binding obligation, to ensure that that growth will happen, because it is very clear to us as part of our review that that is non-existent. That is that systematic stuff that you are trying to pull together at a local level. The data: under Closing the Gap chapter 8 it talks about implementation of the national agreement, and it is really clear in terms of the road map about what local governments as signatories should be doing. But again, because there is a gap of knowledge, there is a gap of expertise, election processes that stop priorities and consistent things moving forward, all these things are not entrenched or embedded in local government practices. There is a thing even around – which we are advocating for – some amendments to the *Local Government Act* to ensure that this happens. And they actually agree with us, because what it will do is it will streamline reporting and it will bring greater investment into the regions and actually grow for all communities, not just our own, as part of the modelling.

Melina BATH: In relation to that – and I am not going in to bat for local government per se – there is a rate-capping environment; there may not be the capacity. How can state government provide that support to local government and not make another burden that is a cost-shifting exercise? Do you have any thoughts around that, Lisa?

Lisa BRIGGS: Heaps. And I am happy to share the report when it is finished, because I think you will find it very, very helpful, particularly for the regions.

Melina BATH: Okay. That would be great.

Lisa BRIGGS: Rate capping – yes, it does make huge limitations on LGAs in being able to perform and grow as part of their growth development. But I think for the advantage we bring as the signatory for the national agreement under Closing the Gap, we need the Victorian position to come together to lobby the Commonwealth to actually ensure that Victoria becomes a place-based environment where new money comes in based on needs of the community. That will then grow regions, because you get more employment, you get more infrastructure, you get more coordination – you get all these things that are actually lacking because of infrastructure. So I think there is a lot that the state government could do in terms of elevating it, not just relying on the state to actually fund it, particularly given the budget circumstances that we are currently in. Again, under the Closing the Gap initiative, the Commonwealth is about innovation funding. So here we are, where we could be coming collectively together to actually make that happen.

Melina BATH: Thank you very much. Thanks very much for your time.

The CHAIR: Thank you. Thank you, Dr Mansfield.

Sarah MANSFIELD: Thank you. And thank you for your submission and for appearing today. Are you aware if any of the recommendations that came out of the early years summit have had any commitments to implement them by the Victorian government?

Lisa BRIGGS: No, they have not. We are still waiting on feedback about where the summit report will be. Again, how the summit came about – joint council, as part of their COAG process, had made early years a priority. Victoria took that on as part of Ngaweeyan Maar-oo and the Victorian partnership forum, and therefore our group as the caucus, the members, nominated Lisa as part of the centre of excellence to run the forum. Again, the forum was with 200 other representatives, so they were not all Aboriginal – it was sector-wide as part of it. So you got a really good, rich report out of it. What we are waiting on – and Lisa probably has more frustration about it than me because it has been over 12 months since we got a response back. It is really critical, because these delays, what we are putting in in terms of developing – you are actually scaling up the industry and filling the gaps in workforce, profession and infrastructure, whether it is in metropolitan or regional areas. So again, it is about how you actually use this policy that has been developed and been embedded in inquiries like we have, which is why we have done it as part of a submission to take it to the next level. It will require investment, but again, through Closing the Gap, if it is a place-based partnership arrangement, you can then lobby with the Commonwealth to ensure that they come through. You need local governments on side because that is their mandate as part of the process. So there is this pressure that is not necessarily all on the state – you have got to collectively come in and do it. And I think it is a disservice actually to Bubup Wilam that we have not got that response and it has taken 12 months to do it, because it is just slowing things down when we could be expediting it.

Sarah MANSFIELD: You mentioned local government a little bit and you flagged that we might need to amend the *Local Government Act*. This committee's job is to make recommendations to the government. What sorts of changes would you like to see if we were to make, say, a recommendation around amendments?

Lisa BRIGGS: The main thing – and there has been consultation with the 79 LGAs, and endorsement, I am very happy to say – is that we have a headliner that is purely around the obligations of the National Agreement on Closing the Gap priority reforms that will be embedded, because they are the system and structural reforms as part of the process that I was talking about earlier. We do not want to overburden them with things that they cannot do, particularly when you look at local governments that are extra large down to very small – some of them are just surviving. So you do not want to be too prescriptive, and you want to give them the flexibility to do place-based and get it driven that way. So that is the number one thing that we would like to see. Because you have to report against it.

Sarah MANSFIELD: Yes. But getting that sort of core principle embedded in the *Local Government Act*. And would that apply to just early learning or is that all the services delivered?

Lisa BRIGGS: Right across the board – everything that they would cover. So again, if there is a smaller service that does not do as much but might do land tenure, great – under Closing the Gap it works. It might do water. Do you know what I mean? So that is the flexibility of the socioeconomic targets across the board that then link in individually with the priority reforms, providing that flexibility.

Sarah MANSFIELD: Yes. I just want to go back to the issue of cultural safety in early learning settings. Why is that important for child safety?

Lisa THORPE: It is all about your identity. It is all about who you are as an Aboriginal person, how you choose to identify, and actually who we are as Aboriginal people. It is important that we are not already putting up the barrier or not addressing who we are as Aboriginal people and then going into the system, and then that forms the racism when they start going into the mainstream process. It is all about identity and your cultural safety. Cultural safety is not just a word. It is about, 'I need to feel good about who I am at all stages of my life. And if I can't do that starting off as a child, then how do I grow?'

The state government does not fund anything about being progressive or about being proactive. It is not just about prevention, it is about how we can aspire to be the best we can be, how we are giving our children the right to be able to grow in that space, how they can be worthy contributors to society in whatever they choose and how we can take families along. While we are not able to do that, straight away this is where racism hits the road really, really quickly. The outside service systems actually have a judgement call of who we are. Everything gets funded on a deficit, whether it is child protection or whether it is family violence – and there is health in there. On every socioscale, we are at the bottom of that. If that is how they are viewing our children, on who they are to begin with, that is how the service system keeps coming into it.

To develop an Aboriginal early years centre, that changes that. The child is valid; the child is the most important thing – and their families. It is not only them. The child cannot be without their family. If we are talking about growing our identity, our strength and our culture, that then gets shared. Then when we become organisations in the space, we have all this grounded. Our families are a part of everybody else's family. We also have non-Aboriginal people who work for us. We have non-Aboriginal connectedness to our children. So it is not actually sitting over there completely different, it is immersed, and it carries the load of who we are in the most positive way you could possibly do it. It changes the relationships of how people work with Aboriginal people. That is the cultural safety in itself. It is grounded in everything that we do every single day.

Sarah MANSFIELD: What sorts of barriers do Aboriginal children or their families face in accessing services where cultural safety is not embedded, in particular a lot of mainstream ECEC services? What sorts of barriers, in your experience, do they face?

Lisa THORPE: I think a lot of the barriers would be – I mean, some of the centres themselves cannot provide that because they are working in a privatised situation and they are struggling to meet the basic regulations. Some of them are not even regulated properly. If a family then needs to send their child there, they are at high risk. How do you put anything different into it? The other part too is what we have got out there that shows what we are as cultural people in a positive sense and that we are leading and driving that as well. How do we have a collective process? This is what our children need to be thriving and learning and to participate. We also need non-Aboriginal people and children to learn this. If you teach that in the earliest possible stage, you grow with it. You do not need to learn it later. So you are growing in a space, whether you are an Aboriginal child or non-Aboriginal, where there is the positivity of recognition and actually working with First Nations people across the board.

Reuben LEIGH: I would also jump in as well. I just think that strength-based approach and the flow-on from that long term just completely change the game. If you have people who are going to engage from an early age with community and family, they are going to engage with school, they are going to engage with community later on and they are going to want to develop a more positive place for their community. Yes, I think it really is kind of like the starting point. If you are not looking at that long-term approach and you are not looking at that strength-based approach, I do not think you are in the right place to be honest.

Lisa THORPE: It is not only just [inaudible], it is employing and supporting the workforce also. They are important people in all this because they have to also then be the ones who are supporting what we are saying and believing in it. You have got to believe in it. Talking about it and believing in it are two different things.

Sarah MANSFIELD: Thank you. I think that is my time.

The CHAIR: Thank you. Thank you, Ms Ermacora.

Jacinta ERMACORA: Hello. Thank you for coming today. I just want to acknowledge the data that you mentioned around the high rates of Aboriginal children removed from families and the shame on the system's side that we should hold in relation to that. But moving on, I just want to acknowledge what you have said about cultural safety in early learning. Given that we are in a treaty era and self-determination is always in my head when I think of treaty, is that the correct way to think of it in the context of this discussion we are having today?

Lisa BRIGGS: Absolutely. When you look at Closing the Gap and treaty and the intersectionality between the two, treaty is the extension of Closing the Gap, there is no doubt about it. The Yoorrook commission recommendations are the close-the-gap targets refresh, if you really want to be fair dinkum about it. So again, one of the key things where the synergies come really close together is being Aboriginal-led and Aboriginal co-designed as part of that self-determination and driving evidence-based practice and place-based practice on the ground that benefits the needs of the local community. That is very much the sounding of local governments, when you look at it: they are there to actually look after their constituents as part of what their needs are. Again, the reason why the Aboriginal community controlled sector has developed is because our needs have been unmet; again, we are counted, but we are not included. So we have created this architecture to strengthen it, and treaty is an extension. The value of treaty is that it actually has the authoritative power to go out and consult with its people across Victoria and across its chamber members to actually then elevate what is required for systematic change to you guys through inquiries or individual catch-ups, even, in your own constituencies. So I think that is really powerful in itself. It puts us at the table in actually negotiating the things that matter and the things that we think do not work so that we actually are more valued and included in the whole ecosystem of what we call Victoria as part of that process, so it is really strengthening what we are trying to do.

Jacinta ERMACORA: Awesome. You mentioned a strengths-based approach. I guess what I wanted to just confirm is that we are in transition at the moment – even with child protection, we have got the ability to hand section 18 child protection decisions to ACCOs as seen as appropriate by ACCOs, but we are still running almost a two-track system in terms of the old system, or the current system, where we end up with 50 per cent Aboriginal children in child protection, so that is a fail. Can I confirm you are also building a childcare model that is very much Aboriginal-led and will be almost from the ground up? You are going to build a model for child care that meets all of the needs of Aboriginal children and communities, is that correct?

Lisa THORPE: Well, that is what Bubup has done. Regardless of what is happening within the state government and the Commonwealth, we have come into a space where we need to build the health and wellbeing of our Aboriginal children and families. That was our starting point: we want to be strong, we want to be contributors, we want our families to be able to participate to the best of their ability, and they do, and they do everything proper; they get their own way there. So Bubup, from day one, has had the ability to continually keep growing; we have done it. The only difference with Bubup is that it totally controls everything that it does; it employs what it does. We have added on the health sector internally to support the early years component of it. We have also then added in the workforce development to build that on, so we have built a centre – not only a centre of excellence for the early years world but a centre of excellence in the ACCO world too, so that we are internally doing all this. Our external working – that is about how they support us, not about how I support them. Actually our children – we have an amazing, strong relationship with schools, because we built it differently, and our transition to school goes for a lot longer. So not only do we say our children start the transition to school from the baby's room right through, we transition to life; we are not limited by what the service system or the funding tells us we are limited to – building a process that supports the growth of our children and families, and we just add the bits and pieces to it.

So the funding comes from lots of different places – by no means are we a rich organisation – but our focus is very different in how we collectively work in multiple different areas; how you sustain that being bigger is going to be another thing, but we have to build our processes that we believe that we can make a difference in and how we can be really strong contributors to how we can change the face of early years education and development in the state of Victoria. It is not just child care. We do not just look after children – wipe their bums and wipe their noses; there is a whole lot more to it than that. Actually the state of Victoria looks at under-threes through the maternal and child health lens only and not at how we develop our children. Even the measurements for early years, under-threes, are developed not only not for children in this country but definitely not for Aboriginal children, so you are using a Northern Hemisphere measurement.

Jacinta ERMACORA: I am so glad to hear what you are saying. Can I ask, have you documented that model, that framework, and would you be willing to table it with this inquiry as a part of its consideration of the understanding of cultural appropriateness?

Lisa THORPE: Yes. I have to work out how we are going to do that, but we can do that. Yes, for sure.

Jacinta ERMACORA: I think it is just giving it to Kieran. Is that correct?

Lisa THORPE: And look, there is a pathway too that Bubup has built for itself. And actually now if state government want it, you would need to start coming to the party as well about how we are going to share this. Otherwise, as an early years educational centre that we have developed from the ground up on barely hardly anything at all, we are not getting the recognition that actually we can make a strong change to the state of Victoria, leading by Aboriginality, leading by First Peoples and taking the lead but also sharing that out amongst everybody. It is a different way of thinking about it.

Jacinta ERMACORA: Sorry to interrupt, because I am under limited time. I am going to get cut off. Given that, would you recommend that this committee, this inquiry, acknowledge the expertise of Aboriginal-led childcare and integrated services, because you are saying it is broader than child care, and acknowledge the documented version, the particular version – it is just going to be one – and take account of that in considering recommendations?

Lisa THORPE: Yes.

Reuben LEIGH: I think that also really touches on recommendation 3, which does talk about recognising and resourcing the interconnected components of the sector itself. So yes, I think you can jump into that and there is a bit more detail. I can find what page it is for you.

Jacinta ERMACORA: Sure. That would be great, because it was a very detailed submission.

Reuben LEIGH: Yes. It is on page 12. It will delve into it a little bit more.

Jacinta ERMACORA: Yes. I think that would be valuable as kind of a transition exercise for inquiries like these that historically perhaps have not put the self-determination hat on and accepted material from Aboriginal witnesses and Aboriginal organisations as legitimate expertise. That is why I thought it might be useful.

Lisa BRIGGS: That is good.

Jacinta ERMACORA: Thank you. That is all I have. Thanks very much for your contribution and the work that you do.

The CHAIR: Thanks, Ms Ermacora. Ms Crozier.

Georgie CROZIER: Thank you, Chair. Thank you, all, for being before the committee this morning. And my apologies – I was not here at the start and did not hear your opening statement, so I have only got one or two questions, and then I will hand back to my colleague Ms Bath, who has got some further questions, if I can give her my time.

Just one comment you made, Ms Thorpe, around the regulators: you said there were too many regulators and they were not all regulated the same. Can you expand on that a little bit more?

Lisa THORPE: The Commonwealth, the ACECQA, is a different regulatory body than the state one, and I know that the state carries out for the Commonwealth, but they do not join together on the ground. We are regulated under the Commonwealth, and our early years centres are regulated under the state. We have actually just gone under the Commonwealth, but I just do not know and I am not all over at the moment how it is all coming together. But the regulatory body needs to be stronger in how it sends itself out and actually more equipped about understanding what services are out there and also not coming into the spaces, not understanding the spaces.

Georgie CROZIER: But do you think the Commonwealth regulator is the right regulator for you, or do you think it should be a state regulator or that you would come under the state regulation?

Lisa THORPE: I do not know the difference. We come out being under the Commonwealth, and we have made sure we are exemplary in everything that we have done based on the terms that we have done. Other people have a different opinion, but I do not want to change the regulatory processes to a weaker process. We need to take them and we need to create who we are and they fit. The regulatory, the different sectors and different standards, we can make them our own and we can take that to the space. There are seven different categories of what you have got to meet and be a part of. I do not know if it is an add-on, it just needs to be embedded into the whole process as Aboriginal early years centres. I do not know if I have explained it.

Georgie CROZIER: I hear what you are saying. I suppose from the committee's point of view and what we are doing from a state perspective, how that overlaps or how you are working in silo and whether that is an unintended consequence of confusion and not sort of adhering to what we are trying to do here and to have those safety standards and guidelines and protocols. As you said, you are accountable to the children and to families first and foremost, but also accountable to the state in relation to the work that you are doing. So that is what I am trying to tease out from your experience and what your views would be.

Lisa THORPE: Well, the same from Bubup's perspective. I would say that we do not lead with the regulations first. We know we have got to be regulated, and we will do that, but we lead with who we are as an organisation first to actually put the children first and to build the workforce. I would say that for me it is actually like, why are we not leading the whole of the regulatory stuff across the country from an Aboriginal First Peoples perspective? We actually have a centre of excellence, we actually have a documented model, and we are actually striving to be the best. If we lead as Aboriginal people, why can't we own it? What is the difference in the whole process of actually adding it on and everyone has to think about the cultural safety as an add-on? Why is not the cultural safety for everybody in the regulations as the number one lead?

Georgie CROZIER: Yes, and I think there lies a little bit of confusion or overlap in terms of what is going on here. We have got different organisations and there are different models. But the reason we are having this inquiry is because of a breakdown of system and the allegations that have been aired – well known – and it is around the safety of children. And I am just trying to tease out from your experience and understanding about what that best model looks like, whether it is your organisation or a private provider or a not-for-profit, and how we as a committee look at that regulatory process.

Lisa THORPE: I think it is actually that we need to stop privatising early years. I think that is going to cause so many more problems out there, the privatisation, because when places become –

Georgie CROZIER: In saying that you are taking away a huge part of the market that actually supports children in various areas, and you take away choice for parents. Have you worked through how that is actually managed through the state? The state is going to have to pick up the hundreds of thousands of kids that the private sector actually works with. It seems to me this inquiry is constantly hearing the demonisation of the private sector, and I think that is unfair. I do not think that is appropriate. What I am trying to work out is: why are you being regulated from the Commonwealth and others are being regulated from the state? There is a mismatch in that.

Lisa THORPE: Because when we were first established in 2009, actually the Commonwealth funded it through Closing the Gap, and the state was supposed to pick it up back then, but it never did. The state did not pick us up in 2016, so we have actually been left as an organisation to sit out in the cold and do its best for survival. And so okay, well, then let us survive and thrive at what we do. We have done it without the state to support what we have done. Technically – I hear what you are saying – I am a private organisation because now I am under the Commonwealth and I use the CCS to run it, but I have added to it and I have added a whole lot of different processes that sit within an Aboriginal organisation and developed the model that takes care of our children first and foremost. It has not been the state that has supported us at all.

Georgie CROZIER: Why has the state failed you and not picked it up? Why has that failure occurred?

Lisa THORPE: I have been asking the state that for the last 13 years.

Georgie CROZIER: What do they tell you?

Lisa THORPE: They say they just do not do it, and the way I have worked it out is that the state does not fund early childhood education development; it funds three- and four-year-old kindergarten programs, it funds

maternal and child health programs and then it funds the education system. The funding of the state itself is in too many fractured, different –

Georgie CROZIER: So that is fragmented, isn't it?

Lisa THORPE: It is fragmented. So what we have developed at Bubup is a model that takes care of children from birth up to the time they go to school and into the school system, so it is a whole. It is completely all under one process model, and we are working with our children and our families. What we were established to do was to take care of children and families, not to separate them out and put them in different parts. It is because we have built a model that is all under one roof, that we actually control. We work with lots of different people, but we control how we look after our children and how we put in the best possible processes to keep our children safe.

Georgie CROZIER: I hear you, and I understand what you are attempting to achieve through that model. What this committee is looking at is the very issues that you have highlighted. The system is fragmented, and I was just interested in that regulatory component, so you have highlighted that very well. I have left 25 seconds for one last question for Ms Bath. I took more time than I anticipated.

Melina BATH: That is a very important point. We thank you for the work. It is amazing. For your model and your centre of excellence, can you just quickly paint a picture of how long you have taken to evolve that? Did you finish that work and that model before, say, November last year? Did you finish that work? I know it is still evolving, but did you?

Lisa THORPE: It is still evolving. We are a 13-year-old organisation, and we are evolving every day. It is the extra service that we put into the organisation to develop our children that is the difference. It is never, ever going to be that an Aboriginal early years centre can stand alone as a long day care kindergarten. It is not matching a process where you are going to have a full house all the time or that this is happening, so a standalone service will not survive. It was actually the building in of all the other components to support the growth of the early years centre and how we take care of our children and families, so we do it under the one roof. We work with child protection, we work with justice and we work with domestic violence to make sure our children have the best opportunity to be the best they can be. So while adult business is going on, these children are not losing any time or development across the [inaudible]. Coming to an early years centre is actually adding that in all the time. Regardless what is going on with the parents, you are building the child up to actually make sure they do not miss out on any developmental milestones along the way. So when the time comes that they go to school, they are loaded with all the stuff that they need to have. It is really important. If we do not continually do that, our children then start school way behind the eight ball.

Melina BATH: Which is what Closing the Gap is all about.

Lisa THORPE: That is right.

Melina BATH: On that, there is an example – and I have used it before – in the north where there is a 40 per cent greater transition from that whole-of-child model going through and into school. That is the anecdotal evidence I have received. Have you got evidence to say that your model is working, and could you share that with us? We need good lessons. You are an exemplar. We need to see that. You have been working on this for the past, I will say, decade.

Lisa THORPE: Yes, we do have some.

Melina BATH: Something quantifiable that says of the children starting in the system, X many per cent are reaching a developmental level by the time they get to primary school. Is that something that you might have?

Lisa THORPE: There is a report that is going to be launched by VACCHO, the Victorian Aboriginal Community Controlled Health Organisation, in the next week or so about culture and kinship. It was actually done on our transition to school program, and that should be available very soon. It really shows that the social return is huge.

Melina BATH: Thank you very much.

The CHAIR: Thank you all so much. We really appreciate the critical and insightful work that you do in the sector in leading the work that you do. We appreciate the evidence and contribution that you have all made today. You will receive a copy of the transcript for review in about a week's time before it is published.

We are now going to take a quick break and come back at 11:31 for our next witness.

Witnesses withdrew.