




Speech By  
**Robert Skelton**

**MEMBER FOR NICKLIN**

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**CHILD SAFE ORGANISATIONS BILL; WORKING WITH CHILDREN (RISK MANAGEMENT AND SCREENING) AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr SKELTON** (Nicklin—ALP) (2.06 pm): I rise to speak in support of the Miles government's Child Safe Organisations Bill and the Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill. In 2017, the Royal Commission into Institutional Responses to Child Sexual Abuse published its final report following an extensive five-year inquiry. In its final report, the royal commission recommended that state and territory governments require relevant organisations to comply with 10 child safe standards as a best practice approach to keep children safe, and establish nationally consistent reportable conduct schemes to provide independent oversight of organisational responses to allegations of child abuse across sectors.

The Queensland government has accepted, or accepted in principle, all of the child safe standards and reportable conduct scheme recommendations. The CSS are a framework for organisations to prevent, identify and respond to child abuse through the development of child safe cultures. An RCS provides independent oversight of how organisations investigate and respond to certain allegations of child abuse and misconduct and reportable conduct by their workers including employees, volunteers and contractors.

The bill follows extensive policy development, regulatory impact analysis and consultation. The results of consultation demonstrated strong community support for implementing the royal commission's CSS and RCS recommendations and the preferred Queensland CSO model included in this bill. This bill establishes a comprehensive, integrated child safe organisation system in Queensland which includes flexible CSS implementation. The CSS are designed to be applied flexibly and to accommodate different levels of risks within organisations; for example, it is not intended that sporting organisations and small community groups will implement CSS and the universal principle to the same degree as high-risk settings such as Child Safety funded residential care.

In relation to capacity building, the focus of the QFCC will be on educating organisations and on providing expert information and advice, both proactively and as a response to noncompliance. In relation to collaboration, the oversight body will work with existing sector regulators to harness their skills, experience and regulatory systems to support compliance, reducing regulatory burden and duplication. Oversight powers have been designed as a graduated response where the first response to noncompliance is capacity building, and the application of enforcement powers is proportionate to the noncompliance and the organisational context.

The bill establishes a broad information-sharing framework to enable information sharing between the QFCC, in-scope organisations and other entities. It is proposed to implement the CSS first as a foundational framework and the RCS later, allowing organisations and the oversight body to focus on implementing one scheme at a time and rolling out each scheme to different sectors at different times to allow the oversight body to provide targeted support as new obligations are introduced.

The bill requires the Queensland Family and Child Commission to adopt the most effective and proportionate means of assisting in-scope organisations to implement and comply with the child safe standards. The intent is that the first response by the QFCC to noncompliance will be education and capacity building, with graduated monitoring and enforcement powers available when necessary. These powers include: directing a child safe entity to conduct a self-assessment, providing recommendations, issuing a compliance notice, entering into enforceable undertakings, making an application to the court for assistance and publishing details of noncompliance.

The bill provides for the QFCC and sector regulators to collaborate on implementing and overseeing the CSS and the universal principle to reduce regulatory duplication, improve the capacity of the CSO system to respond to noncompliance, and develop sector-specific resources. The bill provides a broad information-sharing framework where relevant entities are able to disclose confidential information for the purposes of facilitating an investigation and monitoring of CSS compliance by the QFCC.

The Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill establishes the child safe standards and reportable conduct scheme. The bill requires the Queensland Family and Child Commission to share findings of reportable conduct to Blue Card Services to inform assessments under the working with children check assessments. This will provide invaluable information to Blue Card Services to inform their assessment of risk and ensure our children are protected as best we can.

The bill introduces a statutory threshold for blue card assessments that will require BCS to be satisfied an applicant presents a risk to the safety of children which must be real and appreciable in order to refuse an application. The new statutory criteria will require decision-makers to consider a range of factors including the nature, gravity and circumstances of the conduct, how long ago the person's conduct occurred and whether there is a pattern of concerning behaviour. Applicants will have a self-disclosure framework to comply with to include disclosure of domestic violence orders, police protection notices, adverse working with children checks from other jurisdictions, relevant child protection information and disciplinary action. Failure to self-disclose can result in penalties occurring in a situation where there has not been an honest mistake.

The bill expands who will require a blue card to include those in entertainment, beauty and photography services directed at children including costume characters, such as a person appearing as Santa at a shopping centre, as well as gym and play facilities and overnight camps and excursions directed at children. To better align Queensland with other jurisdictions, the bill removes the exemption from screening requirements for lawyers and persons employed at amusement parks. Grace periods have been incorporated to allow sufficient time for impacted persons to make a blue card application. The bill simplifies the screening requirements to make clearer who needs a blue card in a school environment. The bill provides a consistent exemption for parent volunteers. The bill also introduces a new exemption for interstate or international emergency workers deployed to Queensland during a declared disaster or fire emergency. This bill is designed to strengthen the protection of children in Queensland and it has been carefully considered. All submitters have made clear their aims. I commend this bill to the House.