

Inquiry into the Early Childhood
Education and Care (ECEC)
sector in New South Wales

Body Safety Australia

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*Body Safety Australia acknowledges and pays respect to the past and present Traditional Custodians and Elders of this nation and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.
Sovereignty has never been ceded.*

Always was, always will be, Aboriginal land.

Introduction

Body Safety Australia welcomes the opportunity to contribute to this critical inquiry into the Early Childhood Education and Care (ECEC) sector in New South Wales. We commend the New South Wales (NSW) Government for initiating this long overdue examination of a sector that plays a foundational role in the lives of children, families, and communities across the state.

This submission is grounded in our experience working at the intersection of child protection and empowerment, education, and community engagement. As a leading provider of primary prevention programs, Body Safety Australia is uniquely positioned to speak to the urgent and often overlooked issue of child sexual abuse in ECEC settings. Our work directly addresses the silence and stigma surrounding childhood sexual abuse (CSA). This involves equipping children, educators, families, and communities with the knowledge and tools to prevent, identify, and respond to abuse.

We are deeply concerned that current safety measures in ECEC settings are insufficient. While well intentioned, many existing initiatives including online training modules and complex policies and reporting structures fail to address the structural and cultural conditions that allow abuse to occur, including chronic underfunding, workforce shortages, low employee retention, burnout, low wages, and inadequate training. These systemic weaknesses not only compromise the quality of care but also create environments where perpetrators can enter the sector and operate largely undetected.

True protection for children requires more than compliance with policy. It demands a cultural shift in how we value early childhood educators, how we address the gendered issues within the sector, and how we address abuses of power. It also calls for acknowledgement of the gendered nature of CSA perpetration experienced by young children, most often perpetrated by men, and a systemic commitment to child safety. This submission outlines key risks faced by the sector, the barriers to effective prevention and reporting, and reforms needed to ensure that every child in NSW receives high quality care that is fundamentally safe.

About Body Safety Australia

Founded in 2015, Body Safety Australia is a national leader in the prevention of child sexual abuse (CSA) through education, advocacy, and community engagement. Our vision is to create childhoods free from violence, where all children experience safe and equitable relationships.

We deliver inclusive and evidence-based body safety education that empowers children to understand and assert their rights, recognise unsafe behaviour, and have language and pathways to seek help. Our programs are grounded in a socio-ecological model that places responsibility for abuse prevention where it belongs; with the adults who care for and support children. We work across ECEC settings, schools, and diverse communities to build a shared culture of safety and respect.

Our flagship initiative, *Superstars*, is a child sexual abuse prevention program that equips young children with the language and confidence to assert bodily autonomy and seek support (Body Safety Australia, 2025a). This is complemented by professional development for educators, workshops for parents and carers, and community sessions. Adults who attend the workshops leave with increased ability to identify grooming behaviours both online and offline, confidence to challenge harmful behaviours, and better able to effectively respond to disclosures.

Body Safety Australia centres children's voices in the design and delivery of our programs. We celebrate diversity and ensure that our work is inclusive of all children across socioeconomic,

cultural, religious, gender, sexuality, and ability spectrums. We work collaboratively with communities to ensure that the programs consistently promote high positive engagement. Body Safety Australia's impact is considerable, with 80 workshops being delivered each week (Body Safety Australia, 2025b). The sessions frequently lead to disclosures of CSA, highlighting the critical importance and effectiveness of our programs as not just prevention, but a vehicle for intervention and healing. Importantly, our initiatives also enhance the confidence of educators and parents and carers in recognising and responding to concerns of CSA. The effectiveness of primary prevention programs in supporting communities to prevent CSA is well documented and has contributed to a measurable decline in its incidence (Mathews et al., 2024) with programs that provide ongoing support and reinforcement from teachers and parents or carers being the most effective (Russel et al 2023). Body Safety Australia is uniquely positioned to support the ECEC sector in fostering environments where children are not only educated, but also protected, respected, and heard.

Key Issues in the ECEC Sector

Systemic Vulnerabilities and the Risk of Child Sexual Abuse (CSA)

The ECEC sector in New South Wales is facing a growing safety crisis, with the Office of the Children's Guardian reporting a 47% increase in sexual offence notifications during the 2023–2024 financial year (Office of the Children's Guardian, 2024). This increase can in part be explained by increased awareness leading to increased reporting. However, given the social norms that see conversations about bodies, sex and sexual abuse as being age inappropriate and we believe cases of CSA perpetrated by ECEC staff and volunteers are still significantly undetected and unreported in comparison to incidences of physical violence experienced by children. While ECEC services are intended to be nurturing educational environments, systemic weaknesses have created conditions that can be exploited by individuals seeking to harm children. These vulnerabilities are not incidental, they are the result of structural, cultural, and regulatory failures that demand urgent reform.

Perpetrators of CSA can be categorised as either:

- preferential offenders, individuals who seek employment or other avenues that provide access to and authority over children to commit abuse or,
- situational offenders, who act on unanticipated sexual arousal.

For this submission, we will focus on preferential offenders who deliberately seek to exploit the systemic vulnerabilities that enable them to gain and retain employment within the sector.

Workforce Instability and Under Resourcing

Chronic staff shortages, low wages, and high turnover have eroded the protective capacity of ECEC settings. Educators are often overworked, underpaid, and unsupported, leading to burnout and reduced vigilance (CELA, 2024; Thorpe et al., 2018). In such environments, continuity of care is disrupted, oversight is weakened, and opportunities for abuse increase (Ferguson et al., 2025). Consequently, predators may be employed despite managers' better judgment to fill staffing gaps, and the challenging work environment limits colleagues' ability to detect and address subtle grooming behaviours, allowing predators to evade scrutiny.

Inadequate Training and Qualifications

Many educators enter the sector with minimal or fast-tracked qualifications, where training does not always comply with the National Standards, and ongoing professional development is often deprioritised due to cost and staffing constraints (McKinlay et al., 2025; White, 2023). This leaves staff ill-equipped to identify grooming behaviours or respond appropriately to disclosures of CSA (Vosz et al., 2022; Lucas, 2023a). Low qualification entry requirements increase the vulnerability of ECECs by failing to safeguard against preferential offenders who enrol in study and commence work prior to completing a certificate.

Marketisation and Profit Driven Models

The increasing privatisation of the ECEC sector has shifted the focus from child centred care to economic efficiency. In for-profit services, cost cutting measures often result in reduced staff to child ratios, inadequate training, and compromised safety standards (Blandis et al., 2025; Vandenbroeck et al., 2023). These conditions create blind spots that can be exploited by offenders seeking access to children (Lucas, 2023b). Privatisation also leads to a model that centres parents and carers as the client, rather than the rights of the children. This is evident in the normalisation of excessive photo taking and sharing at the request of parents and carers. This normalisation can contribute to the production of child sexual abuse material (CSAM) going undetected and reinforces to children that they do not have the right to digital autonomy. A child's understanding of their right to refuse image taking and sharing is a protective factor in the prevention of CSAM creation, not only in ECEC settings but also if the child experiences online grooming as they grow older.

Regulatory Gaps and Inconsistent Oversight

Despite the existence of frameworks like the National Quality Framework and the Reportable Conduct Scheme, enforcement is inconsistent and often reactive rather than preventative (Productivity Commission, 2024; Roberts, 2023). Services with known breaches can continue operating, and information sharing between jurisdictions remains limited, allowing perpetrators to move undetected between roles and locations (Lucas, 2025). This is particularly concerning due to inconsistent regulations across states and territories.

Technology Facilitated Abuse and CSAM

The widespread use of digital devices in ECEC settings, primarily for documentation and communication, has introduced a range of new risks. These include privacy breaches, unauthorised access to devices, inappropriate content sharing, distraction from supervision, and the potential for grooming and exploitation. Early education emphasises experiential play over digital engagement based on child development recommendations. This has created a concerning lack of comprehensive eSafety training, which increases the risk of incidents such as the circulation of CSAM (Santamaria & Shuker, 2022; Salter et al., 2021). Furthermore, the growing trend of technology companies sponsoring or partnering with ECEC providers can limit educators' autonomy in making informed decisions about digital technology use (Gallagher, 2022). In our experience, many ECEC centre leaders and staff have limited or no choice regarding whether to use digital documentation platforms, which platform to adopt based on security standards, or how to manage privacy settings for sharing photos with families and communities.

Cultural Silence and Community Discomfort

CSA affects more than one in three girls and one in five boys in Australia (ACMS, 2025). Despite these alarming prevalence rates, many adults remain deeply uncomfortable discussing the issue. This discomfort intensifies when it comes to younger children, often due to debates around what constitutes 'age appropriate' conversations and uncertainty about the boundaries between parental or carer responsibilities and the role of educators and teachers. Such hesitation contributes to underreporting and weakens community support for prevention initiatives (De Silva & Robertson, 2024; Singh et al., 2023). When educators and carers lack the confidence or clarity to act, children remain vulnerable. These challenges are further compounded by the gendered nature of CSA. While staff often acknowledge that male educators are statistically more than 17 times more likely to perpetrate CSA than female staff (Lucas, 2023b), there is a reluctance to openly discuss this for fear of reinforcing discrimination against men in the ECEC profession.

The Consequence: A Sector Vulnerable to Offenders

These intersecting issues have created a perfect storm for preferential offenders to commit child sexual abuse (CSA). It has become a sector in which preferential offenders can gain employment with minimal scrutiny, operate in environments with inconsistent oversight, and exploit systemic weaknesses to access and harm children, particularly those who are preverbal, nonverbal, or otherwise especially vulnerable (Jacobson, 2024; Lucas, 2024). As other sectors deploy considerable resources to strengthen their child safety protocols, ECEC has become a soft target. Without urgent and systemic reform, the sector will continue to attract individuals seeking to exploit these vulnerabilities. Protecting children demands more than policies on paper, it requires a deep cultural and structural transformation of the ECEC system.

Barriers to Reporting and Systemic Failures

Despite the implementation of the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse and accompanying moral imperative to protect children, the ECEC sector in New South Wales continues to face significant barriers to effectively reporting and responding to CSA. These systemic failures not only undermine the safety of children but also create conditions that can be exploited by offenders.

Inconsistent and Confusing Reporting Frameworks

Mandatory reporting obligations vary across jurisdictions, creating confusion among educators about their legal responsibilities. Many ECEC professionals report uncertainty about what constitutes a reportable concern, who to report to, and how to navigate the process (Ayling et al., 2019; Dinehart & Kenny, 2015). This confusion is compounded by inconsistent terminology and thresholds for reporting, which can delay or prevent action when abuse is suspected.

Lack of Confidence and Training

Educators often lack the confidence to initiate conversations about suspected abuse, either with children or their families. A recent study found that nearly one in three adults were unsure how to speak with a parent or carer about suspected CSA, and more than a quarter did not know how to talk to the child themselves (De Silva & Robertson, 2024). This hesitation contributes to the silence surrounding CSA and may discourage children from disclosing abuse (Singh et al., 2023).

Organisational Culture and Leadership Gaps

In many ECEC settings, concerns are reported internally to leadership rather than directly to authorities. While a logical and more sustainable approach, when leadership lacks training or is under pressure to protect the service's reputation, reports may be minimised or ignored (Rogers, 2025). This is particularly concerning in for-profit services, where staff may fear job loss or retaliation for raising concerns (Lucas, 2023a; Chifley Research Centre, 2020).

Inadequate Oversight and Accountability

The current regulatory framework and accompanying regulatory bodies, including the Australian Children's Education and Care Quality Authority (ACECQA) and the Office of the Children's Guardian, have been criticised for the lack of transparency, inconsistent enforcement, and failure to support services in improving quality (Productivity Commission, 2024; Roberts, 2023). Services with known breaches can and do continue operating, and there is limited public visibility into how complaints are handled or resolved.

Gaps in the Working with Children Check (WWCC) System

The absence of a national WWCC system allows individuals with concerning histories to move between states or sectors undetected. Even in jurisdictions with robust schemes, the WWCC cannot consider evidence of abuse unless it results in a criminal charge, meaning individuals disciplined at the service level can continue working with children (Lucas, 2025). This loophole poses a serious risk to child safety.

Underreporting and Fear of Consequences

Educators may avoid reporting breaches such as unsafe ratios, injuries, or suspected abuse due to fear of job loss, reputational damage to the service, or triggering regulatory investigations (Rogers, 2025). This culture of silence is particularly prevalent in under-resourced or profit-driven services, where staff are often casualised and leadership may actively discourage transparency. These barriers collectively create a dangerous environment where abuse can go undetected and unchallenged. Without clear, consistent, and supportive reporting systems, educators are left to navigate complex decisions without the tools or backing they need. Strengthening these systems is not optional, it is essential to safeguarding children in ECEC settings.

Vulnerable Populations: Disproportionate Risk in ECEC Settings

While all children are vulnerable to child sexual abuse (CSA), certain groups face significantly higher risks due to intersecting structural, social, and systemic inequities. These vulnerabilities are magnified in ECEC settings where protective mechanisms are weak or inconsistently applied.

Aboriginal and Torres Strait Islander Children

Aboriginal and Torres Strait Islander children are overrepresented in the child protection system and in out-of-home care, where rates of abuse, including CSA, are alarmingly high (Commonwealth of Australia, 2017; Australian Institute of Health and Welfare, 2024). The legacy of colonisation, intergenerational trauma, systemic racism, and cultural disconnection continues to place these children at heightened risk of CSA. The failure of ECEC systems to build culturally safe, trusting relationships with Aboriginal families contributes to unnecessary removals and missed opportunities for early intervention (SNAICC, 2023; Alston, 2025).

Children with Disabilities

Children with disabilities are at significantly higher risk of experiencing CSA, due to factors such as communication barriers, reliance on adults for personal care, and social isolation (Commonwealth of Australia, 2023). In ECEC settings, these children may face greater difficulty disclosing abuse and may not be believed when they do. Compounding this vulnerability is a widespread lack of staff training in how to recognise the signs of abuse in children with complex needs. In our experience, too often, clear behavioural indicators of abuse are misinterpreted or dismissed as symptoms of the child's disability or neurodivergence, rather than seen as potential signals of harm.

Children in Out-of-Home Care

Children in out-of-home care are among the most at-risk for CSA, with high rates of abuse in residential and foster care settings (Gatwiri et al., 2020). These children often enter ECEC services with histories of trauma, making them more susceptible to grooming and exploitation. The instability of placements and lack of consistent adult advocates further increases their risk and decreases their confidence in help-seeking.

LGBTQI+ Children and Gender Diverse Youth

Same sex attracted and gender diverse children face elevated risks CSA, particularly when their identities are stigmatised, misunderstood, or invalidated (Capaldi et al., 2024). In ECEC settings, the absence of inclusive practices, such as the denial of a child's LGBTQIA+ identity or speculative assumptions about children who do not conform to rigid gender norms, can lead to social isolation. This isolation increases their vulnerability to abuse and makes them less likely to disclose harm or seek support.

Children from Socioeconomically Disadvantaged Backgrounds

Poverty is a well-established risk factor for child maltreatment and CSA (Plummer, 2018). Children from under-resourced households are more likely to attend lower quality ECEC services due to limitations in affordability and access (Hurley et al., 2024). These services are often underfunded, understaffed, and less equipped to implement and sustain robust child safety practices.

Children with a History of Abuse

Children who have previously experienced abuse are at increased risk of revictimisation, particularly in institutional settings where oversight is weak (Papalia et al., 2025). Without trauma-informed care and vigilant safeguarding, ECEC environments can inadvertently retraumatise or expose these children to further harm.

Conclusion

The ECEC sector must recognise and respond to the disproportionate risks faced by these groups. A 'one size fits all' approach to child safety is insufficient. Instead, targeted, culturally-responsive, and trauma-informed strategies are essential to ensure that all children, especially those most at risk, are protected, supported, and empowered.

Recommendations

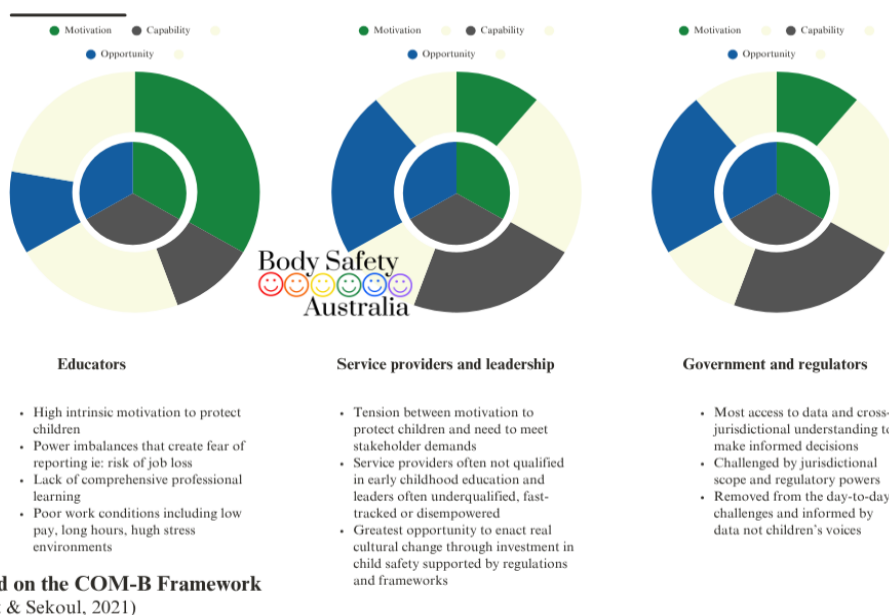
To address the systemic vulnerabilities within the ECEC sector and strengthen protections against child sexual abuse (CSA), Body Safety Australia proposes the following evidence-based recommendations.

These recommendations are grounded in the Capability, Opportunity, and Motivation (COM-B) model of behaviour change (Pilat & Sekoul, 2021), which highlights the need for:

- **Capability:** The knowledge and skills to act on the risks of CSA
- **Opportunity:** Ensuring supportive systems and environments that enable child safety
- **Motivation:** The will to act on reducing the risk of CSA and responding to grooming or disclosures

Without all stakeholders engaged in all three, the ECEC sector cannot meet its obligation to keep children safe. These reforms must be grounded in the COM-B model and are not optional, they are essential to the prevention of CSA in ECEC.

All responsible adults must be motivated, capable and have the resources and opportunity to protect children



1. Mandatory professional development for all ECEC staff

The NSW Government should commit to providing all ECEC staff with access to Body Safety Australia's suite of professional development programs:

- *Superstars*, child sexual abuse prevention
- *Child Safe Standards*, professional development
- *See It, Say It*, professional development

These programs build workforce capability in preventing, identifying, and responding to unsafe behaviour, with a specific focus on recognising grooming behaviours in early childhood contexts. These programs are delivered in person and are adapted for specific communities, building not only knowledge, but confidence, teamwork, cultural understanding and compassion. They are trauma informed in the understanding that as many as 30% of the ECEC workforce are themselves survivors of CSA, making the prevention of CSA programs potentially a workforce safety and wellbeing concern.

2. Establish a state-funded menu of approved external providers

Create a state-based, publicly funded menu of external service providers with a proven evidence-base, similar to Victoria's School Readiness Funding Menu. This ensures consistent access to high quality, child focused programs across all ECEC services, regardless of location or provider type.

3. National hotline for educators

Establish a dedicated national hotline for early childhood educators to:

- Seek advice on complex child safety concerns
- Navigate mandatory reporting obligations
- Access trauma-informed support

This service would provide real-time guidance and reduce the burden on individual educators navigating fragmented systems.

4. Strengthen information sharing across jurisdictions

Implement a national system for sharing information about individuals banned or disciplined for child safety breaches. This must include:

- Cross-state and cross-sector data sharing
- Inclusion of non-criminal but substantiated conduct
- Integration with the Working with Children Check (WWCC) system

This would prevent perpetrators from moving undetected between services or jurisdictions.

5. Embed child rights in ECEC governance

Shift from stakeholder-centric to child rights-based decision making in ECEC policy and practice. This includes:

- Prioritising children's voices in service design and delivery
- Ensuring all policies are aligned with the UN Convention on the Rights of the Child (United Nations, 1989)
- Embedding participatory practices in everyday pedagogy and leadership

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