




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

 **Mr MINNIKIN** (Chatsworth—LNP) (12.44 pm): I, too, rise to make a contribution to the debate on the Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2018. As members of parliament, we may differ with our politics, but we are united in the love of our children. Working with kids is a distinct privilege. Many years ago, before I was in politics, I was a football—or soccer, as some heathens would refer to the football code—coach and absolutely loved it. It was a true privilege to work with not only my own son but also the sons and daughters of other families in that wonderful little football team. Equally, from a club perspective, I am aware of the devastating consequences that can happen when someone, unfortunately, slips through cracks. Unfortunately, some of the ramifications of those consequences can last for many years.

As has been said by previous opposition speakers, the LNP will not oppose the bill. I will certainly be supporting the amendments as proposed by the shadow Attorney-General. The policy objectives and the reasons for the shadow Attorney-General's amendments are, first of all, to strengthen the blue card system by expanding the range of disqualifying offences; to prevent all disqualified persons from being eligible to apply for and hold a blue card; to establish a new framework that applies to blue card applicants and holders charged and convicted of a serious offence; to broaden the scope of criminal history disclosure and criminal history checks; and, finally, limit the time that children are held in custody at a police station, police establishment or watch house.

On 14 February this year the Education, Employment and Small Business Committee recommended that the bill be passed. The objectives of this bill are very similar to what I have just outlined in terms of the amendments to be moved by the shadow Attorney-General. The policy objectives of the bill overall are to be achieved by expanding a range of disqualifying offences.

Given the fact that we are probably pressed for time because of the number of speakers, I want to zero in on some key facets of the bill and also the proposed amendments. I note that 15 stakeholders made submissions to the committee and all of them were supportive—understandably—of strengthening the blue card system. It is a system that all Queenslanders should be very proud of. I echo the sentiments of some of the previous speakers on both sides of the chamber. Indeed, the blue card system is one that we can all be extremely proud of. It is essential to protecting the most vulnerable Queenslanders of all, our kids.

The issues raised by the stakeholders have been touched on, but I want to reiterate that one of them was the lengthy delays in communication. A common concern among school organisations in particular was the lengthy details in the school being advised that an employee was issued with a negative notice. I am looking forward to this gap being closed when this bill is passed. The Queensland Teachers' Union and the Independent Education Union of Australia also raised concerns about the inefficiency of the blue card system—the BCS. They provided examples of where negative notices had been posted weeks after the notice was issued.

I know that other speakers have touched on this matter, but there was that example of a letter that was personally addressed to a principal and marked 'private and confidential'. I believe that this issue was raised yesterday in this debate. It was outlined that, unfortunately, the principal had commenced long service leave and school staff, believing the letter to be personal, posted it on to the principal's private residence where it was collected around about a month later. Obviously, that is an area of concern. It feeds into that whole issue of a slow turnaround in blue card services. Some of the stakeholders also complained about the slow turnover in relation to wanting more efficient outcomes delivered. It is also incredibly important that this bill will go a long way towards plugging that gap.

The LNP's amendments, if they are supported, will strengthen the blue card system. Yesterday, the shadow Attorney-General spoke about this in detail, but I want to reiterate that these amendments will expand the range of disqualifying offences and prevent offenders convicted of disqualifying offences from ever obtaining a blue card. The shadow Attorney-General's amendments will move the eligibility declaration process to prevent all disqualified persons from ever being eligible to apply for and hold a blue card. That is a very sensible and straightforward recommendation. It will prevent offenders charged with or convicted of a serious offence from working with children. That is self-evident and self-obvious. It will compel applicants to disclose international criminal histories in line with the QFCC recommendations.

The range of these disqualifying offences will be expanded to include, amongst many, manslaughter, under section 300 of the Criminal Code; torture, under 328 of the Criminal Code; cruelty to children, under section 364 of the Criminal Code; choking; incest of an adult; attempt to commit rape of an adult; assault with intent to commit rape of an adult; and sexual assault of an adult. I know it has been touched on, but I think it is important to note that other Australian jurisdictions, such as New South Wales, include these offences as disqualifying offences.

In terms of the eligibility declaration, the LNP's amendments as foreshadowed by the shadow Attorney-General will remove the eligibility declaration to ensure that a disqualified person will never work with children. In relation to those charged or convicted of a serious offence, the LNP will ensure that a person who holds a blue card will have their blue card suspended if charged with a serious offence, again self-evident and very practical and important. A person's application will also not be considered while a charge for a serious offence is pending against the person or if the person has been convicted of a serious offence. A blue card is a privilege, not a right. In relation to international criminal histories, the LNP will require Blue Card Services to conduct international criminal history checks thoroughly. This was, I point out, recommendation 31 made by the QFCC.

In relation to the Labor Party's contribution to the debate, as has been pointed out, back in 2017 an election commitment was made to introduce the no-card no-start policy which would mean that no person can start paid employment without an approved blue card. Until the no-card no-start policy is implemented, convicted child rapists and child murderers who have failed to disclose their convictions can work with children and continue until such time that the police notify Blue Card Services. In November 2018 it was revealed through question on notice No. 1611 that there were 2,917 applications for paid employees who were entitled to commence work pending the outcome of their blue card application. That is just under 3,000 people. Any of these nearly 3,000 people—2,917 to be precise—could be disqualified from working with children. Further, question on notice No. 964 in August 2018 revealed the number of disqualified offenders who started working with children as soon as they applied for a blue card: in 2015-16 there were 25 disqualified offenders; in the 2016-17 financial year there were 20 disqualified offenders; and in 2017-18 there were 21 disqualified offenders.

In relation to the bill, I believe that whilst the Attorney-General has done a great deal to pick up some of the points that the shadow Attorney-General has discussed with her, I do believe that it is inexcusable under Labor's bill that violent child killers, child manslaughterers and child rapists could still apply for and possibly hold a blue card. I note that the amendments to be moved by the Attorney-General are seeking to remedy this, but it is still unacceptable that a person guilty of child cruelty, torture, choking, suffocation or strangulation in a domestic setting can apply for a blue card or still could apply for a blue card.

I assure the House that at the end of the day no-one has a mortgage on the protection of kids. While there will no doubt be some argy-bargy in relation to the bill, the amendments and the shadow Attorney-General's amendments, one thing is sure: at the end of this debate all members of this chamber will be able to go home to their families knowing that in some shape, way or form they have contributed to ensuring that in the future the precious lives and safety of our most vulnerable Queenslanders has been strengthened.