

Royal Commission Working With Children Checks report released

The Royal Commission has this week released its report on 'Working with Children Checks', WWCC, which includes a range of proposed sweeping reforms to the present varied and non-integrated schemes that operate across Australia.

The Commission has recommended the implementation of a national working with children check, describing the lack of action by governments to fix the problems with the current schemes as 'a significant and inexcusable failure' that cannot continue to be ignored.

Currently, each state and territory has its own scheme for conducting background checks on people who want to work with children. The Commission has found that the schemes are inconsistent, complex and give a false sense of security to institutions and families.

The report says the problems with people working across borders pose a major problem.

"Organisations and people working across borders report substantial challenges in working with the varied schemes, including extra costs and difficulty understanding and complying with the various laws."

The Commission also recommends:

- activities or services provided by religious leaders, officers or personnel of religious organisations should be included within the definition of child related work
- creation of a standardised approach so that key aspects of WWCC schemes are dealt with in the same way, for example, prescribing who needs a check and how records are assessed
- allowing WWCCs to be portable across jurisdictions
- eliminating the opportunity for forum shopping, whereby potential perpetrators can work in locations with less rigorous checking or where access to adverse records is limited
- improving information sharing so that there is continuous monitoring of WWCC cardholders' national criminal history records and visibility of WWCC decisions across all jurisdictions
- denial of appeal rights against adverse WWCC decisions in some circumstances
- providing for a system whereby people are either cleared or not cleared, rather than having conditional or role-based clearances.

The recommendation for the inclusion of church activities within the definition of child related work might pick up many voluntary church activities in which children participate. This may require those working in them to obtain a WWCC.

The extent of the obligation that may be imposed on personnel of clubs that have junior sporting teams may also need to be further explored.

It is now over to governments to consider all the recommendations and move to implement them.

The Commission recommends that the Commonwealth, state and territory governments provide an annual report, for each of the three years following publication of the Commission's report detailing their progress in implementing the recommendations.

If consistent cross-jurisdiction arrangements can be put in place for WWCC and other key issues then, if the will and the determination is strong enough, it can also happen with redress for child abuse survivors.

As we have seen in so many cases the lack of a national redress scheme has seen hundreds, if not thousands, of child abuse survivors treated by churches and other institutions unfairly and often with disregard.

Putting in place a national scheme in which redress is determined independently but paid for by the institution responsible must be a number one priority for the Commission and for the Governments it is reporting to.

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20 August 2015