



Speech by

Michael Crandon

MEMBER FOR COOMERA

Hansard Wednesday, 24 February 2010

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

Mr CRANDON (Coomera—LNP) (7.54 pm): I rise to add to the cognate debate on the Disability Services (Criminal History) Amendment Bill, introduced by the member for Hinchinbrook, and the Criminal History Screening Legislation Amendment Bill 2010. I intend to focus my comments on the Disability Services (Criminal History) Amendment Bill. The proposed amendments seek to ensure the wellbeing of people with disabilities placed in the care of an employed carer.

Under this bill, a violent criminal history would preclude employment or necessitate consideration by the chief executive. A history including convictions would disqualify a person from employment as a carer while a history of violent charges without conviction, such as repeated charges of domestic violence, would be assessed by the chief executive. I remind the House that a right to request a review of a decision made by the chief executive is included. As the member for Hinchinbrook has stated, the current legislation does not preclude the employment of someone with a violent criminal history from being a carer for a person with a disability, and that is a risk that is not worth taking.

In consideration of the aspects of this bill, I took the time to speak with a Coomera constituent who, in my view, is abundantly experienced with regard to the issue of caring for those who suffer a disability. My constituent has an associate degree in social science with regard to disability. In addition, and perhaps more importantly, this person has provided care for two now-adult children, both of who suffer quite serious disabilities. For the past 28 or so years this person has been the principal carer of these children and chose to study in this area to both help her to better care for her children and allow her to work within the industry and care for others as a paid carer. As I said, this individual is abundantly experienced to comment on the bill before us. Among other things, my constituent was adamant that the need to protect those suffering a disability from the risk of harm at the hands of carers is paramount. Indeed, the view expressed was best summed up by this statement—

It is so important to protect the marginalised in our community at the outset. It is not good enough that we run the risk of putting these people in harm's way when we have the capacity to avert that risk.

Currently, that certainly is not the case. Some people with disabilities have anger issues themselves. So, as my constituent said, if in those circumstances the carer has a predisposition to violence then one feeds off the other. Even the most balanced person would be challenged at times by a disabled person with anger issues. It follows that a carer with known anger issues should not be a carer. It is recognised that not everyone with a predisposition to aggression would have a history that is on the record, but where there is a record then that record should be used to protect those vulnerable people.

I want to make one final comment—a suggestion, if you like. I put it to the government that there is an anomaly in the system that puts bona fide disability workers at a disadvantage. My understanding is that if a worker leaves employment then they lose the right to retain their blue card. Once a new sponsoring employer is found, a reapplication for a blue card can proceed. Once the application has been received, the employee can commence employment. I am told that that is where the problem occurs. It

can take some weeks for the process to arrive at the receipting point. I put it to the government that this, too, could be streamlined. Where a worker has accreditation in the industry, retention of the blue card would help employment prospects. If deemed necessary, employers could have access to a central database that confirms the current qualifications of the prospective employee. It has been made clear that we support the government bill, and I call on those opposite to see the sense of the private member's bill and to support it through the House also.