

Mr Tom Duncan
Clerk of the Legislative Assembly
GPO Box 1020
CANBERRA ACT 2601

Dear Mr Duncan,

Thank you for your letter dated 25 June 2025, advising that the ACT Legislative Assembly had passed a resolution in accordance with standing order 213A in relation to early childhood education and care incident records.

I note that, on 18 September 2025, the Legislative Assembly agreed to a request to vary the terms of the order under Standing Order 213B. In the interests of transparency, I have included with this letter an 'interpretation of scope', which details how the intent and scope of this order has been interpreted.

The *Ombudsman Act 1989 (ACT)* establishes the ACT Ombudsman as an independent officer of the Legislative Assembly, as distinct from being part of the executive government. Accordingly, I am unable to table documents held by the ACT Ombudsman.

I enclose with this letter two Schedules listing all documents identified as within scope of the order as varied by the Assembly.

Part 2(a)(iii) of the order called for 'notifications to parents of children enrolled at an education and care service about the suspension or cancellation of provider approval'. These notifications are a statutory responsibility of the Service Provider, not CECA. A search of records relating to Service Providers that had received suspensions or cancellations was undertaken. No documents were identified by CECA for this part.

The terms of the order permit targeted redactions of individuals names, birthdates and contact details. These targeted redactions have been made in all but two of the documents included in the return.

Redactions of signatures have been made pursuant to Standing Order 213A(r).

Where out of scope redactions have been made, this is indicated in the Schedule. Many of these redactions are for excerpts from witness statements, which the Assembly agreed on 18 September 2025 are excluded from the scope of the order. Where redactions of witness statements have been made, this is apparent on the face of the documents.

Out of scope redactions of images, video or audio are indicated with the code 'P04' applied to the redactions.

The documents, including documents to which a claim of privilege has been made by the Chief Minister will be provided to you in an accessible electronic format today.

Yours sincerely



Kathy Leigh
Head of Service

24 December 2025