



Speech by
Curtis Pitt

MEMBER FOR MULGRAVE

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**CRIMINAL HISTORY SCREENING LEGISLATION AMENDMENT BILL;
DISABILITY SERVICES (CRIMINAL HISTORY) AMENDMENT BILL**

Mr PITT (Mulgrave—ALP) (9.00 pm): In making a contribution to this cognate debate tonight, I want to put on the record my support for the Criminal History Screening Legislation Amendment Bill 2010. This place is more than a forum for debate and assessment of policy ideas. Through the legislative process we must always try to bring some common sense and practicality to the final implementation of these policies. We must also not forget the enormous administrative impact that our words and decisions in parliament have on the public servants who diligently implement these initiatives and, of course, the impact on the end user. Our decisions have flow-on effects right across the community—in schools, child care, sports associations, clubs, disabled and aged-care facilities, and the list goes on.

Since 2001 the blue card system has significantly assisted service providers to go about their business in the human services sector, our justice system and non-government organisations—all the while protecting our most vulnerable Queenslanders. Through the effective administration of blue card related functions, the Commission for Children and Young People and Child Guardian plays a critical role in providing safeguards for children and young people in regulated service environments. In 2008-09, the commission monitored over 466,000 blue card holders and applicants, providing advice and acting to minimise potential at-risk situations in over 600 cases. During this period the commission processed more than a quarter of a million blue card applications and embarked on an awareness-raising campaign about the application process and cardholder obligations to a similar number.

The blue card concept has worked well in this state. However, we must make every effort to continue to not only improve the integrity and consistency of the screening system but also ensure that it is a pragmatic system that is based on reality. While the system must continue to reflect the high expectations that our community has for the screening of individuals who work with children, we should always aim to streamline the process, reduce costs—both to government and to users—and avoid duplication wherever possible. The provisions of the government's bill achieve this by providing exemptions for professionals who operate in a regulated service environment who may also work with children in another capacity—for example, registered teachers and police officers involved with junior sport or youth groups. Under the current regime, this would necessitate an application for a blue card. The changes proposed under this bill mean these people need only apply for an exemption—at no cost.

Comprehensive criminal history checks have already been undertaken on these individuals in the first instance. They have already satisfied strict requirements. In addition, existing blue card holders will be able to apply for an exemption from holding a yellow card and registered health practitioners, including nurses and midwives, will be automatically exempt from requiring a blue card or yellow card when they are providing services to children as well as adults with a disability in the discharge of their professional duties.

The proposed legislation would also have a positive impact on the hip pocket of individuals in paid employment. The renewal period would be extended from two years to three years for new applications for blue cards and yellow cards—those who work for organisations that are funded by government to work with disabled Queenslanders. For paid employees who hold a blue card, this would mean a reduction in

the annual rate from \$30.93 per year to \$23.33 per year. These same fees would apply to holders of yellow cards in paid employment in order to meet the proposed new criteria. These workers will, under the government's proposal, be required to hold a blue card like anyone else who works with children. The need to hold a yellow card for existing blue card holders who want to work with adults with a disability would be removed. Under the new arrangements for both systems, volunteers would remain exempt from paying a fee.

With regard to the exclusionary frameworks, the amendments would see a stronger alignment of the blue card, yellow card and teacher registration systems. Individuals convicted of certain serious sexual offences are effectively banned from working in child related employment or government provided or funded disability services. Persons excluded are those subject to reporting obligations under the Child Protection (Offender Reporting) Act 2004; those on orders under the Child Protection (Offender Prohibition Order) Act 2008; those on orders under the Dangerous Prisoners (Sexual Offenders) Act 2003; or those who have been convicted of a disqualifying offence and received an imprisonment order for the offence. People subject to any of these orders are banned from applying for either a blue or yellow card.

Aligning these frameworks means that the blue and yellow card systems will exclude people with the same types of police information and improve safeguards for children, as well as adults with a disability. These changes are an important element in making sure that the exemption notice system does not allow for loopholes in one system that would allow entry into another. These changes are to be commended for improving criminal history screening safeguards and, consequently, the safety of our children. The Criminal History Screening Legislation Amendment Bill will not significantly alter requirements for the blue card. It will, however, pave the way for a substantial reduction of red tape. I congratulate the minister and her department for their work on the bill. If passed, this bill will be a win for common sense.