

WORKING WITH CHILDREN SCREENING CHECKS

2331. Mr P.D. Omodei to the Minister representing the Minister for Child Protection

In relation to the Working with Children screening checks, I ask -

- (a) how many applications have been received since 1 January 2006;
- (b) how many screenings have been completed;
- (c) how many people have been issued with a negative notice;
- (d) what were the reasons for each of the negative notices;
- (e) were any of the people who received a negative notice listed on the Australian National Child Offender Register or any other register;
- (f) for those people issued with a negative notice, what positions were they working in where they had contact with children;
- (g) are any of these people currently working with children; and
- (h) how many have been issued with interim negative notices?

Mr D.A. TEMPLEMAN replied:

- (a) On 30 June 2007 the Working with Children Screening Unit (WWCSU) had received approximately 58,900 (rounded figures) applications for WWC Checks since 1 January 2006.
- (b) Of the above approximately 55,200 (rounded figure) screenings had been completed with the balance in process.
- (c) As at 30 June 2007, 20 Negative Notices have been issued by the Working with Children Screening Unit.
- (d) 14 of the Negative Notices were for scheduled offences (13 sexual and one violence) - including convictions, pending and non-conviction charges. Six were non-scheduled convictions assessed to be of relevance to child-related work.
- (e) Four of the 20 persons issued with Negative Notices (NN) have an offence registrable with ANCOR. Where charges were pending for registrable ANCOR offences registration may occur after the issue of a NN. There is no other register.
- (f) Five self employed, six employees, nine volunteers.
- (g) It is an offence under the law for persons with current Negative Notices and Interim Negative Notices to engage in child-related work, the penalty for doing so is up to five years imprisonment and a fine of up to \$60 000. To date no one with a Negative or Interim Notice is known to have committed such an offence.

Employers are advised if a person has a Negative or Interim Negative Notice and that they are also prohibited from employing such persons in a paid or voluntary capacity working with children. From 1 January 2006 to 30 June 2007, 3 people who had been issued with a Negative Notice had these cancelled and have since been issued with a Working with Children Card. One was reconsidered by the WWCSU when further information was received and two decisions to issue Negative Notices have been set aside by the State Administrative Tribunal (SAT) that ordered the cancellation of the Negative Notices and the issuing of Assessment Notices, that is granting of a Working with Children Card. The Department is currently appealing one of the overturned decisions. This is scheduled to be heard in September 2007. An application to stay the SAT orders pending the hearing of the leave to appeal and the appeal was heard on 30 July 2007 and the decision has been reserved, but expected in the near future. The other is not being appealed because of the significant additional information that emerged at the hearing and there is no error of law identified.

- (h) Nine Interim Negative Notices have been issued since operations began - three are current pending the final decision.

The Working with Children Act is a strong piece of legislation with more than 55,200 applications finalised. It is reassuring that by far the majority of people who apply to work with children do not have criminal records which would pose a danger to children. We cannot assess the extent to which persons who know they won't get through the Checks are deterred from applying. We do know that those people who have current Negative or Interim Negative

Notices have been prohibited and could be imprisoned for 5 years and fined \$60 000 if they did try to work with children. The police are valuable allies protecting children through their monitoring of registered sex offenders and general policing. The Government is pleased to announce that additional funding has recently been provided for a compliance officer at the Unit.

Responsible organisations must also ensure proper checking of referees, training and supervision of staff. This is good law, that is being well administrated and something about which Western Australians can be proud.