




Speech By  
**Leanne Linard**

**MEMBER FOR NUDGE**

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Record of Proceedings, 15 May 2019

**WORKING WITH CHILDREN (RISK MANAGEMENT AND SCREENING) AND  
OTHER LEGISLATION AMENDMENT BILL**

 **Ms LINARD** (Nudgee—ALP) (4.03 pm): I rise to speak in support of the Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2018. This bill gives effect to our government's no-card no-start election commitment so that people are prevented from commencing paid work while a blue card is pending in addition to implementing the recommendations arising from the Queensland Family and Child Commission reports *Keeping Queensland's children more than safe: review of the blue card system* and *Recommendation 28 supplementary review: a report on information sharing to enhance the safety of children in regulated home-based services*. Importantly, this bill is the first stage in a series of legislative reforms that will implement the bulk of the QFCC recommendations from its final report and lay the foundations for other reforms to be progressively implemented over a period. All submitters to the inquiry, with the exception of Sisters Inside, supported the bill. The committee made one recommendation: that the bill be passed.

Under a former Labor government, Queensland became one of the first jurisdictions to introduce a working with children check scheme in Australia. That is something that we are proud of. It is a reform that changed this space. As I said, despite the diatribe we just heard, we are proud of it and continue to be proud of it. The blue card system has become indelibly linked with our commitment to keeping children safe. Although it is only one of many tools used to protect our children, the blue card system is a system that the community has confidence in. It is one that we should continue to review to ensure that it best serves the purpose for which it was designed, which was to mitigate risk to children through screening and ongoing monitoring.

Despite the shadow minister's comments, I think a continuous review, particularly of a system that is so important and held in such high regard, is good governance. It is good policy. The shadow minister referred to the government going back and making amendments to the legislation 70 times. That is 70 times we have thought, 'We can do this better for Queensland children.' I am not going to apologise for the government making 70 amendments. I would not apologise if the government made 700 amendments. We will always improve a system that protects children. Those opposite either did nothing or sacked the people who were doing something. I ask the opposition members to forgive us if we do not take any advice from them and continue to do what we are doing, which is governing for the people of Queensland.

**Opposition members** interjected.

**Ms LINARD:** No, the members can use the word as much as they want, but just because they say it—

**Mr DEPUTY SPEAKER** (Mr Weir): Order! Member for Nudgee, I ask you to come back to the long title of the bill. You are going off on a tangent a little.

**Mrs D'ATH:** Mr Deputy Speaker, I rise to a point of order. The shadow Attorney-General referred to all of this history for the bulk of his contribution that the member for Nudgee is now going to. The member is being directly relevant in responding to the shadow Attorney-General.

**Mr DEPUTY SPEAKER:** Thank you. I was not in the chair at that stage, so I am taking things as I hear them. I would like the member to come back to the long title of the bill.

**Ms LINARD:** I will keep talking about the working with children check, because we are proud of our record. We are proud that we stand up for children and protect children in this state. Just because some may choose to use the word 'crisis' does not make it true. We are proud of our record. I stand by our record. I thank the Attorney-General for being the strong advocate that she is and for introducing these further amendments to the legislation.

The Queensland Family and Child Commission review of the Working with Children (Risk Management and Screening) Act 2000, commissioned by this government, represented a whole-of-system review. Significantly, that review found that Queensland's blue card system is one of the strongest systems in Australia and has enhanced protection for children in regulated environments. However, where improvements can be made and the system further strengthened, we will do so. Accordingly, this government has broadly supported the intent of all the recommendations made by the commission.

This bill represents an opportunity to start that work. It will implement the bulk of the recommendations contained in the commission's final report. Although I will not prosecute again all the issues raised in the committee's inquiry, as these are available to members in our tabled report, a number of key matters are particularly worthy of mention. The bill uncouples an employee's blue card from an employer and removes the requirement for an agreement to work before the person applies for a card. People who intend to work in child related regulated work will be able to apply for a working with children card independent of employment. A blue card application for a volunteer remains linked to the regulated organisation. It would be an offence for an employer to employ or continue to employ a person in regulated employment unless the employee holds a working with children clearance and the employer has notified the chief executive about employing that person.

Under the no-card no-start policy, people who propose to work in regulated employment will in future apply for a working with children clearance before an offer of employment. The committee noted in its report that the provisions of the bill, which implement the no-card no-start policy, will address the concerns raised by LawRight and other stakeholders in regard to people who commence employment and are later assessed as ineligible for a working with children card. As an employee will no longer be able to commence regulated employment without a working with children card, disruption to employment will not occur.

During the inquiry hearing, the blue card review team and stakeholders also reported a range of concerns about delays in application and assessment processes that had an impact on a person's employment in a regulated organisation. Some of those concerns will be addressed by potential employees obtaining a working with children clearance before the offer of employment.

The department advised that the online automated systems aim to significantly reduce processing times and, in line with the royal commission report, it is proposed that processing will be reduced to an average of five business days if a person has no assessable police or disciplinary information. This will make an appreciable difference and was welcomed by stakeholders.

The bill also delivers a suite of other important safeguards, including simplifying and modernising key terminology that is used throughout the Working with Children (Risk Management and Screening) Act to make it easier for stakeholders to understand their obligations and expanding the range of disqualifying offences under the act. Stakeholders and the committee supported these amendments. The Attorney-General has indicated her intention to move amendments during consideration in detail to elevate additional offences to the list of serious and disqualifying offences and I wholeheartedly support these stronger protections for children across Queensland.

I also note that the Attorney-General has addressed the committee's comments in regard to proposed sections 344B(3)(e), (4) and (5) in relation to privacy legislation and privacy principles raised in the Information Commissioner's submission to the committee. I thank her for her responsiveness in this regard and, of course, support the clarifying amendments.

The Palaszczuk government made a commitment to implement a no-card no-start policy during the election held in late 2017. This bill gives effect to that commitment. The safety of Queensland children will always be our highest priority. The blue card system is a system that the community has confidence in and is one that we should continue to review to ensure it best serves the purpose for which it was designed. Importantly, this bill is the first stage in a series of legislative reforms that will implement the bulk of the QFCC recommendations and lays the foundation for other reforms to follow.

I thank the Attorney-General and her department for their assistance during our committee inquiry, submitters for their valuable contributions as part of the inquiry, my fellow committee members, our committee secretariat and Hansard. I commend the bill to the House.