




Speech By  
**Hon. Mark Ryan**

**MEMBER FOR MORAYFIELD**

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Record of Proceedings, 15 May 2019

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

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (6.26 pm): The Palaszczuk government is committed to keeping the Queensland community safe. It is that principle that guides our every decision. It is that principle that is at the heart of the legislative changes we are debating in the parliament today.

There is no greater priority than protecting the youngest and most vulnerable members of our society—our children. The legislative changes that we are introducing are a response to the *Keeping Queensland's children more than safe: review of the blue card system*. We are introducing changes that will make it impossible for certain people to work with children. We are toughening the provisions. For example, the following people will be automatically disqualified from holding a blue card: a person convicted of torturing a child, a person convicted of attempted rape of an adult, a person convicted of assault with intent to commit rape of an adult, a person convicted of cruelty to children and a person convicted of trafficking in children. Likewise, the following offences will be elevated to disqualifying offences: choking, suffocation or strangulation in a domestic setting whether against a child or an adult. Attempt to murder and conspiring to murder will also become disqualifying offences.

Beyond those changes we will also require all persons who work with children to have a blue card prior to starting that work. We will remove the ability for a high-risk person to rely on an exemption. This amendment will strengthen the blue card framework, for example, by removing the ability of volunteer parents and volunteers under the age of 18 who have otherwise been issued a negative notice in relation to paid employment to engage in child related activities. We will establish a register of home based care services. We will require all adult household members of stand-alone childcare services to hold a blue card. We will make the Department of Education the 'notifiable person' for changes to the blue card status of family day care educators and adult household members' family day care residences.

Those opposite have tried to use fear and scare tactics to undermine Queensland's blue card system. The fact of the matter is that the QFCC found that Queensland's blue card system has always been one of the strongest in the nation. Our government made an election commitment to implement a no-card no-start policy during the election held in late 2017. During this debate as well as at other times, we have heard those opposite be selective in the data that they refer to in respect of the motivation behind the no-card no-start policy. We have heard them quote figures around the number of people who have started work whilst waiting for their blue card to be processed and then found out that they were ineligible to hold a blue card. The figures they do not quote are that during their time in government in 2012-13 there were nine people who would have been caught by the no-card no-start rule who started work in a child related activity—

**Ms Bates:** We were still trying to fix up the mess left by Child Safety.

**Mr RYAN:** Here we go. They miss the point. We are talking about their overreach and the fear and scare tactics they use, and they do so by being selective around the data. They are happy to quote data around our government's time, but they are not happy to quote the data while they were in government and they had the ability to act. They had a huge majority in this parliament and they could have introduced a no-card no-start framework then. There were nine people in 2012-13, 14 in 2013-14 and 25 in 2014-15. We are closing this loophole tonight. We are introducing a no-card no-start framework to ensure that those people who would be ineligible for a blue card cannot start child related activity.

The key part of my point is that if they are going to quote the data they need to be fair. They need to quote the data about when they were in government as well. This is a problem that should be bipartisan. I am pleased to hear that in respect of this bill it is bipartisan because they are supporting the framework we are introducing in this bill—that is, the no-card no-start policy. It is about making sure that they are genuine about quoting the statistics, that they are genuine about referring to the facts and that they do not attempt to mislead the community narrative by being selective with the data they are quoting.

In respect of the no-card no-start policy commitment that we made at the last election, I want to say that, practically, the implementation of a no-card no-start rule can only happen together with the fully automated system which is due to come into effect in early April 2020. To do otherwise would place unnecessary strain on the framework. We have to make sure that we do not rush significant reform, but we also have to make sure that we are able to practically implement what we are doing. Moving a completely manual system with 740,000 cardholders to a fully automated system takes time and should be done appropriately and responsibly because it is a significant task. We have listened to stakeholders who have requested that we do not rush the implementation of these recommendations because those organisations also need to be ready for the automated system.

The government bill is consistent with the recommendations of the QFCC and also the national standards being negotiated with the Commonwealth and other states and territories. We see with those opposite with their proposed amendments an overreach without an evidence base. We have heard in some contributions from members that they like to hang their hat on recommendation 29, which is in respect of removing the eligibility declaration process. Once again, we see overreach in this regard. That recommendation clearly states that Blue Card Services retains discretion to issue a blue card to an applicant convicted of a disqualifying offence in circumstances where the applicant is not sentenced to imprisonment. The government bill retains that discretion as recommended and also retains the offence provision relating to the up-front offence of five years maximum which prohibits a disqualified person from applying for a blue card. The eligibility declaration process is the only feasible option that preserves the chief executive's discretion for this cohort of applicants.

The offence was retained because this government is committed to ensuring the blue card system is and remains a robust screening system. Currently, a blue card applicant undergoes a national criminal history check upon application. This check considers all of a person's national criminal history, including juvenile records, charges, spent convictions and convictions not recorded.

The government has given great consideration to the mechanisms underpinning what we are doing today. This is important reform which ensures that we prioritise the safety of young people and we ensure that the blue card system remains a robust safeguard for young children in our community and it protects the most vulnerable. It fulfils our election commitment around our no-card no-start policy, and of course it fulfils our promise to the people of Queensland to always prioritise the safety of the most vulnerable. That principle guides every decision that we make, and it is something that we are delivering on in this bill today. I support the bill and encourage all members to do so as well.