

Australian
Childhood
Foundation

More than a check:
Enhancing the Working
with Children Check
scheme to strengthen the
safety net around children

The second report from
Our Collective Experience Project.

February 2025

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About the Authors



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Acknowledgements

As with our first report, 'Hear Us Now, Act Now: First insights on prevention and early intervention from those with lived and living experience of child sexual abuse', we would like to acknowledge the significant contribution of adults with lived and living experience of child sexual abuse who have engaged with Our Collective Experience Project, in particular those who participated in the project's initial survey and the members of the Our Collective Experience Project Lived Experience Advisory Committee, auspiced by Australian Childhood Foundation.

They are a diverse and critical source of knowledge to the outcomes of our work and include Caroline Brunne, Portia Freeman, Deborah Howarth, Elizabeth Hudson, Harrison James, Tessa Spowart, Harriet Tscherkaskyj, Tutie Wilmott and S Vijey.

Australian Childhood Foundation also acknowledges that this report was written on Wurundjeri land (Narm - Melbourne, Victoria) and Whadjuk Noongar Boodja land (Boorloo - Perth Region, Western Australia) which was never ceded. The Aboriginal and Torres Strait Islander community has and continues to suffer childhood sexual abuse in colonial, institutionalised settings and it is our collective responsibility to address this crisis, as we work to protect all children from sexual abuse.

Note on language

We have adopted the working definitions for key terms used in this report from those developed by the National Centre for Action on Child Sexual Abuse in consultation with people with lived and living experience of child sexual abuse.

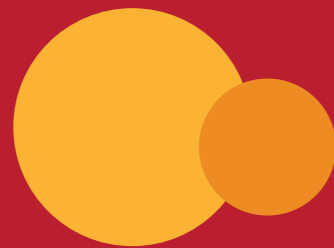


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A message from Emma Hakansson, survivor and Working with Children Check reform campaign lead

I yearn for an Australia where no child suffers sexual abuse like I did.

I was abused by an adult who held a Working with Children Check. Who my family, my community, the institutions and organisations surrounding me trusted. This adult was so trusted that our training sessions took place one-on-one, in a soundproofed room. I still remember how my vision went dark, and I shut off while walking there. How twisted my stomach felt when I was told off for 'forgetting' to go.

This adult was someone that did not 'seem like the kind of person' who would abuse a child so violently. Who was a 'surprise' to be the one reported, years after. These are real words said by other adults with Working with Children Checks.

When I walk past an early learning centre or school, see a child in the waiting room of the GP, at the park playing sport in little league, or on the beach with their surf lifesaving nippers club, a little bit of my stomach knots come back.

I can't help but worry. I can't help but try to read a child's face for something that deserves such worry. I can't help but look at the adults entrusted to protect those children, who hold Working with Children Checks, and wonder.

I wonder if those responsible adults have noticed the non-verbal distress signs of a daughter who is nervous when her uncle comes at pick up time. If the coach saw their colleague quietly pass a treat to just one child, who they seem particularly close to. If the child on the beach causing trouble is being checked in with not just reprimanded. If anyone realises that a child they have a duty to keep safe is being sexually abused in private. By an adult they know, perhaps work with, even trust, like, and look up to.

I am not being overly vigilant when I worry and wonder. I do so because I understand the reality we face. One in which over 1 in 3 girls and almost 1 in 5 boys are sexually abused in Australia, and almost always by those we wrongfully trust (Australian Child Maltreatment Study, 2023).

During and following the sexual abuse I endured as a child, I developed and maintained a stutter that I never had before. I went from being a top student to one who only managed to stay in school for a couple full days each week. Who cried at night. Who was rude when I hadn't been before. Who lost interest in the outside of school programs and lessons I had loved. Who slept in her parent's bed because the idea of them having sex made me deathly frightened.

No coach, teacher, volunteer, or GP at the time checked in with questions that might have helped me share what was happening. No one ever asked questions about the person who abused me, who gave me extra-long training sessions without extra cost to my parents, who I had started to tell people was 'weird'. No one ever told me I was allowed to not trust or like that person, or any person, if they did something yucky. No one ever used words like 'yucky' that might have made sense to a young child like me.

My parents, though, saw some signs and thought I might have been abused. But they never thought it could have been a woman who was doing it. So, their list of potential risks never included her name, and no adult working with me guided them to know better. So, the abuse continued.

Though these failings caused me immense harm, it was not the fault of any one of these adults. The problem was, and is, systemic.

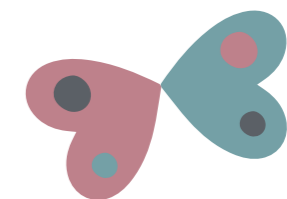
They had not received mandatory child abuse prevention and intervention education, despite working every day with children.

I wish that had been different, and so too do many of my fellow survivors. Now, we have an opportunity to ensure the adults trusted to work with and care for children today will have education to prevent and intervene with potential abuse.

The trauma caused by my abuse is lifelong, no matter how much effort I make to change that. But it is not too late for children today, if we act now.

I hope our governments make the right choice, mandating such education for all those adults who have the privilege and responsibility to work with children.

Emma Hakansson



1 in 3 girls

and almost 1 in 5 boys

are sexually abused in Australia.

Australian Child Maltreatment Study, 2023

Introduction

Right now, it is easier to be trusted to work with children than to pour a pint at the pub.

Adults who wish to serve alcohol within licensed premises must spend up to six hours engaged in training and complete an assessment on safe serving, selling and promoting of alcohol. Holding a Responsible Service of Alcohol (RSA) Certificate is considered demonstrated “proof” that the card holder understands and is committed to:

- a) the responsible service of alcohol; and
- b) the reduction of potential harm associated with excessive consumption.

Incredibly, we require less of people who work with or volunteer with children.

To work and/or volunteer directly with children and young people, adults must apply for a Working with Children Check (WWCC), also called a Working with Vulnerable People Check, Blue Card and Ochre Card in some states and territories.



WWCC schemes are considered key pieces of legislation governing how states and territories protect and promote the safety and wellbeing of children, as well as a process of safeguarding to protect the health and safety of children.

Obtaining a WWCC is an administrative process that only requires applicants to:

1. provide proof of identity; and,
2. not have a documented criminal record that includes violence against children and/or other specific crimes.

Unlike the Responsible Service of Alcohol certificate, there is no requirement for holders of a WWCC to be trained to understand anything about the issue that the WWCC is trying to address – the safety and protection of children.

This report is the second in the [Our Collective Experience Project](#), a project led and informed by survivors of child sexual abuse.

The purpose of this report is to examine the existing WWCC scheme more closely and the potential role that mandatory training could have in improving the protection of children. The report provides an overview of what WWCCs are; how they are managed across different states and territories; the findings of previous reviews of the WWCC schemes; and a timeline of media reporting that points to recent WWCC failures. This includes the widely reported outcome of Operation Tenterfield, an Australian Federal Police investigation with Queensland and New South Wales police, that led to a former childcare worker being charged with 1,623 child abuse offences against 91 children, alleged to have been committed in Brisbane, Sydney and overseas between 2007 and 2022.

It is these failures that highlight the urgent need for better safeguarding of children.



The first report from Our Collective Experience Project. Released March 2024.

Learning from the wisdom of people with lived experience

In March 2024, Australian Childhood Foundation launched the first report, [Hear Us Now, Act Now](#) from its Our Collective Experience Project, led by a Lived Experience Advisory Committee whose members and chair are people with lived experience of childhood sexual abuse.

Drawing from survey data, the report explored what some 350 adults with experience of childhood sexual abuse wished the adults around them had known, said, and done differently that may have kept them safe.

It explored six key findings:

1

As children, survivors needed adults to know that any person, even those they trusted, could have been the one hurting them.

2

As children, survivors needed someone to reach out and ask them what was wrong.

3

As children, survivors needed adults to know more about tactics of perpetrators of child sexual abuse, and how they manipulated adults too.



4

As children, survivors needed to have their experiences validated and unequivocally told that the abuse was not their fault.

5

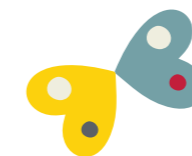
As children, survivors needed adults to take action.

6

Survivors want to be part of making a difference for children now and in the future.

These messages are clear and unequivocal.

The Hear Us Now, Act Now report recommended that all State and Territory Governments introduce a nationally consistent mandatory online training program about child sexual abuse (and other forms of abuse and violation against children and young people) as an essential requirement in the application process for all adults seeking a WWCC. It recommended that the key findings above form the basis of the training. The report argued that it is essential that such mandatory training be implemented by all government instrumentalities and professional bodies that are responsible for the professional registration of practice disciplines who work with children and young people (e.g. Victorian Institute of Teaching) which preclude the requirement for a WWCC registration.



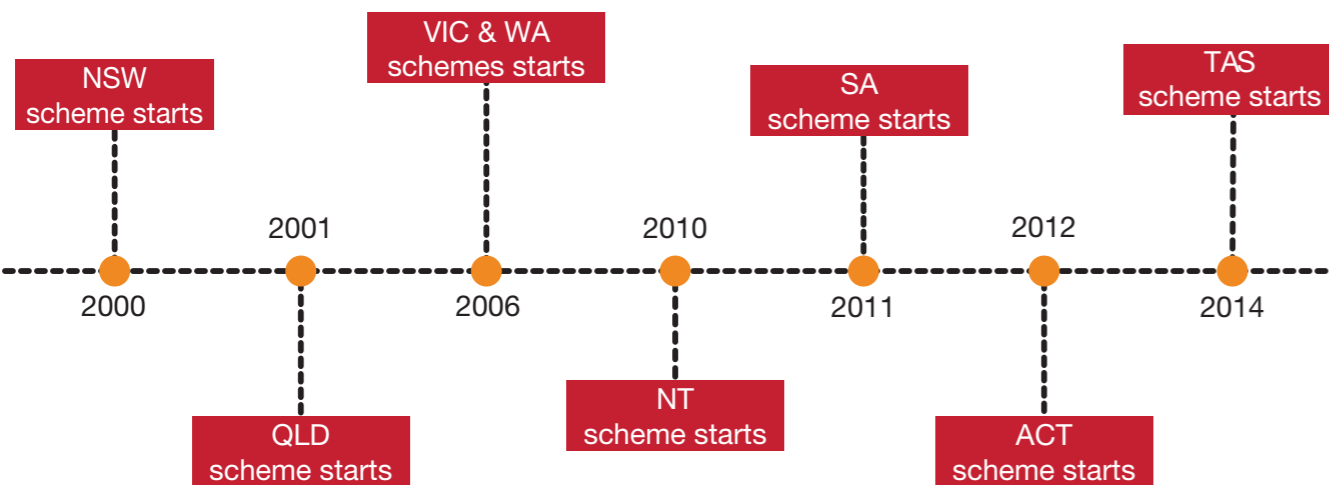
What is the Working with Children Check?

Drawing from available information on various state and territory government websites the authors estimate that some 5.8 million people hold a WWCC across Australia. Emblematic of the lack of a centralised database, it is not currently possible to determine with accuracy how many people currently hold WWCC in Australia.

The National Office for Child Safety (NOCS) published the National Principles for Child Safe Organisations in 2019 to provide a nationally consistent approach to embedding child safe cultures within organisations that engage with children. As described by NOCS on their [website](#) (accessed 22 January 2025) National Principle 5 focuses on ensuring people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice. A key action area for this National Principle is that relevant staff and volunteers are subject to appropriate pre-screening and have a current Working with Children Check (WWCC).

WWCCs are a pre-employment and volunteering screening requirement for anyone seeking child-related work and/or volunteering in Australia. They are one part of recruitment, selection and background checking processes that aim to prevent people who pose an unacceptable risk to children and young people from working and/or volunteering in roles that have direct contact with them.

Each Australian state and territory have their own WWCC scheme with New South Wales being the first state to commence in 2000 and all other jurisdictions following suit over a 14-year period.



Source: Royal Commission into Institutional Responses to Child Sexual Abuse (2015), Working with Children Checks Report



WWCCs across all Australian jurisdictions state the primary purpose of the WWCC is protecting children (and other vulnerable people in ACT and Tasmania) by not allowing people who may pose a safety risk to them to have access to them through their employment and/or volunteering roles.

For all jurisdictions, assessments of a person's possible risk rely on that individual having a documented history where they have previously been charged and/or convicted of behaviour that caused harm to a child. Some jurisdictions also consult professional conduct reports and child protection data which may include family violence reports, but this is not consistent across all states and territories.

Some jurisdictions do not require adults who have access to children, but whose primary role is not "working with children" to obtain WWCC. For example, police officers, some health professionals and teachers (who require separate registration) do not hold such cards. Other exempted individuals include private coaches, short-term billeting families and parents who volunteer in activities that their own children are participating in despite their often private engagement with children other than their own.

Detailed information about variations across jurisdictions can be found in Appendix 1.

An estimated 5.8 million people

hold a WWCC

across Australia

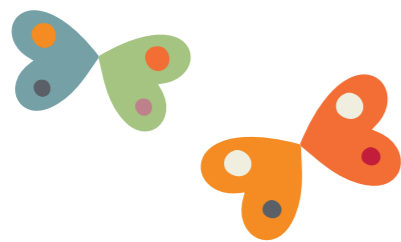
Reviews and critiques of the current Working with Children Check schemes

The effectiveness of WWCC schemes has been a topic on the national agenda for over 15 years with the Royal Commission into Institutional Responses to Child Sexual Abuse's (the Royal Commission) 2015 Report on WWCCs finding several failings across schemes. These included:

- Discrepancies on who needs a WWCC. An individual might require a WWCC in one jurisdiction but not in another despite engaging in the same type of work.
- Aside from criminal history, there are no mechanisms to share information between jurisdictions for the purposes of assessing WWCC applications (such as Child Protection data where abuse such as family violence may be recorded).
- A person with adverse records in one jurisdiction may be able to obtain a clearance in another jurisdiction where the adverse records are not available.
- Screening agencies do not have the capacity to access WWCC decisions or the status of WWCC cardholders from other jurisdictions.
- Once a person holds a WWCC, the continuous monitoring does not include monitoring of national criminal history records.
- WWCCs are not portable across jurisdictional borders.
- People and organisations working across jurisdictional borders find it challenging to comply with the varied and complex schemes.

These concerns remain today as noted in the Commonwealth Child Safety Framework (2020) and more recently the Australian Children's Education and Care Quality Authority (2023) where the sharing of relevant information between jurisdictions and continued lack of consistency across schemes remain key challenges. Each scheme has its own guiding legislation, governing agency, criterion, requirements, exclusions, and monitoring processes that creates confusion and difficulty navigating.

A key challenge is the reliance of the WWCC schemes on documented histories of criminal behaviour when it is widely agreed that most abusers go undetected and without the involvement of police or other relevant authorities.



The Australian Institute of Family Studies (2024) in their fact sheet about [WWCCs](#) concluded whilst WWCCs are a useful screening tool during recruitment processes,

“Screening helps to prevent people with a known history of violent and abusive behaviour from gaining access to children through organisations, employment or volunteering. However, screening alone is not sufficient (e.g. it is limited to identifying known perpetrators) and needs to be coupled with other protective measures to maintain the safety of children. These include interviews, thorough reference checks, policy development for child-safe environments, and robust accountability frameworks for responding to allegations.”

Further, the reliance on employers to verify and employees to disclose changes to their eligibility to hold a WWCC is far from fool proof. This is evidenced in NSW by the Office of the Children's Guardian reporting:

“There are 5,515 people who are barred from working with children in NSW. Of these, over 40% were WWCC clearance holders whose clearance was revoked because of information we received.”
(Office of the Children's Guardian LinkedIn Post, March 2024)

In November 2023 the Ministerial Forum on Child Safety, recognising the continued failings across systems, announced a focus on WWCC reform that prioritises national harmonisation and *“building a culture in which people working with children are supported to share information to identify, prevent and respond to child maltreatment, and are adequately assessed on their suitability to work with children.”* This is an important step and opportunity to implement mandatory online training that supports WWCC card holders to both prevent abuse before it occurs and intervene when it is identified.

Additionally, the McKell Institute (2024) published a review that suggested the WWCC does not go far enough. The issue of child employees has largely been neglected by the WWCC schemes. Fast food outlets, supermarkets and retailers employ the vast majority of Australia's 500,000 strong child workforce. The report argued that children are not adequately protected suggesting:

“Most Australians would be surprised to learn that there are few requirements for adults working alongside children to get Working with Children Checks (WWCCs). This has led to incidences where adults charged, or even convicted, with child sex offences are working alongside children in retail, fast-food and hospitality settings.”

On this basis the McKell Institute report proposes that all adult employees working alongside children should be required to have WWCCs to do so, in every state and territory.

From this analysis it is reasonable to summarise that current WWCC schemes are limited in their capacity to proactively protect children. As such, the WWCC cannot eliminate all people who pose a risk to children from working with them. The WWCC could however, arm all other working adults with the tools and knowledge to keep children safe.

The networks of adults around children that can offer protection and early identification of potential or actual risk

In late 2024 we asked the 10 members of our Lived Experience Advisory Committee (LEAC) to highlight how many adults could have helped protect them as children when they were experiencing grooming and abuse, had they been equipped with the necessary knowledge to notice, understand, and take action. Many talked about important adults who should have read the signs and noticed their behaviours as indicators that something was wrong. In the Hear Us Now, Act Now report this was a resonating theme. The signs and signals of a child who needed help were missed by adults, and so children were left to suffer alone and unprotected.

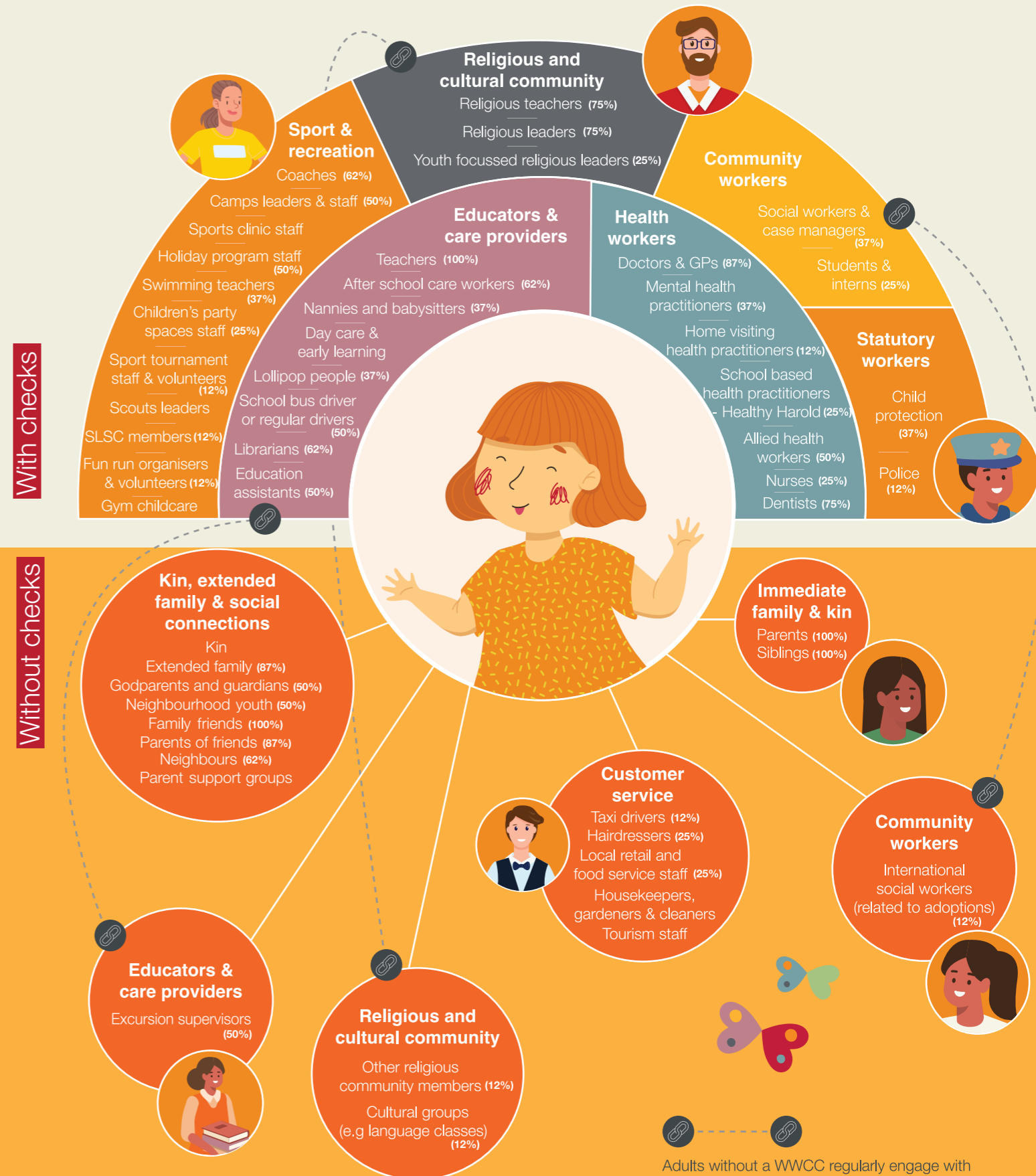
The illustration (right) shows which adults in the childhood communities of our LEAC would hold a WWCC card today. It emphasises what portion of lived experience advisors flagged these adults as important people who could have helped to keep them safe if they had known more.

It further demonstrates the extent and diverse reach that providing WWCC card holders with training could have in the intervention and prevention of child sexual and other child abuse.



Working with Children Check holders are everywhere:

Arming these adults with child abuse prevention education would transform community safety.



Percentage (%) represents the portion of our LEAC that believe this adult from their childhood could have protected them—if they had child abuse prevention education.

Adults without a WWCC regularly engage with those who do: together we can protect our children when Check-holders are appropriately educated.

A timeline of WWCC failure

Since our first report and call for WWCC reform launched in March 2024, the demonstrated need for mandatory child abuse training is further evidenced by the string of reporting about child sexual abuse perpetrated by those holding WWCC or equivalent.

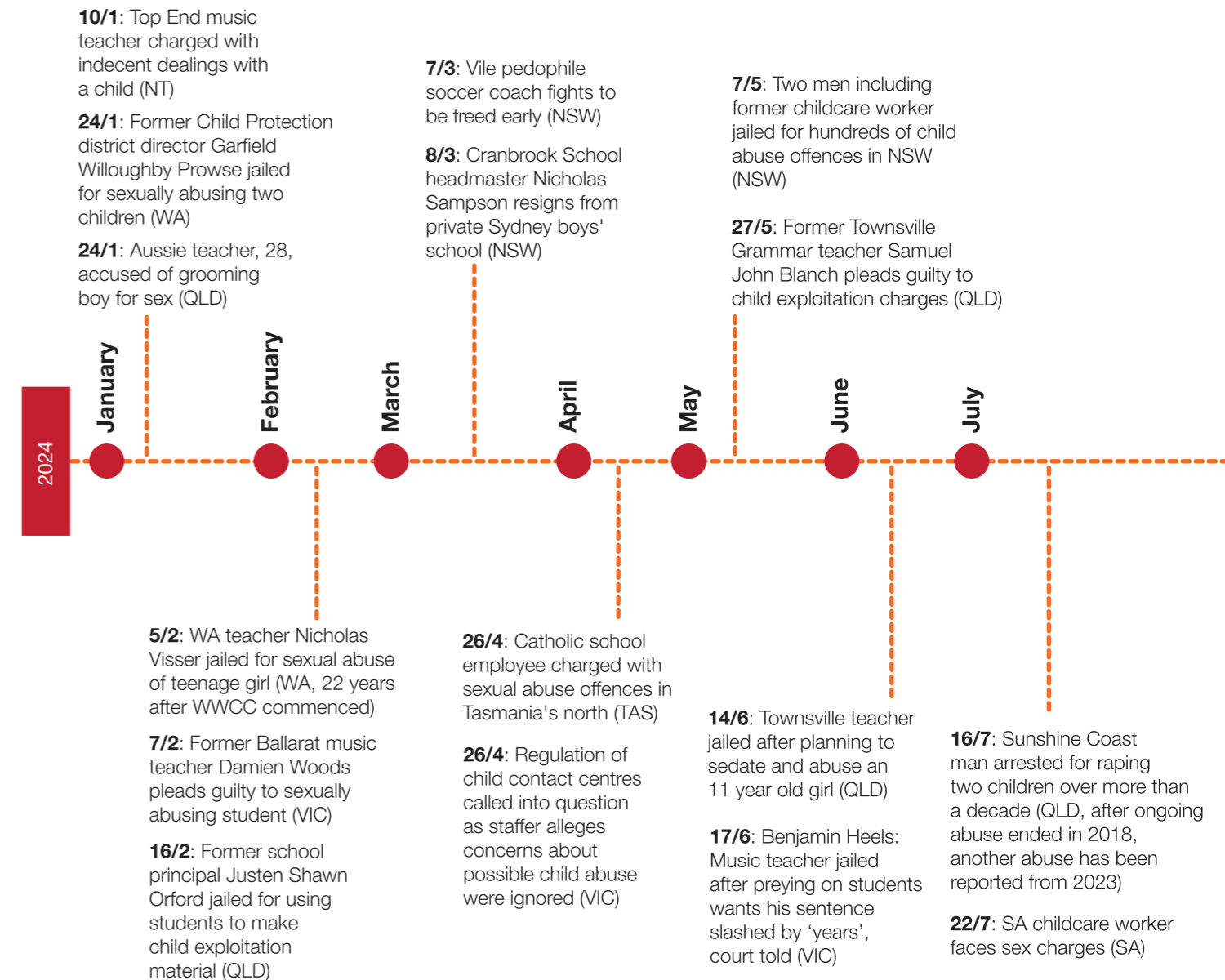
The following contains just a small selection of some of the cases that were reported in the media over 2024.

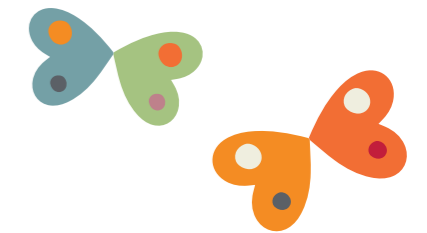
It is important to remember that both sexual assault and child advocates state that rates of reporting of and convictions relating to child sexual abuse are dangerously low in Australia.

The media accounts included below are instances of child sexual abuse where all of the following steps were achieved:

- a) the abuse was seen by or disclosed to someone who believed them and knew what to do;
- b) it was reported to Police who believed them and took the disclosure seriously;
- c) Police investigated and found enough evidence to lay charges against the offender;
- d) the matter was able to proceed through initial court processes;
- e) it was assessed by the Office of Public Prosecution or similar, that there was:
 - a. a reasonable prospect of conviction; and
 - b. the prosecution was in the public interest;
- f) the case proceeded through an entire court process unimpeded (this could take many years);
- g) the offender pleaded guilty or was convicted of the crime put before the court;
- h) it was found to be newsworthy by the media.

*Note, some of the language used in these headlines is inappropriate and may be offensive to some readers.





August

September

October

November

December

2025

7/8: VIC physical education teacher jailed for sexually abusing 14 year old student (VIC)

8/8: Principal of Central Australian Indigenous school arrested for alleged physical assault on children (NT, 13 years after WWCC abuse occurred – physical, non-sexual abuse)

16/8: Teacher charged with sexually abusing teenage student facing more charges (NSW)

2/9: “Childcare rapist pleads guilty to hundreds of charges, families in tears” (QLD)

3/9: “The massive pedophile ring sting that nabbed hundreds of offenders across the globe, led by Australian cops” (mostly NSW, included ‘teachers, a swimming instructor, and others working in jobs that gave them close access to children’)

3/9: Sandringham Sabres basketball coach and teacher Hamish Ryan investigated by police (VIC, 19 years after WWCC commenced)

1/10: Teacher found guilty of sexual offences against teenage boy named as Petra Shasha, who taught at St Edmund’s College (ACT)

7/10: Shepparton childcare sex fiend Michael Tracey pleads guilty to child abuse material charges (VIC)

10/10: Former journalist fronts Launceston court over alleged child abuse material charges (TAS, Mr Brown is an intern teacher at St Thomas More’s, a Catholic primary school in Launceston)

15/10: ‘You owe me’: Police officer’s sick request to 15-year-old girl (police officer grooming 15 year old girl online and trying to pay for sexual imagery) (NSW, 25 years after WWCC commenced)

16/10: Daycare worker filmed abuse of children in Sydney classroom (NSW)

20/10: Police officer charged over child abuse material (QLD, 24 years after WWCC commenced)

1/11: Sunshine Coast paediatrician, Tom Sun Yap, faces Queensland Civil and Administrative Tribunal (QLD, paediatrician in possession of over 2000 images of child sexual abuse)

4/11: Man charged with sexually assaulting a teenager | ACT Policing (ACT)

28/11: NSW sex crimes detective jailed after misusing position to abuse teen complainant (NSW)

9/12: Former paramedic who kept, sent child abuse material banned from profession (NSW)

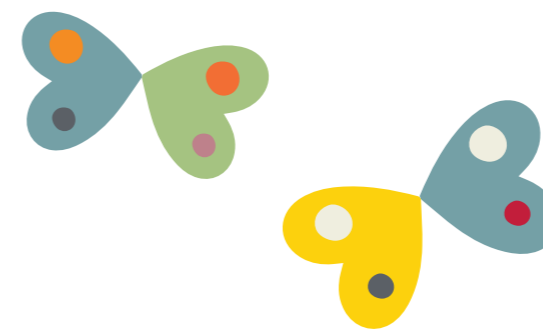
9/12: Convicted child sex offender hired by government-funded legal service [that dealt with child sexual abuse cases and victims] (ACT)

23/8: Weir report: How the NT system failed child-sex victims (NT, abuse occurred 9 years after WWCC was implemented)

28/8: Queensland state school principal charged with child exploitation and grooming offences (QLD)

4/9: Liberal MP with youth affairs responsibilities in the shadow cabinet charged with 10 child sexual assault offences (5 counts sexual abuse of a person over 10 and under 14), it was not checked if he had a WWCC when he began. (NSW)

9/9: Ex-deputy principal has jail time cut after seeking sex from purported teen (NSW, 2023 sentencing)



What would mandatory education include?

"I needed the grown ups around me to take notice of my signals that I wasn't okay and ask me questions to check if I was ok or not."

- insight from a child sexual abuse survivor, from our Hear Us Now, Act Now report

Not only is there no mandatory training for WWCC holders, but there is also currently no opt-in training available to adults working with children that has been co-designed with people with lived experience of child abuse. Too often the perspectives of those with lived experience are excluded from the education of others about what would be helpful to children experiencing or at risk of experiencing abuse.

Concerningly, the National Centre for Action on Child Sexual Abuse's [2024 Community Attitudes Study](#) highlighted that adults who work with children are more likely to hold more harmful attitudes and myths related to child sexual abuse than those who do not.

If we cannot prevent all unsafe people from working with children, we can arm safe adults to better identify who may be dangerous to children, what children may be in danger, and what to do about it.

The protection of children is more than a series of transactions between adults and children. The protection of children is embedded in the networks of adults around children and their capacity to form relationships with children within which they feel seen, heard, believed, respected, and cared about. Children need adults to take an interest in the things that are important to them – the things they like, the things they find funny and the things they worry about. These are the relational foundations that are laid that enable children to disclose what is happening to them. And even then, they may never give voice to their abusive experiences but rather show their distress through their behaviour or other means that if adults aren't paying attention can too easily be missed or misunderstood.



On average it takes over two decades for victim-survivors of childhood sexual abuse to disclose what was done to them (Royal Commission, 2017). We cannot place the responsibility on children to disclose their abuse as a gateway to protection.

Mandatory child abuse prevention and intervention training must help adults to stand in the shoes of a child and be based on the needs, vulnerabilities and capabilities of children. It should include (as noted by those with lived experience) the following information relevant to all child abuse types, and multi-type maltreatment:

The scale of the issue of child abuse types

The tactics used by those who abuse children

Signs of harmful sexual behaviour by children and young people

Indicators of child abuse types in children

How to promote children's rights, voices, and autonomy

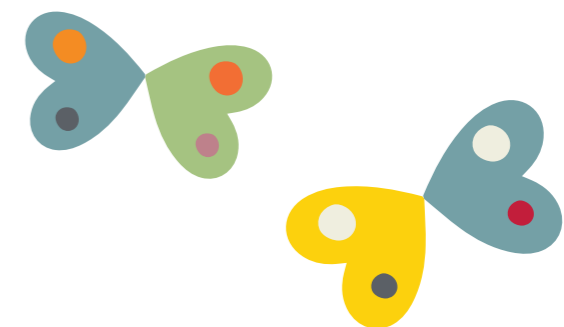
How to create safe relationships with children

How to talk to children about things that are important to them

How to respond to concerns a child is experiencing abuse

How to respond to a disclosure of abuse appropriately and to support healing

If adults working with children do not have, at the very least, a basic knowledge of these topics, children will continue to face devastating and life-long impactful abuse under our watch.



Conclusion

National Child Safe Principle 5 (Principle 5) focuses on ensuring that people working with children are **suitable and supported to reflect child safety and wellbeing values in practice**. A key action area for this principle is that relevant staff and volunteers are subject to appropriate pre-screening and have a current WWCC.

The existing WWCC schemes across Australia whilst imperfect, are nonetheless a critical part of the response to Principle 5: providing one safeguard as to the 'suitability' test. But arguably the WWCC alone does not address the full scope of the principle. Principle 5 also requires that 'people working with children are supported to reflect child safety and wellbeing values in practice'. This aspect of Principle 5 is beyond the existing screening function of the WWCC and can only be addressed by building the capacity of WWCC holders to know more and do more regarding children and their safety.

Additionally, Principle 7 states that organisations working with children must ensure that 'staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training'.

Our environmental scan highlights the available training to be inconsistent in what it covers, has a focus on educating about the Child Safe Standard compliance rather than a developmental approach to supporting and protecting children, is not available to all WWCC holders, and is not co-designed with those with lived experience. Taking a national approach to mandatory education through the WWCC application process addresses the limitations and challenges of the current approach. In our first report, Hear Us Now, Act Now, we stated that the widespread application of current WWCC schemes (screening) provides a critical opportunity to improve the knowledge and confidence (practice) of WWCC holders to protect children.

Echoing this call, in 2023 the Australian Children's Education and Care Quality Authority's review of Child Safety Arrangements under the National Quality Framework (NQF) made specific recommendations in relation to the need to strengthen the NQF with regard to safeguarding children. However, recognising the complexity of the inter-related child safety mechanisms across the different jurisdictions such as reportable conduct and mandatory reporting legislation it went further, also recommending the need to explore the requirement for mandatory training on child safe standards, principles, and practices as part of the application process for a WWCC.

Through the wisdom of those with lived experience this report has highlighted the significant number of adults working or volunteering with children who were in a position to protect a child from further abuse but did nothing. Similarly, the presented media analysis of cases over the preceding 12 months starkly highlights the limitations of the WWCC in ensuring the suitability of people working with children.

It must be acknowledged that there are many adults today who hold WWCCs who are, have, or will abuse children in their care. The tactics used to conceal their abuse and the silencing shame they impose on the children they abuse make criminal record checks, in many circumstances, redundant. As such, it is incumbent on all WWCC holders to understand the risks that others in the environments within which they work or volunteer may pose to children.

Through the Our Collective Experience Project, people with lived experience have clearly said they need adults to be aware of warning signs of potential perpetrators, and to be sensitive to changes in a child's behaviour. Adults need to support a child's autonomy, read the signs that things might not be OK for a child, and ask children if they are OK. They must understand what to do next with concerns and disclosures of grooming and abuse. It is incumbent on holders of WWCCs to know how to create safe relationships with children, and to create a culture within which children are respected, believed and supported to talk about things that are important, confusing, or frightening to them.

If the estimated 5.8 million WWCC holders across Australia were more empowered to engage in **practice** to support and protect children in this way we can make a significant difference to the lives of thousands of Australian children every day.

So, let's return to the Responsible Serving of Alcohol (RSA) Certificate referred to in the introduction to this report. Holders of this Certificate must complete mandatory training to demonstrate that they understand and are committed to:

- a) the responsible service of alcohol; and
- b) the reduction of potential harm associated with excessive consumption.

Throughout the training the person is supported to develop **practices** that enable them to engage with people drinking responsibly and to take steps to reduce and protect from harm that may result from excessive drinking.

Using the existing WWCC platform and a similar frame to the RSA requirements, the introduction of mandatory training will support the full implementation of Principle 5 – the development of **practices** that require the WWCC holder to demonstrate an understanding of and commitment to:

- a) the responsible care of children such as creating safe relationships, identifying when a child may be experiencing abuse and talking to children about their feeling safe; or
- b) the reduction of potential harm through recognising behaviours of an adult who may be unsafe around children or discouraging children's autonomy.



Recommendations

1

That a nationally consistent mandatory training program about child sexual abuse (and other forms of abuse and violation against children and young people) be introduced as part of the application process for WWCCs.

2

That the training content be co-designed with people with lived experience of child sexual and other forms of abuse.

3

That all efforts be made through the national WWCC harmonisation effort to consider broadening the scope of people covered by the WWCC scheme to consider workplaces where children are employed or frequent customers/clients thereby strengthening the perimeter of protection for children in all settings.

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Appendix 1

New South Wales

Legislation

- Child Protection (Working with Children) Act 2012 (NSW) No. 51
- Child Protection (Working with Children) Regulation 2013 (NSW)

Governing Agency

Office of the Children's Guardian

Screening check name

Working with Children Check (WWCC)

Valid for

5 Years

Who is required to obtain a check

- employees and volunteers aged 18 years or older working in child-related roles, where contact with children is a usual part of the work, and not just incidental
- adults who reside or stay regularly on the property of an authorised carer, home-based education and care service providers, family daycare service providers, potential adoptive parents, and heads (e.g. chief executive officers) of organisations captured by the Child Safe Scheme

Exemptions

A WWCC is not required if a person engages in a child-related role and:

- is under the age of 18 years
- works for a period of not more than a total of 5 working days in a calendar year, if the work involves minimal direct contact with children or is supervised when children are present

- carries out the work in the course of an informal domestic arrangement that is not carried out on a professional or commercial basis
- engages in work that only involves direct contact with children who are close relatives of the worker, other than a worker who carries out the work in the capacity of an authorised carer
- is a parent or close relative of a child when volunteering at their children's usual school and extra-curricular activities (except where the person is providing personal care for children with disabilities, participating in a formal mentoring program or at an overnight camp for children)
- is a police officer or a member of the Australian Federal Police when working in his or her capacity as a police officer
- is a health practitioner in private practice, if the provision of services by the practitioner in the course of that practice does not ordinarily involve treatment of children without one or more other adults present
- is a co-worker or work supervisor of a child unless the worker is engaged in community justice child placement work or works as an inspector carrying out works under the Public Health (Tobacco) Act 2008.
- is a home care worker who holds a police certificate that is current for the purposes of the Accountability Principles 1998 made under the Aged Care Act 1997 of the Commonwealth and if their work is home care work and the clients are not primarily children
- is working in and visiting NSW from outside the state for the purposes of a one-off event (e.g. jamboree, sporting or religious event)
- is a health practitioner working in and visiting NSW from outside the state and works 5 days or less in any 3-month period
- holds an interstate WWCC in the jurisdiction in which the person ordinarily resides, or is exempt from the requirement to have such a check in that jurisdiction, and works 30 days or less in NSW
- is a visiting speaker, adjudicator, performer, assessor or other similar visitor at a school or other place where child-related work is carried out and if the work of the person at that place is for a one-off occasion and is carried out in the presence of one or more other adults
- for short-term emergencies, where an employer deems it is necessary for a worker to engage with children to prevent an increased risk to the safety of children, but not for longer than 5 consecutive days.

The Children's Guardian has the discretion to grant a 'continuing residence approval' to a person who turns 18 while residing with an authorised carer and has been refused a WWCC clearance.

The Children's Guardian must be satisfied that an appropriate risk mitigation plan is in place. The approval will allow the person to continue residing with the authorised carer in that placement.

Information considered

Information considered in the screening check includes:

- national criminal history, including:
 - convictions (spent or unspent)
 - charges (whether heard, unheard or dismissed)
 - juvenile records
- any findings of misconduct by a relevant entity, including: (a) sexual misconduct or offence committed against, with or in the presence of a child, including grooming a child, and (b) any serious physical assault of a child.
- a National Police Check is part of the WWCC

Under the Reportable Conduct Scheme relevant entities must notify the Office of the Children’s Guardian when they become aware of any reportable allegations or convictions made against relevant employees, volunteers or contractors (where a Working with Children Check is required). A workplace investigation must be completed.

Queensland

Legislation

- Working with Children (Risk Management and Screening) Act 2000 (Qld)
- Working with Children (Risk Management and Screening) Regulation 2020 (Qld)

Governing Agency

Blue Card Services, Public Safety Business Agency

Screening check name

Working with Children Check, known as a ‘Blue Card’

Valid for

3 Years

Who is required to obtain a check

Individuals engaged in paid work in child-related occupations (i.e. categories of regulated employment under the Act) and individuals over 18 years volunteering in a child-related role for more than 7 days in a calendar year.

Exemptions

A WWCC is not required if a person:

- a paid employee, volunteer or student (and not a restricted person* or running a business) who works in child-related occupations for no more than 7 days in a calendar year
- a volunteer who is under 18 years of age (and not a restricted person*)
- working alongside a person who is under 18 (e.g. if you supervise a 17-year-old colleague)
- participating in a team, club or group activity that also has members under 18 years of age (e.g. if you play in an under-20s sports group with a member who is 17)
- supervising a student while they do work experience (including school students)
- an Australian lawyer providing legal or advocacy services

Information considered

Information considered in the screening check includes:

- National Reference System database search to determine if another state or territory has made an adverse WWC decision
- a charge or conviction for any offence in Australia, even if no conviction was recorded (this includes spent convictions, pending and non-conviction charges)
- child protection prohibition orders (both respondents and subjects to the application)
- disqualification orders
- reporting obligations under the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 or Dangerous Prisoners (Sexual Offenders) Act 2003
- disciplinary information from certain organisations (this includes information about teachers, childcare licensees and foster carers)
- domestic violence information
- other information about the person that is relevant to deciding whether it would be in the best interests of children to issue a Blue Card
- police investigative information relating to allegations of serious child-related sexual offences, even if no charges were laid.

Victoria

Legislation

- Worker Screening Act 2020 (Vic)
- Worker Screening Regulations 2021

Governing Agency

Working with Children Unit, Department of Justice and Regulation

Screening check name

Working with Children Check

Valid for

5 Years

Who is required to obtain a check

- individuals who engage in voluntary or paid work or practical training with children aged under 18 years of age in ‘child-related work’*
- all ministers of religion, unless their contact with children is only occasional con-tact that is incidental to their work or if their congregation does not contain any children
- all kinship carers.

Exemptions

A WWCC is not required if a person is:

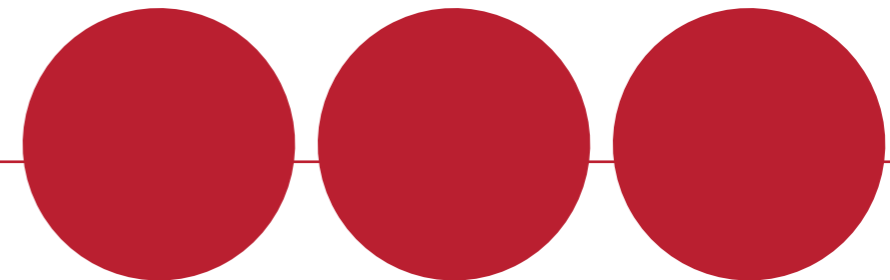
- under 18 years of age
- a volunteer whose child is participating or ordinarily participates in the same activity
- closely related to the child/ren they are working with (e.g. grandparent, uncle or aunt, step-parent).
- an adult under 20 years old who is a student and engaged as a volunteer in child-related work as part of their studies with an educational institution
- a registered teacher, Victoria Police officer, Federal Police officer

- a visiting worker who holds an equivalent check from the jurisdiction where they are ordinarily a resident if they are engaging in work for not more than 30 days in a calendar year.
- Note: these exemptions do not apply for individuals who have previously failed the WWC Check and been given a WWC Check exclusion.

Information considered

Information considered in the screening check includes:

- criminal record in all Australian states and territories – including charges related to serious sexual, violent and drug related offences, regardless of the outcome of the charge
- obligations or orders under the Sex Offenders Registration Act 2004 or the Serious Offenders Act 2018
- relevant findings related to professional conduct from prescribed professional disciplinary bodies
- supervision orders, detention orders or emergency detention orders
- compliance (if applicable) with historical and current health practitioner legislation
- relevant offences under the Worker Screening Act 2020
- any formal findings of guilt in relation to an offence, convictions of an offence, accepted pleas of guilt, or acquittals of an offence because of mental impairment
- information about any spent convictions, juvenile convictions and findings of guilt, pending charges and the circumstances surrounding any charges or convictions (such as the ages of the applicant and victim, applicant’s behaviour since the offence, likelihood of future threat to a child)
- exclusion from child-related work in the past
- exclusion from child-related work by another state or territory.
- From 10 December 2019, the Act limits the appeal rights of the adults charged with or found guilty of the most serious offences.



Western Australia (incl. Christmas and Cocos (Keeling) Islands)

Legislation

- Working with Children (Screening) Act 2004
- Working with Children (Screening) Regulations 2005
- Working With Children (Criminal Record Checking) Act 2004 (WA)
- Working with Children (Criminal Record Checking) Amendment Regulations 2023

Governing Agency

Working with Children Unit, Department of Justice and Regulation

Screening check name

Working With Children (WWC) Check

Valid for

3 Years

Who is required to obtain a check

Individuals who have an agreement to work in child-related work. Work is child-related if the 'usual duties' of the work involve or are likely to involve 'contact' with a child in connection with at least one of the categories of 'child-related work' (see below for 'what services or sectors need to register').

Exemptions

A WWCC is not required if a person is:

- a child under 18 years of age and doing volunteer work
- a student under 18 years of age and doing unpaid work as part of an educational or vocational course with an education provider
- a short-term visitor to Western Australia and works for no more than 2 weeks during a 12-month period. This exemption only applies during the 2-week period immediately after their arrival in WA and cannot be applied in addition to the one-off national event exemption.

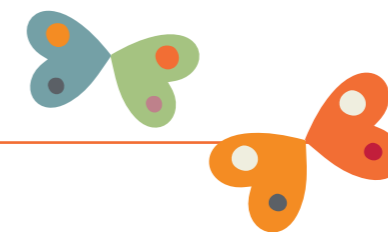
Exemptions for specific circumstances:

- a parent doing volunteer work where their child is included in the activity#
- non-residents of Western Australia (WA) who are participating in a one-off national event or tour that is organised at state, territory or national level by a recognised body and where children from more than one state, territory or country are participating (e.g. national Scout jamboree) for a one-off non-cumulative period of 30 days within a 12-month period. This exemption cannot be used in conjunction with the short-term visitor exemption.
- police officers when performing their duties and functions as a member of the WA Police Force, for some categories
- coaching or private tuition group classes (of 2 or more persons) that are not provided or advertised as primarily for children
- work carried out in residential facilities connected to, or predominantly used by, students of a university or other tertiary institutions
- performances provided by children's entertainment or party service that are open to the general public and do not involve physical contact with children
- children's entertainment or party services that only provide equipment, food or a venue.

Information considered

Information considered in the screening check includes:

- any relevant criminal history information, such as charges, pending charges, court outcomes and information about the circumstances related to relevant offences
- information relating to charges and/or convictions for overseas offences in certain circumstances
- information from a conduct review authority, such as disciplinary and misconduct outcomes and related information
- any other information that is deemed to be relevant; such as, child protection orders, reports from professionals (e.g. psychologists and doctors), relevant information from Departments of Education and Health, prescribed reports from the Department of Justice
- Notifications and information from other government agencies within WA and interstate.



Northern Territory

Legislation

- Care and Protection of Children Act 2007 (NT)
- Care and Protection of Children (Screening) Regulations

Governing Agency

Screening Assessment for Employment – Northern Territory (SAFE NT), Northern Territory Police

Screening check name

Working with Children Clearance, known as an ‘Ochre Card’

Valid for

2 Years

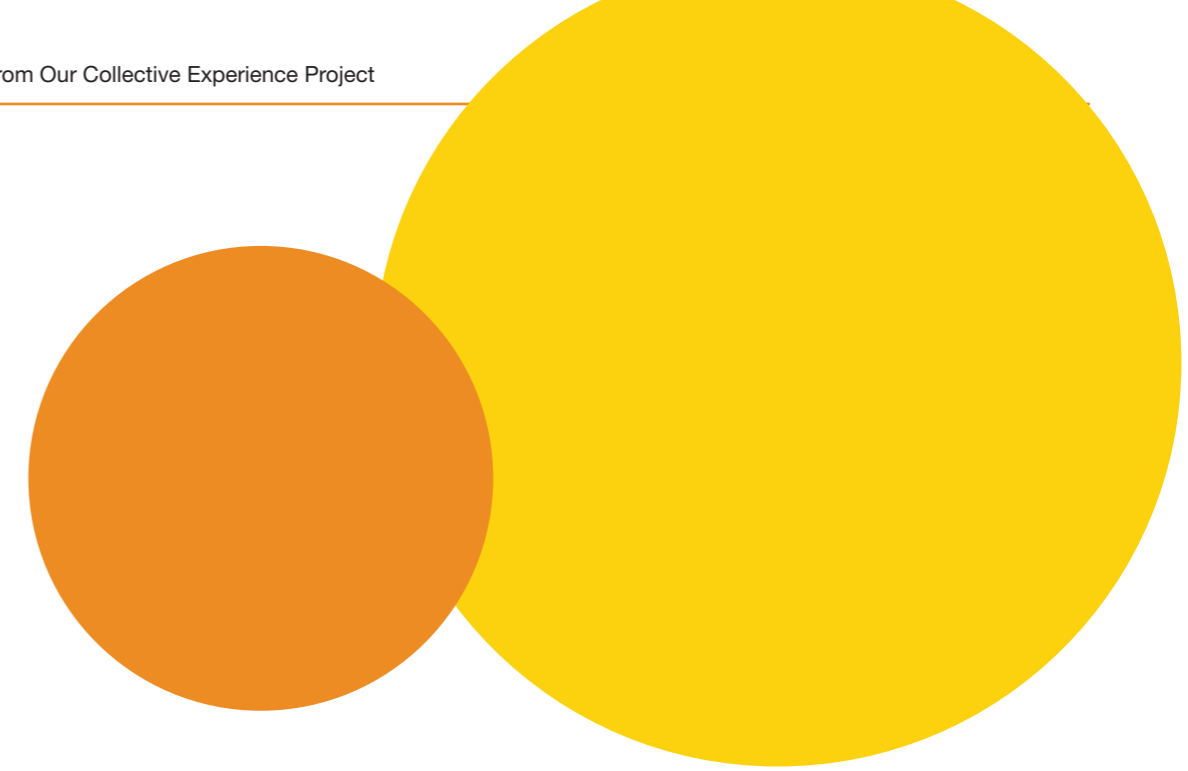
Who is required to obtain a check

Employees and volunteers in child-related employment settings over the age of 14.

Exemptions

A WWCC is not required if a person:

- is visiting the Northern Territory and engaging in volunteer work with children for less than 30 days in total in a year
- is engaging in voluntary work (not including overnight stay) where they are a parent of at least one of the children they will be working with, and they are working under the direct supervision of an Ochre Card holder AND their employer does not require them to have a clearance
- is engaged in babysitting or childminding as part of an arrangement with family or friends
- has a child staying in their home for less than 7 days in a row (e.g. for school billeting)



- is working or volunteering for a children’s entertainment or party service that provides food, equipment or a venue, and has no contact with children (e.g. performers on stage, catering company)
- is an approved emergency carer under the Care and Protection of Children (Placement Arrangements) Regulations
- is a member of the police force or the Australian Federal Police

Information considered

Information considered in the screening check includes:

- national police history, criminal history, any relevant offences including convictions, pending charges or information related to offences committed or allegedly committed
- factors such as the nature, gravity and relevance of the offence, the age of the victim and time elapsed since the offence
- other information including records sourced from courts, police, prosecution agencies or previous employers, character references and reports about recent behaviour, any order imposed by a court under the Care and Protection of Children Act 2007, Domestic and Family Violence Act 2007 and the Personal Violence Restraining Orders Act 2016.

South Australia

Legislation

- Child Safety (Prohibited Persons) Act 2016 (SA)
- Children’s Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017 (SA)
- Child Safety (Prohibited Persons) Regulations 2019 (SA)

Governing Agency

Screening Unit, Department of Human Services

Screening check name

Working with Children Check

Valid for

5 Years

Who is required to obtain a check

Individuals aged 14 years and over who currently do:

- child-related work* as a volunteer or employee for more than 7 days in a calendar year
- any child-related work that involves overnight stays or close personal contact with a child with a disability.
- Individuals who run businesses where their employees or volunteers do child-related work also require a WWCC.

Exemptions

A WWCC is not required if a person is:

- under 14 years of age
- subject to conditions, working or volunteering in child-related work for 7 or less days in a calendar year
- involved in a service or activity provided for a personal or domestic service
- involved in the employment or supervision of a child in non-child-related work
- undertaking a service or activity in the same capacity as a child

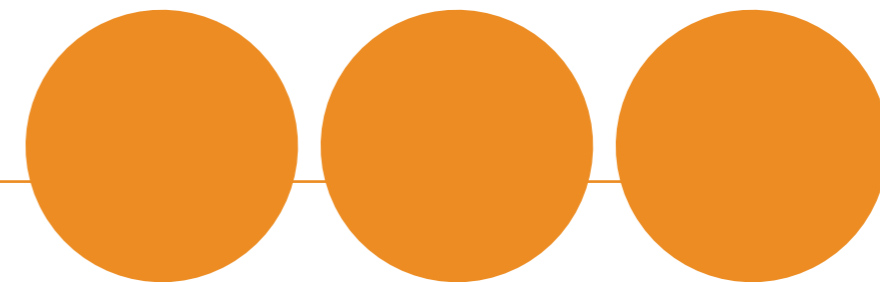
- undertaking any service or activity in the course of which contact with children occurs incidentally or would not reasonably be expected to occur
- subject to conditions, a parent or guardian doing voluntary work involving their own child (check SA Screening Unit for more details)

subject to conditions, is a non-resident of South Australia who holds a WWCC from another jurisdiction, as long as child-related work is provided in the course of an organised event and does not exceed 10 consecutive days.

Information considered

Information considered in the screening check includes:

- criminal history information including national convictions (withdrawn, spent and non-convictions), national charges (pending, withdrawn, dismissed and acquitted), police apprehension reports and more
- disciplinary and misconduct information
- information provided by relevant court/s
- information related to child protection matters
- information related to intervention or restraining orders
- information related to guardianship, foster care and custody order/s
- information provided by the applicant including declarations
- information from SA government databases, such as Care Concern investigations.



Australian Capital Territory

Legislation

- Working With Vulnerable People (Background Checking) Act 2011 (ACT)
- Working with Vulnerable People (Background Checking) Regulation 2012
- Working with Vulnerable People (Background Checking) Risk Assessment Guidelines 2021 (No 1)

Governing Agency

Background Screening Unit, Community Services Directorate

Screening check name

Working With Vulnerable People (WWVP) registration

Valid for

2 Years

Who is required to obtain a check

People aged 16 years and over who have more than incidental contact* with vulnerable# people while engaging in regulated activities and services. Any person who is providing an NDIS activity.

Exemptions

A WWVP registration is not required if the person is:

- under 16 years of age
- engaged in a regulated activity for 3 days or less in any 4-week period and 7 days or less in any 12-month period (except for overnight school camps and NDIS activities involving contact with a vulnerable person)
- registered under a corresponding law and engaged in a similar regulated activity for 28 days or less in any 12-month period
- a close relative of the vulnerable person and/or engaged in the activity as a volunteer (e.g. playgroup)
- engaged in the activity in the same capacity as the vulnerable person (e.g. player in a sporting team, work colleagues)

- engaged in the activity as a school student doing work experience or practical training
- supervising a vulnerable person engaged in a regulated activity
- a police officer, an AFP appointee, a health practitioner, a lawyer, a staff member or volunteer for an approved provider under the Aged Care Act 1997, a financial services licensee under the Corporations Act
- a court or tribunal interpreter for a vulnerable person who cannot communicate, or who has difficulty communicating in English
- engaged in an activity for a commonwealth or territory government agency and contact with a vulnerable person is at a public counter or shop front or via telephone
- engaged in an activity that only involves providing or receiving information by telephone (e.g. helpline or call centre) and/or working with a record of the vulnerable person
- engaged in the activity for a declared state of emergency
- engaged in the activity for a territory or national event and the commissioner declares that the person is not required to be registered for the activity (e.g. Paralympics).

Information considered

Information considered in the screening check includes:

- national charges and convictions whether committed in the ACT or elsewhere for any: sexual offence; offence against the person; offence involving violence; offence involving dishonesty or fraud; offence relating to property; offence involving possession of or trafficking in a drug of dependence or controlled drug; an offence against an animal; driving offences; and disqualifying offences
- non-conviction information in relation to a relevant offence (or an alleged relevant offence) involving the following: where a person has been charged with the offence but a proceeding is not finalised; the charge has lapsed, been withdrawn or discharged, or struck out; the person has been acquitted of an alleged offence; a conviction for an alleged offence has been quashed or set aside; an infringement notice for an alleged offence has been served; or the person has a spent conviction for the offence
- any other information that may be relevant in deciding whether the applicant poses a risk of harm to a vulnerable person; for example, apprehended violence orders, care and protection orders for a child for whom the person has or had parental responsibility, and professional disciplinary proceedings against the person.

Tasmania

Legislation

- Child Registration to Work with Vulnerable People Act 2013 (Tas)
- Registration to Work with Vulnerable People Regulations 2014
- Registration to Work With Vulnerable People (Risk Assessment for Child-related Activities) Order 2014

Governing Agency

Consumer, Building and Occupational Services
Department of Justice

Screening check name

Working With Vulnerable People registration

Valid for

5 Years

Who is required to obtain a check

- Individuals aged 16 years of age and over who work or volunteer with children under 18 years of age and have more than incidental contact with children and/or provide support and services to a person with a disability under the NDIS in Tasmania must obtain a check.
- The type of contact or work that must be registered is called a 'regulated activity'. A person is engaged in a regulated activity if they would reasonably be expected to have contact with a child as a normal part of taking part in the regulated activity, the contact is more than incidental, and they are involved one or more of the following:
 - physical contact, including taking part in a regulated activity at the same place as the vulnerable person
 - oral communication, including face-to-face or by telephone or other technology and written communication, including electronic.
- A person is also deemed to be engaged in a regulated activity if they reside in the residential premises where an activity is conducted.

Exemptions

A WWVP is not required if a person:

- is working or volunteering with children for 7 days or less per calendar year (regardless of how long the engagement is for each day)
- holds a current interstate registration for a similar activity for non-Tasmanian residents
- engages in the same activity as the child as a participant (e.g. playing together in a sporting team)
- is an emergency management worker in an emergency
- is a school student on a work experience placement or doing practical training and they are supervised by a person who has a WWVP registration
- is a police officer or correctional officer (exemption only applies for individuals in their professional capacity)
- only has contact with a child's record (i.e. not with the child)
- is working in a child-related activity (except for overnight camps, excursions or stays) for an employer and they are supervised by a person who has a WWVP registration (or is exempt from needing a WWVP registration) and the work occurs for 7 days or less over a year.

Information considered

Information considered in the screening check includes:

- convictions for all criminal offences
- all spent convictions (convictions that don't ordinarily need to be declared)
- any pending charges (charges that have not yet been decided by the court)
- all non-conviction charges (those that have been finalised by the court but didn't result in a conviction)
- the assessment process takes into consideration other factors relating to the offence/alleged offence, the applicant, and to recurrence.



Help and support

If you or a child is in immediate danger, call Triple Zero (000).

If you need to report child abuse, search for 'child abuse' in your state or territory.

If you want to talk to someone about child sexual abuse or need support, you can contact one of these services:

Lifeline - 13 11 14

24 hours a day, 7 days a week

13YARN - 13 92 76

24 hours a day, 7 days a week

A culturally safe crisis support line for Aboriginal and Torres Strait Islander peoples

1800RESPECT - 1800 737 732

24 hours a day, 7 days a week

For people impacted by sexual assault, domestic and family violence and abuse

Blue Knot Helpline and Redress Support Service - 1300 657 380

9am-5pm, 7 days a week

For adults impacted by childhood trauma including child sexual abuse

Kids Helpline - 1800 55 1800

24 hours a day, 7 days a week

Contact us

P.O. Box 3335, Richmond, VIC 3121

1300 381 581

info@childhood.org.au

childhood.org.au



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