



# Roundtable on Working With Children Checks – Opening statement

---

**Chair of the Royal Commission Justice Peter McClellan**

16 June 2014

## Welcome

Good morning and welcome to the roundtable discussion convened by the Royal Commission into Institutional Responses to Child Sexual Abuse.

I would first like to acknowledge that the Ngunnawal (pronounced: Nun-na-wall) people are the traditional owners of the land upon which we meet today, and pay my respects to their Elders both past and present.

This is the second roundtable convened by the Royal Commission and will examine systems of pre-employment screening for those who wish to work with children. The purpose of the round-table is to assist the Royal Commission to better understand how Working With Children Checks, or similar processes, can prevent child sexual abuse in institutional contexts, and whether there are ways to improve approaches to pre-employment screening and implementations across jurisdictions.

## Work of the Royal Commission

This Royal Commission has a significant task.

Our Terms of Reference require us to identify findings and recommendations which may lead to changes in laws, policies, practices and systems to better protect against and respond to sexual abuse of children in an institutional context.

The Royal Commission has embarked on a program of work that will bring together evidence presented in public hearings; personal stories of survivors of child sexual abuse through private sessions and an extensive research program focusing on prevention, reporting and responding to allegations of child sexual abuse as well as support and redress.

## Function of Royal Commission roundtables

Roundtables form an important part of the work of the Royal Commission. They provide an opportunity for the Royal Commission to hear from experts with different perspectives, expertise

and experience to consider what institutions and government should do better to protect children against child sexual abuse.

No commitments or decisions will be expected or made at roundtables and the discussion here today does not constitute the views, findings or recommendations of the Royal Commission.

Roundtables are held in public and provide an opportunity for the public exchange of ideas. This discussion is being recorded and a podcast of this discussion will be available on our website in the coming weeks.

## Participants

The participants in today's roundtable bring with them a unique set of expertise that are relevant to the Royal Commission's research in the area of Working With Children Checks. I acknowledge that the Commonwealth and states and territories who have sent representatives to contribute to the discussion today.

In addition, I welcome the non-government organisations, children's services groups and religious representatives who will also -no doubt- make a significant contribution.

The Royal Commission is committed to giving Indigenous people and groups a voice in this process. We have specifically sought to include the expertise of the Secretariat of National Aboriginal and Islander Child Care who advocate for the needs of Aboriginal and Torres Strait Islander children.

It is important to note that roundtable participants are not expected to 'represent' a particular perspective or speak on behalf of a particular group. Each of them is invited to speak from their own and their organisation's experience and expertise.

In order to facilitate a dynamic yet effective discussion, the number of participants must be restricted. We acknowledge that there are many people who were not invited to participate today but nonetheless have valuable insights to contribute. Any interested party can also make submissions to the Royal Commission on matters discussed today. Directions for making such submissions will be available on our website in the coming days.

## Working With Children Checks

Fundamentally — Working With Children Checks must prevent those who pose a risk to children — from working with children.

In addition, they should act as a strong deterrent to those who are unsuitable to work with children from applying for child related positions.

While we can undoubtedly all agree that Working With Children Checks cannot create a risk free environment for children. Never the less they are an important tool to prevent child sexual abuse in institutions.

All states and territories in Australia have a system where adults working with children, on a paid or unpaid basis, are subject to some level of pre-employment screening to determine their suitability to work with children.

Most states and territories have introduced legislation providing pre-screening for child-related employment, or are working towards such legislation. The legislation identifies broad categories of child-related work where employers, employees and volunteers must fulfil screening requirements.

There are important differences across jurisdictions regarding the type of screening programs that are in place, what records are checked, and who is required to undergo screening.

The sources used for screening checks vary across states and territories, but may include a police check, criminal history check, relevant employment proceedings or findings from professional disciplinary bodies.

## Purpose of this roundtable

The purpose of today's Roundtable discussion is to identify the effective elements in each state and territory scheme, discuss the usefulness of a national approach to pre-employment screening and improve sharing of information between jurisdictions.

The Royal Commission has already received 80 submissions from the community in response to Issues Paper 1: Working With Children Checks.

A number of recurring themes were identified in the submissions and we will further explore them in today's discussion.

Today's discussion will focus on the following general areas:

- The important elements of a Working With Children Check that should be reflected in all states and territories
- A national approach to pre-employment screening
- Information sharing between jurisdictions and how could it can be improved
- Any particular issues that should be considered regarding the differences in schemes

I am joined today by Commissioner Robert Fitzgerald, will also be facilitating today's discussion.

## Housekeeping

Finally, some important points to note:

- Please indicate to Commissioner Fitzgerald or myself if you would like to contribute to the discussion. For the purpose of the podcast, please introduce yourself by saying your name and title before speaking.
- Unfortunately we will not be able to take live questions from the public gallery. However note pads and pens have been provided if there are any questions anyone in the public gallery would like to submit to the commission for future consideration. Royal Commission staff will collect any questions during the breaks.

I welcome you all to this second roundtable of the Royal Commission and look forward to the discussion.