

1 March 2025

The Hon Mark Dreyfus KC MP  
Federal Attorney-General  
Parliament of the Commonwealth of Australia  
PO Box 6022  
CANBERRA ACT 2600

Dear Federal Attorney-General Dreyfus,

**Re: Low convictions of Australia's worst paedophile and concerns for weaknesses in the existing legal and regulatory frameworks**

It was indeed an absolute pleasure to see you yesterday (Friday, 28 February 2025). And thank you and the Hon Dr Anne Aly MP again most sincerely for your assistance in clarifying the *Royal Commission into Institutional Responses to Child Sexual Abuse's* recommendation of storing relevant children's records for at least 45 years in the context of early childhood education and care services.

As discussed, ACA NSW continues to be concerned about our jurisdictional and cumulative response(s) to Australia's worst paedophile, as well as our preparedness for future assaults against innocent children from birth to 5 years old.

Despite 1,623 charges announced by the Australian Federal Police, the NSW Police and the Queensland Police in August 2023, thus far 307 convictions have been declared and exclusively in Queensland. But after 18 months, will there be further prosecutions to the remaining 1,136 charges in Queensland? And when will that animal be extradited to New South Wales to stand trial for the 180 charges?

ACA NSW has been active on this issue because our values compel us to ensure that all early childhood education and care services are consistently child safe environments.

We are a member of the NSW Department of Education's Early Childhood Advisory Group (ECAG) and this year held its first discussion with the NSW Police.

While our engagement remains ongoing and beyond the NSW Regulatory Authority, we continue to be concerned that the existing legal and regulatory frameworks may be contributing toward our collective weaknesses to achieve a completely child safe environment.

One example being the Queensland whistleblower (Mrs Yolanda Borucki) who was instead charged one count of computer hacking but was ultimately found not guilty only four days before Christmas 2024.

Another concern from a New South Wales perspective arise when realising that New South Wales has the nation's highest numbers of breaches for five consecutive years, yet the Quality Ratings suggest 91% are rated meeting the National Quality Standards (NQS) if not higher. Of particular note:

- by end of August 2023, **93.7%** of early childhood education and care services' *Quality Area 2 – Children's Health and Safety* were rated meeting the NQS if not higher;
- by the end of FY2023/2024, **93.6%** of early childhood education and care services' *Quality Area 2 – Children's Health and Safety* were rated meeting the NQS if not higher; and
- as of 1 March 2025, **94.6%** of early childhood education and care services' *Quality Area 2 – Children's Health and Safety* were rated meeting the NQS if not higher.

**ACA New South Wales**

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Our other concern is that to date, none of the 11 early childhood education and care services as well as their related Approved Providers have been criminally charged for negligence or being an accessory.

We are pleased that the NSW Deputy Premier has announced on 25 February 2025 at the NSW Budget Estimates that an independent assessment will begin on these concerns.

Nevertheless, ACA NSW hopes that we can work with you to ensure that all children and their families can faithfully have and rely on consistent and effective child protection infrastructure and processes.

We look forward to your reply.

Yours sincerely,



Chiang Lim  
CEO

encl A. Summary of charges vs convictions of Australia's worst paedophile  
B. Confirmed breaches vs Serious Incidences vs Enforcement Actions vs Quality Ratings

cc The Hon Prue Car MP, NSW Deputy Premier & Minister for Education and Early Learning  
The Hon Dr Anne Aly MP, Federal Minister for Early Childhood Education

## ATTACHMENT A: SUMMARY OF CHARGES VS CONVICTIONS OF AUSTRALIA'S WORST PAEDOPHILE



NSW

- 180 charges for alleged offending against 23 children
- 68 counts of sexual intercourse with a child under 10
- 42 counts of aggravated sexual intercourse with a child under 10 under authority
- 69 counts of aggravated indecent assault
- 1 count of producing child abuse material



was VALID during the alleged incidences

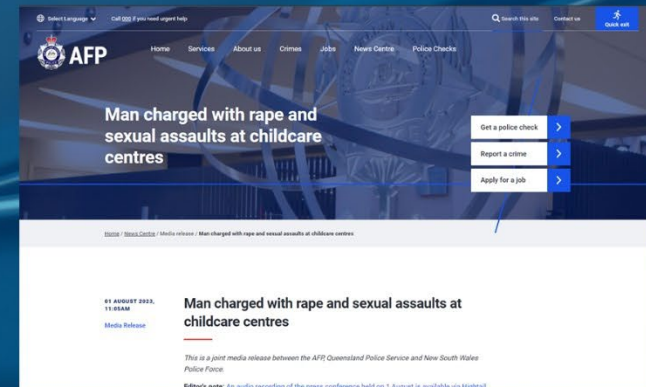


QLD

- 1,443 charges for alleged offending against 64 children
- 136 counts of rape
- 604 counts of indecent treatment of a child
- 613 counts of making child exploitation material
- 83 counts of possessing, controlling, producing, distributing or obtaining child pornography material outside Australia
- 1 count of possessing, controlling, distributing or obtaining child pornography material
- 6 counts of posting child exploitation material



was VALID during the alleged incidences



# 1,623 charges

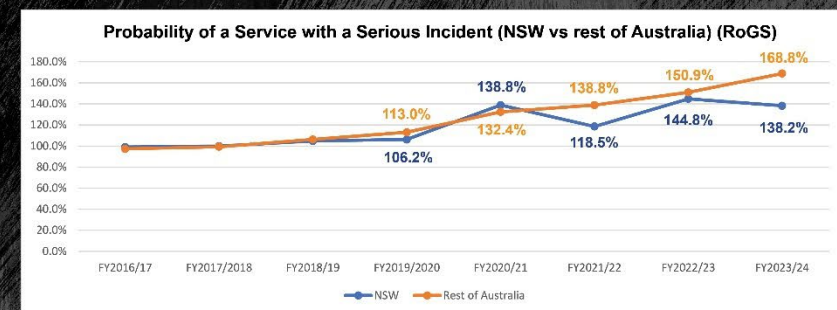
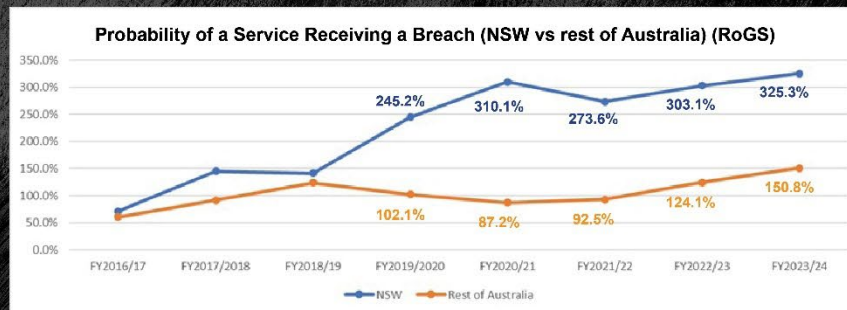
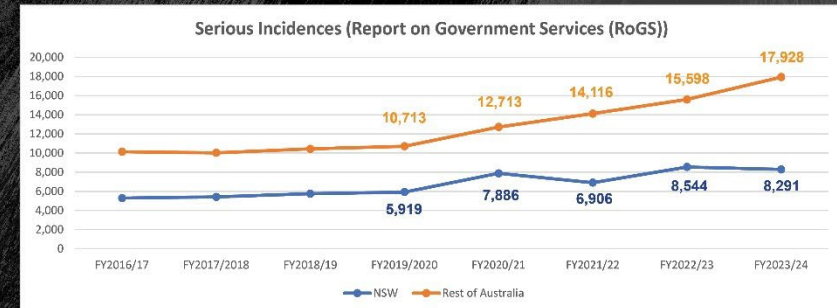
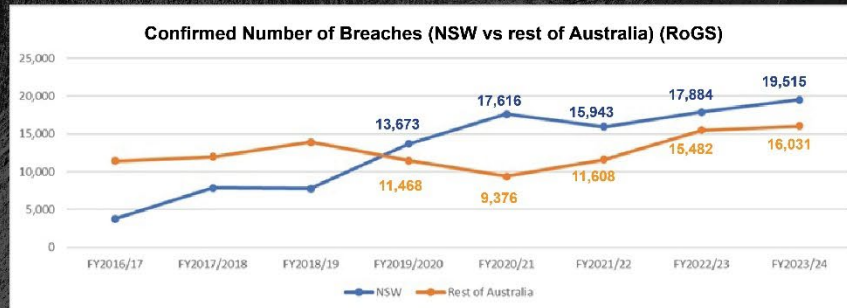
in August 2023

Yet, as of end November 2024:  
307 convictions in QLD  
0 convictions in NSW

## Need for Child Safety Reform



## ATTACHMENT B: CONFIRMED BREACHES VS SERIOUS INCIDENTS VS ENFORCEMENT ACTIONS VS QUALITY RATINGS



SOURCE: Annual Productivity Commission's Report on Government Services (RoGS)

FINANCIAL YEAR (NSW)	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Enforcements & Actions	2	10	0	20	36	11	2	13
% of breaches	0.05%	0.13%	0.00%	0.15%	0.20%	0.07%	0.01%	0.07%

SOURCE: NSW Department of Education

**"91% services with a quality rating are  
Meeting National Quality Standards or above."**

SOURCE: Australian Children's Education & Care Quality Authority (ACECQA Snapshot November 2024)

**93.6% services with a quality rating are  
Meeting National Quality Standards or above for  
Quality Area 2 - Children's Health & Safety."**

SOURCE: ACECQA National Registers (as of July 2024)