

Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025

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Archdiocese of Brisbane: Response to The Queensland Parliament's Justice, Integrity and Community Safety Committee Inquiry into The Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025

June 2025

*“The duty to protect and nurture children rests on all members of
society, and most especially on those entrusted with authority”*

Compendium of the Social Doctrine of the Church, §244



TABLE OF CONTENTS

EXECUTIVE SUMMARY	2
INTRODUCTION	3
ABOUT THE ARCHDIOCESE OF BRISBANE	5
THE CURRENT CHALLENGES IN THE BLUE CARD SYSTEM.....	6
PROPOSAL: REAL-TIME COMPLIANCE MONITORING FOR ALL BLUE CARD HOLDERS	8
RECOMMENDATIONS	14
CONCLUSION.....	16



EXECUTIVE SUMMARY

The Archdiocese of Brisbane welcomes the opportunity to contribute to the Queensland Parliament's Justice, Integrity and Community Safety Committee Inquiry into the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025. We commend the Government's ongoing efforts to strengthen child protection frameworks and address technical gaps within the Working with Children Check (blue card) system.

Drawing on our extensive experience as one of Queensland's largest child-related service providers, the Archdiocese supports the Bill's amendments to restore the Chief Executive's suspension powers for prescribed offences. However, we believe the Bill also provides a timely opportunity to consider broader, future-focused reforms that will ensure Queensland's safeguarding systems remain dynamic and responsive.

This submission proposes the introduction of real-time compliance monitoring for all blue card holders, covering employees and volunteers alike. Under the current system, criminal history is reviewed only at the time of application and renewal, typically every three years. Between these points, organisations have limited visibility over a card holder's suitability, relying heavily on self-disclosure. Real-time monitoring would ensure that material changes to a person's criminal history are captured immediately, enabling prompt and appropriate safeguarding action.

Drawing on international best practice, including models from the United Kingdom and the United States, we outline a practical framework for implementation, emphasising strong privacy protections, digital integration, and equitable access for volunteer-involving organisations. Real-time monitoring would not only strengthen child protection but also enhance administrative efficiency and bolster public confidence in the system.

The Archdiocese respectfully recommends that the Committee endorse a review into the feasibility and design of a continuous compliance monitoring system. By adopting these reforms, Queensland can ensure that its blue card system remains fit for purpose, future-proofing child protection efforts and reinforcing the State's leadership in safeguarding innovation.



INTRODUCTION

1. The Archdiocese of Brisbane welcomes the opportunity to contribute to the Queensland Parliament's Justice, Integrity and Community Safety Committee Inquiry into the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025 (the Bill).
2. We commend the Government's ongoing efforts to strengthen Queensland's child protection and criminal justice frameworks through targeted legislative reform. Ensuring that systems of accountability keep pace with community expectations is vital to maintaining public trust, particularly in safeguarding vulnerable members of our society.
3. As one of Queensland's largest organisations working with children – with around 15,000 volunteers and over 12,000 employees engaged in parishes, Catholic schools, pastoral services, hospitals, and community outreach programs – the Archdiocese of Brisbane has substantial, hands-on experience with the practical operation of the Working with Children Check (blue card) system. This experience gives us a unique vantage point to assess both the system's strengths and the critical areas where improvement is needed to meet emerging safeguarding challenges.
4. Our safeguarding obligations are comprehensive, applying not only to employees but also to volunteers, contractors, and all individuals engaged in child-related work. In line with our policies, every employee within the Archdiocese is required to hold a current blue card as a condition of their employment.¹ This reflects our unwavering commitment to fostering safe environments for children and vulnerable people, in both formal and informal settings.

¹ Some employees are exempt from being required to hold a blue card due to their registration with a professional body, for example Teachers, and Health Practitioners. Teachers and health practitioners are subject to rigorous screening and ongoing monitoring by the Queensland College of Teachers (QCT), and Australian Health Practitioner Regulation Agency.



5. While we strongly support the technical amendments proposed in the Bill, this submission puts forward an additional, forward-looking reform: the introduction of real-time compliance monitoring for all blue card holders. We believe this enhancement would close existing compliance gaps and future-proof the system against risk, ensuring a dynamic, responsive framework that protects Queensland's most vulnerable. This proposal complements, rather than competes with, the objectives of the Bill and is offered in a spirit of collaboration and practical improvement.
6. This submission sets out the current challenges within the blue card system, proposes a real-time monitoring model informed by international best practice, and outlines the critical benefits of adopting a dynamic and proactive safeguarding approach for Queensland.



ABOUT THE ARCHDIOCESE OF BRISBANE

8. The Archdiocese of Brisbane is the face of the Catholic Church in Southeast Queensland, covering an extensive region of 77,000 square kilometres from Hervey Bay in the north, through Kingaroy and Gatton in the west, down to the New South Wales border. Comprising 94 Parishes, 146 schools, and 190 centres providing services across Catholic Early EdCare and Centacare's aged care, disability, and family and relationship service centres, our services collectively contribute \$3.9 billion annually to local economies.²
9. Through our social services arm, Centacare, we provide care and offer vital services across various critical areas including aged care, disability care, early childhood education, family and domestic violence intervention, mental health support, hospital and prison ministry, post-prison release assistance, homelessness accommodation, and housing support, among many other essential community services. Centacare's extensive experience places the Archdiocese at the forefront of identifying and addressing social challenges ensuring vulnerable groups receive the comprehensive support they need.
10. Brisbane Catholic Education (BCE), another key component of the Archdiocese, delivers Catholic education to approximately 76,000 students from Prep to Year 12, fostering values of compassion, solidarity, and justice in younger generations. Catholic Early EdCare, the early childhood education provider of the Archdiocese, serves over 27,000 children across 133 services, providing a foundation of care and respect from the earliest stages of life.
11. Collectively, these services underscore the Archdiocese's integral role in the fabric of community life in Southeast Queensland. The Archdiocese's holistic approach ensures not only immediate support and care for individuals across the lifespan but also promotes broader social cohesion and community resilience. By addressing complex social issues like elder abuse, the Archdiocese reaffirms its commitment to fostering communities characterised by dignity, compassion, and mutual respect, thereby contributing positively to societal wellbeing and collective prosperity.

² See Socio-Economic Statement attached



THE CURRENT CHALLENGES IN THE BLUE CARD SYSTEM

12. The blue card system remains a critical safeguard for children and young people in Queensland. However, despite its important role, the system is largely static in its current form. Criminal history screening takes place only at the point of application, and card holders are subject to periodic renewal, typically every three years. Between these formal checkpoints, organisations have limited visibility over a card holder's ongoing suitability to work with children.
13. Under the current model, employers or volunteer organisations are notified if a blue card holder is charged with a serious or disqualifying offence, as defined under *the Working with Children (Risk Management and Screening) Act 2000*. However, significant gaps remain. Notifications are limited to offences listed in Schedules 2 through 5 of the Act. Other charges or convictions that fall outside these schedules, but which may still present material safeguarding risks, do not trigger automatic notification to employers. This creates a vulnerability where organisations must rely on self-disclosure or wait until the next renewal period to assess ongoing suitability.
14. The risks posed by these gaps are not theoretical. They are illustrated by real-world scenarios faced by organisations like the Archdiocese of Brisbane, which engage thousands of staff and volunteers in child-related work.
15. Consider the example of a volunteer or employee who drives a community bus for a parish or school. If this individual incurs a high-range drink driving offence, with a blood alcohol concentration of 0.15, it would not constitute a disqualifying offence under the Working with Children legislation. Unless the individual discloses the incident, there would be no notification to the employer. Yet from a safeguarding and risk management perspective, it would be entirely inappropriate to allow an individual with a recent serious driving offence to continue transporting children. Without real-time notification, the person could continue to perform their duties undetected until their next scheduled renewal.



16. A second example involves an employee working in a Catholic secondary school who is charged with a serious (but non-sexual) assault. As the offence is not classified as a 'serious or 'Disqualifying' offence, the school would receive no alert, and the individual could continue to have access to students unless they were to self-disclose the charges. This gap exposes vulnerable young people to unnecessary and avoidable risk.
17. These examples highlight the practical consequences of the absence of a real-time compliance framework. They demonstrate that the current periodic approach to criminal history screening, although robust at the point of entry, is not sufficient to respond to emerging risks during the period of a card holder's engagement in child-related work.
18. Further compounding this issue is the lack of contextual information provided to employers when a blue card is suspended or cancelled. Notifications typically confirm that a suspension or cancellation has occurred, but do not disclose the nature or severity of the triggering offence or incident. Without this information, employers face considerable challenges in conducting an informed risk assessment and determining appropriate interim measures. This lack of context can also create tension between an organisation's safeguarding obligations and its duties under employment law. Enhancing the information provided alongside notifications would enable employers to make more balanced, fair, and timely decisions that protect both children and the rights of employees or volunteers.
19. The Archdiocese acknowledges the important role Blue Card Services and Queensland Police currently play in maintaining safeguarding standards for the most serious offences. However, expanding real-time compliance monitoring to capture a broader range of offences, particularly those relevant to the actual duties performed, would enhance the existing framework. It would allow organisations to assess safeguarding risks more comprehensively and respond appropriately, while maintaining fairness and compliance with employment law obligations.



PROPOSAL: REAL-TIME COMPLIANCE MONITORING FOR ALL BLUE CARD HOLDERS

20. The Archdiocese of Brisbane strongly supports the introduction of real-time compliance monitoring for all blue card holders, recognising its importance for both volunteers and employees engaged in child-related work. We believe that this reform would strengthen child safeguarding and modernise risk management practices across the State.
21. Under the current system, a person's criminal history is assessed at the point of application and then periodically, typically every three years. While this provides an important baseline, it leaves significant periods during which relevant criminal conduct may occur undetected. In high-risk sectors periodic screening is no longer sufficient to meet modern safeguarding expectations which the public demand of its institutions.
22. Real-time compliance monitoring would ensure that any material changes to a blue card holder's criminal history are captured immediately. This would allow employers and volunteer organisations to take swift and appropriate action to protect children and vulnerable people. Importantly, this approach would extend beyond disqualifying offences to capture other types of criminal conduct, such as high-range drink driving or violent assaults, that may not automatically disqualify under the Act but nonetheless call into question a person's suitability to work with children.

Key Elements of the Proposed System

23. A real-time compliance monitoring model for Queensland must be built on several critical elements to ensure that it is both effective in strengthening child protection and practical for organisations to implement.



24. At its core, the system would provide continuous criminal history monitoring. Once a blue card is issued, the individual's criminal record would be monitored on an ongoing basis through automated, secure processes. This would ensure that any material changes are detected promptly, removing the current gap between periodic renewal checks and providing a dynamic safeguard that reflects contemporary best practice.
25. In addition to ongoing monitoring, the system would need to deliver real-time alerts. Where a material change to a card holder's criminal history is identified, such as a charge or conviction relevant to their continued suitability to work with children, an immediate notification would be sent to the Department of Justice and Attorney-General. At the same time, registered employers and volunteer-involving organisations should also receive an alert. This approach would allow organisations to make timely and informed safeguarding decisions based on current information rather than relying on outdated records or self-disclosure.
26. It is critical that the system provides comprehensive coverage. Safeguarding risks are not confined to paid employment. The system should apply equally to volunteers and employees engaged in child-related work. This inclusive approach would ensure that the same high standards are maintained across the workforce, recognising that the vulnerability of children does not depend on the employment status of the adult responsible for their care.
27. To maintain public trust and ensure proportionality, the system must also be designed with strong privacy protections. Alerts should be confined strictly to offences or changes that are materially relevant to child safety. Card holders should be fully informed at the point of application and renewal about the scope and purpose of the monitoring, the types of information that are collected, and how the information will be used. Clear and transparent communication would help individuals understand their rights and the rationale behind the system, preserving fairness while prioritising safety.



28. Finally, the system must be supported by robust digital integration. A secure, government-managed portal should be developed to allow employers and volunteer organisations to verify, in real time, the compliance status of their staff and volunteers. This would reduce administrative burden, streamline verification processes, and ensure that safeguarding information is accessible, current, and reliable when organisations need it.

Jurisdictional Comparisons

29. International experience demonstrates that real-time compliance monitoring is both feasible and highly effective. Two jurisdictions in particular, the United Kingdom and the United States, provide strong models for consideration.

30. In the United Kingdom, the Disclosure and Barring Service (DBS) operates an Update Service that has significantly improved the timeliness and reliability of criminal record checks. Individuals who work or volunteer in child-related sectors can subscribe to the service following their initial clearance. Once enrolled, their criminal history is continuously monitored and their DBS status is updated automatically if new information becomes available. Organisations can check a person's status online at any time with their consent, and any material changes to an individual's record are flagged immediately. This reduces reliance on periodic rechecks and ensures that risks are identified and addressed as they emerge.

31. In the United States, the Federal Bureau of Investigation operates the Rap Back Program, a national fingerprint-based continuous vetting service. After an initial background check, an individual's fingerprints are securely retained by the FBI. If the individual is subsequently arrested or charged with a reportable offence, real-time notifications are generated and sent to authorised agencies, including relevant employers and regulatory bodies. This program allows organisations to maintain up-to-date knowledge of individuals in their workforce and closes the risk window that can exist between periodic screening processes.



32. These models demonstrate that dynamic, real-time compliance systems can deliver significant improvements in safeguarding outcomes. Continuous monitoring enhances the protection of children and vulnerable people, while also streamlining compliance processes and reducing the administrative burden for organisations. Importantly, these systems have been designed to operate without infringing on individual rights or privacy.

Proposed Framework for Queensland

33. Introducing a real-time compliance monitoring system in Queensland will require considered legislative and operational reform. Central to this will be amendments to the Working with Children (Risk Management and Screening) Act 2000. The current Act was designed for a model of periodic review. Enabling real-time monitoring will require explicit legislative authority for the ongoing collection, monitoring, and use of criminal history information. It will also be necessary to create a mechanism for immediate notification to registered employers and volunteer organisations when material changes occur. Statutory safeguards should be included to ensure that the monitoring is confined to information relevant to safeguarding risks, balancing public protection with individual privacy.
34. From an operational perspective, a robust and secure technological platform will be fundamental to the success of real-time monitoring. A government-managed digital portal should be developed to allow organisations to verify a card holder's compliance status in real time. Integration with national criminal history databases would strengthen the reliability and efficiency of the system. The security of personal information must be paramount, with appropriate restrictions on access and audit mechanisms to prevent misuse.
35. Privacy and transparency safeguards will also be essential to maintaining public confidence. Card holders must be clearly informed at the point of application and renewal about the nature and scope of monitoring, their rights under the system, and the types of information that could trigger a notification. Transparent safeguards would help ensure the system operates with integrity and respects the balance between public safety and individual privacy.

36. Finally, careful attention must be given to ensuring that the system is accessible and sustainable. A modest annual subscription model, similar to the United Kingdom's Update Service, could be used to fund ongoing monitoring operations. However, it is important that cost does not become a barrier to compliance. Subsidised or fee-free access should be provided for volunteer-involving organisations, particularly smaller charities, parishes, and community groups. A well-designed cost structure would support widespread adoption and demonstrate the Government's commitment to fairness and safeguarding across all sectors.

Hypothetical Impact Scenarios

Scenario	Without Real-Time Monitoring	With Real-Time Monitoring
High-range drink driving offence by community bus driver	Undetected for up to 3 years unless self-disclosed	Immediate notification: employer suspends driving duties pending review
Serious assault charge against youth worker	No notification	Immediate alert: employer removes individual from child-related duties
Sexual misconduct charge outside workplace not involving a minor	Risk of individual continuing to work with children until renewal	Immediate alert: safeguarding protocols activated



Benefits of Real-Time Compliance Monitoring

37. Introducing a real-time compliance monitoring system would deliver several critical benefits that align directly with Queensland's safeguarding priorities.
38. First and foremost, continuous monitoring would materially strengthen child protection frameworks across the State. By identifying material changes to a card holder's criminal history in real time, organisations would be able to intervene swiftly to mitigate risks. This would close the dangerous gap between incidents and discovery, providing a more dynamic and proactive safeguard for children and vulnerable people. Importantly, it would ensure that safeguarding decisions are based on current, rather than outdated, information, a principle that is increasingly recognised as best practice internationally.
39. In addition, administrative efficiency would be significantly enhanced. For large organisations like the Archdiocese of Brisbane, managing thousands of staff and volunteers across diverse ministries involves considerable compliance administration. A real-time monitoring system would reduce the burden of tracking expiry dates, conducting repeated manual verifications, and relying on individuals to self-report. It would streamline compliance processes, reduce the likelihood of human error, and free up resources that could be better directed toward service delivery and safeguarding initiatives.
40. Finally, public confidence in the blue card system would be strengthened. Community trust in child protection measures is paramount. Introducing real-time compliance monitoring would show that Queensland is keeping pace with best practice and is taking proactive steps to future-proof its safeguarding infrastructure. It would position Queensland as a national leader in child safety innovation and reinforce the State's commitment to maintaining the highest standards of protection for children and vulnerable individuals.



RECOMMENDATIONS

42. The Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025 proposes a critical technical correction, specifically restoring the Chief Executive's suspension powers for prescribed offences. The Archdiocese of Brisbane acknowledges and supports this amendment, recognising that it will help close important gaps in Queensland's child protection framework.
43. At the same time, the Bill provides an opportunity to consider broader systemic reforms that would ensure the blue card system remains fit for purpose in an increasingly complex environment. As safeguarding challenges evolve, systems designed for periodic compliance must adapt to maintain the confidence of the community and the effectiveness of protections for children and vulnerable people.
44. The introduction of real-time compliance monitoring is closely aligned with the Bill's overarching objective to strengthen Queensland's child protection framework. While the current amendments address a specific technical shortcoming, they are unlikely to be sufficient on their own to meet the broader safeguarding risks that arise in today's social landscape. Incorporating continuous monitoring would represent a forward-looking enhancement to the system, ensuring it can respond dynamically to risks as they arise.
45. For these reasons, the Archdiocese of Brisbane encourages the Committee to view the current legislative amendments not as an endpoint but as a foundation for further reform.
46. Specifically, we request that the Committee:
- A. Note the proposal for the implementation of a real-time compliance monitoring system, recognising its alignment with the broader objectives of the Bill and its potential to significantly enhance child safety across Queensland.



- B. Recommend that the Queensland Government undertake a formal review into the feasibility, design, and operationalisation of a continuous monitoring framework for blue card holders. Such a review would allow for detailed consultation with key stakeholders, consideration of international best practice, and careful attention to privacy, technological, and cost implications.
- C. Acknowledge the importance of ensuring that Queensland's child protection systems remain dynamic, responsive, and capable of maintaining public trust in an environment of evolving risk. Safeguarding frameworks must not only meet today's standards but also anticipate the challenges of tomorrow.



CONCLUSION

47. The Archdiocese of Brisbane thanks the Committee for its consideration of this submission and acknowledges the important work undertaken through the Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025. We commend the Government's efforts to address technical gaps in the blue card system and to strengthen Queensland's child protection frameworks.
48. However, safeguarding is not static. Systems designed to protect children, and vulnerable people must continue to evolve in response to emerging risks and community expectations. Introducing real-time compliance monitoring for all blue card holders represents an opportunity to future-proof Queensland's safeguarding infrastructure and ensure that organisations are equipped with the tools they need to manage risk dynamically and effectively.
49. With over 6,500 employees and 15,000 volunteers engaged in child-related work, the Archdiocese of Brisbane understands firsthand the importance of having robust, current, and reliable compliance systems. Real-time monitoring would not only strengthen child protection but also enhance administrative efficiency and bolster public confidence in the blue card system.
50. The Archdiocese stands ready to work collaboratively with the Government, the Committee, and other stakeholders to progress these reforms. We believe that by adopting real-time compliance monitoring, Queensland can continue to lead nationally in safeguarding innovation and provide a stronger, safer environment for all children and vulnerable people.

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CATHOLIC ARCHDIOCESE OF BRISBANE

77,000 sq km • 70 State Electorates • 24 Queensland Federal Electorates • 17 Local Government Areas

ARCHDIOCESE OF BRISBANE CONTRIBUTION 2024

DIRECT CONTRIBUTION



\$1.4 BILLION

IN WAGES PAID TO



12,281 JOBS

IN EDUCATION AND
SOCIAL SERVICES DELIVERY



\$470 MILLION

GOODS AND SERVICES
PURCHASED



13,513

BUSINESSES BENEFIT



\$1.9 BILLION

TOTAL DIRECT SPEND

TOTAL CONTRIBUTION
TO THE ECONOMY
\$3.9 BILLION

THROUGH EDUCATION AND
SOCIAL SERVICES DELIVERY

29,169

FULL-TIME JOBS

FLOW-ON BENEFITS FROM OUR SPENDING AND EMPLOYMENT



16,888

ADDITIONAL FULL-TIME JOBS



\$1.8 BILLION

ADDITIONAL VALUE ADD



14,117

VOLUNTEERS

\$236 MILLION

VALUE OF VOLUNTEERING



\$703 MILLION

VALUE OF EDUCATION COST SAVINGS

Nurturing prosperity in Queensland communities

98 parishes • 146 Brisbane Catholic Education Schools

190 Catholic Early EdCare and Centacare age care, disability and family and relationship service locations

For more detailed information on the Archdiocese of Brisbane, [click here](#).