

Question on Notice
No. 908
Asked on 19 August 2004

Mrs Stuckey asked the Premier and Minister for Trade (Mr Beattie)—

QUESTION:

Will he advise whether any person who had been issued with a Blue Card under the Government's Working with Children Program has subsequently been convicted of any offence/s that prohibits them from holding such a card; if so, will he provide the number of such cases by financial year since May 2001, along with the specific offence/s committed?

ANSWER:

In accordance with the *Commission for Children and Young People and Child Guardian Act 2000*, a person who is issued with a blue card for child-related employment is required to notify his or her employer if he or she subsequently has a change in his or her criminal history. The employer is then required to submit a new application for a further suitability notice about the person.

It is an offence for a person who holds a blue card to fail to immediately notify his or her employer, or if the person is self-employed, notify the Commission for Children and Young People and Child Guardian, of a change in his or her criminal history. It is also an offence for the employer of such a person to fail to notify the Commission of this change upon being informed by the employee.

If the change in criminal history involves a conviction for a serious offence then there is an additional obligation on the person and his or her employer to stop, or to not start, the carrying out of regulated employment. Breach of these obligations results in an offence which may attract a penalty of either a fine or imprisonment for both the employee and employer.

Since May 2001 270,072 blue cards have been issued. There have been six occasions when people who had been issued with blue cards were later convicted of an offence which prohibited them from holding a blue card, and to whom a negative suitability notice was subsequently issued invalidating their blue cards.

In other words, these were convictions which were recorded after a blue card had been issued.

Financial year	Number of negative notices issued following a conviction of an offence	Nature of convicted offences which resulted in a negative notice being issued
May – June 2001	Nil	Not applicable
2001 – 2002	Nil	Not applicable

Financial year	Number of negative notices issued following a conviction of an offence	Nature of convicted offences which resulted in a negative notice being issued
2002 – 2003	Nil	Not applicable
2003 – 2004	4	<ul style="list-style-type: none"> • aggravated indecent assault (victim under the age of 16 years) and indecent assault (victim under the age of 10 years) • common assault and dangerous operation of a vehicle with circumstances of aggravation • indecent treatment of children under 16 years by lineal descendant/guardian/carer • indecent dealing with an intellectually impaired person (under care) and unlawful carnal knowledge of an intellectually impaired person and was their guardian
1 July 2004 to 30 August 2004	2	<ul style="list-style-type: none"> • dangerous operation of a vehicle • assault occasioning bodily harm