

commission for
children and young people
and child guardian

Submission No. 010

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The Research Director
Industry, Education, Training and Industrial Relations Committee
Parliament House, George Street
BRISBANE QLD 4000

VIA EMAIL: ietir@parliament.qld.gov.au

Dear Chair

Education and Training Legislation Amendment Bill 2011

Thank you for providing the Commission for Children and Young People and Child Guardian (the Commission) with the opportunity to provide feedback to the Education and Training Legislation Amendment Bill 2011 (the Bill).

I support strong safeguards being in place to protect children from risk of harm in all environments and particularly welcome efforts by service providers to strengthen how they make this objective a reality.

You may be aware that I am responsible for administering the blue card system. Therefore, service environments where children receive services or participate in activities which are essential to their development and wellbeing, such as child care, education, sport, and cultural activities are already required to comply with defined obligations under law. For example, regulated service providers under the Commission's Act are required to maintain child protection risk management strategies to ensure the organisation has identified appropriate actions to manage both staff and volunteer interaction with children and of other people operating in their environments as well as processes for managing disclosures by children regarding any concerns or abuse they may have experienced.

I support the mandatory requirements for addressing inappropriate sexual relationships formed with children (albeit in some instances not illegal in the wider community) in any school environment to ensure community expectations are explicit, consistently applied and able to be enforced and that there can be no misunderstanding about the standards expected and the consequences that can flow from breaches in these important learning institutions.

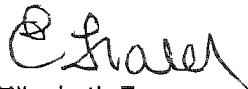
The potential for any mandatory reporting for teachers to result in over reporting is best managed and mitigated through training of school staff to assist them identify

and understand what constitutes likely sexual abuse and also to be aware of issues relating to consensual sexual relationships between students and how these should be dealt with.

In relation to the Bill's proposed changes to the *Education (Queensland College of Teachers) Act 2005*, the Commission has worked extensively with the Queensland College of Teachers (QCT) throughout 2010 to implement legislative changes to reduce duplication of criminal history screening across state systems. This included allowing teachers applying into the blue card system and blue card holders applying for teacher registration who have already undergone a criminal history check to not undergo another criminal history check if there was no information for the blue card or teacher registration system to consider. Instituting the changes now proposed in the Bill will not affect processes for managing the now established exemption arrangements for registered teachers into the blue card system nor for blue card holders applying for teacher registration to not undergo another criminal history check.

If you have any queries regarding this letter, please contact my Principal Advisor, Ms Susan Dwyer on (07) 3211 6991 or email susan.dwyer@ccypca.qld.gov.au.

Yours sincerely



Elizabeth Fraser
**Commissioner for Children and Young People
and Child Guardian**