

Appendix 3: Timeline

Significant changes to the legislative framework¹ in the 2000-2025 period
(Legislation as reviewed 1 June 2025)

Date	Legislative Event	Description and commentary
2000		
23 March 2000	<p>Child Protection Act 1999 – remaining provisions, including Chapter 4, Part 2 (Licensing of care services and approval of foster carers) commenced.</p> <p>Commencement dates:</p> <ul style="list-style-type: none">date of assent 30 March 1999ss 1–2, 260 commenced on date of assentss 8–9, 11, ch 6 pt 5, ch 6 pt 6 div 1, s 189 (other than s (1)(c)), ch 10 and prev sch 3 (amds of the Family Services Act 1987) commenced 10 September 1999 (1999 SL No. 205)remaining provisions commenced 23 March 2000 (2000 SL No. 45)	<p>The Explanatory Note said that the Bill responded to increased community expectation that:</p> <ul style="list-style-type: none">children be protected from abuse and neglect;children who are removed from home receive safe alternative care; andchildren who suffer abuse and neglect receive quality services which promote their emotional, physical, social and educational development. <p>Relevantly, the new Act included:</p> <ul style="list-style-type: none">Chapter 2, Part 1 (Children at risk of harm) comprised of ss 14-22Chapter 5 (Regulation of care) including Part 2 (Licensing of care services and approval of foster carers), which in turn included:<ul style="list-style-type: none">Division 2 (Licensing of care services) comprised of ss 125-131Division 3 (Approval of foster carers) comprised of ss 132-137Division 4 (Amendment, suspension and cancellation of authorities) comprised of ss 138-142) <p>Note: Chapter 5 was later renumbered to Chapter 4 after the previous Chapter 4 (Interstate transfers of guardianship and custody of children) was omitted from the Act by the Child Protection Amendment Act 2000.</p>
20 April 2000	<p>Child Protection Amendment Act 2000 – date of assent and date of commencement for relevant provisions</p>	<p>Changes to the Child Protection Act 1999</p> <p>The Explanatory Note said the objects included:</p> <ul style="list-style-type: none">provide for a scheme for the transfer of child protection proceedings and orders between Queensland and those other Australian States and Territories and New Zealand which have enacted a similar arrangementimplement certain recommendations of the Inquiry into Abuse of Children in Queensland Institutions (‘the Forde Inquiry’)clarify some clauses of the Child Protection Act 1999 and rectify minor omissions and anomalies in the Act. <p>Relevantly, the amending Act:</p> <ul style="list-style-type: none">relocated and replaced Chapter 4 (Interstate transfers of guardianship and custody of children) leading to the previous Chapter 5 (Regulation of care) being renumbered Chapter 4inserted s 147A later renumbered s 147 (Regular inspections of licensed residential facilities)inserted s 147B later renumbered s 148 (Obligation to report harm to children in residential care) <p>The amended Act was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p>
1 July 2000	<p>Police Powers and Responsibilities Act 2000 – relevant provisions commenced.</p> <p>The Bill was introduced on 29 February 2000 and, prior to commencement, was amended by Police Powers and Responsibilities and Other Acts Amendment Act 2000 which also commenced on 1 July 2000.</p>	<p>The Explanatory Note explained:</p> <p>The Police Powers and Responsibilities Bill 2000 ("the Bill") completes the process of consolidation of police powers which commenced with the passing of the Police Powers and Responsibilities Act 1997 ("PPRA 1997") but due to time limitations was not completed.</p>

¹ Any definition of the “legislative framework” relevant to keeping children safe from sexual abuse will be somewhat arbitrary. In this case, the legislative framework was taken to be all those provisions identified as being relevant by the Queensland Family and Child Commission (QFCC) in the course of assisting the Child Death Review Board in its 2025 Review into System Responses to Child Sexual Abuse. The QFCC’s list is annexed.

Date	Legislative Event	Description and commentary
	<p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 23 March 2000 ss 1–2, 373–377, sch 2 commenced on date of assent (see s 2 (2)) s 211 commenced 24 March 2001 (automatic commencement under AIA s 15DA (2)) remaining provisions commenced 1 July 2000 (see s 2 (1), (3) and 2000 SL No. 174) 	<p>The new Act included Part 5 (Blood and urine testing of persons suspected of committing sexual or other serious assault offences) of Chapter 8 (Powers in relation to persons in custody). This included:</p> <ul style="list-style-type: none"> s 319 (Purpose of Part 5) s 320 (Application of Part 5) which set out the <i>relevant offences</i> to which the part applied. <p>Notes:</p> <ol style="list-style-type: none"> Chapter 8, Part 5 later became Chapter 8B, which in July 2006 was renumbered Chapter 18. ss 319 and 320 were renumbered ss 537 and 538 respectively.
20 November 2000	<p><i>Commission for Children and Young People Act 2000</i> – date of assent</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> ss 1-2 – 24 November 2000 Part 6 (except ss 101, 109, 111(2)(c), 113, 114(4) – 1 May 2001 ss 101, 111(2)(c), 114(4) – 1 October 2001 ss 109, 113 – 1 February 2002 Schedule 1 – 1 May 2001 Remaining provisions – 2 February 2001 	<p>According to <i>The Commission For Children And Young People Bill 2000: A New Framework For Children’s Advocacy In Queensland</i> (Legislation Bulletin 11/00 published by the Queensland Parliamentary Library) the Bill followed from and implemented recommendations of the final report of the 1999 Forde Inquiry <i>Abuse of Children in Queensland Institutions</i> and the Briton Review into the operation of the <i>Children’s Commissioner and Children’s Services Appeals Tribunals Act 1996</i>. This parliamentary bulletin described the purposes of the Bill as including:</p> <ul style="list-style-type: none"> repeal of the <i>Children’s Commissioner and Children’s Services Appeals Tribunals Act 1996</i> which had established the former Children’s Commission establishment of a new Commission for Children and Young People as an independent statutory body an expanded community visitor program increased powers and functions in relation to complaint handling, and introduction of an employment screening program for child-related employment. <p>The long title of the Act was <i>An act to establish a Commission for Children and Young People to promote and protect the rights, interests and wellbeing of children in Queensland</i>.</p> <p>Relevant key provisions of the Act included:</p> <ul style="list-style-type: none"> s 5 (Object of Act) – which described the object of the Act as “to establish the Commission for Children and Young People to promote and protect the rights, interests and wellbeing of children in Queensland”, s 6 (Principles underlying this Act), including that: <ul style="list-style-type: none"> every child is a valued member of society in decisions involving a child the child’s best interest are the paramount concern and, having regard to their age and maturity, their views should be considered other principles as to a child’s entitlement to dignity and privacy, to be cared for, to express and have their concerns and grievances dealt with, and to have access to necessary services the family has the primary responsibility for the upbringing and the development of its children and should be supported in that role s 20 (Referral of matters or offences to other person) – obliging the Commissioner to refer a matter to the Chief Executive (Families) if a child was in need of protection and to refer to the Police Commissioner / Queensland Crime Commissioner if a child was or might be the victim of a crime Part 6 (Employment screening for child-related employment) – the purpose of which was to “ensure that only suitable persons are employed in certain child-related employment to carry on certain child-related businesses” (see s 95) Part 7 (Criminal history checks of commission’s staff) Schedule 1 (Regulated employment and businesses for employment screening) setting out the categories of regulated employment and businesses, and consisting of: <ul style="list-style-type: none"> Part 1 (Regulated employment), and Part 2 (Regulated businesses) Schedule 2 (Other serious offence provisions of the Criminal Code) listed offence provisions relevant to the definition of <i>serious offence</i> in Schedule 4 (Dictionary), which was relevant to the assessment of applications for a suitability notice.

		<p><u>Original Part 6 scheme</u></p> <p>The original Part 6 scheme involved <i>regulated employment</i> and <i>regulated businesses</i> (both concepts defined by reference to categories in Schedule 1) and the issue of <i>suitability notices</i>. The scheme included:</p> <ul style="list-style-type: none"> • s 95 (Purpose of pt 6) which was “to ensure that only suitable persons are employed in certain child-related employment or carry on certain child-related businesses” • s 96 (Safety and wellbeing of children to be paramount consideration) which said “the paramount consideration in making a decision under this part is a child’s entitlement to be cared for in a way that protects the child from harm and promotes the child’s wellbeing” • Division 2 (Issue of suitability notices) including: <ul style="list-style-type: none"> ○ applications to the Commissioner for a suitability notice (ss 100 and 101) ○ issue of <i>positive notice</i> or a <i>negative notice</i> by the Commissioner (s 102) • Division 3 (Obligations and offences relating to suitability notices) including: <ul style="list-style-type: none"> ○ restrictions and prohibitions on employers employing people in regulated employment without a positive notice (ss 105-107) ○ prohibition on employees seeking or continuing in employment with a negative notice (s 108) ○ prohibition on persons operating a regulated business without a positive notice (s 109) ○ provisions dealing with changes in criminal history in the context of regulated employment and regulated business (ss 110-114) • Division 4 (Cancellation and replacement of suitability notices) (ss 118-120) <p>Under s 102, a <i>positive notice</i> was to be given where the Commissioner :</p> <ul style="list-style-type: none"> • was not aware of any conviction or charge for any offence (subs (2)) • was aware of a charge, but no convictions, unless satisfied it was an exceptional case (subs (3)). <p>A <i>negative notice</i> was to be given where the Commissioner was aware of a conviction for any <i>serious offence</i> unless satisfied it was an exceptional case (subs (4)).</p> <p>The Commissioner otherwise had a broad discretion to issue a positive or negative notice if aware of a charge or conviction, having regard to a range of matters including “the nature of the offence and its relevance to child-related employment” (subs (5)).</p> <p>Under ss 105-106 employers were required to apply for a suitability notice for a continuing or new employee only where a threshold based on frequency of regulated employment was met. Effectively, these provisions meant that:</p> <ul style="list-style-type: none"> • employees could continue in regulated employment without a positive suitability notice or application for such, as long as they stayed ‘below the radar’ of the threshold minimum frequency, and • where an employee met the threshold minimum frequency, they could continue in regulated employment once their employer lodged an application for a suitability notice and throughout the application assessment period. <p>Also:</p> <ul style="list-style-type: none"> • s 107 (Prohibited employment) prohibited an employer from starting or continuing a person in regulated employment if: <ul style="list-style-type: none"> ○ the employer has applied for a suitability notice and has been notified by the Commissioner that the person has withdrawn their consent to screening (107(2)(a)) ○ the employer is aware that the person has a conviction for a serious offence (107(2)(b)) ○ the employer is aware that the employee has a current negative notice (107(2)(c)) • s 108 (Unsuitable person not to apply for, or start or continue in, child-related employment) prohibited the person from engaging in such employment if they have a current negative notice • s 109 (Carrying on regulated business) set out obligations and offences relating to suitability notices with respect to regulated businesses <p>Penalties for breach of ss 105 – 106 and 107(2)(a) were relatively low.</p> <p><u>Notice of change in criminal history</u></p> <p>The Act did not, at this time, provide for notice of change in police information. However, Part 6 Division 3 Subdivision 3, ss 110 – 114 addressed <i>changes in criminal history</i>. Schedule 4 defined criminal history for these purposes as:</p>
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Date	Legislative Event	Description and commentary
		<p>(a) every conviction of the person for an offence, in Queensland or elsewhere, and whether before or after the commencement of this Act; and</p> <p>(b) every charge made against the person for an offence, in Queensland or elsewhere, and whether before or after the commencement of this Act.</p> <p>Some of the Part 6 Division 3 Subdivision 3 provisions dealing with change in criminal history information included:</p> <ul style="list-style-type: none"> • s 111 (Effect of conviction for serious offence) amongst other things, prohibited a positive notice holder from starting or continuing in regulated employment in the period before their positive notice was cancelled, and unless and until a further positive notice was issued, • s 112 (Change in criminal history of employee) required an employee to immediately notify their employer of change in their criminal history (max 100 penalty units for breach). The employer was prohibited from continuing to employ the person in regulated employment without applying for a suitability notice, or further suitability notice about the person (max 100 penalty units for breach), • s 114 (Change in criminal history of other persons) amongst other things, required positive notice holders who had not yet commenced regulated employment to notify their proposed employer of a change in their criminal history information before commencing in the employment. The proposed employer was then prohibited from employing that person in regulated employment without applying for a further suitability notice about them (s 114(3)). (Max 100 penalty units for breach in each case). <p><u>Cancellation</u></p> <p>Section 118 (Cancellation of suitability notice on application) allowed a person to apply to the Commissioner to cancel a negative notice issued against them and issue a positive notice instead. Such an application could only be made 2 years or more after the issue of the negative notice, or after any previous application by the person for cancellation of the notice. The person could put forward anything they considered relevant to the decision about their suitability for child-related employment, including any change in their circumstances since the negative notice was issued.</p> <p>Section 119 (Cancellation of notice—wrong or incomplete information) provided that the Commissioner could cancel a positive notice if satisfied that the (a) the decision on the application for the first notice was based on wrong or incomplete information; and (b) based on the correct or complete information, the Commissioner should issue the new notice.</p> <p>Section 120 (Cancellation of notice on issue of new notice): an existing suitability notice had to be cancelled on issuing a further notice.</p> <p><u>Regulated employment and businesses</u></p> <p>Schedule 1 (Regulated employment and businesses for employment screening) was made up of Part 1 (Regulated Employment) and Part 2 (Regulated Businesses).</p> <p>At this time, regulated employment included only:</p> <ul style="list-style-type: none"> • Residential facilities • Schools boarding facilities • Schools – employees other than teachers and parents • Churches, clubs and associations involving children • Counselling and support services • Private teaching, coaching or tutoring (if for commercial purposes, and excluding registered teachers) <p>Regulated businesses included only:</p> <ul style="list-style-type: none"> • Counselling and support services provided by person other than a registered health practitioner, to a child, with no one present • Private teaching, coaching or tutoring of a child, individually, on a commercial basis (Sch 1, ss 8,9) <p>The Schedule 1, s 3 entry for schools at this time included employment where the usual functions included, or were likely to include:</p> <ul style="list-style-type: none"> • providing services at a school that are directed mainly towards children; or • conducting activities at a school that mainly involve children

Date	Legislative Event	Description and commentary
		<p>In some cases, an education and care/child care services may be conducted by an entity that also conducts a school or at premises where schooling is also provided – it may be worth querying whether employees in such services could have been captured at this time.</p> <p>Notes:</p> <ol style="list-style-type: none"> The Act was later renamed: <ul style="list-style-type: none"> <i>Commission for Children and Young People and Child Guardian Act 2000</i>, and then <i>Working with Children (Risk Management and Screening) Act 2000</i> Over the almost 25 years since passage of the Act, terminology used in the legislation has undergone numerous changes. ‘Suitability notices’, as they were referred to on commencement of the scheme and for some years after, were later referred to as prescribed notices (positive notices and negative notices). The term ‘positive notice blue card’ was included in the legislation from 17 January 2005. In 2010, the term ‘exemption notice’ was included in the legislation with respect to teachers and police officers who were covered by the exemption notice regime. <p>Following amendments by the <i>Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019</i>, the statutory terminology changed to refer to working with children check applications, or working with children check (exemption) applications for police officers and registered teachers. An application approval was described as a ‘working with children clearance,’ or as a ‘working with children exemption’ for police officers and teachers, with the collective term ‘working with children authority’ used in reference to WWC clearances and WWC exemptions (changes in terminology came into effect over the period 1 July 2019 – 31 August 2020).</p> <p>Outside the legislation, the term ‘blue card’ has continued to be used. While entries below use the statutory terms applicable at the time, the term blue card is also sometimes used interchangeably with the statutory terms, for ease of reference.</p> <p>Changes to other laws</p> <p>Consequential amendments were also made to other laws including:</p> <ul style="list-style-type: none"> <i>Child Protection Act 1999</i> <i>Education (General Provisions) Act 1989</i>
2001		
29 January 2001	<i>Child Care Amendment Act 2000</i> – commencement date (except ss 1, 2 – 13 October 2000)	<p>The Explanatory Note said:</p> <p>The objective of the Bill is to amend the Child Care Act 1991 to establish minimum safeguards for children being cared for in independent home-based care, commonly known as ‘back yard’ care, in order to promote and protect the safety of children while supporting the right of parents to choose from a broad range of child care services.</p> <p>It continued:</p> <p>The [sic] achieve this, the Bill sets standards in relation to persons who care for children in the carer’s home for fee or reward, in circumstances where the carer is not a relative of the child and is not operating as part of a licensed child care scheme.</p> <p>It also said:</p> <p>In addition, a person will be disqualified from providing independent home-based care if the person:</p> <ul style="list-style-type: none"> has a conviction for a disqualifying offence or has been issued with a prohibition notice; or resides with a disqualified person. <p>The Bill specifies those sexual and violent offences and certain offences under the repealed Children’s Services Act 1965 that are disqualifying offences. Families, Youth and Community Care Queensland will be provided with the authority to obtain information about convictions and charges for disqualifying offences.</p> <p>Changes to the <i>Child Care Act 1991</i></p> <p>The changes included:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> inserting new Part 8A (Independent home-based care), which included: <ul style="list-style-type: none"> Division 2 (Restrictions applying to independent home-based care), including s 73C (Homes in which care must not be provided) Division 3 (Monitoring and disqualifications) including: <ul style="list-style-type: none"> s 73G (Criminal history checks) s 73H (Disqualification of person charged with disqualifying offence) amending s 75 (Disclosure of criminal history) <p>After amendment, the <i>Child Care Act 1991</i> was in this form: Child Care Act 1991</p>
4 May 2001	Law and Justice Legislation Amendment (Application of Criminal Code) Act 2001 (Cth) – commencement date of relevant provisions (see s 2)	<p>Changes to Part IIIA (Child sex tourism) of the <i>Crimes Act 1914</i></p> <p>Relevant changes included applying absolute liability to certain elements in a number of offence provisions including those in:</p> <ul style="list-style-type: none"> Division 2 (Sexual offences against children overseas) Division 4 (Offences of benefitting from, or encouraging, offences against this Part) <p>The amended <i>Crimes Act 1914</i> was in this form: Crimes Act 1914</p>
12 October 2001	Measures to Combat Serious and Organised Crime Act 2001 (Cth) – commencement date	<p>Changes to the <i>Customs Act 1901</i> (Cth)</p> <p>Changes included amendment of s 233, inserting subs (3A), (3B) and (6), to ensure that Customs officers acting in the course of their duties are not criminally liable for possessing or conveying prohibited imports etc. Subsections (3A) and (3B) were later repealed and subs (3A) was replaced by s 233BABA (see Schedule 6 to the <i>Customs Legislation Amendment (Border Compliance and Other Measures) Act 2007</i>).</p>
15 December 2001	Law and Justice Legislation Amendment (Application of Criminal Code) Act 2001 (Cth) – commencement date for relevant provisions	<p>Changes to the <i>Customs Act 1901</i> (Cth)</p> <p>Amongst other things, this amending Act changed:</p> <ul style="list-style-type: none"> s 233 – making the offence of smuggling and unlawful importation and exportation into an offence of strict liability s 233BAB – altering the mental element of the offence and making the offence partially an offence of strict liability. <p>The closest reprint of the <i>Customs Act 1901</i> (Cth) available is this, incorporating amendments up to 19 May 2002: Customs Act 1901 - Federal Register of Legislation</p>
2002		
2003		
1 May 2003	Sexual Offences (Protection of Children) Amendment Act 2003 – commenced (except for Part 1A which had commenced on the date of assent, being 4 March 2003) amending, amongst other Acts, Chapter 22 (of the Criminal Code).	<p>Overview</p> <p>The Explanatory Note for the Bill says:</p> <p>This Bill amends the Criminal Code and the <i>Penalties and Sentences Act 1992</i> to ensure that sentences imposed on child sex offenders reflect the significant physical and psychological consequences of these offences. The Bill will also insert two new offences into the Criminal Code to permit the effective prosecution of child sex offenders. Finally, the Bill contributes to improving police intelligence about the movements of convicted child sex offenders by enhancing the powers of courts and corrections boards to require ongoing reporting by child sex offenders. (emphases added)</p> <p>The Bill was described as part 1 of a comprehensive reform package directed at “improving the way the criminal justice system treats child witnesses and ensuring that child sex offenders are detected and punished for their crimes”.</p>

Date	Legislative Event	Description and commentary
		<p>Changes to Chapter 22 (Offences against morality) of the Criminal Code (Qld)</p> <p>Amendments to Chapter 22 of the Criminal Code included the insertion of s 218A (Using internet etc. to procure children under 16), which it was acknowledged may be open to being criticised as countenancing entrapment. The Explanatory Note includes considerable discussion of this point.</p> <p>Other amendments included:</p> <ul style="list-style-type: none"> various penalties were increased (e.g. s 210 (Indecent treatment of children under 16) of the Code), and s 229B (Maintaining a sexual relationship with a child) was replaced, to address criticism of the offence in <i>R v S</i> [1999] 2 Qd R 89 by refocussing the offence on the unlawful <i>relationship</i>. <p>The amended Criminal Code was in this form: Criminal Code Act 1899 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Penalties and Sentences Act 1992</i></p> <p>The changes included:</p> <ul style="list-style-type: none"> insertion of s 9(5) displacing the general sentencing principle in s 9(2) (including that imprisonment is a sentence of last resort) in the case of any offence of a sexual nature against a child under 16, insertion of s 9(6) setting out the primary sentencing considerations for offences of a sexual nature against children under 16, including: <ul style="list-style-type: none"> the effect of the offence on the child, and the need to protect the child, or other children, from the risk of the offender reoffending. <p>The amended <i>Penalties and Sentences Act 1992</i> was in this form: Penalties and Sentences Act 1992 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Criminal Law Amendment Act 1945</i></p> <p>The Explanatory Note said that the Bill would:</p> <p style="padding-left: 40px;">put in place a new scheme to permit judges to order a person convicted of an offence of a sexual nature against a child under the age of 16 years to report to police at regular intervals.</p> <p>The Act introduced the concept of a <i>reporting order</i> the nature of which was spelled out in a new s 19A (Requirements under reporting order). Prior to amendment s 19 (Sexual offender to report name and address) had enabled the courts to order the offender to report to a police station:</p> <ul style="list-style-type: none"> their name and address, and any change to their name and address. <p>Under the new regime the offender could be ordered to report regularly at a stated frequency and for a stated period. Reporting by telephone could be permitted by the police.</p> <p>The amendment <i>Criminal Law Amendment Act 1945</i> was in this form: Criminal Law Amendment Act 1945 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The Act also included amendments to:</p> <ul style="list-style-type: none"> <i>Bail Act 1980</i> <i>Corrective Services Act 2000</i> (including in relation to work release, home detention and parole for prisoners serving a sentence for an offence of a sexual nature against a child under 16), and <i>Criminal Law Amendment Act 1945</i> (including in relation to s19 (Sexual offender to report name and address)).

Date	Legislative Event	Description and commentary
6 June 2003	Dangerous Prisoners (Sexual Offenders) Act 2003 – commenced.	<p>The Explanatory Note described the Bill as providing for “the continued detention or supervised release of particular prisoners to ensure adequate protection of the community and to provide continuing control, care or treatment of those prisoners to facilitate their rehabilitation, where possible”.</p> <p>It was said to be in response to “community concern about the release of convicted sex offenders, not only because of the abhorrent nature of these offences, but because of the lack of evidence that some offenders have been rehabilitated”. The Bill was said to address these concerns by “enabling the Supreme Court to order the post-sentence preventive detention or supervision of sex offenders who pose a serious danger to the community if released at their sentence expiry date”.</p> <p>It noted the limitations of the existing powers of the Supreme Court to order indefinite detention under Part 10 of the Penalties and Sentences Act 1992 and s 18 of the Criminal Law Amendment Act 1945, particularly in relation to child sex offenders.</p> <p>Part 2 dealt with “Continuing Detention or Supervision” and comprised:</p> <ul style="list-style-type: none"> • Division 1 – Application for orders • Division 2 – Psychiatric examinations • Division 3 – Orders • Division 4 – Amendment of supervision orders • Division 5 – Contravention of supervision order • Division 6 – Return to custody of released prisoner • Division 7 – Disclosure provisions <p>Section 13 (Division 3 orders) was pivotal. It provided that if, on application, the Court was satisfied that a prisoner is a <i>serious danger to the community</i>, it could order:</p> <ul style="list-style-type: none"> • that the prisoner be detained for an indefinite period for “control, care or treatment” (<i>continuing detention order</i>), or • that the prisoner be released subject to conditions it considers appropriate (<i>supervision order</i>). <p>Subsection (2) said a prisoner is a <i>serious danger to the community</i> if there is an unacceptable risk that the prisoner will commit a serious sexual offence:</p> <ul style="list-style-type: none"> • if released from custody, or • if released without a supervision order. <p>Section 16 (Conditions for supervised release) set out things a supervision order was required to contain.</p> <p>Note:</p> <p>The Justice and Other Legislation Amendment Act 2005 later, amongst other things:</p> <ul style="list-style-type: none"> • renamed Division 3 “Division 3 Final Orders” • inserted a new Division heading after s 13 “Division 3A Effect of particular orders”, • inserted a new division heading after s 15 “Division 3B Supervised release to be subject to particular requirements”, • inserted a new division heading after s 16 “Division 3C Reasons for orders”, • made various other minor amendments to the regime.
1 September 2003	Child Care Act 2002 – commenced	<p>The Explanatory Note said:</p> <p>The current <i>Child Care Act 1991</i> has been in force for 9 years, and whilst it was benchmark legislation at the time, it has become increasingly dated, and lacks the flexibility to respond to the changing needs of families and address the anomalies that have become evident in the present system.</p> <p>The review of the current legislation for child care is a key initiative of the Queensland Child Care Strategic Plan 2000-2005. ...</p>

Date	Legislative Event	Description and commentary
		<p>The proposed new legislation represents the results of a comprehensive review of the current regulatory framework and standards in child care and has relied on extensive consultation with the sector and other key stakeholders to inform its development.</p> <p>The Child Care Bill 2002 aims to regulate the provision of child care services within Queensland using a regulatory tiering approach to determine the appropriate standards for each sector of the child care industry. The Bill defines the scope of what is a child care service for the purposes of determining which services are required to be licensed. In addition, the Bill sets out requirements related to staffing and qualifications, the conduct of the service and operational matters, and monitoring and enforcement powers.</p> <p>The key new directions in the regulatory framework include the introduction of performance-based standards, the regulation of school age care programs through a system of licensing, and the introduction of a minimum qualification.</p> <p>Section 176 repealed the Child Care Act 1991.</p> <p>Relevant provisions of the new Act included:</p> <ul style="list-style-type: none"> • s 27 (Suitability notices for carers and staff members) • s 45 (Suspension or revocation of licence) • s 63 (Rest periods) • s 74 (Licensee must keep evidence of compliance with Commission for Children and Young People Act 2000) • s 81 (Licensee must report harm to children) • s 97 (Suitability of other persons in a home) in relation to licensed home based child care services • s 100 (Suitability of other persons in a home) in relation to stand alone services provided at home • s 103 (Basis for prohibition notice) • s 139 (Suitability of persons in home in which stand alone child care is provided) empowering an authorised officer to ask certain persons to apply for a suitability notice • s 140 (Chief executive may obtain information about suitability checks) • s 165 (Application of Act to corporations) • s 166 (Applications for suitability notices by occupants of homes) • s 167 (Duty of confidentiality) • s 168 (Recording, use or disclosure for authorised purpose) • s 169 (Disclosure to relevant entities in other jurisdictions) • s 170 (Reporting matters of concern to other departments) <p>Changes to the <i>Commission for Children and Young People Act 2000</i></p> <p>The Act also made changes to the <i>Commission for Children and Young People Act 2000</i> including the insertion in Schedule 1 (Regulated employment and businesses for employment screening) of:</p> <ul style="list-style-type: none"> • s 3A – listing new categories of regulated employment including carers and staff members in child care, and • s 10 – listing child care services amongst regulated businesses. <p>Definitions were inserted in Schedule 4 (Dictionary) for <i>adjunct care</i>, <i>child care</i>, <i>child care centre</i>, <i>child care service</i>, and <i>commercial service</i>.</p> <p>A grace period for compliance was provided under transitional arrangements:</p> <ul style="list-style-type: none"> • new s 176 (Carrying on a licensed child care service) provided transitional arrangements for those services licensed before the commencement of the new legislation - grace period re offence under s 109 for carrying on a regulated business without current positive notice

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> new s 177 (Carrying on other regulated child care business) provided transitional arrangements for those people carrying on other regulated child care business - grace period re offence under s 109 for carrying on a regulated business without current positive notice new s 178 (Employment in child care) applied to a person who, immediately before the commencement day, was employed in employment mentioned in Schedule 1, s 3A – grace period re s 105 requirements for continuing employment of certain employees and 106 requirements re starting employment of certain employees. <p>After amendment the Act was in this form: Commission for Children and Young People Act 2000.</p>
1 September 2003	Child Care Regulation 2003 – commenced (other than ss 1-2 which commenced on notification)	Made under the <i>Child Care Act 2002</i> this regulation included, relevantly, s 25 (Staffing requirements during a rest period).
18 November 2003	<p>Education and Other Legislation (Student Protection) Amendment Act 2003 – date of assent.</p> <p>Relevant dates:</p> <ul style="list-style-type: none"> date of assent 18 November 2003 ss 1–2 commenced on date of assent pt 2 hdg, ss 3, 6 (other than to the extent it ins new s 119 (1A) (a)) commenced 5 January 2004 (2003 SL No. 345) remaining provisions in Parts 1 and 2 commenced 27 January 2004 (2003 SL No. 345) all remaining provisions commenced 19 April 2004 (2003 SL No. 345) 	<p>Overview</p> <p>The Explanatory Note said the objective of the Bill was to:</p> <p style="padding-left: 40px;">amend the Education (Teacher Registration) Act 1988 and the Education (General Provisions) Act 1989 to enhance the capacity of the Board of Teacher Registration to screen, monitor and make decisions about the suitability of teachers to work with children thereby providing greater protection for children in schools from sexual abuse and other inappropriate conduct by school-based employees.</p> <p>It also said:</p> <p style="padding-left: 40px;">The Bill also amends the Commission for Children and Young People Act 2000 (the CCYP Act) to enable the Commissioner to take into account decisions made about a teacher by the Board of Teacher Registration for the purposes of deciding a person's suitability to obtain or continue to hold a blue card. The Bill further amends the CCYP Act to require providers (both employers and employees) of alternative education and flexible arrangements to hold a blue card.</p> <p>The Explanatory Note said the Bill had arisen from the Ministerial Taskforce established to act on the recommendations of the Board of Inquiry into Past Handling of Complaints of Sexual Abuse in the Anglican Church Diocese of Brisbane. According to the Explanatory Notes, the Board's report</p> <p style="padding-left: 40px;">highlighted the issue of sexual abuse in schools and weaknesses in existing systems for checking and monitoring the suitability of teaching and non-teaching staff to work with children and for responding to complaints of sexual abuse perpetrated in school settings.</p> <p>Changes to the <i>Education (General Provisions) Act 1989</i> – reporting sexual abuse in schools</p> <p>Amongst other amendments, the amending Act inserted new ss 146A and 146B, which imposed reporting obligations where a member of staff of a school became aware, or reasonably suspected, that a student under 18 years had been sexually abused by an employee of the school.</p> <p>The requirement applied to State (s 146 <i>Child Safety Amendment Act 2004</i>) and non-State (s 146B) primary, secondary and special education State schools and accredited non-State schools.</p> <p>Penalties applied for failing to report.</p> <p>Some protection from liability (including defamation) was provided for persons reporting under these sections.</p> <p>The <i>Education (General Provisions) Act 1989</i> as amended (commencing 19 April 2004) was in this form: Education (General Provisions) Act 1989 - Queensland Legislation - Queensland Government.</p> <p>Changes to the <i>Commission for Children and Young People Act 2000</i></p>

Date	Legislative Event	Description and commentary
		<p>The <i>Education and Other Legislation (Student Protection) Amendment Act 2003</i> amended the CCYP Act 200 to enable the Commissioner to take into account decisions made about a teacher by the Board of Teacher Registration for the purposes of deciding their suitability to obtain or continue to hold a blue card. The CCYP Act was also amended to require providers (both employers and employees) of alternative education and flexible arrangements to hold a blue card.</p> <p>Section 102(2) and 102(3) were amended to allow the Commissioner to take into account information provided by the Board of Teacher Registration when determining an application for a suitability notice. At the same time, the amending Act amended the <i>Education (Teacher Registration) Act 1988</i>, inserting new s 71B in the latter. New s 71B applied when the Board made a decision about a person under <i>Education (Teacher Registration) Act</i>'s provisions for disciplinary inquiries or for immediate suspension of teacher registration due to conduct (ss70(1), (2) or (2A) or 70A(2) or 49A(2) of that Act). New s 71B enabled to the Board to provide the Commissioner with prescribed information regarding the Board's decision. The Board could only exercise this discretion if it reasonably believed that its decision was relevant to the Commissioner's determination, under the CCYP Act, as to whether the person was suitable for child-related employment (new ss 71B(3) and (4)).</p> <p>Section 103 (Commissioner to invite submissions from person about criminal history) was amended, with the reference to "criminal history" in the section heading replaced by "particular information" to reflect the broader category of information that could now be considered by the Commissioner. Paragraph 103(1)(a) was also amended so that if the Commissioner proposed to decide an application by issuing a negative notice, the Commissioner was required to notify the person of any teacher registration information about them.</p> <p>Section 119 (Cancellation of notice—wrong or incomplete information) was amended with the reference to 'wrong or incomplete' in the section heading replaced with 'wrong, incomplete or new'. (Section 119 (2) was also amended to clarify that the provisions of section 103 (1) and (3) apply to an exercise of the Commissioner's powers under s 119).</p> <p>New s 119 (1A) allowed the Commissioner to cancel a positive notice about a person and substitute it with a negative notice on the basis of teacher registration information about them or information about a change in their criminal history received by the Commissioner under section 122A (1). This meant the Commissioner could reassess a person's suitability to work with children on the basis of fresh information from the police or the Board of Teacher Registration.</p> <p>Schedule 1 (Regulated employment and businesses for employment screening) was amended so that, for employment or business involving alternative education services under the <i>Education (General Provisions) Act 1989</i>, providers – including employees as described by new s 6A of Schedule 1 or those conducting a business as described by new s 11 of Schedule 1 – were required to apply for a suitability notice.</p> <p>Schedule 4 (Dictionary) was amended to include a definition of <i>teacher registration information</i> to mean information about a person received by the Commissioner under s 71B of the <i>Education (Teacher Registration) Act 1988</i>. Section 71B enabled the Board of Teacher Registration to provide information to the Commissioner when the Board makes a decision or an order about a teacher.</p> <p>After commencement of amendments on 27 January 2004, the Act was in this form: Commission for Children and Young People Act 2000.</p> <p>Changes to other laws</p> <p>The Act also amended other laws including the <i>Education (Teacher Registration) Act 1988</i>.</p>
21 November 2003	<p>Child Protection (International Measures) Act 2003 - commencement date for relevant provisions</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 18 September 2003 ss 1–2 commenced on date of assent sch 3 commenced 21 November 2003 (2003 SL No. 288) 	<p>The Explanatory Note states that the purpose of the Bill was: "To implement the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children (the Child Protection Convention) in Queensland".</p> <p>Changes to the <i>Child Protection Act 1999</i></p> <p>The Act made minor and consequential amendments to a number of laws including the <i>Child Protection Act 1999</i>. Relevant changes to this included:</p>

Date	Legislative Event	Description and commentary
	<ul style="list-style-type: none"> remaining provisions commenced on date of assent 	<ul style="list-style-type: none"> amending s 126 (Restrictions on granting application) expanding the range of persons associated with the applicant care service provider who the Chief Executive must be satisfied are suitable persons amending s 127 (Grant of application [for a licence by a care service]) by omitting subsections (2) and (3) and replacing them with new subsections (2)-(4) amending s 134 (Grant of application [for approval by a foster carer]) by omitting subsections (2) and (3) and replacing them with new subsections (2)-(4) changing the heading for Chapter 4, Part 2, Division 4 to “Amendment, suspension, cancellation and surrender of authorities” inserting a new s 141A (Surrender of authorities) to enable care services and foster carers to voluntarily surrender their licence or approval. <p>After amendment, the <i>Child Protection Act 1999</i> was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p>
2004		
5 January 2004	<p>Evidence (Protection of Children) Amendment Act 2003 - commencement of relevant provisions.</p> <p>Relevant dates:</p> <ul style="list-style-type: none"> date of assent 18 September 2003 ss 1–2 commenced on date of assent remaining provisions commenced 5 January 2004 (2003 SL No. 280) 	<p>Changes to the <i>Commission for Children and Young People Act 2000</i></p> <p>Existing s 122 (Commissioner may obtain information from police commissioner) of the CCYP Act enabled the Commissioner to seek information from the Police Commissioner which was relevant to the criminal history of an applicant for a suitability notice or for cancellation of a negative notice, and required the Police Commissioner to provide the information requested (in so far as the Police Commissioner had or could access that information).</p> <p>A new s 122A (Notice of change in criminal history) was now inserted to allow the Police Commissioner to proactively inform the (Children and Young People) Commissioner when a person whom the police reasonably suspect has applied for or holds a positive suitability notice, or has applied for a cancellation of their negative notice, is charged with an offence. On receipt of that information, the (Children and Young People) Commissioner could write to the person, where relevant, to inform them of their obligations under the CCYP Act – in particular:</p> <ul style="list-style-type: none"> if employed in regulated employment – to immediately disclose to their employer that there was a change in their criminal history (s 112(2)) if carrying on a regulated business – to immediately apply for a further suitability notice (s 113(2)) if holding a current positive notice, but not employed in regulated employment or conducting a regulated business – to notify their proposed employer before commencing in regulated employment (s 114(2)). <p>After amendment, the Act was in this form: Commission for Children and Young People Act 2000.</p>
2 February 2004	<p>Police Powers and Responsibilities (Forensic Procedures) Amendment Act 2003 – commencement date for relevant provisions</p>	<p>Changes to the <i>Police Powers and Responsibilities Act 2000</i></p> <p>The Explanatory Note explained:</p> <p>Prior to and since the introduction of the <i>Police Powers and Responsibilities Act 2000</i> (PPRA), Queensland has collected DNA samples from crime scenes and suspects. The PPRA significantly enhanced Queensland's ability to investigate crime by extending the circumstances when a DNA sample may be taken, including for the purpose of intelligence.</p> <p>The primary purpose of this Bill is to facilitate the matching of Queensland's DNA profiles with other jurisdictions through the national DNA database administered by CrimTrac.</p> <p>The amendments included the insertion of a large number of new provisions, including the replacement of Chapter 8, Parts 2-4 with a new Chapter 8A (Forensic procedures).</p> <p>Chapter 8, Part 5 (Blood and urine testing of persons suspected of committing sexual or other serious assault offences) became Chapter 8B (Blood and urine testing of persons suspected of committing sexual or other serious assault offences).</p>

Date	Legislative Event	Description and commentary
		<p>After these amendments commenced (2 February 2004), the <i>Police Powers and Responsibilities Act 2000</i> was in this form: Police Powers and Responsibilities Act 2000 - Queensland Legislation - Queensland Government</p> <p>Notes:</p> <ol style="list-style-type: none"> Chapter 8B was renumbered Chapter 18 in July 2006. Sections 319 and 320 were renumbered ss 537 and 538 respectively.
1 August 2004	<p>Child Safety Legislation Amendment Act 2004 - amendments to the CCYP Act commenced.</p> <p>Relevant dates:</p> <ul style="list-style-type: none"> date of assent 24 June 2004 ss 1–2 commenced on date of assent ss 9–10, 13, 15 (to the extent it ins s 194 (2)), 16 (to the extent it ins s 246A (1) (b) (ii)), 17 (to the extent it ins s 248) commenced 1 September 2004 (2004 SL No. 141) ss 59–78, 87 (1) (to the extent it om defs carer and visitable site), 87(2) (to the extent it ins defs carer, visitable home and visitable site) commenced 1 September 2004 (2004 SL No. 141) remaining provisions commenced 1 August 2004 (2004 SL No. 141) 	<p>Overview</p> <p>The Explanatory Note said the Bill’s objective was to:</p> <p>implement the first stage of legislative reforms resulting from the Crime and Misconduct Commission’s report <i>Protecting Children: An Inquiry into Abuse of Children in Foster Care</i>. The amendments seek to improve support and accountability arrangements for children who are most at risk.</p> <p>The more particular objectives were said to include:</p> <ul style="list-style-type: none"> <i>Establishing a new office of the “Commissioner for Children and Young People and Child Guardian”</i> The Bill extends the statutory office of the Commissioner for Children and Young People to become the office of the Commissioner for Children and Young People and Child Guardian (the commissioner). With the additional role of child guardian, the commissioner will be responsible for an extended range of monitoring auditing and reviewing functions in relation to children who come to the attention of the Department of Child Safety. A new statutory office of assistant commissioner will be created to be responsible to the commissioner for the proper performance of the child guardian functions. ... <i>Review of child deaths</i> The Bill provides a legislative framework for reviews by the Department of Child Safety of cases where children have died within three years of coming to the attention of the department. It also establishes an independent Child Death Case Review Committee to monitor the reviews undertaken by the Department of Child Safety. <i>Establishment of the Child Death Register and child death research function</i> The Bill establishes a register of child deaths and gives the commissioner the responsibility of reviewing causes and patterns of the death of children and for conducting broader research on this issue. <i>Revision and reordering of the principles of the Child Protection Act 1999</i> The Bill reorders the child protection principles in the Child Protection Act 1999, so that the Act is to be administered according to an overarching principle that the welfare and best interests of a child are paramount. The amendment seeks to reinforce the existing requirement that children’s rights, interests and welfare should take precedence over the rights and interests of adults where there is a conflict. A new principle that the child should be kept informed of matters affecting him or her in a way that is appropriate having regard to their age and ability to understand is also included. <p>Commission for Children and Young People and Child Guardian Act 2000</p> <p>The <i>Commission for Children and Young People Act 2000</i> was renamed at this time to the <i>Commission for Children and Young People and Child Guardian Act 2000</i> (also referred to as the CCYPCG Act in this table).</p> <p>References to the Commission for Children and Young People and the Commissioner for Children and Young People were amended to the Commission for Children and Young People and Child Guardian, and the Commissioner for Children and Young People and Child Guardian.</p> <p>References to the Chief Executive, Families were also substituted with references to the Chief Executive, Child Safety.</p> <p>Other relevant changes included:</p> <ul style="list-style-type: none"> amendment of s 6 (Principles for administering this Act) – which served to prioritise the principle that ‘the welfare and the best interests of a child are paramount’ as the primary principle for administration of the Act, and amendment of s 20 (Referral of matters or offences to other persons) to provide that the (Children and Young People) Commissioner’s obligation to refer matters to the Police Commissioner / Crime Commissioner included matters where a child who was, or may have been, the victim of a criminal offence had died, and

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> insertion of new Part 4A (Child deaths) establishing the Child Deaths Review Committee and the child deaths register. <p>Following amendment, the Act was in this form: Commission for Children and Young People and Child Guardian Act 2000</p> <p>Changes to other laws</p> <p>The Act also made changes to other laws including the <i>Child Protection Act 1999</i>.</p>
2005		
1 January 2005	<p>Child Protection (Offender Reporting) Act 2004 - commencement date for relevant provisions.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 29 November 2004 ss 1–2 commenced on date of assent remaining provisions commenced 1 January 2005 (2004 SL No. 295) 	<p>Overview</p> <p>The Explanatory Note stated that the Bill was to fulfil “the Queensland component of a national child protection registration scheme”. It explained:</p> <p style="padding-left: 40px;">The Bill requires child sex offenders, and other defined categories of serious offenders against children, to keep police informed of certain personal details for a period of time after they are released into the community. The purpose of this legislation is to reduce the likelihood that offenders will re-offend and to assist the investigation and prosecution of any future offences that they may commit.</p> <p>Prior to this Act, s 19 of the Criminal Law Amendment Act 1945 had provided for reporting obligations to be imposed by court order on persons convicted on indictment of an offence of a sexual nature committed in relation to a child under the age of 16 years.</p> <p>Child Protection (Offender Reporting) Act 2004</p> <p>Key provisions of new Act included:</p> <ul style="list-style-type: none"> ss 5 to 10 defined key terms including <i>reportable offence</i> and <i>reportable offender</i> Part 3 (s 13)(Offender reporting orders) allowing a court to make an <i>offender reporting order</i> if it made any finding of guilt or a forensic order and if satisfied that the offender poses a risk to the lives or sexual safety of children Part 4 (ss 14-67)(Reporting obligations) imposing reporting obligations on all <i>reportable offenders</i>, including offence provisions (Division 7), Part 5 (ss 68-74)(The register) creating the <i>child protection register</i> kept by the Police Commissioner (which has become known as the Child Protection Offender Register). <p>Section 9 defined <i>reportable offence</i> principally by reference to Schedules 1 and 2 to the Act. Schedule 1 listed <i>class 1 offences</i> and Schedule 2 listed <i>class 2 offences</i>. The chief relevance of the distinction between the classes was that it determined how long the reporting obligations continued.</p> <p>Changes to the Criminal Law Amendment Act 1945</p> <p>The Act repealed Part 4 of the <i>Criminal Law Amendment Act 1945</i> (Sexual offenders to report) and made various other changes to that Act.</p> <p>After these amendments, the <i>Criminal Law Amendment Act 1945</i> was in this form: Criminal Law Amendment Act 1945 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The Act also amended:</p> <ul style="list-style-type: none"> <i>Corrective Services Act 2000</i> <i>Freedom of Information Act 1945</i> <i>Mental Health Act 2000</i> <p>Note:</p>

Date	Legislative Event	Description and commentary
		In 2017 this Act was renamed <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> when the <i>Child Protection (Offender Prohibition Order) Act 2008</i> was repealed and its provisions were incorporated into this Act.
17 January 2005	<p>Commission for Children and Young People and Child Guardian Amendment Act 2004 – relevant provisions commenced.</p> <p>Relevant dates:</p> <ul style="list-style-type: none"> date of assent 29 November 2004 ss 1–2 commenced on date of assent remaining provisions commenced 17 January 2005 (2004 SL No. 282) 	<p>Overview</p> <p>The main objective of these amendments, according to the Explanatory Note, was to implement recommendations from a statutory review of Part 6 of the Act, as well as recommendations (regarding student teachers and non-teaching staff in schools) which were made by the Ministerial Taskforce on Sex Abuse of Children in Schools. Consequently, a number of significant changes were made to the blue card system, including to introduce an exclusionary framework with specified excluding offences and to enable consideration of ‘investigative information’ and certain disciplinary information.</p> <p>Changes to the Commission for Children and Young People and Child Guardian Act 2004</p> <p><u>New terminology</u></p> <p>Changes included replacing the term “suitability notice” with “prescribed notice”, and introducing the term “positive notice blue card.”</p> <p><u>Part 6 (Screening for regulated employment and regulated businesses) – Division 1 (Preliminary) and Division 1A (Interpretation)</u></p> <p>Significant changes included:</p> <ul style="list-style-type: none"> amending s 95 (Purposes of Pt 6) to clarify that the main purpose of Part 6 is to ensure that persons employed in particular employment or carrying on particular businesses as prescribed under this Act undergo screening in accordance with Part 6 inserting s 98A (This part does not apply to person engaged in employment for the police service) inserting s 98B (Declaration relating to exemption to category of regulated employment or regulated business) creating a new Division 1A (Interpretation) and inserting new definition provisions including: <ul style="list-style-type: none"> s 99B (What is employment in child care) defined by reference to engagement of the person within the meaning of s 58 of the <i>Child Care Act 2002</i> s 99C (What is a serious offence) s 99D (What is a serious child-related sexual offence) s 99E (What is an excluding offence) <p><u>Part 6 – Division 1B (Risk management strategies)</u></p> <p>The amending Act inserted a new Division 1B (Risk management strategies) with s 99G (Risk management strategies about regulated businesses and persons employed in regulated employment) imposing positive obligations on people who carry out regulated businesses and employers to develop and implement appropriate risk management strategies to ensure child-safe work environments.</p> <p><u>Part 6 – Division 2 (Issue of prescribed notices for regulated employment or regulated businesses)</u></p> <p>Changes, restricting or directing the Commissioner’s decision-making and discretions, included:</p> <ul style="list-style-type: none"> replacing the heading for Division 2 to read “Issue of prescribed notices for regulated employment or regulated businesses” to reflect the change in terminology throughout the Act from the use of the term “suitability notice”, to “prescribed notice” substituting a new s 102 (Decision on application) with new rules about how the Commissioner was to decide applications for a prescribed notice inserting a new s 102A (Decision-making under s 102 in relation to discretionary matters) with directions as to how the Commissioner was to exercise discretions under s 102 amending s 103 (Commissioner to invite submissions from person about particular information) stipulating further matters (<i>police information and disciplinary information</i>) the Commissioner was to bring to an applicant’s attention before deciding to issue a <i>negative notice</i>, <p><u>Part 6 – Division 3 (Obligations and offences relating to suitability notices)</u></p>

Date	Legislative Event	Description and commentary
		<p>Changes included:</p> <ul style="list-style-type: none"> • applying the Part 6 scheme to volunteers • in a newly renumbered and renamed Subdivision 1A (Regulated employment other than as volunteers), changing the thresholds triggering the requirement for a prescribed notice including through: <ul style="list-style-type: none"> ○ amending s 105 (Continuing employment of certain regular employees) ○ amending s 106 (Starting employment of certain regular employees), and ○ inserting new s 106A (Starting employment of new employees) • amending s 107 (Prohibited employment). <p><u>Part 6 – Division 4 (Cancellation and replacement of prescribed notices)</u></p> <p>Amendments supported the new exclusionary framework, based on specified ‘excluding offences’, with changes including:</p> <ul style="list-style-type: none"> • renaming Division 4 to “Cancellation and replacement of prescribed notices” • inserting s 119A (Cancellation if conviction for excluding offence and imprisonment or disqualification order) • inserting s 119B (Cancellation if conviction for excluding offence but no imprisonment and no disqualification order) • inserting s 119C (Effect of charge for excluding offence pending charge being dealt with) – providing for blue card suspension • inserting s 119D (Cancellation of suspension and issues of further prescribed notice) <p><u>Part 6 – Division 5 (Miscellaneous)</u></p> <p>Significant changes included:</p> <ul style="list-style-type: none"> • inserting ss 121A-121E setting out provisions relating to use of ‘investigative information’ • amending s 122 (Commissioner may obtain information from police commissioner) to reflect the additional investigative information that the Commissioner could now obtain from the Police Commissioner in relation to positive notice holders, applicants for a prescribed notice and applicants seeking cancellation of a negative notice (references to ‘criminal history changed to ‘police information’, including ‘investigative information’) • amending s 122A (Notice of change in criminal history) • inserting s 122B (Commissioner to give notice to employer about making employment-screening decision about employee) • amending s 123 (Withdrawal of employee’s consent to employment screening), with insertion of new s 123(3B) – to provide for deemed withdrawal of employee’s consent to employment screening if, as a new applicant for a blue card, they were charged with an excluding offence (blue card application could then not be decided until charge was dealt with) • inserting s 126C (Disqualification order) to enable a sentencing court to make a disqualification order about a person who had been convicted of an excluding offence but not sentenced to imprisonment for the offence; this prevented the person ever holding a positive notice, applying for a prescribed notice or seeking cancellation of a negative notice following a disqualification order. <p>Note: new s 15(1)(ra) established a new function for the Commissioner to audit or monitor compliance with Part 6 (Screening for regulated employment and regulated businesses)</p> <p><u>Changes to Schedule 1 (Regulated employment and business for employment screening)</u></p> <p>Changes included:</p> <ul style="list-style-type: none"> • New categories of regulated employment: 6B (Child accommodation services including home stays), 6C (Religious representatives), 6D (Sport and active recreation), 6E (Emergency services cadet program) and 6F (School crossing supervisors). • New categories of regulated business: 13 (Child accommodation services including home stays), 12 (Religious representatives), 14 (Sport and active recreation), 15 (Hostel for children other than residential facility). <p><u>Schedules 2 to 2C</u></p>

Date	Legislative Event	Description and commentary
		<p>Schedule 2 (Other serious offence provisions of the Criminal Code) was deleted and new offence schedules were inserted:</p> <ul style="list-style-type: none"> • Schedule 2 (Current serious offences) – listing offences referred to in the new s99C definition of serious offence • Schedules 2A (Repealed or expired serious offences) – listing offences referred to in the s99C definition of serious offence which had expired or been repealed and which, if still current, would be classified as serious offences under Schedule 2; a person convicted of such an offence could be found unsuitable to work with children. • Schedule 2B (Current serious child-related sexual offences) – listing offences referred to in new s 99D definition of serious child-related sexual offence. These offences also became excluding offences as defined in new s 99E. In addition to the offences listed in Schedule 2C, these were the offences which the Police Commissioner could now consider when determining what is investigative information under s 121A. • Schedule 2C (Repealed or expired serious child-related sexual offences) - listing offences referred to in s99D definition of serious child-related sexual offence which had expired or been repealed. The offences listed in new Schedule 2C also became excluding offences as defined in new s 99E. . In addition to the offences listed in Schedule 2B, these were the offences which the Police Commissioner could now consider when determining what is investigative information under s 121A. <p><u>Schedule 4 (Dictionary)</u></p> <p>In addition to terms noted above, new terms and definitions in Schedule 4 included:</p> <ul style="list-style-type: none"> • <i>Police information</i> – both <i>criminal history</i> (charges and convictions) and <i>investigative information</i> (with new s 121A providing for the Police Commissioner to decide whether information was investigative information) • <i>Disciplinary information</i> <p>Following amendment, the <i>Commission for Children and Young People and Child Guardian Act 2000</i> was in this form: Working with Children (Risk Management and Screening) Act 2000 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The amending Act also made changes to other laws including:</p> <ul style="list-style-type: none"> • <i>Child Care Act 2002</i> • <i>Child Protection Act 1999</i> • <i>Education (Teacher Registration) Act 1988</i>
1 March 2005	Schedule 1 to the Crimes Legislation Amendment (Telecommunications Offences and Other Measures) Act (No. 2) 2004 (Cth) – commenced, bringing in a new Part 10.6 (Telecommunications services) of the <i>Criminal Code</i> (Cth).	<p>Overview</p> <p>This Act repealed the telecommunications offences in the <i>Crimes Act 1914</i> (Cth) and replaced them with updated offences in the Criminal Code (Cth) intended to reflect changes in the telecommunications environment to that point.</p> <p>The Explanatory Memorandum said:</p> <p>The Bill contains important new offences that will prescribe appropriate penalties for persons involved in the sexual abuse of children in a number of different contexts. Producing, distributing and accessing child pornography and child abuse material rightly outrages the Australian community. New offences targeting the exploitation of children in this way are included in the Bill. The proposed offences prohibiting child pornography and child abuse material focus on the use offenders make of the anonymity of new technological tools, such as the Internet, to further their exploitative ends. In line with the tough federal crimes sex tourism offences in the Crimes Act 1914, new offences will also target online ‘grooming’ activities by sexual predators. Unfortunately, adults are increasingly exploiting the anonymity of the Internet to forge relationships with children as a first step in luring them for sexual abuse. The Bill provides a responsible criminal law response to these abhorrent practices.</p> <p>Changes to the Criminal Code (Cth)</p>

Date	Legislative Event	Description and commentary
		<p>The amending Act repealed Part VIIB (Offences related to telecommunications) of the Crimes Act 1914. Prior to repeal it had been in this form: Federal Register of Legislation - Crimes Act 1914. There were no offence provisions in Part VIIB directed specifically towards the use of telecommunications for the dissemination of child pornography.</p> <p>The amending Act also repealed and replaced Part 10.6 of the Criminal Code (Cth) (Telecommunications Services), which had been in this form: Federal Register of Legislation - Criminal Code Act 1995. It contained just one offence provision, namely s 474.1 (General dishonesty with respect to a carriage service provider).</p> <p>The new and much more substantial Part 10.6 was comprised of Divisions 473 (Preliminary), 474 (Telecommunications offences) and 475 (Miscellaneous). It included in s 473.1 definitions of the terms:</p> <ul style="list-style-type: none"> child abuse material, and child pornography material. <p>Division 474 (Telecommunications offences) included Subdivision C (Offences related to use of telecommunications) which included:</p> <ul style="list-style-type: none"> s 474.19 (Using a carriage service for child pornography material) s 474.20 (Possessing, controlling, producing, supplying or obtaining child pornography material for use through a carriage service) s 474.22 (Using a carriage service for child abuse material) s 474.23 (Possessing, controlling, producing, supplying or obtaining child abuse material for use through a carriage service) s 474.25 (Obligations of Internet service providers and Internet content hosts) s 474.26 (Using a carriage service to procure persons under 16 years of age) s 474.27 (Using a carriage service to “groom” persons under 16 years of age) <p>and various provisions relating to those offence provisions.</p> <p>As amended, the Criminal Code(Cth) was in this form: Federal Register of Legislation - Criminal Code Act 1995</p> <p>Changes to the <i>Customs Act 1901</i> (Cth)</p> <p>The Amending Act also repealed and replaced s 233BAB(3) and (4) of the <i>Customs Act 1901</i>. This updated the definitions of:</p> <ul style="list-style-type: none"> child pornography (subs (3)), and child abuse material (subs (4)) <p>for the purposes of s 233BAB(1) (Special offence relating to tier 2 goods). These were consequential amendments flowing from the amendments to the Criminal Code (Cth) described above.</p> <p>After amendment the <i>Customs Act 1901</i> was in this form: Federal Register of Legislation - Customs Act 1901</p>
21 March 2005	Summary Offences Act 2005 (Qld) – commenced, including s 9 (wilful exposure)	<p>Overview</p> <p>The Act provided for simple (summary) offences to be heard and determined in a magistrates court. The Act repealed and replaced the Vagrants, Gaming and Other Offences Act 1931 (Qld).</p> <p>Section 9 (Wilful exposure)</p> <p>According to the Explanatory Note for the Bill, the purpose of s 9 was to differentiate between a person’s exposure of their genitals as a basic offence, where a person intends to urinate out of public view, but through circumstances is seen by a member of the public, as opposed to the aggravated offence where a person commits the offence so as to offend or embarrass another person. The Explanatory Note also described the relevant circumstances for the aggravated offence as exposure for ‘shock value or sexual gratification.’</p> <p>Note:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> Although the Explanatory Note referred to wilful exposure for the purposes of ‘shock value or sexual gratification’, the provision as introduced and as it currently stands refers only to wilful exposure ‘so as to offend or embarrass another person’. This seems to align with exposure for ‘shock value’, but it is not clear that it would always pick up exposure for sexual gratification. When s 9 was introduced in 2005, there was no separate and specific offence for urinating in a public place but, according to the Explanatory Note, ‘A person urinating in public view of another in a public place’ would have fallen under the then catch-all provision for public nuisance offences in s 6. Later amendments introduced a specific and separate provision – s 7 – for urinating in a public place without reference to being in public view. Apart from differences in penalties, the distinction between the s 9 basic wilful exposure offence and aggravated wilful exposure offence (as originally introduced and as they currently stand) could assist in determining relevance and significance of the offences for child-related employment screening purposes.
4 April 2005	<p>Criminal Code (Child Pornography and Abuse) Amendment Act 2005 – commencement date for relevant provisions.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 18 March 2005 ss 1–2 commenced on date of assent remaining provisions commenced 4 April 2005 (2005 SL No. 48) 	<p>Overview</p> <p>The Explanatory Note says the Bill was to “respond to the growing incidence of child pornography by inserting specific offences (with appropriate penalties) in the Criminal Code”.</p> <p>The Bill was said to follow a “recent national crackdown on an internet child pornography ring resulting in hundreds of arrests across Australia” which “raised the profile of current Queensland and interstate child pornography offences and penalties”.</p> <p>It was considered that the Commonwealth and Queensland “Classification Acts” did not recognise the nature of the conduct involved in the production of child pornography, and that it was more appropriate for there to be specific offences (with appropriate penalties) in the Criminal Code.</p> <p>The Explanatory Note also commented:</p> <p style="padding-left: 40px;">The recent national crackdown also means that it is likely that there will be some ongoing discussion at various national forums regarding the adequacy of the existing offences and investigative powers. This means that the Queensland provisions (both current and those provided in this Bill) may require further legislative amendment in due course.</p> <p>Changes to Chapter 22 (Offences against morality) of the Criminal Code (Qld)</p> <p>Amendments to Chapter 22 of the Criminal Code included insertion of the following new provisions:</p> <ul style="list-style-type: none"> new defined terms in s 1 including “child exploitation material” s 228A (Involving child in making child exploitation material) s 228B (Making child exploitation material) s 228C (Distributing child exploitation material) s 228D (Possessing child exploitation material) s 228E (Defences) <p>The Explanatory Note commented that the new offences were intended to complement and not replace existing offences, and that where it can be established that a more serious offence has occurred, that offence should be charged. It explained:</p> <p style="padding-left: 40px;">For example, a person who takes indecent photographs of 10 year old children as part of a photo shoot for a child pornography magazine will not only be involving a child in the making of child pornography under the new offences (maximum penalty of 10 years), but will also be committing an offence under existing section 210(1)(f) of the Criminal Code (taking an indecent photograph of a child under the age of 16 years). The latter offence carries a maximum penalty of 20 years.</p> <p>After amendment, the Criminal Code was in this form: Criminal Code Act 1899 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Child Protection (Offender Reporting) Act 2004 (CPOR Act)</i></p> <p>Changes were made to Schedule 2 (Class 2 offences) to add entries for the 4 new offences in Chapter 22 of the Criminal Code.</p>

Date	Legislative Event	Description and commentary
		<p>After amendment, the CPOR Act was in this form: Child Protection (Offender Reporting) Act 2004 - Queensland Legislation - Queensland Government.</p> <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>Changes included:</p> <ul style="list-style-type: none"> • s 99E (What is an excluding offence) was amended to include new offences from the Criminal Code: <ul style="list-style-type: none"> ◦ s 228A (Involving child in making child exploitation material) ◦ s 228B (Making child exploitation material) ◦ s 228C (Distributing child exploitation material) ◦ s 228D (Possessing child exploitation material) • Schedule 2 (Current serious offences) was amended to include these new offences within the list of serious offences.
26 May 2005	<p>Tourism, Fair Trading and Wine Industry Development Legislation Amendment Act 2005 – commencement date for relevant provisions.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • date of assent 31 May 2005 • ss 1–2 commenced on date of assent • remaining provisions commenced 26 May 2005 (see s 2) 	<p>Changes to the <i>Classification of Films Act 1991</i></p> <p>The Explanatory Note said:</p> <p>The Bill amends the <i>Classification of Publications Act 1991</i>, <i>Classification of Films Act 1991</i> and the <i>Classification of Computer Games and Images Act 1995</i> (the Queensland classifications legislation) to reflect recent legislative changes to classification markings in the <i>Commonwealth Classification (Publications, Films and Computer Games) Act 1995</i> (the Commonwealth Act) and to make some other minor changes.</p> <p>Relevant changes included amendment to Part 5 (Objectionable films) to reflect changes to the classification categories.</p> <p>Following amendment, the Act was in this form: Classification of Films Act 1991 - Queensland Legislation - Queensland Government</p>
3 August 2005	<p>Criminal Code Amendment (Trafficking in Persons Offences) Act 2005 (Cth) – commenced (except for ss 1-3 which commenced 6 July 2005)</p>	<p>Overview</p> <p>The Explanatory Memoranda said the Bill:</p> <p>... improves the existing strong federal regime of offences targeting trafficking in persons. The Bill criminalises comprehensively every aspect of trafficking in persons and fulfils Australia's legislative obligations under the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.</p> <p>The principal features of the Bill were said to include “new offences of trafficking children into and from Australia”.</p> <p>Changes to Criminal Code (Cth) – Division 271 (Trafficking in persons and debt bondage)</p> <p>The Act inserted Division 271 (Trafficking in persons and debt bondage) into the Criminal Code.</p> <p>Division 271 included s 271.4 (Offence of trafficking in children) which established the offence of trafficking in children (including for the purpose of sexual services).</p> <p>After amendment, the Criminal Code (Cth) was in this form: Federal Register of Legislation - Criminal Code Act 1995</p> <p>Changes to other laws</p> <p>The Act also made consequential amendments to the <i>Crimes Act 1914</i> as well as the <i>Telecommunications (Interception) Act 1979</i>.</p>
31 August 2005	<p>Child Safety Legislation Amendment Act (No 2) 2004 – commencement date for relevant provisions.</p> <p>Commencement dates:</p>	<p>Overview</p> <p>The Explanatory Note says that the objective of the Bill was to implement the second stage of legislative reforms resulting from the Crime and Misconduct Commission’s report Protecting Children: An Inquiry into Abuse of Children in Foster Care.</p>

Date	Legislative Event	Description and commentary
	<ul style="list-style-type: none"> date of assent 27 October 2004 ss 1–2 commenced on date of assent remaining provisions commenced 31 August 2005 (2005 SL No. 62) 	<p>Changes to the <i>Health Act 1937</i></p> <p>The Explanatory Note lists “reporting of suspected harm to children by mandating doctors and nurses to notify the Department of Child Safety” as one of the things the Bill was intended to strengthen.</p> <p>At 1 Jan 2000, the <i>Health Act 1937</i> (Qld), s76K (Notification of maltreatment) imposed obligations on professionals – defined as doctors – to report cases, or suspected cases, of abuse/neglect which resulted in harm or risk of harm to a child (‘maltreatment or neglect of a child in such a manner as to subject or be likely to subject the child to unnecessary injury, suffering or danger’). Doctors were protected from liability for notifications made in good faith.</p> <p>The amending Act:</p> <ul style="list-style-type: none"> replaced the heading for Part 3, Division 6 (Harm to children) repealed s 76K and replaced it with mandatory reporting provisions ss 76K – 76KH. <p>Key changes this brought about included:</p> <ul style="list-style-type: none"> impose notification obligations on registered nurses previously imposed only on doctors (obligations imposed on a ‘professional’ previously defined only as a doctor) require immediate notification to the Chief Executive (Child Safety) (see s 76KE (Mandatory reporting – immediate notice)) creation of the offence failure to notify and to provide follow up information (max 50 penalty units) in s 76KF (Offence) clarify that doctor/nurse could share information with/seek advice from colleagues to help decide if reasonable grounds to form suspicion that a child has been harmed or is at risk of harm, and protected identity of person who gives information to doctor/nurse (identity protection modelled on s 186 of the <i>Child Protection Act 1999</i>) <p>The amended Health Act was in this form: Health Act 1937 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The amending Act also made changes to a range of other laws including:</p> <ul style="list-style-type: none"> <i>Child Care Act 2002</i> <i>Child Protection Act 1999</i> <i>Commission for Children and Young People and Child Guardian Act 2000</i>
2006		
1 March 2006	Public Health Act 2005 (Qld) – Chapter 5, Part 3, Division 5 commenced, repealing and replacing the mandatory reporting provisions in the <i>Health Act 1937</i> (Qld)	<p>Overview</p> <p>The Explanatory Note said:</p> <p>The primary objective of the Bill is to protect and promote the health of the Queensland public by providing the basic safeguards necessary to protect public health through cooperation between the State Government, local governments, health care providers and the community.</p> <p>The Bill is the result of an extensive review of the current public health provisions in the Health Act 1937.</p> <p>It noted that the Bill:</p> <p>carries forward changes recommended in the Crime and Misconduct Commission’s Report on the abuse of children in foster care by providing that all registered nurses and doctors must report reasonable suspicions of harm to a child to the chief executive of child safety. The provisions establish the framework for providing the notifications.</p> <p>Chapter 5, Part 3, Division 5 (Notification of child abuse)</p>

Date	Legislative Event	Description and commentary
		<p>Relevant provisions included:</p> <ul style="list-style-type: none"> • s 186 (Relationship with <i>Child Protection Act 1999</i>) which clarified that Part 3 (Child abuse and neglect) was intended to complement the <i>Child Protection Act 1999</i>, including that s 22 of the <i>Child Protection Act</i> (Providing civil and criminal immunity for notifying or giving information about alleged harm or risk of harm) and s 186 of the <i>Child Protection Act</i> (Protecting the identity of notifiers of harm or risk of harm) apply to doctors and nurses who report reasonable suspicions of child harm under the <i>Public Health Act</i>. Note: s 196 of the <i>Public Health Act</i> protected the identity of, and s 195 provided civil and criminal immunity for persons who give information to a doctor/nurse about harm or risk of harm to a child. • Sections 76K – 76KH of the <i>Health Act 1937</i> (Qld) (see above) were repealed • Chapter 5, Part 3, Division 5 (Notification of child abuse) (ss 191 – 196) replicated the repealed ss 76K – 76KH of the <i>Health Act 1937</i>. • Section 467 provided that if a doctor or registered nurse was required to give notice of harm or further information under former provisions of the <i>Health Act 1937</i> (ss 76KC, 76KD and 76KF) and did not do so before the commencement date of the new provisions of the <i>Public Health Act 2005</i>, then the new ss 191, 192, 193, 194, and 194(3) in the <i>Public Health Act</i> would apply. Section 467 in the <i>Public Health Act</i> despite repeal of ss191 – 194 on 19 January 2015. <p>Notes:</p> <ul style="list-style-type: none"> • Other provisions of the <i>Public Health Act 2005</i> commenced on different dates • Chapter 5, Part 3, Division 5 (ss 191 – 196) were subsequently omitted from the <i>Public Health Act</i> by the <i>Child Protection Reform Amendment Act 2014</i> when consolidated reporting provisions were inserted in the <i>Child Protection Act 1999</i> (Qld)(see below).
31 May 2006	<p>Child Safety (Carers) Amendment Act 2006 – commencement date for relevant provisions (amending the <i>Child Protection Act 1999</i> and the <i>Commission for Children and Young People and Child Guardian Act 2000</i>)</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • date of assent 2 May 2006 • ss 1–2 commenced on date of assent • remaining provisions commenced 31 May 2006 (see s 2 (2)) 	<p>Overview</p> <p>The Explanatory Note described one of the key objectives of the Bill as:</p> <p style="padding-left: 40px;">to transfer criminal history screening of certain people involved in providing care services to children under the <i>Child Protection Act 1999</i> from the Department of Child Safety (the Department) to the Commission for Children and Young People and Child Guardian (the Commission).</p> <p>The Bill also made other changes to the <i>Child Protection Act 1999</i> as well as to the <i>Child Safety Legislation Amendment Act 2005</i> and the <i>Commission for Children and Young People and Child Guardian Act 2000</i>.</p> <p>Changes to <i>Child Protection Act 1999</i></p> <p>Relevant changes included:</p> <ul style="list-style-type: none"> • insertion of new Subdivision 3 (Immediate suspension or cancellation of particular authorities) to Chapter 4, Part 2, Division 4 (Amendment, suspension, cancellation and surrender of authorities) comprised of ss 140AB-140AI • insertion of new heading Subdivision 4 (Other matters about amendment, suspension or cancellation) before s 140A • insertion of new heading Subdivision 5 (Surrender) before s 141A • insertion of new s 148A (Chief executive to notify children’s commissioner about particular persons) • insertion of new s 148B (Obtaining particular information from children’s commissioner) • insertion of new Part 3 (Application of Commissioner’s Act) to Chapter 4, comprised of: <ul style="list-style-type: none"> ○ s 148C (Application to licensed care service) ○ s 148D (Pending application for prescribed notice) <p>After the amendments commenced, the Act was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>Changes were made for greater clarity and consistency in provisions, including amendments to the following:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • s 101 (Application for notice – regulated business) - for a person’s application for a blue card to carry on a regulated business to be withdrawn where charged with an excluding offence; new ss101(7) was consistent with provision for the Commissioner to withdraw an application for a person who is engaged in, or proposes to engage in, regulated employment where charged with an excluding offence (s 123(3B)). • new ss104B (Starting employment) and 104BA (Currency of prescribed notice for person continuing employment) • s108 (Person holding negative notice, or who has withdrawn consent to employment screening, not to apply for, or start or continue in, regulated employment) • s121 (Person may apply for review of decision) – with retrospective commencement on 17 January 2005 • new s123A (Notice about withdrawal of application or negative notice) <p>New Part 9, div 8 (Further transitional provisions for the Commission of Children and Young People and Child Guardian Amendment Act 2004) provided for the amended Act to apply to determination of:</p> <ul style="list-style-type: none"> • an outstanding application for a suitability notice - if police or disciplinary information was received after 17 January 2005. • an outstanding assessment or application for cancellation of a blue card or negative notice if information relevant for the purposes of s 119 (1) or (2) of the amended Act was received on or after 17 January 2005. <p>Amendment of s122A (Notice of change in police information about a person) clarified that the Police Commissioner could inform the (Children and Young People) Commissioner about a change in a criminal history <i>or</i> that a decision had been made that investigative information existed in relation to a relevant person. The Police Commissioner could provide investigative information to the (Children and Young People) Commissioner from 17 January 2005, even if the investigation in relation to the alleged act or omission occurred prior to this time (s122A was amended with retrospective commencement on 17 January 2005).</p> <p>Schedule 1 (Regulated employment and businesses for employment screening) was amended with new ss 6G and 16 expanding the categories of regulated employment and regulated businesses to cover foster/kinship carers and their adult household members, and persons employed in a licensed residential facility, or employed by a licensed care service and providing support for an approved carer.</p> <p>After the amendments commenced, the Act was in this form: Commission for Children and Young People and Child Guardian Act 2000</p>
31 May 2006	<p>Child Safety Legislation Amendment Act 2005 – commencement date for relevant provisions (amending the <i>Child Protection Act 1999</i>)</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • date of assent 01 September 2005 • ss 1–2, pt 2 hdg, ss 3, 30(1)–(4), 31, 58 commenced on date of assent (see s 2) • s 51 (to the extent it ins ss 141J–141K) never proclaimed into force and om 2006 No. 17 s 24 (2) • s 51 (to the extent it ins s 142D) never proclaimed into force and om 2006 No. 17 s 24 (6) • s 52 never proclaimed into force and om 2006 No. 17 s 25 • s 68 (2) (to the extent it ins defs investigated person and investigative information) never proclaimed into force and om 2006 No. 17 s 28 (1) • remaining provisions commenced 31 May 2006 (2006 SL No. 97) 	<p>Overview</p> <p>The Explanatory Note referred to the 110 recommendations in the Crime and Misconduct Commission’s report Protecting Children: An Inquiry into Abuse of Children in Foster Care. It listed as one of the objectives of the Bill “Enhancements to the determination of persons suitability to provide care for children”. It said this would be achieved in the following ways:</p> <ul style="list-style-type: none"> • Require managers, directors and employees of licensed care services, and approved carers, including provisionally approved carers, to advise the department about a change in their criminal histories. Approved carers will also be obliged to advise the department when they become aware of a change in the criminal histories of other members of their households and of changes in the membership of their household. • Enable the Police Commissioner to monitor the criminal histories of carers, adult members of their households and managers, directors and employees of licensed care services and to advise this information to the Chief Executive. • Enable the Police Commissioner to give investigative information about carers and adult members of their household to the Chief Executive in circumstances where the investigated offence is a child related sexual offence and the police have been unable to proceed to a charge because the victim has died or the complainant has been unwilling to proceed. <p>Changes to the <i>Child Protection Act 1999</i></p> <p>Relevant changes included:</p> <ul style="list-style-type: none"> • changing the heading of Chapter 4, Part 2 to “Licensing of care services and approval of carers” • changing the heading of Division 3 of Chapter 4, Part 2 to “Approval of foster carers and kinship carers” • repealing ss 132-135 and replacing them with new:

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> ○ s 133 (Process for issue of a certificate) ○ s 134 (Process to renew a certificate) ○ s 135 (Restrictions on granting application) • insertion of a new Division 3A (Provisional approval of carers) in Chapter 4, Part 2, providing a legislative framework for the assessment and approval of carers on a provisional basis, comprised of: <ul style="list-style-type: none"> ○ s 136A (Application and purpose of div 3A) ○ s 136B (Holding a certificate) ○ s 136C (Basis for issuing a certificate) ○ s 136D (Issue of certificate) • insertion of new: <ul style="list-style-type: none"> ○ s 138A (Amendment of kinship carer certificate to extend its expiry date) ○ s 138B (Amendment of provisional certificate to extend its expiry date) ○ s 138C (Other amendment of provisional certificate by the chief executive) • amendment of s 139 (Authority may be suspended or cancelled) to include suspension and cancellation of approval as a kinship carer and provisional approval • insertion of new s 140AA (Procedure for suspension or cancellation of provisional certificate) • amendment of s 140A (Chief executive may notify Commissioner for Children and Young People and Child Guardian about particular information) to include reference to disciplinary action by the Chief Executive • insertion of new Chapter 4, Part 2: <ul style="list-style-type: none"> ○ Division 5 (Notification of changes relating to authority holders and associated persons) ○ Division 6 (Investigative information) ○ Division 7 (Obtaining criminal histories and other information to decide persons' suitability) <p>Note: This amending Act was itself amended by the <i>Child Safety (Carers) Amendment Act 2006</i> before relevant changes to the <i>Child Protection Act 1999</i> commenced.</p> <p>After all amendments commenced, the amended <i>Child Protection Act 1999</i> was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p>
30 October 2006	Education (General Provisions) Act 2006 (Qld) – commenced.	<p>Overview</p> <p>The Act repealed and replaced the <i>Education (General Provisions) Act 1989</i>.</p> <p>The Explanatory Note said:</p> <p style="padding-left: 40px;">The primary objective of the Bill is to put in place a legislative regime that facilitates the making available to each Queensland child or young person a high-quality education that will help to maximise his or her education potential.</p> <p>Chapter 12, Part 11 (Reporting of Sexual Abuse)</p> <p>The new Act included Chapter 12, Part 11 (Reporting of Sexual Abuse) (ss 364-366) in substantially the same terms as ss 146A and 146B of the old Act (which provisions had commenced on 19 April 2004 – see above).</p> <p>Note: Chapter 12, Part 11 was later renumbered to Chapter 12, Part 10 by the Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009</p>
2007		
4 September 2007	Dangerous Prisoners (Sexual Offenders) Amendment Act 2007 – commenced.	<p>The Explanatory Note stated that the Bill was intended to strengthen the response to a contravention of a supervision order.</p> <p>Amongst other things, the amending Act:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> inserted s 9AA (Victim’s submission relating to division 3 order) inserted s 16A (Curfew and monitoring directions) giving a corrective services officer the power to give a released prisoner: <ul style="list-style-type: none"> a curfew direction, a monitoring direction, about the use of a monitoring device, and inserted s 19A (Removal or reinstatement of requirement to comply with curfew directions or monitoring direction) allowing applications to the Court to remove or reinstate a requirement of a direction repealed and replaced s 21 so as to require that a released prisoner arrested for breach of a supervision order be held in custody pending the hearing about the breach inserted s 21A (Victim’s submission relating to further order) repealed and replaced s 22 (Court may make further order) to provide that if the court is satisfied that the released prisoner has, is, or is likely to, contravene a supervision order or interim supervision order, the court must rescind the order and make a continuing detention order (or interim detention order in the case of an interim supervision order), <i>unless</i> the released prisoner satisfies the court that the adequate protection of the community can, despite the contravention, be ensured by the order (as it was or with amended conditions). <p>After amendment, the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i> was in this form: Dangerous Prisoners (Sexual Offenders) Act 2003 - Queensland Legislation - Queensland Government.</p>
2008		
2 June 2008	Child Protection (Offender Prohibition Order) Act 2008 commenced (other than ss 1 and 2 which commenced 23 April 2008)	<p>The Explanatory Note explained that the Bill was “to provide protection to children by allowing the Magistrates Courts to make a Child Protection Offender Prohibition Order (prohibition order)”. It continued:</p> <p>On making a prohibition order, the respondent to the order is placed on the Child Protection Offender Reporting Register (CPOR Register) and must report certain personal details to police. This register is maintained by police to reduce the likelihood that child sex offenders will reoffend and to facilitate the investigation and prosecution of any future offences they may commit.</p> <p>When the Bill was first introduced in 2007, it included a raft of amendments to the CCYCPCG Act (see <i>Child Protection (Offender Prohibition Order) Bill 2007</i>, Part 12). However, these were later removed and addressed in the <i>Commission for Children and Young People and Child Guardian and Another Act Amendment Bill 2008</i>, when it was introduced on 13 March 2008.</p> <p>Child Protection (Offender Prohibition Order) Act 2008</p> <p>The Act allowed an offender prohibition order to be made in relation to a <i>relevant sexual offender</i> being a person not subject to a supervision order or interim supervision order under the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i> or a forensic order who is:</p> <ul style="list-style-type: none"> a reportable offender under the <i>Child Protection (Offender Reporting) Act 2004</i>, or a person who would be a reportable offender if the person’s sentence had not ended before the commencement of <i>Child Protection (Offender Reporting) Act 2004</i>, <p>and who had recently engaged in <i>concerning conduct</i>. The Explanatory Note gives, as an example, a known child sex offender who takes up residence in close proximity to a childcare centre.</p> <p>Offender prohibition orders were intended protect children and their sexual safety by:</p> <ul style="list-style-type: none"> prohibiting the respondent to the order from engaging in conduct posing a risk to the lives or sexual safety of children, and deeming the respondent to be a <i>reportable offender</i> for the purposes of the <i>Child Protection (Offender Reporting) Act 2004</i>. <p>Key provisions in the scheme in Part 2 (Offender prohibition orders) included:</p> <p>Division 1 (Orders)</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • s 6 (Application) allowed the Police Commissioner to apply to a court for an offender prohibition order for a person believed to be a relevant sexual offender who had recently engaged in <i>concerning conduct</i> (being conduct the nature or pattern of which poses a risk to the lives or sexual safety of 1 or more children, or of children generally) • s 8 (Making an order) and s 9 (Matters a court must consider before making an order) set out the circumstances in which the court could make an order • s 11 (Conduct that may be prohibited) set out the conduct that could be prohibited under a prohibition order. It included: <ul style="list-style-type: none"> (a) associating with, or otherwise contacting, stated persons or a stated type of person (e.g. other relevant sexual offenders) (b) being in stated locations or a stated type of location (e.g. within 200m of a school between 7am and 7pm on school days) (c) residing at a stated residence, stated residences, a stated type of residence or a residence at a stated location (e.g. a residence within 200m of a child care centre, or a residence where children under 16 years reside). <p>Division 2 (Temporary orders)</p> <ul style="list-style-type: none"> • s 14 (Applying for a temporary order) allowed the Police Commissioner to apply to a magistrate for a temporary orders if, in addition to the s 6 matters, it is believed that <ul style="list-style-type: none"> ○ the making of a temporary order for the person is necessary to prevent an immediate risk of the respondent engaging in conduct posing a risk to the lives or sexual safety of children, and ○ the making of the order will reduce the risk. • s 15 (Temporary order made by a magistrate) allowed a magistrate to make a temporary order • s 16 (Temporary order made by a court) allowed a court hearing an application for a final order to make a temporary order pending the determination of the proceedings. <p>Division 3 (Other provisions about offender prohibition orders)</p> <ul style="list-style-type: none"> • s 25 (Making disqualification order instead of temporary order) obliged a magistrate or court who had decided not to make a temporary order to consider making a <i>disqualification order</i> preventing the respondent from holding a positive notice or applying for a prescribed notice under the <i>Commission for Children and Young People and Child Guardian Act 2000</i>. <p>This provision appeared to operate in tandem with other provisions introduced by the <i>Commission for Children and Young People and Child Guardian and Another Amendment Act 2008</i> which expanded the previous powers, under the CCYPCG Act, for courts to make disqualification orders for the purposes of the blue card exclusionary framework.</p> <p>Part 3 (Corresponding order) allowed for the registration under the Act of a corresponding order from another jurisdiction.</p> <p>Changes to the <i>Child Protection (Offender Reporting) Act 2004</i></p> <p>The Act also included consequential amendments to other legislation.</p> <p>Amongst other things, the definition of <i>reportable offender</i> in s 5 of the <i>Child Protection (Offender Reporting) Act 2004</i> was amended so that a person taken by the <i>Offender Prohibition Order Act</i> to be a reportable offender falls within the definition of reportable offender in the <i>Offender Reporting Act</i>, but only if the magistrate or court considered it would not be in the interests of children for the (Children and Young People) Commissioner to issue a positive notice to the person.</p>
2 June 2008	Commission for Children and Young People and Child Guardian and Another Act Amendment Act 2008 commenced (“immediately after the commencement of the <i>Child Protection (Offender Prohibition Order) Act 2008</i> ”)	<p>Overview</p> <p>According to the Explanatory Note, the main objective of the amendments was to complement the <i>Child Protection (Offender Prohibition Order) Bill 2007</i> (CPOPO Bill) by strengthening and expanding the blue card exclusionary framework. The <i>Commission for Children and Young People and Child Guardian Act 2000 (CCYPCG Act)</i> was explicitly scheduled to commence immediately following the commencement of the <i>Child Protection (Offender Prohibition Order) Act 2008</i>.</p> <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>The CCYPCG Amendment Act made changes for a stronger blue card exclusionary framework. The new framework provided for a person to be excluded, as a <i>disqualified person</i>, from regulated employment/business and from applying for a blue card on the basis of a</p>

Date	Legislative Event	Description and commentary
		<p><i>disqualifying offence</i>, offender prohibition order under the <i>Child Protection (Offender Prohibition Order) Act 2008</i> or reporting obligation under the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i>. A process was established to allow disqualified persons to apply for a blue card in certain limited circumstances. This did not apply to those who fell within the new category of <i>relevant disqualified person</i>, who were subject to a higher level of exclusion. .</p> <p><u>Terminology and definitions</u></p> <p>Changes included amendment and omission of existing definitions and insertion of definitions for new terms including:</p> <ul style="list-style-type: none"> • Definitions for <i>serious child-related sexual offence</i> (s 99D) and <i>excluding offence</i> (s 99E), and references to these terms were omitted • The term ‘excluding’ was replaced with the term ‘disqualifying’, in line with the introduction of the expanded exclusionary framework based on disqualification • The term <i>imprisonment order</i> was re-defined • The Schedule 4 definition of <i>police information</i> was amended • Definition of <i>disqualification order</i> was amended • A <i>disqualifying offence</i> was defined in new s 120B • A <i>disqualified person</i>, was defined in new s 120C • A <i>relevant disqualified person</i> was defined in new s 120D • <i>eligibility application</i> and <i>eligibility declaration</i>, were defined in new s 120F • <i>offender prohibition order</i>, <i>temporary offender prohibition order</i>, <i>final offender prohibition order</i> were defined in Schedule 4 (Dictionary). <p><u>Requirements to issue a positive or negative notice</u></p> <p>Section 102 (Decision on application) was amended, identifying circumstances in which the Commissioner had to: issue a negative notice to a blue card applicant; issue a positive notice; or issue a negative notice unless satisfied it was an exceptional case in which it would not harm children’s best interests if a positive notice was issued. Amendments to s 102 also included new requirements for decisions on approval of blue cards following issue of an eligibility declaration (see further below).</p> <p><u>Change in police information</u></p> <p>Existing s 111 (Effect of conviction for serious offence or charge for excluding offence) was renamed s 111 (Effect of conviction for serious offence), and was amended to limit the immediate prohibition, under this provision, on working in regulated employment/ engaging in regulated business to when there was a conviction for a serious offence.</p> <p>Existing s 112 (Change in criminal history of employee) was renamed s 112 (Change in police information) and was amended to prohibit the employer from continuing to employ the employee without notifying the Commissioner of the change in the person’s police information.</p> <p>New s 113 (Change in police information of person carrying on a regulated business) required a person carrying on a regulated business to immediately notify the Commissioner if they were aware of a change in their police information (rather than immediately applying for a further prescribed notice as previously required to do on change in criminal history information).</p> <p>New s 114 (Change in police information of other persons) required the positive notice holder to immediately notify their proposed employer of a change in their police history information, and prohibited the employer from employing that person without notifying the Commissioner of the change (as opposed to requirement under previous s 114 (Change in criminal history of other persons) to immediately apply for a prescribed notice about the person).</p> <p><u>Cancellation of positive and negative notices</u></p> <p>Amendments to provide for cancellation of positive and negative notices included:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • New s 118 (1A) inserted to prevent a relevant disqualified person applying for cancellation of their negative notice under s 118 (Cancellation of negative notice and issuing of positive notice) • Section 119 (Commissioner may cancel a prescribed notice and substitute another prescribed notice) amended to allow blue card cancellation on the basis of information obtained from the Police Commissioner (under amended s 122) or on the basis of a notification from the Police Commissioner of a change in police information about the person (under amended s 122A). This ground was now made available <i>subject to</i> new s 119C (Suspension of a positive notice), which provided for suspension where the blue card holder was charged with a disqualifying offence or became a relevant disqualified person subject to a temporary offender prohibition order. • New s 119(1)(b)(ii) provided a new ground for cancellation of a positive notice and substitution with a negative notice – a court decision made after the positive notice. This ground was also available subject to new s 119C (Suspension of a positive notice). • Section 119C was amended to require the Commissioner to suspend a person’s positive notice when they were charged with a disqualifying offence or became a relevant disqualified person due to a temporary offender prohibition order. • Section 119(2) was replaced with new s 119(2) providing additional grounds for cancellation of a negative notice and substitution with a positive notice. <p>Other amendments were made to cancellation provisions for consistency with the new disqualification framework.</p> <p><u>Scope of the new disqualification framework</u></p> <p>New Division 4A (Disqualified persons) was inserted in Part 6 (Screening for regulated employment and regulated businesses), with definitions of key terms – ‘disqualifying offence’, ‘disqualified person’ and ‘relevant disqualified person’ – in new ss 120B, 120C, and 120D delineating the scope of the new disqualification framework.</p> <p>New s 120E prohibited disqualified persons applying for or working in regulated employment/business and from applying for a blue card. (See also new s 101(3A) - persons applying for a prescribed notice to carry on a regulated business were required to make a declaration when applying for a blue card that they were not a disqualified person).</p> <p><u>Introduction of eligibility declarations</u></p> <p>New Part 6 (Screening for regulated employment and regulated businesses) Division 4A (Disqualified persons), ss 120F - 120L established an ‘eligibility declaration process’ to allow a disqualified person to seek a declaration by the Commissioner that they were eligible to apply for a blue card – but only if they were not a ‘relevant disqualified person’. The Commissioner could only make the declaration if satisfied that it was an exceptional case in which it would not harm the best interests of children to issue that declaration.</p> <p><u>Other amendments</u> to support and align with the expanded exclusionary (disqualification) framework included:</p> <ul style="list-style-type: none"> • amendments to s 122 (Commissioner may obtain information from police commissioner); • amendment to s 122A (Notice of change in police information about a person) • new s 122B (Commissioner to give notice to particular entities about a change in police information about a relevant person) – which replaced previous s 122B (Commissioner to give notice to employer about making employment-screening decision about employee) (s 126D (Notice of charge or conviction for serious offence) was omitted) • amendments extending provisions for deemed withdrawal of applications where the person is charged with a disqualifying offence, is named as a respondent for an offender prohibition order or becomes the subject of a temporary offender prohibition order (see amended ss 101(7) and 123(3B)). • amendment to s 126C (Disqualification order) to align with the new disqualification framework and to expand the circumstances in which a court could make a disqualification order. <p><u>Schedules – Offences</u></p> <p>Schedule 2 (Current serious offences) was amended with insertion of disqualifying offences to also appear in the serious offence list.</p>

Date	Legislative Event	Description and commentary
		<p>Schedule 2B (Current serious child-related sexual offences) and Schedule 2C (Repealed or expired serious child-related sexual offences) were replaced with</p> <ul style="list-style-type: none"> new Schedule 2B (Current disqualifying offences) – including offences from the <i>Classification of Computer Games and Images Act 1995</i>, <i>Classification of Films Act 1991</i>, <i>Classification of Publications Act 1991</i>, Criminal Code, <i>Crimes Act 1914</i> (Cth), Criminal Code (Cth), and the <i>Customs Act 1901</i> (Cth) new Schedule 2C (Repealed or expired disqualifying offences) – including offences from the Criminal Code. <p>Following amendment, the Act was in this form: Commission for Children and Young People and Child Guardian Act 2000.</p> <p>Changes to the <i>Police Powers and Responsibilities Act 2000</i></p> <p>A new Chapter 23, Part 1A (Provision for Commission for Children and Young People and Child Guardian Act 2000) was inserted, comprised of s 789A (Power to demand production of CCYPCG document) giving a police officer power to demand the production of a “CCYPCG document” if the holder is reasonably suspected of being charged with a “disqualifying offence” or of being a “relevant disqualified person”.</p> <p>A “CCYPCG document” was defined as a positive notice or positive notice blue card with the meaning of the CCYPCG Act.</p> <p>The Explanatory Note described this as a measure to “further strengthen the blue card system”.</p> <p>After amendment, the <i>Police Powers and Responsibilities Act 2000</i> was in this form: Police Powers and Responsibilities Act 2000 - Queensland Legislation - Queensland Government</p>
2009		
1 December 2009	Queensland Civil and Administrative Tribunal (Jurisdictional Provisions) Amendment Act 2009 – commencement date (except for ss 1,2 – 26 June 2006)	<p>Changes to the <i>Child Protection Act 1999</i></p> <p>Relevant changes included amending ss 129, 136-138, 140 and 140AI to include updated reference to rights of review and any right to seek a stay of the relevant decision.</p> <p>After amendment, the Act was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Education (General Provisions) Act 2006</i></p> <p>Relevant changes included renumbering Chapter 12, Part 11 to Part 10.</p> <p>After amendment, the Act was in this form: Education (General Provisions) Act 2006 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>Changes to the CCYP Act:</p> <ul style="list-style-type: none"> amended s 21 to replace the reference to the Children Services Tribunal with QCAT and confer jurisdiction on QCAT to review a child-related employment decision. inserted new ss 128G – 128J dealing with children giving evidence in child-related employment reviews. <p>After amendment, the Act was in this form: Commission for Children and Young People and Child Guardian Act 2000.</p>
2010		
29 January 2010	Education and Training Legislation Amendment Act 2009 – commencement date (except ss 1, 2 – 15 October 2009)	<p>Changes to the <i>Education (General Provisions) Act 2006</i> – Chapter 12, Part 10 (Reporting of sexual abuse)</p> <p>Insofar as it amended the <i>Education (General Provisions) Act 2006</i>, the overall purpose of the amending Act was largely to support pre-school programs (pre-preparatory programs) being provided by schools in Indigenous communities.</p>

Date	Legislative Event	Description and commentary
		<p>The reporting obligation in the amended Chapter 12, Part 10 applied in relation to the sexual abuse of pre-preparatory age children and persons with disability attending programs at schools, as well as primary and secondary school students.</p> <p>The Explanatory Note said, of the amendment to s 365 (in relation to State schools):</p> <p style="padding-left: 40px;">The extension of this obligation is necessary because children undertaking a pre-preparatory learning program at a State school and the children below preparatory age being provided with special education at a State school are not ‘students’ of the school. Therefore, the obligation in section 365 would not apply with respect to them, but for the amendment.</p> <p>After amendment, the <i>Education (General Provisions) Act 2006</i> was in this form: Education (General Provisions) Act 2006 - Queensland Legislation - Queensland Government</p>
1 April 2010	Criminal History Screening Legislation Amendment Act 2010 – commencement date (except ss 1, 2 – 4 March 2010)	<p>Overview</p> <p>The Explanatory Note referred to the main policy objectives of the Bill as being to reduce duplication and increase consistency across criminal history screening systems. The Explanatory Note stated that this would be achieved by providing for the following exemptions:</p> <ul style="list-style-type: none"> • police officers and registered teachers would be able to apply for an exemption from holding a blue card when providing child-regulated services outside of their professional duties • blue card holders would be able to apply for an exemption from holding a yellow card (the yellow card system screened individuals providing services in funded organisations to safeguard adults and children with a disability), and • registered health practitioners (including nurses and midwives) would be automatically exempt from requiring a blue card or yellow card when providing services to children as well as adults with a disability as part of their professional duties. <p>Additionally, the Explanatory Note referred to an intention to:</p> <ul style="list-style-type: none"> • align the exclusionary frameworks across the yellow card, blue card and teacher registration systems so the same ranges of offences were considered and to exclude persons who were subject to reporting obligations under the <i>Child Protection (Offender Reporting) Act 2004</i> or orders under the <i>Child Protection (Offender Prohibition Order) Act 2008</i> or the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i> • align across the yellow card, blue card and teacher registration system similar information which may be disclosed relating to a person’s criminal history, including information from the Director of Public Prosecutions and information about persons who were subject to reporting obligations under the <i>Child Protection (Offender Reporting) Act 2004</i> or orders under the <i>Child Protection (Offender Prohibition Order) Act 2008</i> or the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>. <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>The amending Act replaced the existing Part 6 (Screening for regulated employment and regulated business) with Part 8 (Screening for regulated employment and regulated business) and</p> <ul style="list-style-type: none"> • renumbered provisions and reorganised parts, chapters, divisions, and subdivisions of the CCYPCG Act • reinserted a number of sections of Part 6 without amendment, modified other sections, and inserted entirely new sections for clarity and to incorporate the objectives of the amending legislation. <p>Amongst other things, amendments were made to align all relevant provisions (including provisions for deemed withdrawal of application, blue card suspension, and cancellation) with the expansion of the blue card exclusionary framework to persons subject to orders under the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>.</p> <p><u>Offences and disqualified persons</u></p> <p>The following new provisions were similar to their predecessors, but included significant clarifications / additions to ensure capture of relevant interstate offences as serious and disqualifying offences, and to expand the exclusionary framework to persons subject to orders under the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • New s 167 (What is a serious offence) was substantially similar to previous s99C, with clarification about inclusion of offences under the law of another jurisdiction as serious offences • New s 168 (What is a disqualifying offence) was substantially similar to previous s120B with clarification about inclusion of offences under the law of another jurisdiction as disqualifying offences • New s 169 (Who is a disqualified person) was substantially similar to previous s120, but added a person who is subject to a sexual offender order as a disqualified person. • New s 170 (Who is a relevant disqualified person) was substantially similar to previous s120D, but added a person who is subject to a sexual offender order as a relevant disqualified person. • New s 240 (Suspension of a positive notice if charged with disqualifying offence or subject to temporary or interim order) was similar to previous s 119C, but also provided for suspension of a positive notice on the basis of an interim sexual offender order • A new definition in Schedule 3 (Dictionary) defined <i>sexual offender order</i> as a Division 3 order, interim detention order or interim supervision order under the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>. <p><u>Requirement for blue card</u></p> <p>New provisions setting out prescribed notice requirements were largely similar to previous ss 104A – 107 (with some substantial increases in maximum penalties for breach):</p> <ul style="list-style-type: none"> • New s 188, about starting regulated employment of volunteers, inserted the requirement from the previous s 104B that an employer must not employ a volunteer in regulated employment without a positive notice. Additionally, new s 188: <ul style="list-style-type: none"> ○ required the employer to notify the Commissioner of proposed employment of the employee [volunteer] in regulated employment ○ provided that an employer may employ a volunteer who is transitioning person (def - certain police officers and registers as specified) if the employer had applied for a prescribed notice about that employee • New s 189 was a similar provision to previous s 104BA clarifying a volunteer’s ability to continue in regulated employment for a period following their blue card expiry if they held a current positive notice. The new provision also made note of new ss 230 and 242 in relation to the effect of suspension of a positive notice • New s 191, about regular employees continuing regulated employment, was a similar provision to previous s105. New s191 referred to the threshold ‘minimum frequency for regulated employment’, which was defined in the Schedule 4 Dictionary to correspond to the minimum threshold time/frequency previously referred to in s105 and triggered the requirement for either the employee to be holding a positive prescribed notice or for the employer to have applied for a prescribed notice • New s 192, about regular employees starting regulated employment, was a similar provision to previous s106, also referring to the ‘minimum frequency for regulated employment’ which triggered the requirement for a positive prescribed notice / application for a prescribed notice • New s 193, about new employees starting regulated employment, was a similar provision to previous s106A, also referring to the ‘minimum frequency for regulated employment’ which triggered the requirement for a positive prescribed notice / application for a prescribed notice • New s 194, prohibiting employers from starting or continuing a person in regulated employment the commencement or continuation of regulated employment, was a similar provision to previous s107. New s194 further provides that it is an offence for an employer to employ a person if the employer has been notified that the person signing or making the application is a disqualified person, that the person’s positive notice has been cancelled, or that the person has a change in police information that is a conviction for a serious offence. <p><u>Requirement for blue card exemption for police officers and registered teachers</u></p> <p>New s 173 (Part does not apply to police officers of registered teachers) clarified that Part 4 (Prescribed notices) did not apply to police officers or registered teachers.</p> <p>Part 5 (Exemption notices) (comprised of ss 248 to 304) established the exemption notice regime for police officers and registered teachers, enabling police officers and registered teachers to apply for a blue card exemption when providing child-regulated services</p>

Date	Legislative Event	Description and commentary
		<p>outside of their professional duties. (Note: generally speaking, subsequent changes, which are not set out below, were made to exemption notice provisions to maintain alignment with other regulated employment provisions)</p> <p>These amendments allowed registered teachers and police officers to commence in child-regulated activities (outside their usual professional duties) as long as their employer had applied for an exemption notice for them (see new s 251 (Starting employment)). The Explanatory Note observed that this anomaly was considered justified because, while disqualified persons were prohibited from commencing in child-regulated activities under the blue card system, it was unlikely there would be registered teachers or police officers who would be disqualified persons.</p> <p><u>Notice of change in police information about a person</u></p> <p>New s317 replaced previous s122A. These provisions were largely similar, however, new s 317 added subsections for clarification:</p> <ul style="list-style-type: none"> • Subs (8) – if a person without a previous criminal history acquired one, this would be taken to be a change in criminal history • Subs (9) – the Police Commissioner could disclose information to which the <i>Youth Justice Act 1992</i>, Part 9 applied. (The Youth Justice Act Part 9 deals with confidentiality of information relating to a child who is being / has been dealt with under the Youth Justice Act and confidentiality of information relating to an adult who is being / has been dealt with under that Act for a child offence, as if they were still a child). <p><u>Risk management strategies</u></p> <p>New s 171 inserted a similar provision to previous section 99G, clarifying the requirements in relation to risk management strategies about persons in regulated employment only.</p> <p>New s 172 inserted a substantially similar provision to previous section 99G, clarifying the requirements in relation to risk management strategies about regulated business only.</p> <p><u>Disqualification order</u></p> <p>Section 357 replaced s 126C in substantially similar terms to allow a court to make a disqualification order (for a stated period or indefinitely) in specified circumstances.</p> <p>Note: Information sharing – new provisions were inserted in new Part 6 (Provisions about obtaining or dealing with information relating to prescribed notices and exemption notices), with:</p> <ul style="list-style-type: none"> • new Division 3 (Obtaining police information from other State entities) – information from the Director of Public Prosecutions and from the Chief Executive (Corrective Services) • new Division 4 (Obtaining information from interstate police commissioner) • new Division 6 (Obtaining information about person’s mental health) - including provisions related to information from registered health practitioner, Mental Health Court, or Mental Health Review Tribunal • new Division 7 (Obtaining other information about person’s mental health) - provisions about particular information from the Mental Health Court or Mental Health Review Tribunal). <p><u>Schedules</u></p> <p>Changes were made as follows:</p> <ul style="list-style-type: none"> • Schedule 1 - new s156 was inserted as a similar provision to previous s97 to clarify the types of employment and business regulated by Chapter 8 - regulated employment in part 1 of Schedule 1 and regulated business in part 2 of Schedule 1 and to refer new part 3 of Schedule 1 which was inserted to set out employment to which chapter 8 does not relate. • Schedule 2 Current serious offences remained • Schedule 2A (Repealed or expired serious offences) was renumbered as Schedule 3 • Schedule 2B (Current disqualifying offences) was renumbered as Schedule 4 • Schedule 2C (Repealed disqualifying offences) was renumbered with Schedule 5

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • Schedule 4 (Dictionary) was renumbered Schedule 7 • Schedule 6 (Offences that may form basis of investigative information) was inserted as a new schedule. See also new s 305 (Police commissioner may decide that information about a person is investigative information) which was inserted, as a similar provision to s 121A, and provides that the Police Commissioner may decide that information about a person is investigative information in relation to prescribed notices and exemption notices. <p>Following amendment, the <i>Commission for Children and Young People and Child Guardian Act 2000</i> was in this form: Working with Children (Risk Management and Screening) Act 2000 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Child Protection Act 1999</i></p> <p>Relevant changes included updating to reflect the new criminal screening regime.</p> <p>After amendment, the <i>Child Protection Act 1999</i> was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p>
14 April 2010	<p>Crimes Legislation Amendment (Sexual Offences Against Children) Act 2010 (Cth) – date of assent.</p> <p>Commencement date:</p> <ul style="list-style-type: none"> • ss 1-3 commenced on 14 April 2010, • Schedule 1 (Amendments relating to sexual offences against children) commenced 15 April 2010 and • Schedule 2 (Forfeiture of child sex material) commenced 12 May 2010. 	<p>Overview</p> <p>The Explanatory Memorandum noted that the sexual exploitation of children is a “devastating and widespread form of criminal activity”. It said the Bill:</p> <ul style="list-style-type: none"> • strengthens the existing child sex tourism offence regime • introduces new offences for dealing in child pornography and child abuse material overseas • introduces new offences for using a postal service for child sex-related activity • enhances the coverage of offences for using a carriage service for sexual activity with a child or for child pornography or child abuse material • makes minor consequential amendments to ensure existing law enforcement powers are available to combat Commonwealth child sex-related offences, and • introduces a new scheme to provide for the forfeiture of child pornography and child abuse material and items containing such material. <p>In relation to child sex tourism, the Explanatory Memorandum said the Bill:</p> <p>will repeal the existing child sex tourism offence regime in the Crimes Act and move the provisions to the Criminal Code. It will also strengthen the child sex tourism offence regime by introducing new offences for steps preceding actual sexual activity with a child, improving the operation of existing offences for sexual intercourse or other sexual activity with a child and by introducing new sexual activity offences directed at aggravated conduct, persistent sexual abuse and sexual activity with a young person (between 16 and 18 years of age) where the defendant is in a position of trust or authority in relation to the young person.</p> <p>Changes to the Criminal Code (Cth)</p> <p>Significant changes to the Criminal Code (Cth) made by Schedule 1 to the amending Act included the following.</p> <p>Division 272 (Child sex offences outside Australia)</p> <p>Part IIIA of the <i>Crimes Act 1914</i> (Cth) (Child sex tourism) (which was in this form: Crimes Act 1914) was repealed and those provisions, with changes, were moved to a new Division 272 (Child sex offences outside Australia) in the Criminal Code.</p> <p>The changes were said by the Explanatory Memorandum to be to improve the operation of the existing offences (simplifying their structure and increasing the maximum penalties) and to introduce new offences and new circumstances of aggravation.</p> <p>The changes to the regime included the following new offence provisions:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • s 272.10 (Aggravated offence—child with mental impairment or under care, supervision or authority of defendant) • s 272.11 (Persistent sexual abuse of child outside Australia) • s 272.12 (Sexual intercourse with young person outside Australia—defendant in position of trust or authority) • s 272.13 (Sexual activity (other than sexual intercourse) with young person outside Australia—defendant in position of trust or authority) • s 272.14 (Procuring child to engage in sexual activity outside Australia) • s 272.15 (“Grooming” child to engage in sexual activity outside Australia) • s 272.20 (Preparing for or planning offence against this Division). <p><u>Division 273 (Offences involving child pornography material or child abuse material outside Australia)</u></p> <p>Division 273 (Offences involving child pornography material or child abuse material outside Australia) was inserted, creating a suite of new offences directed at dealings in child pornography and child abuse material overseas. The Explanatory Memorandum explains that this aspect of the Bill was to address the situation where:</p> <p style="padding-left: 40px;">an Australian could travel overseas and make or purchase child pornography or child abuse material and escape punishment, even though the very same behaviour, if committed in Australia or through the Internet, would be a serious criminal offence.</p> <p>The new offences included:</p> <ul style="list-style-type: none"> • s 273.5 (Possessing, controlling, producing, distributing or obtaining child pornography material outside Australia) • s 273.6 (Possessing, controlling, producing, distributing or obtaining child abuse material outside Australia) • s 273.7 (Aggravated offence – offence involving conduct on 3 or more occasions and 2 or more people) <p><u>Division 471, Subdivision B (Offences relating to use of postal or similar service for child abuse material)</u></p> <p>A new Subdivision B (Offences relating to use of postal or similar service for child abuse material) was inserted creating new offences:</p> <ul style="list-style-type: none"> • s 471.16 (Using a postal or similar service for child pornography material) • s 471.17 (Possessing, controlling, producing, supplying or obtaining child pornography material for use through a postal or similar service) • s 471.19 (Using a postal or similar service for child abuse material) • s 471.20 (Possessing, controlling, producing, supplying or obtaining child abuse material for use through a postal or similar service) <p>and new aggravated offences s 471.22 (Aggravated offence – offence involving conduct on 3 or more occasions and 2 or more people).</p> <p><u>Division 471, Subdivision C (Offences relating to use of postal or similar service involving sexual activity with person under 16)</u></p> <p>A new Subdivision C was inserted creating new offences of:</p> <ul style="list-style-type: none"> • Using a postal or similar service to procure persons under 16 (s 471.24) • Using a postal or similar service to “groom” persons under 16 (s 471.25), and • Using a postal or similar service to send indecent material to person under 16 (s 471.26) <p>and making further provision in relation to those offences.</p> <p><u>Division 474 (Telecommunications offences)</u></p> <p>The subdivision heading for Subdivision C was changed to “General offences relating to use of telecommunications”, and a new heading Subdivision D (Offences relating to use of carriage service for child pornography material or child abuse material) was inserted after s 474.18. The new subdivision D was comprised of ss 474.19-474.24C.</p> <p>Other relevant amendments in Subdivision D included:</p> <ul style="list-style-type: none"> • changes to the elements of the offence in s 474.19 (Using a carriage service for child pornography material)

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> changes to the elements of the offence in s 474.22 (Using a carriage service for child abuse material) new aggravated offence s 474.24A (Aggravated offence—offence involving conduct on 3 or more occasions and 2 or more people) new s 474.24B (Alternative verdict if aggravated offence not proven) new s 474C (Consent to commencement of proceedings where defendant under 18). <p>A new Subdivision F (Offences relating to use of carriage service involving sexual activity with person under 16) was inserted, comprised of:</p> <ul style="list-style-type: none"> s 474.25A (Using a carriage service for sexual activity with person under 16 years of age) s 474.25B (Aggravated offence—child with mental impairment or under care, supervision or authority of defendant) <p>Following the amendments, the Criminal Code (Cth) was in this form: Federal Register of Legislation - Criminal Code Act 1995</p> <p>Changes to other laws</p> <p>Schedule 2 to the amending Act included consequential amendments to other laws including:</p> <ul style="list-style-type: none"> <i>Crimes Act 1914</i> <i>Telecommunications (Interception and Access) Act 1979</i>
1 October 2010	<p>Child Protection and Other Acts Amendment Act 2010 – relevant provisions commenced.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 08 September 2010 ss 1–2 commenced on date of assent pt 2 hdg, ss 3–9, 12, 18, 32, 37, 41–42, 47–48, 50–55, 58–61, 67–76, 80–84, 86, 89–91, 93(1) (to the extent it oms defs criminal history and member of a person’s household), 93(2) (to the extent it ins defs charge, criminal history, member, relevant child and spent conviction) 93(3), commenced 1 October 2010 (2010 SL No. 272) ss 62–65, 93 (1) (to the extent it oms def disqualifying event), 93(2) (to the extent it ins def prohibiting event) commenced 29 November 2010 (2010 SL No. 272) remaining provisions commenced 29 August 2011 (2011 SL No. 163) 	<p>Overview</p> <p>The Explanatory Note said:</p> <p>Queensland is experiencing a significant increase in reports to statutory child protection services. The majority of allegations of harm and risk of harm to children reported to the Department of Communities (Child Safety Services) (the department) do not meet the threshold for statutory intervention under the Child Protection Act 1999 (the Act). Presently, referral to the department does not necessarily link the child or family with support services or other assistance until the child’s need of protection reaches the threshold for statutory intervention.</p> <p>It continued:</p> <p>The department has identified the “Helping Out Families” initiative to provide the right type of support, through non-statutory secondary services, to vulnerable children, young people and their families as early as possible.</p> <p>The intention is to ensure children and young people have the opportunity to remain in a stable, functioning family environment without the need to enter the statutory child protection system before they can receive support.</p> <p>Changes to Chapter 4, Part 2, Division 2 of the <i>Child Protection Act 1999</i> (Licensing of care services)</p> <p>These included:</p> <ul style="list-style-type: none"> amendment of s 126 (Restrictions on granting application) to add two new paragraphs: <ul style="list-style-type: none"> (g) requiring that the applicant corporation has a primary function which relates to the care of children in need of protection who are in the custody or guardianship of the Chief Executive, and (h) requiring that any accommodation provided to children in need of protection by the applicant corporation is, and will continue to be, at a place the applicant has a suitable right to occupy. insertion of new s 129A (Licensee’s obligations) requiring licensees to ensure that: <ul style="list-style-type: none"> their services meet the standards in the statement of standards each person engaged to provide care services is a suitable person Chapter 8 of the <i>Commission for Children and Young People and Child Guardian Act 2000</i> (Working with children clearance requirements) is complied with.

Date	Legislative Event	Description and commentary
		<p>After amendment, the <i>Child Protection Act 1999</i> was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>This Act made various amendments to the CCYPCG Act 2000 to:</p> <ul style="list-style-type: none"> reinstate the Commissioner's powers for assessing the suitability of persons engaged or proposed to be engaged at the Commission – inserted Chapter 8A (Criminal history checks, and assessing suitability, of persons engaged by the commission); amended s 343 (Commissioner must give information about particular approved teachers to college of teachers) to ensure the Commissioner could provide updated advice to the Queensland College of Teachers where there was a change in the person's blue card status or police information in relation to persons who have their blue card recognised for teacher registration or permission to teach applications – remove anomalies and ambiguities identified during implementation of the <i>Criminal History Screening Legislation Amendment Act 2010</i>. <p>After amendment, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000 - Queensland Legislation - Queensland Government</p>
1 December 2010	Dangerous Prisoners (Sexual Offenders) and Other Legislation Amendment Act 2010 – commenced (except ss 1, 2 8 September 2010).	<p>The Explanatory Note stated that the Bill was in response to a 2008 legislative review report entitled A New Public Protection Model for the Management of High Risk Sexual and Violent Offenders.</p> <p>Changes to the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i></p> <p>The amendments included:</p> <ul style="list-style-type: none"> Introduction of a new s 8A allowing the Attorney General to furnish the Court with a report by the Chief Executive of the Department of Community Safety setting out the requirements for the adequate protection of the community if the prisoner concerned is released under a supervision order, and whether it is practicable for corrective services officers to manage those requirements, amendment of s 13(6) to require that the Court consider whether a supervision order is adequate protection for the community and whether its conditions are practicable for corrective services officers, inserted a new s 13A requiring that a supervision order state the period for which it is to have effect (to be at least 5 years), in Division 3B, before s 16, inserted a new subdivision heading "Subdivision 1 Requirements for supervised release", after s 16, inserted a new subdivision heading "Subdivision 2 Directions to released prisoners", amendment of s 16A (Curfew and monitoring devices) by insertion of a new subsection (4) requiring that a s 16A direction must not be inconsistent with the supervision order, insertion of ss 16B to 16D making further provision in relation to giving directions to released prisoners, insertion of Part 2, Division 4A allowing applications to the Court to extend the operation of a supervision order, insertion of Part 4 which contains offence provisions including: <ul style="list-style-type: none"> s 43AA (Contravention of relevant order), and s 43AB (Applying for name change without permission). <p>After amendment, the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i> was in this form: Dangerous Prisoners (Sexual Offenders) Act 2003 - Queensland Legislation - Queensland Government</p>
2011		
1 July 2011	Child Protection (Offender Reporting) and Other Legislation Amendment Act 2011 – commenced (except ss 1, 2 14 April 2011)	<p>Overview</p> <p>The Explanatory Note said that the Bill:</p>

Date	Legislative Event	Description and commentary
		<p>encompasses a suite of amendments to enhance the <i>Child Protection (Offender Reporting) Act 2004</i> and the national (ANCOR) scheme by implementing amendments that contribute towards national legislative consistency in compliance management and monitoring of reportable offenders and improvements in investigation of any suspected non-compliance to ensure the highest possible levels of protection for children.</p> <p>Specifically, the Bill was said to:</p> <ul style="list-style-type: none"> • Reduce the time limit for initial reports; • Expand the personal details required to be reported; • Reduce the time for reporting the names and ages of any children who ‘generally reside’ with a reportable offender, or with whom they have regular ‘unsupervised contact’; • Require reportable offenders to obtain the Police Commissioner’s approval before changing their name; • Require reportable offenders to present their passport and travel documents for inspection after returning from travel outside Australia; • Implement safeguards for persons with special needs when reporting; • Allow DNA samples to be taken from reportable offenders as permitted, if no record exists; • Increase the penalties for ‘failing to comply with reporting obligations’, or giving ‘false or misleading information’, and re-classify these offences as crimes; • Add further Class 1 and 2 offences listed respectively in Schedules 1 and 2 of the <i>Child Protection (Offender Reporting) Act 2004</i>; • Allow ‘offender reporting orders’ to be made for the Criminal Code offences of s 354 (child) ‘Kidnapping’, s 363 ‘Child-stealing’ and s 363A ‘Abduction of a child under 16’; and • Declare that the disclosure and release of information to all other Australian police jurisdictions for the purposes of <i>Child Protection (Offender Reporting) Act 2004</i> and corresponding legislation is and always was lawful. <p>Changes to <i>Child Protection (Offender Reporting) Act 2004</i> (CPOR Act)</p> <p>Relevant changes to the CPOR Act included:</p> <ul style="list-style-type: none"> • amendment of s 13 (Offender reporting orders) altering the court’s discretion to make a reporting order • amendment of s 14 (When initial report must be made) and s 15 (When offender must make new initial report after previous reporting obligations have stopped) shortening the times within which a regulated offender was required to make their initial report • amendment of s 16 (Personal details that are to be reported) expanding the range of matters to be reported, to include details of carriage services, internet service providers, any email addresses and/or other electronic identifiers used or intended to be used by a reportable offender • amendment of s 19 (Reportable offender must report changes to relevant personal details) to, amongst other things, shorten the period within which regulated offenders were required to report certain details • insertion of Part 4, Division 5A (Obligations about DNA sampling and analysis) comprised of s 40A (Allowing DNA sample to be taken) • amendment of ss 50 (Fail to comply with reporting obligations) and 51 (False or misleading information) by increasing the penalties for the offences • insertion of new Part 5A (Change of name) comprised of s 74A (Change of name of reportable offender) requiring a reportable offender to obtain police permission to change their name • amendment of Schedules 1 and 2 to expand the lists of class 1 and class 2 offences listed in those schedules, including to reflect recent amendments to the Criminal Code (Cth). <p>After amendment, the CPOR Act was in this form: Child Protection (Offender Reporting) Act 2004 - Queensland Legislation - Queensland Government</p>

Date	Legislative Event	Description and commentary
		<p>Changes to other laws</p> <p>The amending Act also included changes to other laws including <i>Police Powers and Responsibilities Act 2000</i>.</p>
5 August 2011	Commission for Children and Young People and Child Guardian Regulation 2011 – commencement date	Of note, clause 3 of the Regulation prescribed matters to be included in risk management strategies, as required by ss 171(1)(b) and 172(b) of the Act.
2012		
1 January 2012	Education and Care Services National Law (Queensland) Act 2011 and the Education and Care Services National Law (Queensland) – commenced	<p>Overview</p> <p>The Explanatory Note said:</p> <p>The principal objectives of the Bill are to</p> <ul style="list-style-type: none"> (a) apply the <i>Education and Care Services National Law</i> (the National Law) set out in the Schedule to the <i>Education and Care Services National Law Act 2010</i> (Victoria) as a law of Queensland; (b) amend the <i>Child Care Act 2002</i> so that it no longer applies to the early childhood education and care services that will be covered by the National Law; and (c) make consequential amendments to other legislation. <p>It explained that the National Law had grown from the <i>National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care</i> endorsed by the Council of Australian Governments in December 2009.</p> <p>It explained that the National Law establishes the National Quality Framework, which is comprised of:</p> <ul style="list-style-type: none"> • the National Law; • the National Regulations; • the National Quality Standard; and • the prescribed rating system. <p>It continued:</p> <p>The National Quality Framework provides for a national approach to the regulation, assessment and quality improvement of early childhood education and care and outside school hours care by</p> <ul style="list-style-type: none"> • creating a single, uniform national regulatory system to replace existing separate licensing and quality assurance processes in each jurisdiction for pre-school (kindergartens in Queensland), long day care, family day care and outside school hours care; • instituting a new national quality assessment and public rating system for education and care services, to provide families with better information for making choices about their children’s education and care as well as driving quality improvement; • setting up a new National Quality Standard to ensure the safety, health and wellbeing of children attending long day care, family day care, preschool and outside school hours care services, as well as improving their educational and developmental outcomes; • giving primary responsibility for approval, monitoring and quality assessment of services to State and Territory Regulatory Authorities; • setting up a new, joint national authority – the Australian Children’s Education and Care Quality Authority – to oversee the National Quality Framework and guide the consistent and effective implementation of the new system across Australia. <p>The <i>Education and Care Services National Law (Queensland) Act 2011</i> applied the National Law in Queensland. It also amended the <i>Child Care Act 2002</i> so that it no longer applied to the early childhood education and care services covered by the National Law.</p>

Date	Legislative Event	Description and commentary
		<p><i>Education and Care Services National Law (Queensland) Act 2011</i></p> <p>Relevant provisions of the new Act included:</p> <ul style="list-style-type: none"> • s 4 (Adoption of Education and Care Services National Law) • s 16 (Working with children law) • Part 3 (Matters relating to the Commissioner’s Act) including <ul style="list-style-type: none"> ○ Division 2 (Giving or obtaining particular information) comprised of ss 20-22 ○ Division 3 (Application of Commissioner’s Act) comprised of ss 23-26 • s 27 (Giving information to children’s commissioner about disciplinary action) being a transitional provision relating to disciplinary action commenced under s 50A of the <i>Child Care Act 2002</i> <p><i>Education and Care Services National Law</i></p> <p>Relevant provisions of the National Law (set out in the schedule to the <i>Education and Care Services National Law Act 2010</i> (Vic)) as applied in Queensland included:</p> <ul style="list-style-type: none"> • s 3 (Guiding principles) • s 4 (How functions to be exercised) • s 165 (Offence to inadequately supervise children) • s 167 (Offence relating to protection of children from harm and hazards) • s 169 (Offence relating to staffing arrangements) • s 173 (Offence to fail to notify certain circumstances to Regulatory Authority) • s 174 (Offence to fail to notify certain information to Regulatory Authority) • s 175 (Offence relating to requirement to keep enrolment and other documents) • Part 4 (Compliance with this Law) including: <ul style="list-style-type: none"> ○ Division 3 (Prohibition notices) comprised of ss 182-188 ○ Division 4 (Emergency removal of children) comprised of s 189 • Division 6 (Disclosure of information) of Part 13 (Information, records and privacy) comprised of ss 271-273 <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p><i>Education and care service</i> was defined in Schedule 7 (Dictionary) by reference to the definition of the term in the Education and Care Services National Law (Queensland), s5(1). The definition encompassed services providing or intended to provide education and care on a regular basis to children under 13 years of age – for example long day care services, family day care services, outside school hours services and preschool programs including those delivered in schools, unless expressly excluded. School education, personal arrangements and other specified types of services (such as a preschool program delivered to fewer than 6 children in a school in classes alongside a full-time education program delivered to school children).</p> <p>Changes to Schedule 1 (Regulated employment and businesses for employment screening) included:</p> <ul style="list-style-type: none"> • s 4 (Child care and similar employment) – heading re-named • s 4A (Education and care services and similar employment) – regulated employment if <ul style="list-style-type: none"> ○ it is employment as an educator in, or staff member of, an education and care service ○ any of the usual functions of the employment is carried out, or is likely to be carried out, at education and care service premises while children are being educated and cared for at the premises, or ○ the usual functions of the employment include, or are likely to include providing education and care as part of commercial service which is not an education and care service (eg, babysitting service, nanny service, service conducted by a hotel or resort for children who are short-term guests, service providing adjunct care). <p>This category excluded volunteer parents of a child to whom education and care is regularly provided as part of the services</p> • s 18 (Child care services and similar businesses) – heading re-named

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • s 18A (Education and care services and similar businesses) - provided for businesses to be a regulated business if their usual activities are (or likely to be) providing education and care or another commercial service that includes providing education and care to children or carrying out activities in premises or a vehicle in which there are children to whom education and care is being provided. <p>After amendment, the Act was in this form: Commission for Children and Young People and Child Guardian Act 2000.</p> <p>Changes to other laws</p> <p>The <i>Education and Care Services National Law (Queensland) Act 2011</i> made consequential amendments to numerous other Acts including:</p> <ul style="list-style-type: none"> • <i>Child Care Act 2002</i> • <i>Child Protection Act 1999</i> • <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2008</i> • <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i> • <i>Education (General Provisions) Act 2006</i> • <i>Public Health Act 2005</i>
1 January 2012	Education and Care Services National Regulations – commencement date	<p>The Regulations, which originated as and are amended by regulations in New South Wales, are applied as a Queensland law under the <i>Education and Care Services National Law (Queensland) Act 2011</i> and the <i>Education and Care Services National Law (Queensland)</i>.</p> <p>There is no separate official explanatory document for the Regulations. As described on the Australian Children’s Education & Care Quality Authority (ACECQA) website, the Regulations:</p> <p>support the National Law by providing detail on a range of operational requirements for an education and care service including:</p> <ul style="list-style-type: none"> • the National Quality Standard (schedule 1) • application processes for provider and service approval • setting out the rating scale • the process for the rating and assessment of services against the National Quality Standard • minimum requirements relating to the operation of education and care services organised around each of the seven quality areas • staffing arrangements and qualifications • fees for a range of transactions • jurisdiction-specific provisions <p>Relevant provisions, on commencement, included:</p> <ul style="list-style-type: none"> • Chapter 1 (Preliminary), including s 12 (Meaning of serious incident) • Chapter 2 (Approvals and certificates) • Chapter 3 (Assessments and ratings) • Chapter 4 (Operational requirements) including Part 4.2 (Children’s health and safety) which included: <ul style="list-style-type: none"> ○ reg 84 (Awareness of child protection law) ○ reg 85 (Incident, injury, trauma and illness policies and procedures) ○ reg 86 (Notification to parents of incident, injury, trauma and illness) ○ reg 87 (Incident, injury, trauma and illness record) • Part 4.3 (Physical environment) of Chapter 4, which includes reg 115 (Premises designed to facilitate supervision) • Part 4.4 (Staffing arrangements) of Chapter 4, which included Division 9 (Staff and educator records – centre-based services) comprised of regs 145-152, • Part 4.7 (Leadership and service management) including

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> ○ Division 1 (Management of services), Subdivision 2 (Residents at family day care residences and family day care educator assistants) comprised of regs 163-166 ○ Division 2 (Policy and procedures) comprised of regs 168-172 ○ Division 3 (Information and record-keeping requirements), Subdivision 1 (Display and reporting of prescribed information) comprised of regs 173-176 ○ Subdivision 2 (Prescribed records) comprised of regs 177-179 ● Chapter 7 (Jurisdiction-specific and transitional and saving provisions) including Part 7.5 (Queensland-specific provisions) <p>Note: The heading for Part 4.7 of Chapter 4 was changed to “Governance and leadership” by the Education and Care Services National Amendment Regulations 2018.</p>
2013		
29 January 2013	<p>Education and Training Legislation Amendment Act 2011 – relevant provisions commenced.</p> <p>Details:</p> <ul style="list-style-type: none"> • date of assent 24 November 2011 • ss 1–2 commenced on date of assent • ss 5–6 commenced 9 December 2011 (2011 SL No. 276 item 1) • ss 9, 11 (to the extent it ins s 366A) commenced 29 January 2013 (2012 SL No. 229) (proposed commencement 25 November 2013 (2012 SL No. 170)) • remaining provisions commenced 9 July 2012 (2012 SL No. 70) <p>Amending legislation</p> <p>Education Legislation Amendment Act 2012 No. 35 s 1, pt 2 (amends 2011 No. 39 above)</p> <ul style="list-style-type: none"> • date of assent 22 November 2012 • commenced on date of assent 	<p>Overview</p> <p>The Explanatory Note said:</p> <p>The Bill aims to protect the safety and wellbeing of Queensland students through amendments relating to reporting of sexual abuse and cancellation of teacher registration and makes other minor and technical amendments.</p> <p>It continued:</p> <p>The Bill will amend the Education (General Provisions) Act 2006 (EGPA) to:</p> <ul style="list-style-type: none"> (i) extend the mandatory requirements regarding the reporting of sexual abuse to include reporting where a staff member becomes aware, or reasonably suspects a student (who is a child or a student with a disability) has been sexually abused by any person, or reasonably suspects a student is likely to be sexually abused by any person; (ii) allow directors of non-state school governing bodies to delegate their function to make and receive reports about sexual abuse under the EGPA; and (iii) promote timely reporting by requiring principals to report allegations of sexual abuse or a likelihood of sexual abuse directly to the police. <p>Changes to the <i>Education (General Provisions) Act 2006</i> – Chapter 12, Part 10 (Reporting of sexual abuse)</p> <p>The amendments included:</p> <ul style="list-style-type: none"> • amendment to ss 365 (Obligation to report sexual abuse of person under 18 years at State school) and s 366 (Obligation to report sexual abuse of person under 18 years at non-State school) extending the obligation to reporting sexual abuse by <i>any person</i> (not just by a school employee)(i), and • insertion of new s 365A (Obligation to report likely sexual abuse of person under 18 years at State school) s 366A (Obligation to report likely sexual abuse of person under 18 years at non-State school) requiring sexual abuse that a staff member reasonably suspects is <i>likely</i> to occur (not just sexual abuse that has or may have occurred) to be reported. <p>The Explanatory Notes said of the extension of the reporting obligation:</p> <p>This proposal aligns with the current procedure in state schools. It embeds in legislation what is already established in student protection policy – namely that staff members are obliged to report sexual abuse, or risk of sexual abuse, of any students by any person. It is also supported by recommendations of a 2010 Queensland University of Technology report titled Teachers reporting child sexual abuse: Towards evidence-based reform of law, policy and practice (QUT Report).</p> <p>Expanding the statutory reporting requirements acknowledges the profound damage that is caused to children and young people by sexual abuse. The proposed changes reinforce the duty of care that schools have to report and prevent sexual abuse.</p>

Date	Legislative Event	Description and commentary
		<p>The amendments will raise Queensland’s threshold for reporting risk of sexual abuse to be equivalent to, or higher than, requirements in other jurisdictions.</p> <p>Changes were also made in relation to delegation of the duty to report in non-State schools.</p> <p>The amended Act was in this form: Education (General Provisions) Act 2006 - Queensland Legislation - Queensland Government</p> <p>Notes:</p> <ol style="list-style-type: none"> Some aspects of the amended Chapter 12, Part 10 had already commenced in July 2012. Chapter 12, Part 10 of the <i>Education (General Provisions) Act 2006</i> was further amended in 2014, 2015 and 2018, but only in minor respects. <p>Changes to other laws</p> <p>The amending Act also made changes to the <i>Education (Queensland College of Teachers) Act 2005</i> as well as various other Acts.</p>
26 February 2013	Classification of Computer Games and Images and Other Legislation Amendment Act 2013 – date of assent and commencement date of relevant provisions.	<p>Changes to the <i>Classification of Films Act 1991</i></p> <p>Amendments include a change to s 38 (Exhibition of an R 18+ or objectionable film before a minor) to increase the penalty for the subsection (1) offence from 10 to 50 penalty units.</p> <p>After amendment, the Act was in this form: Classification of Films Act 1991 - Queensland Legislation - Queensland Government</p>
8 March 2013	Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013 (Cth) – commencement date.	<p>Changes to the Criminal Code (Cth)</p> <p>The Act made a minor amendment to s 271.4 (Offence of trafficking in children)</p> <p>After amendment, the Criminal Code (Cth) was in this form: Criminal Code Act 1995 - Federal Register of Legislation</p>
29 April 2013	Criminal Law (Child Exploitation and Dangerous Drugs) Amendment Act 2013 – commencement date.	<p>Overview</p> <p>The Explanatory Note says that the Bill delivered on the Government’s pledge to “address ... penalties for child pornography and some child sex offences, including a new child grooming offence”. It referred to the Queensland Government’s <i>Six Month Action Plan</i> where the Government pledged to amend laws to “address synthetic drugs, penalties for child pornography and some child sex offences, including a new child grooming offence”.</p> <p>The Explanatory Note described the Bill’s objectives as being to make amendments to amend the Criminal Code with respect to child exploitation material offences and other child sexual abuse offences, amend the <i>Drugs Misuse Act 1986</i> and the <i>Evidence Act 1977</i>, and to amend the <i>Commission for Children and Young People and Child Guardian Act 2000</i> and the <i>Disability Services Act 2006</i> with respect to offences relevant to the issue and management of the Blue and Yellow Card systems (that is, the Yellow Card system administered under the <i>Disability Services Act 2006</i> to determine a person’s eligibility to work in a place where disability services are provided).</p> <p>Changes to Chapter 22 of the Criminal Code</p> <p>Insofar as it amended Chapter 22 of the Criminal Code, the amending Act, amongst other things:</p> <ul style="list-style-type: none"> amended the definition of “child exploitation material” created a new circumstance of aggravation for: <ul style="list-style-type: none"> s 208 (Unlawful sodomy), s 210 (Indecent treatment of children under 16), s 215 (Carnal knowledge with or of a children under 16) where the offence is committed against a child with an impairment of mind, substituted parts of s218A (Using internet etc. to procure children under 16) inserted a new s 218B (Grooming children under 16)

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> amended s 222 (Incest) by restricting the defence provided for increased the penalties for various offences <p>After amendment, the Criminal Code was in this form: Criminal Code Act 1899 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Child Protection (Offender Reporting) Act 2004</i> (CPOR Act)</p> <p>Schedule 2 (Class 2 offences) was changed to add an entry for s 218B of the Criminal Code at item 1(a).</p> <p>After amendment, the CPOR Act was in this form: Child Protection (Offender Reporting) Act 2004 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>At this time, both the CCYPCG Act and the <i>Disability Service Act 2006</i> contained schedules of serious and disqualifying offences for the Blue and Yellow Cards respectively, as well as schedules of offences that could form the basis of investigative information. According to the Explanatory Note, these amendments to the CCYPCG Act and the <i>Disability Services Act 2006</i> offence schedules and transitional arrangements were intended to reflect changes made to criminal laws by the Commonwealth and by the <i>Criminal Law (Child Exploitation and Dangerous Drugs) Amendment Act</i>.</p> <p>Changes to the CCYPCG Act included:</p> <ul style="list-style-type: none"> new Schedule 6A (Repealed or expired offences that may form basis of investigative information) amending s 305 (Police commissioner may decide that information about a person is investigative information) new s 510 (Definitions for pt 16) prescribed definitions for new chapter 11, part 16 – including definitions for: <ul style="list-style-type: none"> <i>new disqualifying offence</i> and <i>new serious offence</i> <i>new disqualified person</i> <i>new relevant disqualified person</i> <p>In addition, the CCYPCG Act offence schedules were updated to align with changes made to Commonwealth and Queensland offences and to ensure relevant offence types would be properly considered for the purposes of employment screening:</p> <ul style="list-style-type: none"> Schedule 2 (Current serious offences), Schedule 3 (Repealed or expired serious offences), Schedule 4 (Current disqualifying offences), Schedule 5 (Repealed or expired disqualifying offences), and Schedule 6 (Offences that may form basis of investigative information) were all amended new Schedule 6A (Repealed or expired offences that may form basis of investigative information) was inserted. <p>Amendments were made to Schedule 7 (Dictionary) – new definitions for the terms <i>amended Act</i>, <i>new disqualified person</i>, <i>new disqualifying offence</i>, <i>new relevant disqualified person</i> and <i>new serious offence</i> and definition of <i>commencement</i> was amended</p> <p>After amendment, the <i>Commission for Children and Young People and Child Guardian Act 2000</i> was in this form: Commission for Children and Young People and Child Guardian Act 2000.</p>
1 September 2013	Education and Care Services National Amendment Regulations 2013 – commenced.	<p>Changes to the <i>Education and Care Services National Regulations</i></p> <p>Relevant changes included:</p> <ul style="list-style-type: none"> amending reg 12 (Meaning of serious incident) by substituting a new paragraph (b) amending reg 146 (Nominated supervisor) by substituting a new paragraph (d) and inserting paragraphs (e) and (f) amending reg 147 (Staff members) by substituting a new paragraph (d) and inserting paragraphs (e) and (f) amending reg 163 (Residents at family day care residence and family day care educator assistants to be fit and proper persons) by amending sub-reg (4) and inserting a new sub-regs (4A), (4B) and (4C) amending reg 175 (Prescribed information to be notified to Regulatory Authority) by adding new paragraph (2)(ca)

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> amending reg 176 (Time to notify certain information to Regulatory Authority) by adding new paragraph (2)(ba) <p>Following amendment the Regulations were in this form: Education and Care Services National Regulations (2011 SI 653) - NSW Legislation</p>
1 November 2013	<u>Directors' Liability Reform Amendment Act 2013</u> – relevant provision commenced	<p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>According to the Explanatory Note the objectives of the Bill for the amending legislation were to:</p> <ul style="list-style-type: none"> reduce the number of provisions which impose personal and criminal liability on executive officers for corporate fault and only provide for this liability where there is adequate justification reduce red tape and the regulatory burden placed upon Queensland business, and achieve greater consistency of approach to the liability of executive officers of corporations with other Australian jurisdictions. <p>The Commission for Children and Young People and Child Guardian Act 2000 was amended with the removal of s383 (Executive officers must ensure corporation complies with Act).</p> <p>After amendment, the Act was in this form: Commission for Children and Young People and Child Guardian Act 2000.</p>
2014		
1 January 2014	<u>Education and Care Services Act 2013</u> – commenced (except for ss 1-2 23 September 2013).	<p>Overview</p> <p>The Explanatory Note said the objectives of the Bill were to:</p> <ol style="list-style-type: none"> establish a new regulatory framework for services currently regulated under the <i>Child Care Act 2002</i> that aligns with the <i>Education and Care Services National Law (Queensland) Act 2011</i> whilst retaining some elements of the <i>Child Care Act 2002</i>; repeal the <i>Child Care Act 2002</i>; and make consequential amendments to other legislation. <p>It noted that some 2% of services that had been regulated under the <i>Child Care Act 2002</i> (which were generally speaking small scale services operating in regional and remote areas) would not be regulated under the National Law. A hybrid model using elements of the National Law and the <i>Child Care Act 2002</i> was favoured for their regulation.</p> <p><i>Education and Care Services Act 2013</i></p> <p>Relevant provisions of the Act included:</p> <ul style="list-style-type: none"> Division 3 (Other requirements) of Part 4 (Conduct of QEC approved services) which included: <ul style="list-style-type: none"> s 121 (Children must be adequately supervised) s 122 (Children must be protected from harm and hazards) s 126 (Failure to notify chief executive of change in suitability to operate QEC service) s 127 (Failure to report serious incident or complaint) Part 5 (Stand alone services) including: <ul style="list-style-type: none"> s 133 (Suitability of other persons in home where stand-alone service operates) Division 7 (Monitoring suitability of relevant persons) in Part 6 (Monitoring and enforcement), which comprised: <ul style="list-style-type: none"> s 190 (Suitability of persons in home in which stand-alone education and care is provided) s 191 (Chief executive may obtain information about suitability checks) s 192 (Notification that an occupant is a disqualified person) <p>Repeal of the <i>Child Care Act 2002</i></p> <p>Section 245 of the <i>Education and Care Services Act 2013</i> repealed the <i>Child Care Act 2002</i>.</p>

Date	Legislative Event	Description and commentary
		<p>The <i>Child Care Regulation 2003</i> lapsed at the same time the Act was repealed.</p> <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000</i></p> <p>The Act amended Schedule 1 (Regulated employment and businesses for employment screening) by:</p> <ul style="list-style-type: none"> substituting a new s 4 (Education and care services and similar employment) provided for regulated employment at an education and care service or a QEC service or other commercial service substituting a new s 4A (Education and care services and similar employment) substituting a new s 18 (Education and care services and similar businesses) to regulate businesses if their usual activities include, or are likely to include providing an education and care service or QEC service or another commercial service that includes providing education and care to children, or carrying out activities in premises or a vehicle in which there are children to whom education and care is being provided substituting a new s 18A (Child care and similar businesses) to regulate regulated businesses if their usual activities include, or are likely to include providing a commercial service that includes child care, or carrying out activities in premises or a vehicle in which there are children to whom child care is being provided. <p>Following amendment, the <i>Commission for Children and Young People and Child Guardian Act 2000</i> was in this form: Working with Children (Risk Management and Screening) Act 2000 - Queensland Legislation - Queensland Government</p>
1 January 2014	Education and Care Services Regulation 2013 (Qld) – commenced (except for ss 1-2 which commenced on the date of notification – 6 December 2013)	<p>Made under the <i>Education and Care Services Act 2013</i>, this Regulation included, relevantly:</p> <ul style="list-style-type: none"> s 22 (Serious incidents—Act, s 127(4)) s 23 (Record of incident, injury, trauma and illness—Act, s 244(2)(c)) s 34 (Premises designed to facilitate supervision—Act, s 244(2)(e)) Part 6 (Information, records and privacy) comprising ss 61-70 Schedule 4 (Prescribed records) <p>Explanatory Note</p>
28 May 2014	<p>Child Protection Reform Amendment Act 2014 – date of assent</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> Parts 3 and 5 – 28 May 2014 Part 2 (Amendment of the <i>Child Protection (Offender Reporting) Act 2004</i>) and most other provisions – 1 July 2014 Remaining provisions, namely: <ul style="list-style-type: none"> (a) sections 5, 6, 8, 16(2), 22, 25(1) and 26(1); (b) section 40(2) to the extent it inserts new definitions <i>registered nurse</i>, <i>reportable suspicion</i>, <i>school</i> and <i>teacher</i>; (c) Part 7 <p>19 January 2015</p>	<p>Overview</p> <p>This significant amending Act was a response to the Queensland Child Protection Commission of Inquiry (Carmody Inquiry) which reported in June 2013 (Taking Responsibility: A Roadmap to Reform) (Carmody Report).</p> <p>Amongst other things, Carmody Report recommendations and consequent legislative reforms were aimed at addressing risk of systemic failure, including because of over-reporting, in Queensland’s child protection system.</p> <p>The Explanatory Note noted that professionals including health professionals, teachers and police, were responsible for the majority of reports to Child Safety. As noted by the Explanatory Note, the Carmody report suggested one of the reasons for over-reporting was inconsistency between reporting obligations for different groups – for example, the threshold relevant to reporting obligations for doctors and nurses contained in the <i>Public Health Act 2005</i> was broader than the threshold for statutory child protection intervention in the <i>Child Protection Act</i>.</p> <p>The <i>Child Protection Reform Act</i>’s consolidation of all mandatory reporting requirements into the <i>Child Protection Act 1999</i> sought to reduce unsustainable demand on the child protection system.</p> <p>The Explanatory Note said the Bill was also intended to implement recommendations of the Inquiry in relation to:</p> <ul style="list-style-type: none"> oversight of the child death review process, complaints about the child protection system, changes to the administration of working with children checks (WWCC) and improvements to the administration of the Children’s Court.

Date	Legislative Event	Description and commentary
		<p>These reforms, and a commitment to commission a comprehensive independent policy and business process review, including a review of whether the WWCC scheme should be simplified, were made in the context of the then ongoing Royal Commission into Child Sexual Abuse review of WWCC schemes across Australia (see the Royal Commission’s 2015 Working with Children Checks Report).</p> <p>Changes to the <i>Commission for Children and Young People and Child Guardian Act 2000 – the Working with Children (Risk Management and Screening) Act 2000</i></p> <p><u>Title of the Act</u></p> <p>The long title of the Act was amended to “An Act to establish a scheme requiring the development and implementation of risk management strategies, and the screening of persons employed in particular employment or carrying on particular businesses, to promote and protect the rights, interests and wellbeing of children in Queensland”.</p> <p>The short title of the Act was amended to the <i>Working with Children (Risk Management and Screening) Act 2000</i> (also referred to as the WWC Act in this table).</p> <p><u>Objects and principles</u></p> <p>A new s 5 replaced the previous broader object with a more WWCC-specific object</p> <p>Section 6 (Principles for administering this Act) was amended to provide more simply that the Act was to be administered under the principle that the welfare and best interests of a child are paramount and every child is entitled to be cared for in a way that protects them from harm and promotes their wellbeing.</p> <p>A new s 7 (Administration of this Act in the Public Safety Business Agency) provided for the Act (and the scheme) to be administered in the new Public Safety Business Agency (PBSA).The WWC Act now referred to the Chief Executive, rather than the Commissioner (for children and young people), as the WWC decision maker.²</p> <p><u>Referral of matters or offences to other persons</u></p> <p>Section 25 (previously s 20, renumbered to s 25 by the <i>Criminal History Screening Legislation Amendment Act 2010</i>) was repealed with effect 1 July 2014.</p> <p>A number of other amendments were made to align terminology, definitions and functions with the new administrative arrangements.</p> <p>Following the amendments, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Child Protection Act 1999</i></p> <p>The Explanatory Note said that, amongst other things:</p> <p style="padding-left: 40px;">the Commission suggested that one of the reasons there is a large discrepancy between the number of reports received and those that meet the threshold for statutory child protection intervention is because Queensland’s reporting obligations are fragmented, confusing and inconsistent.</p> <p style="padding-left: 40px;">The Commission made a number of recommendations aimed to achieve a consistent approach to reporting child protection concerns to Child Safety and consolidating mandatory reporting requirements into the [<i>Child Protection Act</i>].</p> <p><u>Chapter 2, Part 1AA (Protection of children – informing the chief executive about harm or risk of harm to children)</u></p>

² The PBSA was formally established on 21 May 2014 by the *Public Safety Business Agency Act 2014* to provide corporate service capabilities for the Queensland Police (QPS) and the Queensland Fire and Rescue Service. (The Carmody Report had recommended that government transfer child related employment screening functions from the CCYPCG to the QPS as part of red tape reduction reforms (recommendation 12.17))., Commencing 1 October 2016, Part 3 Div 8 of the *Public Safety Business Agency and Other Legislation Amendment Act 2016* repealed s 7 of the WWC Act and made transitional arrangements to support administrative transfer of responsibility for the WWCC scheme (Blue Card Services) from the PBSA to the Department of Justice and Attorney-General (DJAG)

Date	Legislative Event	Description and commentary
		<p>Section 6 of the amending Act inserted <u>Chapter 2, Part 1AA of the <i>Child Protection Act 1999</i></u> (Protection of children – Informing the chief executive about harm or risk of harm to children). The stated intent was to provide:</p> <ul style="list-style-type: none"> • clear direction for any person to report concerns when they reasonably suspect a child is in need of protection. • a consolidated provision for all existing mandatory reporting obligations contained in legislation or government policy; • a single ‘standard’ to govern reporting obligations and determine what is a reportable suspicion; and • guidance to help professionals consider if any concerns they hold about a child are a reportable suspicion, and how and when to make reports. <p>Amongst the new provisions was Division 2 (Mandatory reporting by particular persons), which included:</p> <ul style="list-style-type: none"> • s 13E (Mandatory reporting by persons engaged in particular work) • s 13F (Mandatory reporting relating to children in departmental or licensed care services) • s 13G (Report to the chief executive) <p>The effect of these provisions was to impose obligations on doctors, registered nurses, teachers, police officers and persons engaged to perform a child advocate function under the <i>Public Guardian Act 2014</i>, to report reasonable suspicions that a child is suffering, or is at unacceptable risk of suffering, significant harm and may not have a parent who is willing and able to protect the child from the harm.</p> <p>The new Chapter 2, Part 1AA was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p> <p><u>Chapter 4 (Regulation of care)</u></p> <p>Numerous changes were made to reflect the changes made to the working with children screening procedures.</p> <p>The provisions remain substantially in the same form today.</p> <p>After amendment, the Chapter 4 was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Public Health Act 2005</i></p> <p>Sections 191 – 196 (Notification of child abuse) were omitted from the Act (effective 19 January 2015). The repeal coincided with the 19 January 2015 commencement of s13E of the <i>Child Protection Act 1999</i>.</p> <p>Other changes to the <i>Public Health Act</i> included:</p> <ul style="list-style-type: none"> • s 7 (How object is mainly achieved) • s 186 (Relationship with Child Protection Act 1999) – to include reference to mandatory reporting obligations in the <i>Child Protection Act 1999</i>. • s 198 (Designated medical office must notify person in charge of facility where child held) – for consistency with mandatory reporting obligations in the <i>Child Protection Act 1999</i>. <p>The amended <i>Public Health Act 2005</i> was in this form: Public Health Act 2005 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Police Powers and Responsibilities Act 2000</i></p> <p>Part 1A of Chapter 23 was replaced with a new Part 1A (Provision for Working with Children (Risk Management and Screening) Act 2000) comprised of a new s 789A (Power to demand production of employment-screening document). This reflected changes to the employment-screening regime.</p> <p>After amendment, the <i>Police Powers and Responsibilities Act 2000</i> was in this form: Police Powers and Responsibilities Act 2000 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The amending Act made minor and consequential amendments to numerous other Acts including:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • <i>Child Protection (Offender Reporting) Act 2004</i> • <i>Child Protection (Offender Prohibition Order) Act 2008</i> • <i>Education and Care Services Act 2013</i> • <i>Education and Care Services National Law (Queensland) Act 2008</i> • <i>Education (General Provisions) Act 2006</i>
1 July 2014	Family and Child Commission Act 2014 – commenced (except for ss 1-2, which commenced on the date of assent, being 28 May 2014)	<p>Overview</p> <p>The Act followed from the Queensland Child Protection Commission of Inquiry (Carmody Inquiry) which reported in June 2013 (<i>Taking Responsibility: A Roadmap to Reform</i>). Amongst other things, the Commission of Inquiry recommended significant changes to the Commission for Young People and Child Guardian and the establishment of a Family and Child Council.</p> <p>The Explanatory Note describes the overall policy objective of the Bill to be to establish the Queensland Family and Child Commission (QFCC) to:</p> <ul style="list-style-type: none"> • provide systemic oversight of the child protection system delivered by public sector and publicly funded non-government organisations providing child safety services or support services to families to improve the safety and well being of children and young people, including those in need of protection • drive best practice in the provision of services to this cohort, including by developing a workforce development strategy, coordinating a research program, and by evaluating the performance at a systemic level • ☐ promote and advocate to families and communities their responsibility for protecting and caring for their children including through education and providing information to enhance community awareness. <p>Family and Child Commission Act 2014</p> <p>Relevant provisions included:</p> <ul style="list-style-type: none"> • s 4 (Object) which described the object of the Act to be to establish the Queensland Family and Child Commission: <ul style="list-style-type: none"> (a) to promote the safety, wellbeing and best interests of children and young people; and (b) to promote and advocate the responsibility of families and communities to protect and care for children and young people; and (c) to improve the child protection system. • s 9 (Commission’s functions) which set out the statutory functions of the Commission.
22 September 2014	Child Protection (Offender Reporting) and Other Legislation Amendment Act 2014 – commencement date (except ss 1, 2 12 June 2014)	<p>Overview</p> <p>The Explanatory Note stated that the objective of the Bill was to:</p> <p>... amend the <i>Child Protection (Offender Reporting) Act 2004</i> (CPORA) and the <i>Police Powers and Responsibilities Act 2000</i> (PPRA) to give effect to the government’s commitment to impose more stringent monitoring of sex offenders and tougher conditions for offenders on the Queensland component of the National Child Offender System (NCOS), formerly the Australian National Child Offender Register.</p> <p>Changes to the <i>Child Protection (Offender Reporting) Act 2004</i> (CPOR Act)</p> <p>A headline reform item in the Act was increasing the number of times a sex offender “on the Queensland component of the National Child Offender System” is required to report to the police from a minimum of once each year to a minimum of every 3 months.</p> <p>The specific amendments included:</p> <ul style="list-style-type: none"> • insertion of a new s 4 (Relationship between this Act and Dangerous Prisoners (Sexual Offenders) Act 2003) suspending reporting obligations under the Act while the person is subject to a supervision order under the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> repealing s 8 (<i>New South Wales reportable offender</i> defined) and replacing it with a new s 8 (When a person stops being a reportable offender) repealing and replacing s 9 (<i>Reportable offence</i> defined) inserting a new s 9A (<i>Reportable contact</i> defined) inserting a new s 10A (<i>Personal details</i> defined) repeal of ss 14-19 and replacing them with new: <ul style="list-style-type: none"> s 14 (When reportable offender must make initial report) which referenced a new Schedule 3 (When reportable offender must make initial report) s 15 (Provision of personal details by corrective services) s 16 (Persons required to report under corresponding Act) Part 4, Division 2 (Ongoing reporting obligations), comprised of ss 17-24, which amongst other things changed the reporting frequency from annually to every “reporting month” (being each February, May, August and November), unless more frequent reporting required by the Police Commissioner within Part 4, Division 2 s 19A (Reporting change in personal details) which amongst other things required a reportable offender to report all changes in <i>reportable contact</i> (defined in s 9A) between the offender and any child, amendment of s 23 (Report of other absences from Queensland) imposing more stringent requirements on reporting absences from the State amendment of s 36 (Length of reporting period) significantly <i>reducing</i> the length of the reporting period (to a minimum of 5 years, increasing to 8 years if a single further reportable offence is committed during the reporting period, and increasing to life if more than 1 further reportable offence is committed during the reporting period) Insertion of a new Part 4, Division 10 (Police commissioner may suspend reporting obligations for particular reportable offenders) setting out circumstances in which the Police Commissioner may suspend reporting obligations insertion of a new Part 4A (Reviews and appeals), both internal and to the Magistrates Courts amendment of s 68 (Child protection register), allowing the register to consist of different constituent parts maintained by different entities including the police service of another State, the Australian Federal Police, the Commonwealth CrimTrac Agency or another Commonwealth entity, replacement of Schedules 1 and 2 listing class 1 and class 2 reportable offences with a single new Schedule 1 (Prescribed offences) a new Schedule 2 (Personal details for reportable offenders) (and see also new s 10A) setting out all the personal details that need to be reported a new Schedule 3 (When reportable offender must make initial report) <p>After amendment, the CPOR Act was in this form: Child Protection (Offender Reporting) Act 2004 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The amending Act also made minor and consequential amendments to other laws including:</p> <ul style="list-style-type: none"> <i>Commission for Children and Young People and Child Guardian Act 2000</i> <i>Police Powers and Responsibilities Act 2000</i>
7 November 2014	Education and Other Legislation Amendment Act 2014 – date of assent and commencement date of relevant provisions.	<p>Overview</p> <p>The Explanatory Note said:</p> <p>The primary policy objectives of the Education and Other Legislation Amendment Bill 2014 (the Bill) are to support school autonomy by enhancing localised decision-making, support school safety, improve educational outcomes and reduce red tape.</p>

Date	Legislative Event	Description and commentary
		<p>The Bill also aims to ensure the portfolio's legislation is contemporary and meets the current operational needs of the Department of Education, Training and Employment (DETE) and its education and training stakeholders.</p> <p>Changes to the <i>Education and Care Services Act 2014</i></p> <p>Relevantly, this Act substituted a new s 127 (Failure to report serious incident, temporary closure incident, complaint or other prescribed matter).</p> <p>The Explanatory Note explained:</p> <p>The ECS Act requires approved providers of QEC services to notify the DETE Chief Executive of certain incidents within a particular time after the provider becomes aware of the incident.</p> <p>The Bill amends the ECS Act to ensure consistency with the National Law by requiring QEC services to notify DETE within 24 hours of any incident that results in the approved provider having to close, or reduce the number of children attending the service for a period, as well as existing requirements to notify about serious incidents and complaints about children safety, health or wellbeing. The Bill prescribes a maximum penalty of 20 penalty units for failure to comply with this requirement.</p> <p>After amendment, s 127 of the <i>Education and Care Services Act 2014</i> was in this form: Education and Care Services Act 2013 - Queensland Legislation - Queensland Government</p>
2015		
2016		
23 September 2016	Health and Other Legislation Amendment Act 2016	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>According to the Explanatory Note, the Bill sought to amend the Criminal Code and three health portfolio Acts to support Government policy initiatives and to improve the effective operation of the Acts. Amongst other things, amendments were made to the Criminal Code to standardise the age of consent for sexual intercourse to 16 years and replace references to sodomy with anal intercourse. Consequential amendments to the list of offences in Schedules 2 – 6 of the WWC Act reflected these changes.</p> <p>After amendment, the <i>Working with Children (Risk Management and Screening) Act</i> was in this form: Working with Children (Risk Management and Screening) Act 2000.</p>
1 October 2016	Public Safety Business Agency and Other Legislation Amendment Act 2016 commencement of provisions enabling transfer of WWCC scheme administration to DJAG.	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>Part 3 Div 8 of the amending Act repealed s 7 (Administration of this Act in the Public Safety Business Agency) and made transitional arrangements in support of government administrative changes to transfer responsibility for the WWCC scheme (Blue Card Services) administration from the PBSA to the Department of Justice and Attorney-General (DJAG), as recommended by the 2015 Review of the Public Safety Business Agency report (recommendation 8). References to the Chief Executive as WWC decision maker became references to the Chief Executive of that agency. .</p> <p>Following amendment, the <i>Working with Children (Risk Management and Screening) Act 2000</i> was in this form: Working with Children (Risk Management and Screening) Act 2000.</p>
9 December 2016	Serious and Organised Crime Legislation Amendment Act 2016 – date of assent and commencement (for pts 1–6, 7 divs 1–2, pts 8–16, 19–20, 21 divs 1–2, pts 23–27, ss 395–396 (1)–(3), pts 29, 30 divs 1–2, pts 31–37, sch 1 pt 1, sch 2) Commencement dates: <ul style="list-style-type: none">date of assent 09 December 2016	<p>Overview</p> <p>According to the Explanatory Note, the Bill was intended to implement a new “Organised Crime Regime” to tackle serious and organised crime in Queensland. It drew on recommendations from:</p> <ul style="list-style-type: none"> the 2015 Queensland Organised Crime Commission of Inquiry (the Commission); the 2015-2016 Taskforce on Organised Crime Legislation (the Taskforce); and

Date	Legislative Event	Description and commentary
	<ul style="list-style-type: none"> pts 1–6, 7 divs 1–2, pts 8–16, 19–20, 21 divs 1–2, pts 23–27, ss 395–396(1)–(3), pts 29, 30 divs 1–2, pts 31–37, sch 1 pt 1, sch 2 comm on date of assent pt 7 div 3, pts 17–18, 21 div 3, pt 22, s 396(4)–(7), pt 30 div 3, sch 1 pt 2 comm 9 March 2017 see s 2(1)) pt 7 div 4 comm 9 December 2018 (see s 2(2)) rep 10 December 2018 (see AIA s 22C) 	<ul style="list-style-type: none"> the 2015–2016 statutory review of the <i>Criminal Organisation Act 2009</i> (the COA Review). <p>Changes to Criminal Code – Chapter 22</p> <p>Insofar as the Act amended Chapter 22 of the Criminal Code it:</p> <ul style="list-style-type: none"> created three new offences being: <ul style="list-style-type: none"> s 228DA (Administering child exploitation website) s 228DB (Encouraging use of child exploitation material website) s 228DC (Distributing information about avoiding detection) increased the penalties for ss 228A (involving child in making child exploitation material) and 228B (making child exploitation material), created new circumstances of aggravation for various offences (including ss 228A to 228DC) of using a hidden network or an anonymising service in committing the offence, and applied the circumstance of aggravation in s 161Q of the Penalties and Sentences Act 1992 (serious organised crime circumstance of aggravation) to various offences. <p>The amended Chapter 22 was in this form: Criminal Code – Chapter 22</p> <p>Changes to the Child Protection (Offender Reporting) Act 2004</p> <p>The new offences (referred to above) were added to Schedule 1 (Prescribed offences).</p> <p>The CPOR Act as amended was in this form: Child Protection (Offender Reporting) Act 2004 - Queensland Legislation - Queensland Government</p> <p>Changes to the Working with Children (Risk Management and Screening) Act 2000</p> <p>New offences which had been inserted into the Criminal Code were added to both the list of offences in Schedule 2 (Current serious offences) and to the list of offences in schedule 4 (Current disqualifying offences) in the WWC Act:</p> <ul style="list-style-type: none"> s 228DA (Administering child exploitation material website), s 228DB (Encouraging use of child exploitation material website), and s 228DC (Distributing information about avoiding detection). <p>After amendment, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000</p> <p>Changes to other laws</p> <p>The Act also included other significant amendments to the Criminal Code as well to a raft of other legislation including amendments to <i>Police Powers and Responsibilities Act 2000</i>.</p>
2017		
27 March 2017	<p>Education and Care Services National Law Amendment Act 2017 – date of assent.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> ss 1-29, 32-67, 69-75 on 01/10/2017: SG (No. 303) 12/9/2017 p. 1 ss 30, 31, 68 on 01/02/2018: SG (No. 303) 12/9/2017 p. 1 	<p>The Explanatory Memorandum said that the amendments in the Bill:</p> <p>form part of reforms to the National Quality Framework (the NQF) identified as part of the 2014 Review of the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care (the Review). The recommendations of the Review, including the amendments to the National Law, were approved by the Education Council on 31 January 2017.</p> <p>The Explanatory Memorandum provided little explanation of the reasons for or intent of the amendments.</p> <p>The amendments included:</p> <ul style="list-style-type: none"> insertion of s 162A (Persons in day-to-day charge and nominated supervisors to have child protection training)

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • insertion of s 164A (Offence relating to the education and care of children by family day care service) • amendment of s 173 (Offence to fail to notify certain circumstances to Regulatory Authority) • amendment of s 174 (Offence to fail to notify certain information to Regulatory Authority) • insertion of s 174A (Family day care educator to notify certain information to approved provider) • amendment of s 182 (Grounds for issuing prohibition notice) • amendment of s 184 (Deciding whether to issue prohibition notice) • replacement of s 185 (Content of prohibition notice) • amendment of s 186 (Cancellation of prohibition notice) • amendment of s 187 (Person must not contravene prohibition notice) • amendment of s 188 (Offence to engage person to whom prohibition notice applies) • insertion of s 188A (False or misleading information about prohibition notice) • replacement of s 271 (Disclosure of information to other authorities) and s 272 (Disclosure of information to education and care services) <p>The amended <i>Education and Care Services National Law (Queensland)</i> was in this form: Education and Care Services National Law (Queensland) - Queensland Legislation - Queensland Government.</p>
5 June 2017	<p>Court and Civil Legislation Amendment Act 2017 – relevant provisions commenced</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • date of assent 05 June 2017 • pts 1, 3–16, 17 (except ss 149–151, 153, 155), 18–23, 24 (except s 203), 25–26, 27 (except s 220), 28–34, sch 1 comm on date of assent • s 220 is taken to have comm on 25 November 2016 (see s 2(1)) • s 203 comm 3 July 2017 on the commencement of the Planning (Consequential) and Other Legislation Amendment Act 2016, s 363 (see s 2(2)) • s 252 comm 24 November 2017 (2017 SL No. 205) • pt 2, ss 149–151, 153, 155 comm 16 February 2018 (2018 SL No. 8) • rep 17 February 2018 (see AIA s 22C) 	<p>Changes to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i></p> <p>This Act amended Schedule 1 (Prescribed offences) to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> by removing several offences as a consequence of the amendment of other Acts.</p> <p>Changes to the <i>Classification of Publications Act 1991</i></p> <p>This amending Act included changes to Part 3 (Offences) to remove references to <i>child abuse photograph</i>.</p> <p>The Explanatory Note explained:</p> <p>When the Act was first enacted in 1991, the term ‘publication’ was defined as a ‘book, paper magazine or other written or pictorial matter’. The term ‘child abuse publication’ relied on this definition of ‘publication’ for its interpretation. In 1993, it was considered that a single photograph was incapable of being a ‘child abuse publication’ because of the definition of ‘publication’. Because of this, the <i>Consumer Law (Miscellaneous Provisions) Act 1993</i> was enacted to insert a definition for the term ‘child abuse photograph’. In 2005, the <i>Tourism, Fair Trading and Wine Industry Development Legislation Amendment Act 2005</i> was enacted which amended the definition of ‘publication’ to mirror the Commonwealth Act’s definition. The Commonwealth definition for ‘publication’ is much broader and allows for a single image to be considered a ‘publication’. Because of this, the term ‘child abuse photograph’ is no longer required as a photograph depicting child abuse is capable of being considered a ‘child abuse publication’.</p> <p>After amendment, Part 3 was in the this form: Classification of Publications Act 1991 - Queensland Legislation - Queensland Government</p>
1 July 2017	<p>Child Protection (Mandatory Reporting—Mason's Law) Amendment Act 2016 – commenced (except ss 1, 2 23 September 2016)</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • date of assent 23 September 2016 • ss 1–2 comm on date of assent • ss 3–5 comm 1 July 2017 (see s 2) • rep 2 July 2017 (see AIA s 22C) 	<p>Changes to Chapter 2, Part 1AA of the <i>Child Protection Act 1999</i> (Informing the chief executive about harm or risk of harm to children)</p> <p>The Explanatory Note noted that every Australian jurisdiction has mandatory reporting laws requiring certain persons to report about suspected harm to children, and that:</p> <p>Queensland and Western Australia are the only two Australian jurisdictions that do not extend mandatory reporting to the Early Childhood Education and Care sector (ECEC sector).</p> <p>It noted that in November 2014 the Queensland Law Reform Commission was asked to review mandatory reporting laws for the ECEC sector. It quoted the Law Reform Commission as having observed:</p>

Date	Legislative Event	Description and commentary
		<p>the protective role of the ECEC sector in relation to children aged 0–5 years, who are particularly vulnerable. Staff employed in ECEC services are in regular and direct contact with children and their families, and are well-placed to observe and report concerns that children are at risk of significant harm, thereby enabling timely intervention and the protection of children from harm.</p> <p>The Commission’s December 2015 report Review of Child Protection Mandatory Reporting Laws for the Early Childhood Education and Care Sector recommended that the mandatory reporting provisions be expanded to apply to the ECEC sector.</p> <p>The amending Act:</p> <ul style="list-style-type: none"> amended s 13E (Mandatory reporting by persons engaged in particular work) to include “an early childhood education and care professional” amongst the persons subject to mandatory reporting, and amended s 13H (Conferrals with colleague and related information sharing) to add to the examples given for paragraph (d) “An educator under the <i>Education and Care Services National Law (Queensland)</i> with a reportable suspicion about a child under s 13E may give information to the nominated supervisor for the approved education and care service, within the meaning of that Law, to enable the supervisor to take appropriate action to protect the child or other children from risk of harm”. <p>After amendment, Chapter 2, Part 1AA of the <i>Child Protection Act 1999</i> was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p>
1 July 2017	<p>Child Protection (Offender Reporting) and Other Legislation Amendment Act 2017 commenced (except for ss 1 and 2 which had commenced on the date of assent, being 19 May 2017)</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 19 May 2017 ss 1–2 comm on date of assent pts 2–4, s 50 sch 1 comm 1 July 2017 (see s 2) rep 2 July 2017 (see AIA s 22C) 	<p>Overview</p> <p>The Explanatory Note said the Bill was to give effect to the recommendations of the Crime and Corruption Commission’s 2013 statutory review of the operation of the <i>Child Protection (Offender Prohibition Order) Act 2008</i>, the report of which Review of the Child Protection (Offender Prohibition Order) Act 2008 had been tabled in Parliament in December 2014.</p> <p>Amongst other things, the amending Act amalgamated the <i>Child Protection (Offender Reporting) Act 2004</i> with the <i>Child Protection (Offender Prohibition Order) Act 2008</i>. It also contained other amendments, including in relation to the process and criteria for making an offender prohibition order.</p> <p><i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (CPOROPO Act)</i></p> <p>The amending Act renamed the <i>Child Protection (Offender Reporting) Act 2004</i> to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i>.</p> <p>It also repealed the <i>Child Protection (Offender Prohibition Order) Act 2008</i>. The provisions of that Act, with amendment, were inserted into the CPOROPO Act.</p> <p>Other amendments <u>included</u>:</p> <ul style="list-style-type: none"> amendment of s 4 (Relationship between this Act and Dangerous Prisoners (Sexual Offenders) Act 2003) to require offenders subject to a supervision order under the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i> to make an initial report expansion of the definition of <i>reportable offender</i> in s 5 to include a person who is sentenced for an offence, that is not a reportable offence, but the sentencing court declares that the facts and circumstances surrounding the offence constitute elements of a reportable offence amendment of s 9A (Reportable contact defined) to clarify that <i>reportable contact</i> includes contact that occurs outside of Queensland insertion of new s 10B (When a person poses a risk to children) “if there is a risk that the person will engage in conduct that may constitute a reportable offence against or in relation to a child or children” insertion of Part 3A (Offender prohibition orders) relocating provisions from the repealed <i>Child Protection (Offender Prohibition Order) Act 2008</i> but with changes including removing the requirement that a prohibition order must be founded on <i>recent</i>

Date	Legislative Event	Description and commentary
		<p>concerning conduct (see new s 13A) and reorganised into 5 Divisions including Division 1 (Offender prohibition orders) further divided into Subdivision 1 (Prohibition orders) (ss 13A-13G) and Subdivision 2 (Temporary orders) (ss13H-13N)</p> <ul style="list-style-type: none"> • amendment of s 19A(2) (Reporting changes in personal details) shortening from 7 days to 48 hours the time within which reportable offenders entering Queensland must report any change to their personal details that occurred while they were outside the State • amendment of s 20 (Intended absence from Queensland to be reported) requiring reportable offenders to report any intention to be out of the State for 48 hours (rather than 7 days) • amendment of s 21 (Change of travel plans while out of Queensland to be given) to require any decision to remain outside Queensland for more than 48 hours to be reported within 48 hours • amendment of s 22 (Reportable offender to report return to Queensland or decision not to leave) again shorting the relevant period from 7 days to 48 hours • amendment of s 23 (Report of other absences from Queensland) to amongst other things require a reportable offender to report any travel with a child, and shortening from 7 days to 48 hours the time within which a reportable offender returning to Queensland must report changes in reoccurring travel outside of Queensland • insertion of new ss 51A to 51C incorporating ss 38 (Failing to comply with an offender prohibition order) and 41 (Prohibition on disclosing protected information) of the repealed <i>Child Protection (Offender Prohibition Order) Act 2008</i> • amendment of Part 4, Division 10 (Police commissioner may suspend reporting obligations for particular reportable offenders) • amendment of s 68 (Child protection register) giving the Police Commissioner greater discretion as to what information is recording in the register • insertion of s 77F (Concurrent criminal proceedings) allowing the civil application for an offender prohibition order to be dealt with concurrently with criminal proceedings arising out of conduct on which the application is based • insertion of new s 91 (Taking fingerprints) requiring the Police Commissioner to give notice to reportable offenders who were not required to submit to fingerprinting when they made their initial report to allow fingerprints to be taken, and • amending Schedule 3 (When reportable offender must make initial report). <p>Following amendment the CPOROPO Act was in this form: Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The amending Act also included amendments to other Acts including:</p> <ul style="list-style-type: none"> • <i>Police Powers and Responsibilities Act 2000</i> • <i>Child Protection Act 1999</i>
1 October 2017	Education and Care Services National Amendment Regulation 2017 – commenced.	<p>Changes to the <i>Education and Care Services National Regulations</i></p> <p>Relevant changes included:</p> <ul style="list-style-type: none"> • substitution of a new reg 12 (Meaning of serious incident) • amending reg 146 (Nominated supervisor) • amending reg 164 (Requirement for notice in relation to persons at residence) adding sub-reg (2) requiring notice to be given of any new person aged 18 years or over residing at the residence and any relevant circumstance in relation to a person previously considered under reg 163 • amending reg 168 (Education and care service must have policies and procedures) requiring policies and procedures in relation to sleep and rest for children • amending reg 173 (Prescribed information to be displayed) including by substituting new sub-reg (2) paragraphs (f) and (g) • amending reg 174 (Time to notify certain circumstances to Regulatory Authority) • inserting new reg 174A (Prescribed information to accompany notice)

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> amending reg 175 (Prescribed information to be notified to Regulatory Authority) by substituting new sub-reg (2)(d) and (e) inserting new reg 176A (Prescribed information to be notified to approved provider by family day care educator) amending reg 177 (Prescribed enrolment and other documents to be kept by approved provider) insertion of Division 2A (Rest period conditions) to Part 7.5 (Queensland-specific provisions), which included <ul style="list-style-type: none"> Subdivision 2 (Services approval with rest period condition) including reg 299C (Educator to child ratios during rest period) and Subdivision 3 (Rest pauses and short absences) comprised of reg 299F-299I <p>After amendment, the National Regulations were in this form: Education and Care Services National Regulations - Queensland Legislation - Queensland Government</p>
2018		
20 September 2018	<p>Police Powers and Responsibilities and Other Legislation Amendment Act 2018 – date of assent and commencement of all relevant provisions.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 20 September 2018 pts 1–6, 7 (other than s 22), 8–11 comm on date of assent s 22 comm 21 September 2019 (automatic commencement under AIA s 15DA (2)) rep 22 September 2019 (see AIA s 22C) 	<p>Overview</p> <p>Insofar as the Bill was concerned with amendment of the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> the Explanatory Note described the primary object of the Bill as being to ensure that relevant Commonwealth offences were included in Schedule 1 to the Act. This was said to follow from a meeting of State and Territory Attorneys-General, Justice and Police Ministers in which it was identified that some jurisdictions, including Queensland, had not captured all relevant offences in their reportable offender legislation.</p> <p>Amendments to the Bill were moved and the Explanatory Note (3rd Reading) as being to:</p> <p>ensure that the Queensland Police Service has sufficient powers to ensure the continued monitoring of offenders who have committed sexual offences against children by ensuring that the monitoring scheme provided by the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> (the CPOROPA) will continue to apply to those offenders who have been subject to orders made under Part 2, Division 3 of the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i> (Qld) (the DPSOA).</p> <p>Changes to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> (CPOROPA Act)</p> <p>Significant changes to the CPOROPA Act included:</p> <ul style="list-style-type: none"> Insertion of new s 7A (Post-DPSOA reportable offender defined) and amendment of s 5 (Reportable offender defined) to reflect that addition amendments to ss 13A, 13C and 13I to change the language of “lives or sexual safety” to “safety or wellbeing” insertion of new s 13FA (Conduct that may be required) allowing a prohibition order not only to prohibit certain conduct, but also to require certain conduct insertion of new s 13LA (Conduct that may be required) applying the new s 13FA to temporary orders as well amendment of s 19A (Reporting changes in person details) by adding a new paragraph (aa) amendment of s 35 (When reporting obligations begin) in relation to the new category of post-DPSOA reportable offender insertion of new s 38A (Extended reporting period if reportable offender ever subject to division 3 order) stipulating that the reporting period for reportable offenders who have ever been subject to a division 3 order under the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i> is life amendment of Schedule 1 (Prescribed offences) to add 10 Commonwealth offences under the Criminal Code (Cth) including: <ul style="list-style-type: none"> s 272.12 (Sexual intercourse with young person outside Australia – defendant in position of trust or authority), and s 471.22 (Possessing, controlling, producing, supplying or obtaining child abuse material for use through a postal or similar service) amendment of Schedule 3 (When reportable offender must make initial report) in respect of the new category of post-DPSOA reportable offender

Date	Legislative Event	Description and commentary
		<p>Following amendment, the CPOROPO Act was in this form: Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The amending Act also made significant changes to the <i>Police Powers and Responsibilities Act 2000</i> as well as other including:</p> <ul style="list-style-type: none"> • <i>Corrective Services Act 2006</i> • <i>Police Services Administration Act 1990</i>
2019		
24 May 2019	<p>Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019 – date of assent</p> <p>Relevant dates:</p> <ul style="list-style-type: none"> • date of assent 24 May 2019 • ss 1–2 comm on date of assent • ss 3, 13, 14, 26A–26B, 37A–37B, 39A–39B, 46A–46B, 58, 60 (to the extent it ins new ch 8A hdg, pt 1), 66 (to the extent it ins new ch 11 pt 19 hdg, divs 1–3), 67, 69A–70A, 71 (3), (5), (7)–(8), pt 3 div 1, div 2 hdg, ss 74, 75 (3)–(4), 76 (2)–(3), 77 (2)–(3), 85 (3)–(4), div 3, sch 2 (amendments 10, 21 of the Education and Care Services Act 2013, amendment 8 of the Education and Care Services National Law (Queensland) Act 2011) comm 1 July 2019 (2019 SL No. 115) • ss 6, 60 (other than to the extent it ins new ch 8A hdg, pt 1), 65 comm 5 August 2019 (2019 SL No. 138) • pt 2 (other than ss 3, 6, 13, 14, 26A–26B, 37A–37B, 39A–39B, 46A–46B, 58, 60, 65, 66 (to the extent it ins new ch 11 pt 19 hdg, divs 1–3), 67, 69A–70A, 71 (3), (5), (7)–(8)), pt 3 div 2 (other than div 2 hdg, ss 74, 75 (3)–(4), 76 (2)–(3), 77 (2)–(3), 85 (3)–(4)), schs 1, 2 (other than amendments 10, 21 of the Education and Care Services Act 2013, amendment 8 of the Education and Care Services National Law (Queensland) Act 2011) comm 31 August 2020 (2020 SL No. 130) (proposed commencement 25 May 2021 (automatic commencement under AIA s 15DA (2) (2020 SL No. 64))) • rep 1 September 2020 (see AIA s 22C) 	<p>Overview</p> <p>According to the Explanatory Note on introduction of the Bill, the policy objectives of the Bill were to:</p> <ul style="list-style-type: none"> • implement the Government’s election commitment to amend the <i>Working with Children (Risk Management and Screening) Act 2000</i> (WWC Act), and introduce automated blue card application processes to prevent people commencing paid work while a blue card application is pending (the “No Card, No Start” election commitment); this ensured that the same rule applied to employees as those for volunteers and business applicants • implement recommendations from the QFCC reports <i>Keeping Queensland’s children more than safe: Review of the blue card system</i> (Blue Card Review Report) and <i>Recommendation 28 Supplementary Review: A report on information sharing to enhance the safety of children in regulated home-based services</i> (Supplementary Review). <p>Related to the above, the policy objectives also included:</p> <ul style="list-style-type: none"> • ensuring the most effective transition for issuing of blue cards following commencement of the “No Card, No Start” amendments • elevating additional offences to the list of serious and disqualifying offences under the WWC Act to provide stronger protections for children • ensuring equitable transition arrangements for current blue card holders at commencement who have a previous conviction for a new serious offence or new disqualifying offence as a result of the amendments • establishing a new framework for dealing with cardholders and applicants charged or convicted of a serious offence. <p>While a number of new provisions were introduced, amendments were also made to restate, re-frame and renumber many of the existing provisions.</p> <p>On the third reading of the Bill, a new Explanatory Note further explained that amendments establishing a new framework for dealing with cardholders and applicants charged with or convicted of a serious offence were intended to reduce risk to children by preventing persons with such charges or convictions from working with children until they had been issued with a WWC clearance. For this purpose, amendments for interim provisions commenced in advance of commencement of the full No Card, No Start provisions on 31 August 2020.</p> <p>Commencement of the amendments was phased in on 1 July 2019, 5 August 2019, and 31 August 2020.</p> <p>Following commencement of all amendments, the <i>Working with Children (Risk Management and Screening) Act 2000</i> was in this form: Working with Children (Risk Management and Screening) Act 2000</p> <p>See entries for amendments commencing on the different dates below.</p> <p>Changes to the <i>Child Protection Act 1999</i></p> <p>Relevant provisions were updated to reflect the changes to the working with children screening regime.</p> <p>The amended Act was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p>

Date	Legislative Event	Description and commentary
		The amending Act made minor and changes to many other laws to reflect the changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i> including the <i>Police Powers and Responsibilities Act 2000</i> – s 789A.
1 July 2019	<p>Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019</p> <p>Commencement of certain provisions (2019 SL No. 115)</p>	<p>Following assent to the amending Act on 24 May 2019 (noted above), changes to the to the <i>Working with Children (Risk Management and Screening) Act 2000</i> commencing on this date included the following.</p> <p><u>Deemed withdrawal and suspension (see also further amendments commencing 31 August 2020)</u></p> <p>Section 208 was amended as an interim measure, in advance of the No Coard, No Start provisions which commenced later, on 31 August 2020. The new s 208 (Deemed withdrawal of consent to employment screening if charged with serious offence or disqualifying offence etc) expanded the existing provision to also apply in cases of a charge for a serious offence (see also equivalent amendment to s 217 with respect to regulated business applicants).</p> <p>Section 240 was similarly amended in advance of full commencement of No Card, No Start provisions. New s 240 (Suspension of a positive notice if charged with serious offence or disqualifying offence or subject to temporary or interim order) expanded the existing provision to also apply in cases of a charge for a serious offence –(see also amended s 241 (Ending of suspension under section 240 and issue of further prescribed notice)).</p> <p><u>Register of regulated persons who provide home-based care services</u></p> <p>New ss 357A – 357E, which set out relevant definitions for a register of persons providing home-based care services, commenced on 1 July 2019. Provisions for operation of the register commenced on 5 August 2019 (see below).</p> <p><u>New serious and qualifying offences</u></p> <p>The amending Act inserted a new Chapter 11 Part 19 (Transitional provisions for Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019), setting out transitional provisions for the WWC Amendment Act – including new ss 553 – 565 (New serious offences and disqualifying offences).</p> <p>These transitional provisions provided for retrospective application of the new serious offence provisions in Schedule 2 (see below) and the new disqualifying offence provisions in Schedule 4 (see below). The transitional provisions also addressed review rights for persons who were to be disqualified based on prior convictions for these offences.</p> <p><u>Schedule 1 (Regulated employment and businesses for employment screening)</u></p> <p>The existing Schedule 1, s 4 was amended with the new s 4 including adult occupants in homes where stand-alone care or family day care is provided as persons in regulated employment.</p> <p>New s4A (Child care and similar employment) replicated existing s4A with minor amendments).</p> <p><u>Schedules 2 – 5</u></p> <p>The amending Act elevated additional offences to the list of serious and disqualifying offences. The amendments were informed by the QFCC’s 2017 <i>Keeping Queensland’s children more than safe: Review of the blue card system</i> (Blue Card Review Report) as well as the Royal Commission’s 2015 working with children check recommendations.</p> <p>Amendment of Schedule 2 (Serious offences) included:</p> <ul style="list-style-type: none"> inserting the following offences from the Criminal Code (Cth) <ul style="list-style-type: none"> Servitude offences (Criminal Code (Cth) s 270.5) – at that time, neither serious nor disqualifying). Trafficking in children (Criminal Code (Cth) s 271.4 Domestic trafficking in children (Criminal Code (Cth) s 271.4 choking, suffocation or strangulation in a domestic setting to the serious offences Criminal Code (Qld) s315A (included in line with the existing decision-making framework in the WWC Act which provides all disqualifying offences are also serious offences

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> removing the entry for sexual servitude offences (Criminal Code (Cth), s 270.6 – which had been repealed in the Criminal Code amending the entry for unlawful homicide (Criminal Code (Qld), s300 to remove the qualifier ‘only if the unlawful killing is murder under s 302. <p>Amendment of Schedule 3 (Repealed or expired serious offences) included insertion of the repealed sexual servitude offences (Criminal Code (Cth, s270.6), in Schedule 3.</p> <p>Amendment of Schedule 4 (Current disqualifying offences) included:</p> <ul style="list-style-type: none"> inserting the following offences from the Criminal Code (Qld): <ul style="list-style-type: none"> Bestiality (Criminal Code, s 211– previously listed as a serious offence only) attempt to murder (Criminal Code, s 306 – previously listed as a serious offence only); conspiring to murder (Criminal Code, s 309 – previously listed as a serious offence only); choking, suffocation or strangulation in a domestic setting (Criminal Code, s 315A – not previously listed as a serious offence or a disqualifying offence); torture, with the qualifier – if the offence was committed against a child (Criminal Code, s 320A – previously listed as a serious offence only); kidnapping, with the qualifier – if the context in which the offence was committed was not familial (Criminal Code, s 354 – previously listed, without the qualifier, as a serious offence only) kidnapping for a ransom, with the qualifier – if the offence was committed against a child (Criminal Code, s 354A – previously listed, without the qualifier, as a serious offence only) Child-stealing with the qualifier – if the context in which the offence was committed was not familial (Criminal Code, s 363 – previously listed, without the qualifier, as a serious offence only) abduction of child under 16 - if the context in which the offence was committed was not familial (Criminal Code, s 363A – previously listed, without the qualifier, as a serious offence only) cruelty to children under 16 (Criminal Code, s364 – previously listed as a serious offence only). inserting the following offences from the Criminal Code (Cth): <ul style="list-style-type: none"> Servitude offences, if the offence was committed against a child (Criminal Code, s270.5 (Cth) –not previously listed as serious or disqualifying offences) trafficking in children (Criminal Code (Cth), s271.4 – a serious offence at this time) domestic trafficking in children (Criminal Code (Cth), s271.7 – previously listed as a serious offence only). removing the child qualifier which had previously applied to unlawful homicide and rape offences from the Criminal Code (Qld) to make the following offences disqualifying, whether the offence was committed against a child or an adult: <ul style="list-style-type: none"> unlawful homicide (Criminal Code, s300 – but only if the unlawful killing was murder under s302) rape (Criminal Code, s 349), attempt to rape (Criminal Code, s 350) and assault with intent to commit rape (Criminal Code, s 351) <p>Prior to this amendment, these offences were listed only as serious, but not disqualifying offences, if they did not involve a child.</p> removing the entry for sexual servitude offences (Criminal Code (Cth), s 270.6) – which had been repealed in the Criminal Code. <p>Amendment of Schedule 5 (Repealed or expired disqualifying offences)</p> <p>The repealed sexual servitude offences (Criminal Code (Cth), s270.6), now removed from Schedule 4, were transferred to Schedule 5.</p> <p>Note: These amendments were made with retrospective application - see new sections:</p> <ul style="list-style-type: none"> 553A (Effect of conviction or charge for new serious offence) 554 (Effect of conviction for new disqualifying offence on existing positive notice or positive exemption notice) 554A (Effect of conviction for new disqualifying offence on existing positive notice or positive exemption notice)

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> 558 (Existing positive notice or positive exemption notice held by person convicted of new serious offence or new disqualifying offence) . <p>Following commencement of these amendments, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000.</p> <p>Changes to the <i>Child Protection Act 1999</i></p> <p>Relevant provisions were updated to reflect the changes to the working with children screening regime.</p> <p>The amended Act was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The amending Act made minor and changes to many other laws to reflect the changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i> including the <i>Police Powers and Responsibilities Act 2000</i> – s 789A.</p>
5 August 2019	Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019 - Commencement of further provisions (2019 SL No. 138)	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>Further to the amendments commencing 1 July 2019 (noted above), the amending Act’s changes to the WWC Act 2000 commencing on this date included the following.</p> <p><u>Register of regulated persons who provide home-based care services</u></p> <p>Previous Chapter 8A of the was replaced with a new Chapter 8A (Register of regulated persons who provide home-based care services).</p> <p>The establishment of a centralised register of home-based care services was a key recommendation from the QFCC’s 2017 <i>Recommendation 28 Supplementary Review: A report on information sharing to enhance the safety of children in regulated home-based services</i> (Supplementary Review).</p> <p>New Part 1 (Preliminary – ss 357A-357E), which set out relevant definitions for the register, commenced on 1 July 2019. New Part 2 (Register – ss 357F-357I), which provided for the operation of the register, commenced on 5 August 2019. These sections included provisions for:</p> <ul style="list-style-type: none"> Obligation of the Chief Executive to keep an up-to-date register of persons who provide a home-based care service (s 357F(1)) Purpose of the register to enable authorised users to access current information about persons who provide a home-based care service and adult household members / occupants (s 357F(2)) Contents of the register (s 357G) Access by authorised users (allowed by the Chief Executive) to information on the register (s 357H) Use, disclosure and giving of access to confidential information from the register (s 357I). <p>Following commencement of these amendments, the Act was in this form Working with Children (Risk Management and Screening) Act 2000.</p>
20 September 2019	Combatting Child Sexual Exploitation Legislation Amendment Act 2019 (Cth) – date of assent, and commencement of ss 1-3 and Sch 2-7. Schedule 1 (making relevant amendments) commenced 20 March 2020.	<p>Overview</p> <p>The Explanatory Memorandum described the overall intent of the Bill as being to “[protect] children from sexual exploitation by improving the Commonwealth framework of offences relating to child abuse material, overseas child sexual abuse, forced marriage, failing to report child sexual abuse and failing to protect children from such abuse”.</p> <p>It was intended to implement a number of recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse by:</p> <ul style="list-style-type: none"> creating an offence of failure to protect a child at risk of a child sexual abuse offence creating an offence of failure to report a child sexual abuse offence, and strengthening overseas persistent child sexual abuse laws.

Date	Legislative Event	Description and commentary
		<p>It was also intended to:</p> <ul style="list-style-type: none"> • criminalise the possession or control of child abuse material in the form of data that has been obtained or accessed using a carriage service • prevent certain dealings with child-like sex dolls • criminalise the possession of child-like sex dolls • improve the definition of forced marriage • restrict the defence based on a valid and genuine marriage to overseas child sex offences, and • remove references to ‘child pornography material’ in a number of Commonwealth Acts and replace with ‘child abuse material’. <p>Changes to the <i>Customs Act 1901</i> (Cth)</p> <p>Changes made to the Customs Act included the following changes to s 233BAB (Special offence relating to tier 2 goods):</p> <ul style="list-style-type: none"> • repealing subs (3), which defined “child pornography”, • ensuring that the definition of “child abuse material” in subs (4) includes all material that was previously defined as “child pornography”, and • ensuring that the definition of “child abuse material” in subs (4) also includes child sex dolls, <p>in turn ensuring that such items are “tier 2 goods” for the purposes of the s 233BAB offence.</p> <p>Following these amendments, the <i>Customs Act 1901</i> was in this form: Federal Register of Legislation - Customs Act 1901</p> <p>Changes to the Criminal Code (Cth)</p> <p>These included the following.</p> <p><u>Division 272 (Child sex offences outside Australia)</u></p> <p>s 272.11 (Persistent sexual abuse of child outside Australia) was amended to reduce from 3 to 2 the number of occasions needed to establish the offence.</p> <p>s 272.17 (Defence based on valid and genuine marriage) was repealed and replaced, with the result that the circumstances in which the defence is available was restricted, including by restricting it to only apply where the child is 16 years old or older.</p> <p><u>Division 273 (Offences involving child abuse material outside Australia)</u></p> <p>As with the <i>Customs Act 1901</i>, the defined term “child pornography” was omitted and the definition of “child abuse material” was expanded to include everything previously defined as child pornography. This in turn led to amendments to various provisions including:</p> <ul style="list-style-type: none"> • the repeal of s 273.5 (Possessing, controlling, producing, distributing or obtaining child pornography material outside Australia) • amendment of ss 273.7-273.9 <p><u>Division 273A (Possession of child-like sex dolls etc.)</u></p> <p>Div 273A was inserted, amongst other things creating the offence in s 273A.1 (Possession of child-like sex dolls etc) and making other provisions in relation to that offence.</p> <p><u>Division 273B (Protection of children)</u></p> <p>Div 273B was inserted. This included new offence provisions:</p> <ul style="list-style-type: none"> • s 273B.4 (Failing to protect child at risk of child sexual abuse), and • s 273B.5 (Failing to report child sexual abuse offence) <p>applying to Commonwealth officers responsible for the care of children.</p> <p><u>Division 471 (Postal offences)</u></p>

Date	Legislative Event	Description and commentary
		<p>The heading for Subdivision B was changed to “Offences relating to use of postal or similar service for child abuse material”.</p> <p><u>Part 10.6 (Telecommunications Services), Division 473 (Preliminary)</u></p> <p>In s 473.1 (Definitions) the definition of <i>child abuse material</i> was amended so as include the material included in the definition of <i>child pornography material</i>, which definition was repealed.</p> <p><u>Division 474 (Telecommunications offences)</u></p> <p>Relevant amendments included:</p> <ul style="list-style-type: none"> the heading for Subdivision D was changed to “Offences relating to use of carriage service for child abuse material” ss 474.19-474.21 (being offences related to <i>child pornography material</i>) were repealed, and other amendments consequent on the definitional change were made throughout. a new offence provision s 474.22A (Possessing or controlling child abuse material obtained or accessed using a carriage service) was inserted. <p>Following these amendments, the Criminal Code (Cth) was in this form: Federal Register of Legislation - Criminal Code Act 1995</p>
31 December 2019	<p>Education and Care Services National Amendment Regulations 2019 – relevant provisions commenced.</p> <p>Commencement dates (from reg 3):</p> <p>(1) These Regulations (except regulation 17(3), (4) and (5)) come into operation on 31 December 2019.</p> <p>(2) Regulation 17(3), (4) and (5) come into operation on 1 July 2020.</p>	<p>Changes to the <i>Education and Care Services National Regulations</i></p> <p>Relevant changes included:</p> <ul style="list-style-type: none"> amendment to reg 152 (Record of access to early childhood teachers) by adding sub-reg (3) which required centres with 60 or more children preschool age or under to keep a record of the period that each early childhood teacher and each suitably qualified person is in attendance, substantial amendment of regs 299F-299I. <p>After all amendments commenced (on 1 July 2020), the National Regulations were in this form: Education and Care Services National Regulations - Queensland Legislation - Queensland Government</p>
2020		
23 June 2020	<p>Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Act 2020 (Cth) – commencement date for relevant provisions (see s 2)</p>	<p>Overview</p> <p>This amending Act was intended to address perceived inadequacies in the criminal justice system, from bail and sentencing through to post-imprisonment options. The Explanatory Memorandum said:</p> <p style="padding-left: 40px;">This Bill better protects the community from the dangers of child sexual abuse by addressing inadequacies in the criminal justice system that result in outcomes that insufficiently punish, deter or rehabilitate offenders. The Bill targets all stages of the criminal justice process, from bail and sentencing through to post-imprisonment options.</p> <p>It referred to community concern that “the sentencing for child sex offences is not commensurate to the seriousness of these crimes”.</p> <p>The Explanatory Memorandum also lists the more particular aims of the Bill, including, in relation to the Criminal Code and the <i>Crimes Act 1914</i> (Cth):</p> <ul style="list-style-type: none"> insert new aggravated offences for child sexual abuse that involves subjecting the child to cruel, inhuman or degrading treatment, or which causes the death of the child; insert new offences to criminalise the “grooming” of third parties, including through the use of a carriage service, with the intention of making it easier to procure a child for sexual activity in Australia or overseas; insert a new offence to criminalise the provision of an electronic service to facilitate dealings with child abuse material online; increase the maximum penalties for certain Commonwealth child sex offences;

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> introduce a mandatory minimum sentencing scheme to apply to the Commonwealth child sex offences that attract the highest maximum penalties, and all other Commonwealth child sex offences if the offender is a repeat child sex offender; and insert a presumption against bail for Commonwealth child sex offences that attract the highest maximum penalties, and all other Commonwealth child sex offences if the offender is a repeat child sex offender. <p>Changes to the Criminal Code (Cth)</p> <p><u>Division 272 (Child sex offences outside Australia)</u></p> <p>The changes included:</p> <ul style="list-style-type: none"> in s 272.10 (Aggravated offence—sexual intercourse or other sexual activity with child outside Australia), omitting and replacing subs (b) to insert new aggravated offences where: <ul style="list-style-type: none"> the child is subjected to cruel, inhuman or degrading treatment, or the child dies as a result of physical harm suffered in connection with the sexual activity inserting s 272.15A (“Grooming” person to make it easier to engage in sexual activity with a child outside Australia) increasing penalties <p><u>Division 273 (Offences committed overseas involving child abuse material)\</u></p> <p>The amending Act increased the penalties for all offences.</p> <p><u>Division 471, Subdivision B (Offences relating to use of postal or similar services for child abuse material)</u></p> <p>The amending Act inserted new offence provision s 471.25A (Using a postal or similar service to “groom” another person to make it easier to procure persons under 16).</p> <p>It also, amongst other things:</p> <ul style="list-style-type: none"> made new provisions about the requisite mental element of Subdivision B offences (in s 471.27) and inserted sentencing guidelines for Subdivision B in s 471.29A increased penalties <p><u>Division 474, Subdivision D (Offences relating to use of carriage service for child abuse material)</u></p> <p>Changes included:</p> <ul style="list-style-type: none"> inserting s 474.23A (Conduct for the purposes of electronic service used for child abuse material), and increasing penalties. <p><u>Division 474, Subdivision F (Offences relating to use of carriage service involving sexual activity with person under 16)</u></p> <p>Changes included:</p> <ul style="list-style-type: none"> amending s 474.25B (Aggravated offence—using a carriage service for sexual activity with person under 16 years of age) including by repealing and replacing subs (b) inserting s 474.27AA (Using a carriage service to “groom” another person to make it easier to procure persons under 16 years of age) amending s 474.28 (Provisions relating to offences against this Subdivision) to replace subs (3) and (4) with “(3) For the purposes of sections 474.26, 474.27, 474.27AA and 474.27A, evidence that a person was represented to the defendant as being under, of, at least or over a particular age is, in the absence of evidence to the contrary, proof that the defendant believed the person to be under, of, at least or over that age (as the case requires)” increasing penalties. <p>Following amendment, the Criminal Code (Cth) was in this form: Criminal Code Act 1995 - Federal Register of Legislation</p> <p>Changes to the Crimes Act 1914 (Cth)</p>

Date	Legislative Event	Description and commentary
		<p>Relevant changes included insertion (after s 15AA (Bail not to be granted in certain cases) of s 15AAA (Bail not to be granted to various persons changed with, or convicted of, certain Commonwealth child sex offences).</p> <p>The amended <i>Crimes Act 1914</i> (Cth) was in this form: Crimes Act 1914 - Federal Register of Legislation</p>
1 July 2020	<p>Child Death Review Legislation Amendment Act 2020 – date of commencement of relevant provisions.</p> <p>Dates of commencement:</p> <ul style="list-style-type: none"> • date of assent 13 February 2020 • ss 1–2 comm on date of assent • pts 2–4 comm 1 July 2020 (2020 SL No. 85) • rep 2 July 2020 (see AIA s 22C) 	<p>Changes to the <i>Family and Child Commission Act 2014</i></p> <p>Amendments included qualifying the functions of the Commission in s 9 (Commission’s functions) by inserting:</p> <p>(3) In performing its functions, the commission must avoid unnecessary duplication of the [Child Death Review Board’s] performance of its functions under part 3A.</p> <p>Following amendment, the <i>Family and Child Commission Act 2014</i> was in this form: Family and Child Commission Act 2014 - Queensland Legislation - Queensland Government</p>
31 August 2020	<p>Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019 – commencement of further provisions 2020 (2020 SL No. 130)</p>	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>Further to the amendments commencing 1 July 2019 and 5 August 2019 (noted above) the amending Act’s changes to the WWC Act commencing on this date included the following.</p> <p><u>Consolidation and renumbering</u></p> <p>Consolidation, simplification and renumbering included:</p> <ul style="list-style-type: none"> • Chapter 8 (Screening for Regulated employment and regulated businesses) was renumbered as Chapter 7 (Regulated employment and regulated businesses). • A new Chapter 7 Part 4 (Screening requirements) replaced Chapter 7, Part 4, Division 1, ss173 – 176, consolidated the previous requirements in Chapter 8, Part 4, Divisions 3-5 and Chapter 8, Part 5, Divisions 2-5 and provided for the criminal history screening requirements. • A new Chapter 8 (Working with children checks and authorities) Chapter 8, Part 3 Withdrawal of application) and new Chapter 8 Part 5A (Suspension or cancellation of working with children authority) (see further below), consolidating and simplifying provisions and reducing duplication. <p><u>Terminology and definitions</u></p> <p>Terminology change to ‘working with children clearance’ and ‘working with children authority’, which had started to be gradually introduced from 19 July 2019, was now in place.</p> <p>Provisions defining the following key terms were amended and renumbered:</p> <ul style="list-style-type: none"> • s 167 (Serious offence), renumbered s 15 • s 168 (Disqualifying offence), renumbered s 16 • s 169 (Who is a disqualified person) definition amended and renumbered s 17 • s 170 (Who is a relevant disqualified person) definition amended and renumbered s 18 <p><u>Frequency test</u></p> <p>A new s 156 (Regulated employment) set out a simplified ‘frequency test’ aligned with the recommendations of the Royal Commission and QFCC</p> <p><u>Requirement for clearance</u></p> <p>The amending Act implemented the “No Card, No Start” election commitment by creating new offence provisions as well as re-framing and consolidating existing offences, and providing stronger penalties for aggravating circumstances. These included:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • s 175 (Clearance required to employ a person in regulated employment) • s 176 (Employing person with suspended clearance prohibited). • s 176A (Person prohibited from regulated employment without clearance) • s 176B (Clearance required to carry on regulated business) <p><u>Exemption for police officers and registered teachers</u></p> <p>The “No Card, No Start” requirement did not apply to registered teachers and police officers undertaking regulated employment outside their professional duties.</p> <p>New s 176E (Police officer or registered teacher prohibited from regulated employment without exemption) was a re-statement and re-framing of an existing offence under Act, prohibiting a registered teacher or police officer from engaging in regulated employment unless they held a working with children authority or had made a working with children (exemption) application.</p> <p>New ss 176C (Exemption required to employ police officer or registered teacher in regulated employment), 176F (Exemption required for regulated employment if previous application withdrawn) and 176G (Exemption required for police officer or registered teacher to carry on regulated business) also re-stated and re-framed existing offences under the WWCC Act.</p> <p>However, new s 176D (Employing police officer or registered teacher with suspended authority prohibited) created a new offence for an employer to start a registered teacher or police officer as an employee in regulated employment if their working with children authority was suspended and the employer knew, or ought reasonably to have known about the suspension.</p> <p><u>Restricted employment and restricted persons</u></p> <p>The terms restricted employment and restricted person were introduced with new Division 4 setting out provisions applying to restricted persons (certain individuals who were not otherwise subject to the WWCC scheme) to prohibit them from engaging in restricted employment (employment which was not otherwise subject to the WWCC scheme).</p> <p>New s 176H provided definitions with</p> <ul style="list-style-type: none"> • <i>restricted person</i> defined to include: <ul style="list-style-type: none"> ○ a negative notice holder; ○ a person with a suspended working with children authority; ○ a disqualified person; and ○ a person charged with a disqualifying offence. • <i>restricted employment</i> defined to capture certain types of employment that were not otherwise subject to the WWCC scheme – the now included types of employment were <ul style="list-style-type: none"> ○ employment which does not meet the minimum frequency under new s156(4) ○ unpaid employment of a person under the age of 18 (otherwise excluded under s154(3)); ○ and ○ volunteer parents in certain categories of regulated employment (including schools; education and care services; child care; churches; clubs and associations; and sport and active recreation) (otherwise excluded from regulated employment under Schedule 1, ss3(2)(b), 4(4), 4A(2), 5(2), 6(3)(c)(i) and 11(2)(b)). ○ consumers at a child-related services . <p>New offences were created in:</p> <ul style="list-style-type: none"> • s 176I prohibiting an employer from employing or continue to employ a person if they know or reasonably ought to know that the person is a restricted person. The maximum penalty on the employer is 200 penalty units or two years imprisonment, which is consistent with new s176 • s 176J prohibiting a restricted person from starting or continuing in restricted employment. The maximum penalty on the ‘restricted person’ is 500 penalty units or five years imprisonment, which is consistent with new s 176A.

Date	Legislative Event	Description and commentary
		<p>As the Explanatory Note indicated, these amendments were a response to QFCC’s Blue Card Review Report which noted the strong views of stakeholders that allowing a person with a negative notice to rely on an exemption was unacceptable.</p> <p><u>Deemed withdrawal and suspension</u></p> <p>New Chapter 8, Part 3 included new s 199 (Deemed withdrawal—applicant charged with serious offence or disqualifying offence etc.) to require the Chief Executive to withdraw a blue card application if the applicant is charged with a serious or disqualifying offence. This replaced the provisions in ss 208 and 217 which had been amended on an interim basis (see above)</p> <p>New Chapter 8, Part 5A included new Division 2 (Suspension of working with children authority) – requiring suspension of a blue card holder who is charged with either a serious offence or a disqualifying offence (Chief Executive not required to decide whether to cancel blue card while charge serious or disqualifying charge is pending or if process for appeal against conviction not finalised). This also replaced provisions in ss 240 and 241 which had been amended on an interim basis (see above).</p> <p><u>Change in police information</u></p> <p>Sections 323 (Effect of change in police information about employee), 324 (Person carrying on a regulated business to notify Chief Executive of change in police information) and 325 (Effect of change in police information about other persons) were consolidated into new s 323 (Notice of change in police information) with ss 324 and 325 removed.</p> <p>Following commencement of these amendments, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000.</p>
31 August 2020	Working with Children (Risk Management and Screening) Regulation 2020 – commencement date	<p>This new regulation replaced the <i>Working with Children (Risk Management and Screening) Regulation 2011</i>.</p> <p>Clause 4 and Schedule 1 of the Regulation prescribed the matters to be included in risk management strategies, as required by ss 171(1)(b) and 172(b) of the WWC Act (previously prescribed by in cl 3 of the <i>Working with Children (Risk Management and Screening) Regulation 2011</i>). The language used to describe the matters which must be included in risk management strategies was modernised and updated.</p>
15 September 2020	<p>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020 – relevant provisions commenced (most provisions, although note that ss 23 to 25, which further amended Chapter 22 of the Criminal Code did not commence until 5 July 2021)</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • date of assent 14 September 2020 • ss 1–2 comm on date of assent • pts 2, 4, 5 divs 1–2, pt 6 divs 1–2, pt 7 divs 1–2, pt 8 divs 1–2, pts 11–13, 14 divs 1–2, pt 15 comm on the day after the date of assent (see s 2(1)) • pts 3, 5 div 3, pt 6 div 3, pt 8 div 3, pts 9–10, 14div 3 comm 5 July 2021 (2021 SL No. 40) • pt 7 div 3 comm 5 July 2021 (2021 SL No. 40) (amdt could not be given effect) • rep 6 July 2021 (see AIA s 22C) 	<p>Overview</p> <p>The Explanatory Note says:</p> <p>The policy objective of the Bill is to improve the responsiveness of the criminal justice system to child sexual offending and the victims of child sexual offences by amending a range of legislation to:</p> <ul style="list-style-type: none"> • implement recommendations of the Criminal Justice Report of the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission); • implement recommendations of the Queensland Sentencing Advisory Council’s (QSAC) report on the Classification of child exploitation material for sentencing purposes (CEM Report); and • create new offences criminalising the possession, production and supply of anatomically correct, life-like child replicas used for sexual gratification and some other minor and technical amendments. <p>In relation to the 2017 Criminal Justice Report of the Royal Commission, the Explanatory Note says:</p> <p>Following further analysis and consultation, the Bill contains amendments to implement a range of key recommendations in the Criminal Justice Report in Queensland relating to:</p> <ul style="list-style-type: none"> • persistent child sexual abuse offences (recommendation 21); • grooming offences (recommendation 26); • limitation periods and immunities (recommendation 30); • third-party offences (recommendations 33-36);

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • reforming particular judicial directions (recommendation 65); • excluding good character as a mitigating factor (recommendation 74); • sentencing standards in historical cases (recommendation 76); and • intermediaries (recommendations 59 and 60). <p>Changes to Chapter 22 of the Criminal Code</p> <p>The Explanatory Note describes the changes made to the Criminal Code as being to:</p> <ul style="list-style-type: none"> • provide for retrospective application of the offence in section 229B (Maintaining a sexual relationship with a child); • extend the grooming offence in section 218B (Grooming children under 16) to certain persons other than the child; • provide for retrospective application of the removal of limitation periods on prosecutions for certain child sexual offences; • create a new offence of failure to report belief of child sexual offence that requires all adults to report child sexual abuse to police; • create a new offence of failure to protect a child from child sexual offence that applies in an institutional context; • ensure that the new failure to report and protect offences apply to information or knowledge gained during, or in connection with, a religious confession; <p>In relation to the extension of the s 218B (Grooming) offence, the Explanatory Note explains the intent as follows:</p> <p>Additionally, the newly cast provision expands the application of the offence to conduct by an adult in relation to a person who has the care of the child, or a person who is believed to have care of the child, where the conduct is accompanied by the intent to either facilitate the procurement of a child to engage in a sexual act, either in Queensland or elsewhere; or expose, without legitimate reason, the child to any indecent matter, either in Queensland or elsewhere.</p> <p>The changes that commenced on this date included:</p> <ul style="list-style-type: none"> • insertion of the new defined term “child abuse object” in s 207A • amendment of s 215 (Carnal knowledge with or of children under 16), s 228G (Forfeiture of child exploitation material etc), s 228H (Possession etc of child exploitation material by law enforcement officer) to include reference to “child abuse objects” • substitution of a new s 218B (Grooming children under 16 or parent or carer of child under 16 years), and • insertion of new offence provisions in s 228I (Producing or supplying child abuse object) and s 228K (possessing child abuse object). <p>After amendment, Chapter 22 of the Criminal Code was in this form.</p> <p>Note: The Amending Act made other changes to Chapter 22 of the Criminal Code that commenced on 5 July 2021 (see below).</p> <p>Changes to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> (CPORPO Act)</p> <p>The Act amended Schedule 1 (Prescribed offences) to the CPORPO Act by replacing the heading for Criminal Code Criminal Code s 218B (Grooming child under 16 years or parent or carer of child under 16 years) and inserting entries for:</p> <ul style="list-style-type: none"> • Criminal Code (Qld): <ul style="list-style-type: none"> ○ s 228I (Producing or supplying child abuse object) ○ s 228J (Possessing child abuse object) • Criminal Code (Cth): <ul style="list-style-type: none"> ○ s 273A.1 (Possession of child-like sex dolls etc) ○ s 474.22A (Possessing or controlling child abuse material obtained or accessed using a carriage service) <p>After amendment, Schedule 1 of the CPORPO Act was in this form: Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 - Queensland Legislation - Queensland Government</p>

Date	Legislative Event	Description and commentary
		<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>The amending Act made changes to both Schedule 2 (Current serious offences) and Schedule 4 (Current disqualifying offences) of the WWC Act:</p> <ul style="list-style-type: none"> offence title for Criminal Code (Qld), s 218B (Grooming children under 16) replaced with new offence title of ‘Grooming child under 16 years or parent or carer of child under 16 years’. new Criminal Code (Qld) offences added – s228I (Producing or supplying child abuse object) and s228J (Possessing child abuse object). new Criminal Code (Cth) offences inserted – <ul style="list-style-type: none"> s 273A.1 (Possession of child-like sex dolls etc.) s 273B.4 (Failing to protect child at risk of child sexual abuse offence) s 474.22A (Possessing or controlling child abuse material obtained or accessed using a carriage service). <p>Schedule 3 (Repealed or expired serious offences) and Schedule (Repealed or expired disqualifying offences) were both amended to insert the Criminal Code (Qld) offence, s 218B (Grooming children under 16).</p> <p>After amendment, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000.</p> <p>Other changes made by the amending Act to the WWC Act commenced on 5 July 2021 (see below).</p> <p>Changes to other laws</p> <p>The Act also included minor and consequential amendments to, amongst other Acts:</p> <ul style="list-style-type: none"> <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> <i>Police Powers and Responsibilities Act 2000</i> – s 789A.
2021		
1 February 2021	<p>Disability Services and Other Legislation (Worker Screening) Amendment Act 2020 – commencement of relevant provisions</p> <p>Relevant dates:</p> <ul style="list-style-type: none"> date of assent 11 December 2020 pt 3, s 70 sch 1 comm 1 February 2021 (2020 SL No. 265) 	<p>Overview</p> <p>According to the Explanatory Note, the objectives of the Bill were to:</p> <ul style="list-style-type: none"> support nationally consistent worker screening for the National Disability Insurance Scheme (NDIS) and the Intergovernmental Agreement on Nationally Consistent Worker Screening for the NDIS (the IGA) enable Queensland to operate a state disability worker screening system for certain disability services that it continues to fund, or deliver, outside of the jurisdiction of the NDIS Quality and Safeguards Commission (NDIS Commission) streamline and strengthen n Queensland’s legislative framework for disability worker screening ensure the blue card system operates effectively and efficiently alongside the disability worker screening system and ‘the strongest possible safeguards are maintained in relation to persons working with children with disability’. <p>As the Explanatory Note stated, people engaged in certain roles under the NDIS or state disability framework require a clearance, if providing services to children with disability. Amendments to the WWC Act were intended to ensure it operated effectively and efficiently alongside the new disability worker screening system, and to “achieve efficiencies whilst ensuring the strongest possible safeguards are maintained in relation to persons working with children with disability”.</p> <p>In addition to amendments noted below, a number of other amendments, including minor and consequential changes, were made to the WWC Act to facilitate the effective operation of the blue card system.</p> <p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p><u>Amendments to Schedules</u></p> <p>These included:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • Schedule 1 (Regulated employment and businesses for employment screening) – new s 6A (Disability work) and new s 16A (Disability work) were inserted to consolidate disability work / business into stand-alone categories of regulated employment/business and simplify the blue card screening requirements for persons undertaking disability work or carrying on a disability-related business. • Schedule 7 (Dictionary) – the definition of disciplinary information was amended to capture disciplinary information or NDIS disciplinary or misconduct information received by the Chief Executive under the <i>Disability Services Act 2006</i> (DSA), s 138ZG. Other amendments were made to remove redundant terms and provide new definitions to support the operation of the blue card system alongside the disability worker screening scheme. <p><u>Requirement for blue card/exemption – offences</u></p> <p>Sections 175 (Clearance required to employ person in regulated employment), 176A (Person prohibited from regulated employment without clearance), 176C (Exemption required to employ police officer or registered teacher in regulated employment) and s176E (Police officer or registered teacher prohibited from regulated employment without exemption), were amended to expand the aggravating circumstances for an offence committed under these sections to include where the person holds a disability exclusion under the DSA or an interstate NDIS exclusion.</p> <p><u>Restricted employment</u></p> <p>Section 176H (Definitions for division) was amended to extend the definition of ‘restricted employment’ to include employment in disability work that is otherwise not treated as regulated employment under new ss 6A(3)(a) and (b) of Schedule 1.</p> <p><u>Decision-making on WWC applications, cancellations etc</u></p> <p>The existing s 221 (Deciding application—no conviction or conviction etc. for nonserious offence) set out what was known (according to the Explanatory Note for the DSA Amendment Bill) as the ‘positive presumption test’ – that is:</p> <ul style="list-style-type: none"> ○ where the Chief Executive was not aware of any police information or disciplinary information – and so was required to issue a blue card and ○ where the Chief Executive was aware of disciplinary information, investigative information, charges for offences other than disqualifying offences, or charges for disqualifying offences dealt with other than by conviction, and convictions for non-serious offences – and so was required to issue a WWC clearance unless satisfied it was an exceptional case in which it would not be in the best interests of children to issue a blue card. <p>Amendment to s 221(1) and (2) extended the presumption test to circumstances where the Chief Executive was aware of ‘other information’ (not defined or limited) about the person that the Chief Executive reasonably believed was relevant to deciding whether it would be in children’s best interests to issue a blue card.</p> <p>The existing s 223 (Deciding application – negative notice cancelled or holder of eligibility declaration) dealt with how the Chief Executive must decide a working with children check application by a person if that person had an eligibility declaration in force or had their negative notice cancelled under s 304I (Deciding application). Amendments to s 223 (Deciding application – negative notice cancelled or holder of eligibility declaration) expanded the range of information that the Chief Executive could consider beyond changes in police and disciplinary information. This provided for ‘new assessable information’, which in addition to changes in police information or disciplinary information, included changes in any other information about the person that was relevant to deciding whether it would be in the best interests of children for the Chief Executive to issue a working with children clearance to the person.</p> <p>Section 226 (Deciding exceptional case if conviction or charge) was amended to require the Chief Executive to consider information provided under s 138ZG of the DSA when deciding whether there was an exceptional case for a person who had been convicted of or charged with an offence.</p> <p>Section 228 (Deciding exceptional case if disciplinary information exists) was amended to change the section heading to “Deciding exceptional case if disciplinary information or other relevant information exists”. The amended section also applied where the Chief Executive was aware of disciplinary information, or other information that the Chief Executive reasonably believed was relevant to whether it would be in the best interests of children to issue a blue card (new s 228(1)(b)(i) and (ii)).</p> <p>Section 229 (Chief executive to invite submissions from person about particular information) was amended to provide that when the Chief Executive proposed to issue a negative notice and accordingly invited submissions from a person, the Chief Executive was also</p>

Date	Legislative Event	Description and commentary
		<p>required to notify the person of any other information about them that the Chief Executive was aware of and reasonably believed was relevant to whether it would be in the best interests of children to issue a blue card (new s 229(2)(a)).</p> <p>The existing s 283 (Deciding application – police officer if further screening not required) and s 284 (Deciding application—registered teacher if further screening not required) required the Chief Executive to issue a WWC exemption to an applicant police officer or registered teacher if the Chief Executive was not aware of any police information or disciplinary information about them (and if certain other criteria were met). Following the amendments to ss 283 and 284, for the Chief Executive to be obliged to issue the WWC exemption, it also had to be established that the Chief Executive was not aware of any other information relevant to whether it would be in children’s best interests to issue the exemption.</p> <p>The existing s 304A (Cancelling authority because of subsequent information) applied if, after issuing a WWC authority, the Chief Executive became aware of further information. Further information was defined to include:</p> <ul style="list-style-type: none"> disciplinary information that was not known when the decision to issue the authority was made information from the Queensland Police Commissioner, interstate police commissioners and police information from other State entities that was not known when the decision to issue the authority was made; or a decision made by a court or tribunal, after the authority was issued. <p>Following amendment of s 304A, a new category was added for ‘other information about the person’, which was not known to the Chief Executive when the decision to grant the authority was made, and which the Chief Executive reasonably believed was relevant to deciding whether it would be in children’s best interests for the person to continue to hold the authority (new subs 304A(a)-(ab)). After considering this further information, the Chief Executive could cancel the working with children authority and issue a negative notice if appropriate.</p> <p><u>Information sharing provisions</u></p> <p>A number of amendments were made related to information sharing, including the following.</p> <p>Section 344 (Chief executive must give information about particular holders to chief executive (disability services)) was replaced by new s 344 (Giving information to chief executive (disability services)).</p> <p>A new s 344C (Notifying self-managed NDIS participant about particular matters) was inserted to authorise the Chief Executive (working with children) to provide notifications to a child, a person with parental responsibility for the child or the child’s plan manager about the blue card status of a person who was providing the child with NDIS supports or services in the capacity of a NDIS regulated business.</p> <p>Following amendment, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000</p>
5 July 2021	Further provisions of the Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020 commenced	<p>The amendments to Chapter 22 of the Criminal Code that commenced on this date included:</p> <ul style="list-style-type: none"> insertion of new defined terms <i>child sexual offence</i> and <i>religious confession</i> in s 207A amendment of s 228F (Excluding non-essential persons from court ...), and insertion of new offence provisions: <ul style="list-style-type: none"> s 229BB (Failure to protect child from child sexual offence) s 229BC (Failure to report belief of child sexual offence committed in relation to child) <p>After amendment, Chapter 22 of the Criminal Code was in this form.</p> <p>Note: The Amending Act made other changes to Chapter 22 of the Criminal Code that commenced on 15 September 2020 (see above).</p> <p>Changes to the Working with Children (Risk Management and Screening) Act 2000</p> <p>Schedule 2 (Current serious offences) was amended to insert the new Criminal Code (Qld) offence, s229BB (Failure to protect child from child sexual offence).</p> <p>After amendment. Schedule 2 of the WWC Act was in this form: Schedule 2 (Current serious offences)</p>

Date	Legislative Event	Description and commentary
		Other changes made by the amending Act to the WWC Act commenced on 15 September 2020 (see above).
30 July 2021	<p>Education and Care Services National Amendment Regulations 2021 – relevant provisions commenced.</p> <p>Commencement dates (from reg 3):</p> <ul style="list-style-type: none"> (1) These Regulations, other than regulations 5–9, 11–14 and 16–21, come into operation on 30 July 2021. (2) Regulations 5–9 come into operation on 1 October 2021. (3) Regulations 11–14 and 16–21 come into operation on 30 December 2021. 	<p>Changes to the <i>Education and Care Services National Regulations</i></p> <p>Relevant changes included amendment to reg 173 (Prescribed information to be displayed) by adding sub-reg (3).</p> <p>After all amendments had commenced (on 30 December 2021), the National Regulations were in this form: Education and Care Services National Regulations - Queensland Legislation - Queensland Government</p>
3 December 2021	<p>Police Powers and Responsibilities and Other Legislation Amendment Act 2021 – date of assent and commencement of relevant provisions.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • date of assent 03 December 2021 • pts 1–2, 3 (other than ss 11(3)–(4), 21, 23(2)–(3)), 4–10, sch 1 comm on date of assent • ss 11(3), 21, 23(2) comm 10 December 2021 (2021 SL No. 190) • ss 11(4), 23(3) comm 5 January 2023 (see s 2(2) and 2021 SL No. 190) • rep 6 January 2023 (see AIA s 22C) 	<p>Changes to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> (CPOROPO Act)</p> <p>The Explanatory Note said:</p> <p style="padding-left: 40px;">In June 2019, the joint meeting of the Ministerial Council for Police and Emergency Management and Council of Attorneys-General (the Council), noted states and territories that have not yet progressed legislative amendments to expand their registration and supervision schemes to apply to Commonwealth child sex offenders should do so as soon as practicable. Consequently, the QPS Child Protection Offender Registry (the Registry) has requested that nine Commonwealth child sexual offences be included in Schedule 1 of the CPOROPOA.</p> <p>Part 2 of the amending Act changed Schedule 1 (Prescribed offences) by adding entries for the following offence provisions in the Criminal Code (Cth):</p> <ul style="list-style-type: none"> • s 272.15A (Grooming person to make it easier to engage in sexual activity with a child outside Australia) • s 471.25A (Using a postal or similar service “groom” another person to make it easier to procure persons under 16) • s 474.23A (Conduct for the purposes of electronic service used for child abuse material) • s 474.25C (Using a carriage service to prepare or plan to cause harm to, engage in sexual activity with, or procure for sexual activity, persons under 16) • s 474.27AA (Using a carriage service to “groom” another person to make it easier to procure persons under 16 years of age) <p>After amendment, the CPOROPO Act was in this form: Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</p> <p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>The amending Act further strengthened the blue card system by including additional Commonwealth child sexual abuse offences as serious offences and as disqualifying offences, to automatically exclude a broader range of individuals from holding a blue card and serious offences.</p> <p>As noted in the Explanatory Note to the Bill, consistent with and complementary to the CPOROPOA amendments, the Commonwealth child sexual abuse offences which were identified for inclusion as reportable offences were now also elevated to disqualifying offences under the WWC Act. Other Commonwealth Criminal Code offences were also elevated as disqualifying or serious offences under the WWC Act.</p> <p>After amendment, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000</p>

Date	Legislative Event	Description and commentary
2022		
20 May 2022	<p>Child Protection Reform and Other Legislation Amendment Act 2022 – date of assent and commencement of certain provisions.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> Parts 1, 2, 5, 6 div 102 – 20 May 2022 Part 3 (amending the <i>Child Protection Act 1999</i>) provisions – in part on 31 October 2022 and in part on 21 May 2023 pt 6 divs 1–2 comm on date of assent s 128 (to the extent it ins ss 598 and 599), 129, 130, 131 (1) (to the extent it ins def risk-assessed role), 131 (2) comm 21 May 2023 (automatic commencement under AIA s 15DA (2)) pt 6, div 3 hdg, ss 95–127, s 128 (to the extent it ins ss 600 and 601), s 131 (1) (other than to the extent it ins definition risk-assessed role), s 132 sch 1 comm 2 December 2022 (see 2022 SL No. 162) 	<p>Overview</p> <p>As noted by the Statement of Compatibility and the Explanatory Note, the Bill was intended to implement reforms proposed by the 2019 discussion paper, <i>Rethinking rights and regulation: towards a stronger framework for protecting children and supporting families</i>, as part of the Supporting Families, Changing Futures reform program. The amendments also implemented recommendations of the QFCC’s <i>Keeping Queensland’s children more than safe: Review of the foster care system</i> and <i>When a child is missing: Remembering Tiahleigh – A report into Queensland’s children missing from out-of-home care</i> reports, as well as the Royal Commission into Institutional Responses to Child Sexual Abuse.</p> <p>The Explanatory Note said:</p> <p>Queensland is more than half-way through the 10-year Supporting Families Changing Futures reform program (SFCF reforms). As part of the SFCF reforms, the Child Protection Act 1999 (the Act) has been progressively amended (2014, 2016 and 2017) and comprehensively reviewed from 2015-2017. Priority amendments were made through the Child Protection Reform Amendment Act 2017, with further opportunities for improvement to be progressed in subsequent stages.</p> <p>It continued:</p> <p>the Bill will amend the Act to better support children and young people in care, and streamline, clarify or improve processes. This is proposed to be achieved by:</p> <ul style="list-style-type: none"> reinforcing children’s rights in the legislative framework strengthening children’s voices in decisions that affect them streamlining, clarifying and improving the regulation of care. <p>Changes to the <i>Child Protection Act 1999</i></p> <p>Relevant changes included:</p> <ul style="list-style-type: none"> changing the heading for s 13F to “Mandatory reporting relating to children in care” amending s 13F by expanding the mandatory reporting obligation to an approved carer and “a person employed in an entity mentioned in section 82(1)(f)” (which refers to other entities that the Chief Executive may place children with) minor amendments to ss 126, 129A, 134, 135, 137, 138, 138A, 139, 141, 141D, 141H, 142A, 142C insertion of new s 140B clarifying when a decision to amend, suspend or cancel a licence takes effect insertion of new ss 142E (Obtaining interstate criminal history information about particular persons) and 142F (Use of expanded interstate criminal history) allowing the Chief Executive to obtain and consider expanded interstate criminal history from an interstate commissioner of police, for the purpose of assessing the suitability of a person to be a provisionally approved carer, including and adult members of the person’s household (which was said to be required for the Department to become a participating screening unit of the Intergovernmental Agreement as recommended by the QFCC’s foster care report (recommendation 11)) insertion of new Part 4 (Support and training for approved carers) and Part 5 (Register of applicants, authority holders and former authority holders) <p>After all amendments had commenced (21 May 2023), the Act was in this form: Child Protection Act 1999 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>These included amendments relating to domestic violence information, regulation of licensed care services, and interstate WWC information and decisions. According to the Statement of Compatibility, these changes were intended to:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> provide a legislative basis for the Chief Executive (working with children) to request domestic violence information from the Police Commissioner to inform WWC assessments facilitate Queensland's participation in the Working with Children Checks National Reference System (WWCC NRS - a national database enabling jurisdictions to identify persons deemed ineligible to work with children in another state or territory) enable the Chief Executive to consider adverse decisions in other jurisdictions as part of a blue card assessment simplify and streamline categories of regulated employment and regulated business that deal with licensed care services enable a licensee to have greater visibility over the blue card status of each person performing a risk-assessed role for a licensed care service operated under the licence. expand the definition of 'notifiable persons' to enable a licensee to receive information about changes to the blue card status of a person performing a risk-assessed role for the licensed care service. <p>The Explanatory Note identified amendments to the WWC Act as 'priority amendments'. Commencement of the amendments was phased in over the period 20 May 2022 – 21 May 2023. Amendments are noted below in accordance with relevant commencement dates.</p> <p><u>Domestic violence information sharing (amendments commencing on assent, 20 May 2022)</u></p> <p>Amendments to the WWC Act for domestic violence information sharing to support WWC assessment included new s 315A (Chief executive's request for domestic violence information about person).</p> <p>This enabled the Chief Executive (WWC) to request domestic violence information from the Queensland Police Commissioner for WWC assessment purposes, where the Chief Executive reasonably believed a domestic violence order may have been made against the person. The Police Commissioner was required to comply with the request if the Police Commissioner had the information or had access to it. This was consistent with the information sharing arrangement already in place for the purposes of disability worker screening under the Disability Services Act 2006).</p> <p>Related amendments commencing on this date included:</p> <ul style="list-style-type: none"> s 221 (Deciding application—no relevant information or conviction etc. for non-serious offence) – including domestic violence information for the purposes of the positive presumption decision-making test s 223 (Deciding application—negative notice cancelled or holder of eligibility declaration) to provide for domestic violence information to be considered as 'new assessable information' s 228 (Deciding exceptional case if disciplinary information or other relevant information exists) – to include consideration of domestic violence information when making an 'exceptional case' decision (if it would not harm children's best interests to issue a working with children clearance) s 229 (Chief executive to invite submissions from person about particular information) – extending this requirement to circumstances where the Chief Executive is aware of domestic violence information, s 283 (Deciding application—police officer if further screening not required) and s 284 (Deciding application—registered teacher if further screening not required) – to add domestic violence information to the scope of relevant information for these purposes s 384 (Confidentiality of protected information) – to protect domestic violence information. <p>Following commencement of these amendments, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000</p>
12 September 2022	Evidence and Other Legislation Amendment Act 2022 No. 12 – commencement of relevant provisions	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>The <i>Evidence and Other Legislation Amendment Act 2022</i> amended the following provisions of the WWC Act to facilitate the (working with children check) Chief Executive's access to a transcript of a recorded statement relating to an offence mentioned in 'police information' to inform employment-screening decisions:</p>

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> • s 311 (Chief executive may ask police commissioner for information) • s 318 (Obtaining information from director of public prosecutions) • s 344 (Giving information to chief executive (disability services)) • s 384 (Confidentiality of protected information) <p>After it was amended the Act was in this form: Working with Children (Risk Management and Screening) Act 2000.</p>
27 September 2022	<p>Early Childhood Legislation Amendment Act 2022 (Vic) – date of assent</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • Pts 1 (ss 1, 2), 4 (ss 11-14), 8 (s. 99), 9 (ss 100, 101) on 28/09/2022: s. 2(1) • Pts 2 (ss 3-6), 3 (ss 7-10) on 01/01/2023: s. 2(2) • Ss 15-21, 34, 38-44, 51 on 01/07/2023: SG (No. 253) 23/5/2023 p. 1 • Ss 22-33, 35-37, 45-50, 52-98, 102 on 01/10/2023: s. 2(4) 	<p>An Explanatory Memorandum for the Bill said:</p> <p>The Early Childhood Legislation Amendment Bill 2022 amends the Education and Care Services National Law to implement the recommendations arising from the 2019 National Quality Framework Review and some additional minor policy decisions by the Ministerial Council comprised of the Ministers with responsibility for matters under the Education and Care Services National Law, the Education Ministers Meeting.</p> <p>The Explanatory Memorandum provided little guidance as to any reasons or intent for the amendments.</p> <p>Relevant changes introduced by the amending Act included:</p> <ul style="list-style-type: none"> • substitution of s 162A (Child protection training) • increasing the penalties for the offences in ss 165, 167, 169, 173, 174, 174A, 175, 187, 188, 188A and 273 <p>On 1 October 2023 when the last of the amendments had commenced (1 October 2023), the amended <i>Education and Care Services National Law (Queensland)</i> was in this form: Education and Care Services National Law (Queensland) - Queensland Legislation - Queensland Government</p>
2 December 2022	<p>Child Protection Reform and Other Legislation Amendment Act 2022 – commencement of provisions related to interstate WWC information and decisions, as noted.</p> <p>Commencement dates for the Act:</p> <ul style="list-style-type: none"> • Parts 1, 2, 5, 6 div 102 – 20 May 2022 • Part 3 (amending the <i>Child Protection Act 1999</i>) provisions – in part on 31 October 2022 and in part on 21 May 2023 • pt 6 divs 1–2 comm on date of assent • s 128 (to the extent it ins ss 598 and 599), 129, 130, 131 (1) (to the extent it ins def risk-assessed role), 131 (2) comm 21 May 2023 (automatic commencement under AIA s 15DA (2)) • pt 6, div 3 hdg, ss 95–127, s 128 (to the extent it ins ss 600 and 601), s 131 (1) (other than to the extent it ins definition risk-assessed role), s 132 sch 1 comm 2 December 2022 (see 2022 SL No. 162) 	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i> – changes related to interstate WWC information and decisions</p> <p>A number of amendments were made, introducing new provisions and aligning existing provisions, to support interstate WWC information exchange and consideration of interstate WWC information and decisions in WWC assessment and decision-making.</p> <p><u>Terminology and definitions</u></p> <p>Schedule 7 (Dictionary) was amended to include new definitions:</p> <ul style="list-style-type: none"> • <i>working with children check national reference system</i> • The following terms were defined by reference to new s 19 (Meaning of interstate working with children check application, interstate working with children authority and related terms): <ul style="list-style-type: none"> ○ <i>interstate working with children check application</i> ○ <i>interstate working with children authority</i> ○ <i>interstate negative notice</i> ○ <i>conditional interstate WWC authority</i> ○ <i>interstate interim bar</i> • The following terms were defined by reference to new s 20 (Meaning of adverse interstate WWC decision and related terms): <ul style="list-style-type: none"> ○ <i>adverse interstate WWC decision</i> ○ <i>in effect</i> • <i>adverse interstate WWC information</i>

Date	Legislative Event	Description and commentary
		<p>The following terms were defined by reference to the Australian Crime Commission Act 2002 (Cth), s 4(1):</p> <ul style="list-style-type: none"> ○ <i>national policing information</i> ○ <i>national policing information functions</i> <p><u>Requirement for clearance/exemption – offences</u></p> <p>Amendments were (in ss 176A(2)(f), 176E(2)(f), 175(2)(e), 176C(2)(e) made to add aggravating circumstances to existing offences under ss 175 (Clearance required to employ person in regulated employment), 176A (Person prohibited from regulated employment without clearance), 176C (Exemption required to employ police officer or registered teacher in regulated employment) and 176E (Police officer or registered teacher prohibited from regulated employment without exemption).</p> <p><u>Restricted person</u></p> <p>Section 176H (Definitions for division) was amended to provide that the definition of a restricted person includes a person who is the subject of a current adverse interstate WWC decision.</p> <p><u>Assessment and decision-making</u></p> <p>Amendments to support assessment and decision-making where there was relevant adverse interstate WWC information included:</p> <ul style="list-style-type: none"> • new s 201 (Deemed withdrawal—adverse interstate WWC decision in effect) • s 221 (Deciding application—no relevant information or conviction etc. for non-serious offence) • s 223 (Deciding application—negative notice cancelled or holder of eligibility declaration) • s 228 (Deciding exceptional case if other relevant information exists) • s 229 (Chief executive to invite submissions from person about particular information) • ss 283 (Deciding application—police officer if further screening not required) and 284 (Deciding application—registered teacher if further screening not required) <p><u>Suspension and cancellation</u></p> <ul style="list-style-type: none"> • s 295 (Application of division), which dealt with the application of Part 5A, Division 2 (Suspension of working with children authority) was replaced with new s 295, to extend the application of the division to circumstances where: <ul style="list-style-type: none"> ○ a person holds a working with children authority and an interstate working with children authority and the person’s authority is suspended under a corresponding WWC law; or ○ the person holds a working with children authority and is subject to an interstate interim bar. • s 300 (Chief executive’s decision about suspended authority) was amended so that the Chief Executive is not required to decide a person’s application to end a suspension if <ul style="list-style-type: none"> ○ the person holds an interstate working with children authority which is suspended under a corresponding WWC law, or ○ the person is an applicant for an interstate working with children check application and the person is subject to an interstate interim bar in relation to the application • a new s 303A (Cancelling authority if adverse interstate WWC decision) was inserted with subs (1) requiring the Chief Executive to cancel a person’s WWC authority if: <ul style="list-style-type: none"> ○ a person’s interstate working with children check application is refused under a corresponding WWC law; ○ the person is issued an interstate negative notice, or ○ an interstate working with children authority held by the person is cancelled under a corresponding WWC law • s 304A (Cancelling authority because of subsequent information) was amended to allow the Chief Executive to cancel a WWC authority based on previously unknown adverse interstate WWC information

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> ss 304B (Action after decision) and 304C (Notifiable persons and potential employers notified about cancellation), were amended to address notification and other requirements following cancellation based on an adverse interstate WWC decision (s303A), or new adverse interstate WWC information (s304A) s 304G (Application to cancel negative notice) was amended to prevent a person from applying for cancellation of a negative notice issued to them if they were a relevant disqualified person or the subject of a current adverse interstate WWC decision. <p><u>Information sharing</u></p> <p>Chapter 8, Part 6, Division 4 (Obtaining information from interstate police commissioner) was amended with:</p> <ul style="list-style-type: none"> the division heading now including “working with children check national reference system or interstate screening unit” new s 320A (Obtaining information from working with children check national reference system) new s 320B (Requesting information from other interstate screening units) <p>Chapter 8, Part 6, Division 8 (Dealing with information) was amended with:</p> <ul style="list-style-type: none"> the division heading changed to “Giving information to police commissioner and other State entities” s 344 (Giving information to chief executive (disability services)) - for the Chief Executive (WWC) to share relevant adverse interstate WWC information with the Chief Executive (Disability Services). <p>A new Chapter 8, Part 6, Division 10 (Giving information to ACC and interstate screening units) was inserted with:</p> <ul style="list-style-type: none"> new s 345B (Giving information to ACC) – for the purpose of including the information in the WWC NRS, or where the Chief Executive believed the information was otherwise relevant to the ACC’s functions, related to the WWC NRS. new s 345C (Giving information to interstate screening units) - where the Chief Executive reasonably believed the information was relevant to the interstate screening unit’s functions under the corresponding WWC law. <p>Section 384 (Confidentiality of protected information) – was amended to protect adverse interstate WWC information and other information provided to the Chief Executive by an interstate screening unit.</p> <p>Following commencement of these amendments, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000</p>
2023		
21 May 2023	<p>Child Protection Reform and Other Legislation Amendment Act 2022 – commencement of provisions related to licensed care services, as noted.</p> <p>Commencement dates for the Act:</p> <ul style="list-style-type: none"> Parts 1, 2, 5, 6 div 102 – 20 May 2022 Part 3 (amending the <i>Child Protection Act 1999</i>) provisions – in part on 31 October 2022 and in part on 21 May 2023 pt 6 divs 1–2 comm on date of assent s 128 (to the extent it ins ss 598 and 599), 129, 130, 131 (1) (to the extent it ins def risk-assessed role), 131 (2) comm 21 May 2023 (automatic commencement under AIA s 15DA (2)) pt 6, div 3 hdg, ss 95–127, s 128 (to the extent it ins ss 600 and 601), s 131 (1) (other than to the extent it ins definition risk-assessed role), s 132 sch 1 comm 2 December 2022 (see 2022 SL No. 162) 	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i> – changes relevant to licensed care services</p> <p>According to the Explanatory Note, amendments to the WWC Act related to licensed care services were intended to better reflect the contemporary service delivery model used by licensees in discharging their functions, including greater outsourcing to contractors and sub-contractors and to assist licensees in managing their obligations in this respect. In particular, the amendments addressed the need for licensees to receive information about changes to the blue card status of a person performing a risk-assessed role for the licensed care service.</p> <p>Amendments included:</p> <ul style="list-style-type: none"> New and amended definitions in Schedule 7 (Dictionary): Existing definition of <i>notifiable person</i> was amended to include the licensee of a licensed care service under the <i>Child Protection Act 1999</i>, where the person performs a risk-assessed role for a licensed care service A definition for <i>risk-assessed role</i> was inserted in Schedule 7, with reference to the <i>Child Protection Act 1999</i>, s123A New ss 598 (New regulated employment) and 599 (New regulated businesses) Amendment of Schedule 1, s 14 (Care of children under Child Protection Act 1999), providing that employment is regulated employment if the usual functions of the employment: <ul style="list-style-type: none"> are carried out, or likely to be carried out, inside a licensed residential facility include responsibility for directly managing a licensed care service, or

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> include performing a risk-assessed role for a licensed care service. New Schedule 1, s24 (Businesses relating to licensed care service under Child Protection Act 1999) providing that a business is a regulated business if the usual activities of the business include, or are likely to include: <ul style="list-style-type: none"> carrying out activities or providing services inside a licensed residential facility; a licensed care service, or performing a risk-assessed role for a licensed care service. <p>Following commencement of these amendments, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000</p>
1 August 2023	Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Act 2023 – relevant provisions commenced.	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>According to the Explanatory Note, the amending legislation was intended to implement recommendations from the Women’s Safety and Justice Taskforce (the Taskforce) report, <i>Hear her voice – Report one – Addressing coercive control and domestic and family violence in Queensland</i>.</p> <p>In addition to amendments to other legislation, the amending Act made consequential amendments to the WWC Act, Schedules 2, 4 and 6 as follows:</p> <ul style="list-style-type: none"> Removing from Schedules 2, 4 and 6 entries for the Criminal Code, s 215 (Carnal knowledge with or of children under 16), s 217 (Procuring young person etc. for carnal knowledge), and s 229B (Maintaining a sexual relationship with a child). ‘ Inserting in Schedules 2, 4 and 6 entries for the Criminal Code offences under: <ul style="list-style-type: none"> s 215 Engaging in penile intercourse with child under 16 s 217 Procuring young person etc. for penile intercourse s 229B Repeated sexual conduct with a child.
1 September 2023	<p>Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation Amendment Act 2023 – date of assent and date of commencement for Part 2 (Amendment of the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i>).</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 01 September 2023 pts 1–3B, 4 (other than ss 50B, 50D–50H, 50J–50L, 50N, s 52 (to the extent it ins ch 24, pt 24, div 3), s 55), 6, 7 (other than ss 63, 65), 8, ss 70–72, 75–82 comm on date of assent pt 9 (other than ss 70–72, 75 to 82) comm 23 August 2023 (see s 1A(1)) ss 50B, 50D–50H, 50J–50L, 50N, 52 (to the extent it ins ch 24, pt 24, div 3), s 55, pt 5, ss 63, 65 comm 2 September 2024 (automatic commencement under AIA s 15DA(2)) rep 3 September 2024 (see AIA s 22C) 	<p>Overview</p> <p>The Explanatory Note explained that through regular reviews of the <i>Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation Amendment Act 2023 (CPOROPO Act)</i>, the Queensland Police Service had “identified advances in technology that can be exploited by reportable offenders, changes in how offending is occurring as a consequence of the COVID-19 pandemic, and opportunities to enhance the protection of children through the child protection registry scheme”.</p> <p>It elaborated:</p> <p>Advances in technology have provided new ways for child sexual offenders to engage, groom and offend against children without leaving their home. This type of engagement has become more prevalent since the commencement of the COVID-19 pandemic. Other advances, such as masking applications, provide an opportunity for child exploitation material to be held in a vault or a black hole on a digital device without detection.</p> <p>Changes to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation Amendment Act 2023 (CPOROPO Act)</i></p> <p>Amongst other things, the amending Act:</p> <ul style="list-style-type: none"> replaced Part 3 (Reporting orders) with a new Part 3 (Offender reporting orders) comprised of: <ul style="list-style-type: none"> Division 1 (Making offender reporting orders) (ss 12A-12E) Division 2 (Appeals) (ss 12F-12G) amended s 15 (Reporting residence to QCS) to allow corrective services to seek information from a reportable offender about where they will live upon discharge and to provide that information to police insertion of new s 19B (Requirement to report each change in premises or locality at which offender stays or can be found) which required notification within 24hours of each place the offender stays for 3 days or more

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> changed the heading to Part 4, Division 3 to “Other provisions applying to reporting obligations” repealed and replaced ss 25-26 with new: <ul style="list-style-type: none"> s 25 (Initial report must be made in person) s 26 (How other reports must be made) s 26A (Reportable offender with disability may be assisted to make report) inserted a new s 54A (Reporting obligations notice) stipulating the contents to be included in an <i>initial reporting obligations notice</i> and any other <i>reporting obligations notice</i> created a new Part 4AA (Offences and proceedings for offences) containing previous ss 51-52B and 77E renumbered to reflect their relocation amended Schedule 2 (Personal details for reportable offenders) including the replacement of items 9 and 15 and the insertion of new item 15A (referring to digital devices in the offender’s possession or that they have access to, and to anonymising and masking software on each such device) <p>The amended CPOROPO Act was in this form: Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p> <p>The amending Act also made changes to numerous other laws including:</p> <ul style="list-style-type: none"> <i>Child Protection (Offender Reporting and Offender Prohibition Order) Regulation 2015</i> <i>Police Powers and Responsibilities Act 2000</i> <i>Summary Offences Act 2005</i>
1 October 2023	<p>Police Powers and Responsibilities and Other Legislation Amendment Act (No. 1) 2023 – Part 2 (Amendment of <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i>) commenced.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> date of assent 02 May 2023 pts 1, 3–7 comm on date of assent pt 2 comm 1 October 2023 (2023 SL No. 138) rep 2 October 2023 (see AIA s 22C) 	<p>Overview</p> <p>The Explanatory Note described the Bill as being “directed at enhancing the capacity of the Queensland Police Service (QPS) to monitor reportable offenders, investigate organised crime, including cybercrime, and address the dangers to Queensland road users and disruption to public amenity caused by hooning”.</p> <p>The specific objectives were said to include the following relevant statements:</p> <ul style="list-style-type: none"> strengthen child protection laws by increasing the periods for which an offender is required to report under the CPOROPO Act; improve the ability of the QPS to investigate cybercrime and offences committed by reportable offenders by making certain offences against the Criminal Code and the CPOROPO Act relevant offences for controlled operations and surveillance device warrants in Schedule 2 of PPRA; ... <p>Changes to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i> (CPOROPO Act)</p> <p>Amongst other things, the amending Act:</p> <ul style="list-style-type: none"> expanded s 5 (reportable offender defined) to include offended sentenced on or before the commencement of the <i>Child Protection (Offender Reporting) Act 2004</i> (on 1 January 2005) inserted a new s 13FA (Conduct that may be required) setting out conduct that could be required under a prohibition order replaced Part 4, Division 5 (Reporting period) (ss 35-39H) changing the reporting periods for reportable offenders, so that the reporting period could be either 5, 10 or 20 years or life depending on the number of reportable offences, whether notice of reporting obligations was given, whether further reportable offences were committed after such notice was given. <p>After amendment, the CPOROPO Act was in this form: Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 - Queensland Legislation - Queensland Government</p> <p>Changes to other laws</p>

Date	Legislative Event	Description and commentary
		<p>The amending Act also made changes to:</p> <ul style="list-style-type: none"> • <i>Police Powers and Responsibilities Act 2000</i> and • <i>Summary Offences Act 2005</i> <p>as well as other laws.</p>
1 October 2023	Education and Care Services National Amendment Regulations 2023 – commenced.	<p>Changes to the <i>Education and Care Services National Regulations</i></p> <p>Relevant changes included:</p> <ul style="list-style-type: none"> • amendment of reg 84 (Awareness of child protection law) • in Part 4.2 (Children’s health and safety) insertion of new Division 1A (Sleep and rest) comprised of regs 84A-84C • increasing penalties for offences, including the offences in: <ul style="list-style-type: none"> ○ reg 86 (Notification to parents of incident, injury, trauma and illness) ○ reg 163 (Residents at family day care residence and family day care educator assistants to be fit and proper persons) ○ reg 164 (Requirement for notice of new persons at residence) ○ reg 166 (Children not to be alone with visitors) ○ reg 168 (Education and care service must have policies and procedures) ○ reg 169 (Additional policies and procedures—family day care service) ○ reg 170 (Policies and procedures to be followed) ○ reg 171 (Policies and procedures to be kept available) ○ reg 173 (Prescribed information to be displayed) ○ reg 177 (Prescribed enrolment and other documents to be kept by approved provider) ○ reg 178 (Prescribed enrolment and other documents to be kept by family day care educator) • substitution of a new subs (1) in reg 149 (Volunteers and students) • amendment of reg 164 (Requirement for notice of new persons at residence) including insertion of new sub-reg (3) and (4) • amendment of reg 168 (Education and care service must have policies and procedures) • insertion of new reg 173A (Prescribed information to be displayed— family day care service) • amendment of reg 175 (Prescribed information to be notified to Regulatory Authority) • substitution of new reg 176A (Prescribed information to be notified to approved provider by family day care educator) <p>Following amendment, the National Regulations were in this form: Education and Care Services National Regulations - Queensland Legislation - Queensland Government</p>
2024		
10 May 2024	Education and Care Services Amendment Regulations 2024 – commenced.	<p>Changes to the <i>Education and Care Services National Regulations</i></p> <p>Relevant changes included:</p> <ul style="list-style-type: none"> • amendment of reg 173 (Prescribed information to be displayed – education and care service other than a family day care service) including substitution of new sub-reg (2)(f) and repeal of sub-reg (g) and substitution of new sub-reg (3) • insertion of new sub-reg (6) to reg 173A (Prescribed information to be displayed – family day care service) <p>Following amendment, the National Regulations were in this form: Education and Care Services National Regulations - Queensland Legislation - Queensland Government</p>
18 March 2024 / 26 May 2025	Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024 –date of assent 18 March 2024 – relevant provisions commenced 26 May 2025 (2024 SL No. 146 item 3)	Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i>

Date	Legislative Event	Description and commentary
		<p>According to the Explanatory Note, this amending legislation was intended to give implement recommendations from the Women’s Safety and Justice Taskforce (the Taskforce) report, <i>Hear her voice – Report one – Addressing coercive control and domestic and family violence in Queensland</i>. This built on the groundwork established by the Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Act 2023, including by introducing a new offence to criminalise coercive control.</p> <p>The intention was also to give effect to the Government’s response to recommendations from the Taskforce’s second report, <i>Hear her voice – Report Two – Women and girls’ experiences across the criminal justice system</i>, relating to domestic and family violence, sexual violence, publication restrictions and women and girls as accused persons and offenders. This included amendments to create a n affirmative model of consent in Queensland.</p> <p>The amending legislation also implemented the recommendations of the Commission of Inquiry into Queensland Police Service Responses to Domestic and Family Violence report, <i>A Call for Change</i>, through amendments to various statutes.</p> <p>The WWC Act was amended:</p> <ul style="list-style-type: none"> • Schedule 2 (Current serious offences) – to include the Criminal Code offence under s334C (Coercive control) as a serious offence. • Schedule 4 (Current disqualifying offences) – to include the Criminal Code offence under s334C (Coercive control) as a disqualifying offence if the offence was committed against a child or if the offence exposed a child to domestic violence. <p>Following amendment, the Act was in this form Working with Children (Risk Management and Screening) Act 2000.</p>
2 August 2024	<p>Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024 – relevant provisions commenced.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> • date of assent 09 May 2024 • pt 1 comm on date of assent • pts 2–3, 4 (other than s 17), 4A–11, sch 1 (other than amdts 4–5 of the Penalties and Sentences Act 1992) comm 2 August 2024 (2024 SL No. 135 item 1) • sch 1 amdts 4–5 of the Penalties and Sentences Act 1992 comm 2 August 2024 (2024 SL No. 135 item 1) (amdts could not be given effect) • s 17 comm 1 September 2024 immediately after the commencement of the Criminal Code and Other Legislation (Double Jeopardy Exception and Subsequent Appeals) Amendment Act 2024, s 27 (2024 SL No. 135 item 2) • rep 2 September 2024 (see AIA s 22C) 	<p>Overview</p> <p>The Explanatory Note describes the objects of the Bill as being:</p> <p>to establish a legal framework that will enact a safe, decriminalised sex work industry in Queensland, while improving the health, safety, rights and legal protections for sex workers ... based on the recommendations of the Queensland Law Reform Commission (QLRC) report: <i>A decriminalised sex-work industry for Queensland</i> (the QLRC Report).</p> <p>The Explanatory Note also said:</p> <p>The QLRC found that the current law does not clearly distinguish between sex work and exploitation. The decriminalised framework should clearly distinguish between sex work, which is between consenting adults, and sexual exploitation. The QLRC indicated that the decriminalisation of sex work does not require the removal of criminal laws against exploitation. The QLRC also observed that new offences are needed to address coercion and the exploitation of children in commercial sexual services.</p> <p>Changes to Chapter 22 of the Criminal Code (Qld)</p> <p>Amongst other things, the amending Act inserted new relevant offence provisions in Chapter 22 of the Criminal Code:</p> <ul style="list-style-type: none"> • s 217A (Obtaining commercial sexual services from person who is not an adult) • s 217B (Allowing person who is not an adult to take part in commercial sexual services) • s 217C (Conduct relating to provision of commercial sexual services by person who is not an adult) <p>After amendment, the Criminal Code was in this form: View - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004</i></p> <p>The amending Act made changes to Schedule 1 (prescribed offences) as a consequence of changes to the Criminal Code that included:</p> <ul style="list-style-type: none"> • entries in item 9(a) for ss 229G, 229H, 229I and 229L were omitted • entries were added to item 9(a) for: <ul style="list-style-type: none"> ○ s 217A (Obtaining commercial sexual services from person who is not an adult)

Date	Legislative Event	Description and commentary
		<ul style="list-style-type: none"> ○ s 217B (Allowing person who is not an adult to take part in commercial sexual services) ○ s 217C (Conduct relating to provision of commercial sexual services by person who is not an adult) <p>Following amendment Schedule 1 of the CPOROPO Act was in this form: Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 - Queensland Legislation - Queensland Government</p> <p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>Amendments to the WWC Act:</p> <ul style="list-style-type: none"> • inserted into Schedule 2 (Current serious offences) and into Schedule 4 (Current disqualifying offences), Criminal Code (Qld) offences under: <ul style="list-style-type: none"> ○ s 217A (Obtaining commercial sexual services from person who is not an adult) ○ s 217B (Allowing person who is not an adult to take part in commercial sexual services) ○ s 217C (Conduct relating to provision of commercial sexual services by person who is not an adult). • removed from Schedule 2 (Current serious offences) and from Schedule 4 (Current disqualifying offences) Criminal Code (Qld) offences as they were listed for ss 229G, 229H, 229I and 299L. • inserted into Schedule 3 (Repealed or expired serious offences) and into Schedule 5 (Repealed or expired disqualifying offences) Criminal Code (Qld) former offences under: <ul style="list-style-type: none"> ○ s 229G (Procuring engagement in prostitution), only if an offender was or could have been liable as mentioned in s 229G(2) ○ s 229H (Knowingly participating in provision of prostitution), only if an offender was or could have been liable as mentioned in s 229H(2) ○ s 229I (Persons found in places reasonably suspected of being used for prostitution etc.), only if an offender was or could have been liable as mentioned in section 229I(2) ○ s 229L (Permitting young person etc. to be at place used for prostitution). • inserted into Schedule 6 (Offences that may form basis of investigative information), Criminal Code (Qld) offences under: <ul style="list-style-type: none"> ○ s 217A (Obtaining commercial sexual services from person who is not an adult) ○ s 217B (Allowing person who is not an adult to take part in commercial sexual services) ○ s 217C (Conduct relating to provision of commercial sexual services by person who is not an adult). • removed from Schedule 6 (Offences that may form basis of investigative information) Criminal Code (Qld) offences as they were listed for ss 229G, 229H, and 299L. • inserted into Schedule 6A (Repealed or expired offences that may form basis of investigative information) the following Criminal Code (Qld) former offences under: <ul style="list-style-type: none"> ○ s 229G (Procuring engagement in prostitution) only if an offender was or could have been liable as mentioned in section 229G(2), ○ s 229H (Knowingly participating in provision of prostitution) only if an offender was or could have been liable as mentioned in section 229H(2) ○ s 299L (Permitting young person etc. to be at place used for prostitution). <p>Following amendment, the Act was in this form: Working with Children (Risk Management and Screening) Act 2000</p> <p>Changes to other laws</p> <p>The amending Act also made changes to a range of other Acts.</p>
19 September 2024	<p>Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2024</p> <p>Relevant dates:</p> <ul style="list-style-type: none"> • date of assent 19 September 2024 • pt 5, s 140 sch 1 not yet proclaimed into force (see s 2 (1) (b)–(c)) 	<p>Overview</p> <p>This amending Act includes significant reforms, particularly with respect to a new decision-making framework for risk assessing blue card applicants and holders.</p> <p>The Explanatory Note highlighted that the policy objective is to implement recommendations from the QFCC’s 2017 report, Keeping Queensland’s children more than safe: review of the blue card system (Blue Card Review Report). The amendments implement (in full or</p>

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	<ul style="list-style-type: none"> Note—AIA s 15DA does not apply to s 131 (see s 2 (2) (b)) 	<p>part) 12 of these recommendations. An earlier tranche of WWC amendments implemented reforms, including the “No Card, No Start” reforms, was in response to other Blue Card Review Report recommendations (see above).</p> <p>The Explanatory Note also cites the objective of implementing recommendations by the former Legal Affairs and Safety Committee (LASC), the Women’s Safety and Justice Taskforce (Taskforce) and the Youth Justice Reform Select Committee (YJRSC), which highlighted the need to consider the WWC decision-making framework.</p> <p>According to the Explanatory Note, amendments to simplify, streamline, and improve the operation of the blue card system were informed by operational learnings from the WWC administrator, Blue Card Services, feedback from stakeholders and the experience of WWC in other Australian jurisdictions.</p> <p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p><u>Principles</u>- amendment of principle (b) in s 6 (Principles for administering this Act)</p> <p><u>Terminology and definitions</u></p> <p>Changes include amendment of:</p> <ul style="list-style-type: none"> s 15 (What is a serious offence) s 16 (What is a disqualifying offence) <p><u>New decision-making framework</u></p> <p>The amending Act provides for a new decision-making framework, with a new Division 9 (Dealing with and deciding applications) and new Division 10 (Steps after application decided) replacing the current Divisions 9 and 10 in Chapter 8, Part 4.</p> <p>The new decision-making framework replaces the best interest test (see s 221(2) and other provisions) with a new statutory threshold of <i>risk to the safety of children</i> – defined in new s 18D as <i>real and appreciable risk to the safety of children</i> – to be applied in matters where the Chief Executive has discretion to approve or refuse an application.</p> <p>Relevant provisions for the new decision-making framework are set out in Chapter 8 (Working with children checks and authorities) with a new Division 9 (Dealing with and deciding applications) and new Division 10 (Steps after application decided) replacing the current Divisions 9 and 10 in Part 4 (Working with children clearances) of Chapter 8.</p> <p>The new Division 9 (Dealing with and deciding applications) includes the following:</p> <ul style="list-style-type: none"> new s 220 (Assessable information in relation to applications) New Subdivision 2 (Working with children check (exemption) applications deals with WWCC exemption applications by police officers and teachers (the current Chapter 8, Part 5 (Working with children exemptions) is omitted) New Subdivision 3 (Deciding applications) sets out provisions for the Chief Executive to: <ul style="list-style-type: none"> approve an application and issue a WWC clearance (or WWC exemption) or refuse an application and issue a negative notice. <p>This includes provisions for when:</p> <ul style="list-style-type: none"> the Chief Executive must approve – if there is no assessable information (new s 227 (Deciding application no assessable information)) the Chief Executive must refuse – if the applicant is a disqualified person (new s 228 (Deciding application – disqualified person)), or the Chief Executive may approve – if there is an exceptional case in relation to: <ul style="list-style-type: none"> an applicant who was previously, but is no longer, a disqualified person (other than a person who was disqualified due to conviction, sentence or order that was set aside on appeal) or an applicant who has been convicted of a serious offence at any time (new s 229 (Deciding application – exceptional case)).

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		<ul style="list-style-type: none"> the Chief Executive must approve unless satisfied the applicant poses a (real and appreciable) risk to the safety of children – if there is some assessable information, but the applicant has never been a disqualified person, and has not been convicted of a serious offence (new s 230 (Deciding application – general assessment of risk posed); new s 18D). <p>Note: The Explanatory Note says that in relation to new s230, before a negative notice can be issued, a clear nexus between a person’s conduct, alleged conduct and risk of harm to children must be demonstrated.</p> <ul style="list-style-type: none"> New Subdivision 4 (Risk assessment) sets out requirements for risk assessments to determine if there is an exceptional case for the purposes of new s 229 or a risk to children’s safety for the purposes of new s 230. In Subdivision 4, a new s 232 (How chief executive conducts risk assessment) requires the Chief Executive to conduct a risk assessment to determine whether or not <i>there is a real possibility that the person will pose a risk to the safety of children</i> (see also new Chapter 8, Part 4, Div 9 subdiv 6 (Advisory committees) and s 246D (Expert advisors)). The new s 233 (Reasonable person test) says that the Chief Executive can only find that a person does not pose risk to children’s safety if the Chief Executive considers that a reasonable person would allow their child to have direct contact with the applicant in child-related work, whether supervised or unsupervised. The new s 234 (Matters to consider in relation to particular conduct) lists the specific matters that must be considered for the purpose of a risk assessment if there is relevant assessable information concerning the applicant’s conduct or alleged conduct. Note 1: The Explanatory Note says these mandatory matters for consideration are consistent with specific criteria outlined by the Royal Commission and picked up in the QFCC Blue Card Review Report and the National Standards. <p>Note 2: A new s 246E (Risk assessment guidelines) in Subdivision 7 (Miscellaneous) requires the Chief Executive to make guidelines about how a risk assessment is conducted. The guidelines must be consistent with the Act and made as a statutory instrument.</p> <ul style="list-style-type: none"> New ss 235 and 236 provide for procedural fairness – applicants must be given an opportunity to make submissions as to why they should be issued with a working with children authority (blue card) on the basis that they are an exceptional case as described in s 229, or that they do not pose a risk to children’s safety as described in s 230. <p>An amended s 294 requires the Chief Executive to follow this new decision-making framework if the Chief Executive is required to make a decision, under new Chapter 8 Part 5A (Suspension or cancellation of working with children authority), whether to cancel a person’s working with children authority or negative notice, or whether it is appropriate issue a working with children authority or negative notice to a person.</p> <p>A new s 295(2) also requires the Chief Executive to apply this decision-making framework when assessing risk to children’s safety for the purpose of suspending a blue card (see further below re suspension powers).</p> <p><u>New disqualification framework</u></p> <p>Amendments have been made to definitions of <i>disqualifying offence</i> and <i>relevant disqualified person</i> and to cancellation provisions.</p> <p>Amongst other things, this means that persons who commit a “disqualifying offence” as juveniles, and adults who commit unlawful penile intercourse offences where an imprisonment order is not imposed, are not prevented from applying for a blue card, and will not be subject to automatic cancellation on the basis of those offences. However, the option to pursue an eligibility declaration will no longer be available.</p> <p><u>Removal of eligibility process</u></p> <p>Existing Chapter 8, Part 1 Division 2 (Eligibility declaration) sets out a process to allow a disqualified person with no term of imprisonment imposed to seek a declaration by the Chief Executive that they are eligible to apply for a blue card.</p> <p>The amending Act omits Chapter 8, Part 1 Division 2, and references to eligibility declaration throughout the WWC Act are removed.</p> <p>The Explanatory Note says that key components of the discretion afforded by the eligibility process will instead be incorporated in the new standard blue card decision-making framework. This will include retaining discretion for the two major cohorts for which it is</p>

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		<p>currently exercised: juvenile offenders and adults convicted of engaging in penile intercourse with a child under 16 where no term of imprisonment is imposed.</p> <p>Transitional provisions (in new Chapter 11, Part 22, Division 3) deal with existing eligibility applications and declarations, including for existing eligibility declarations to end and the relevant offence to instead be considered a serious offence (new s 604).</p> <p><u>Amendments to Chief Executive’s suspension powers</u></p> <p>Currently, s 295 together with s 296 compel the Chief Executive to suspend a working with children authority if:</p> <ul style="list-style-type: none"> • a person who holds the working with children authority (blue card holder) is charged with a serious offence or disqualifying offence; or • a registered teacher holds a working with children clearance and the teacher’s teacher registration is suspended under the <i>Education (Queensland College of Teachers) Act 2005</i>, s 49; or • the blue card holder also holds an interstate working with children authority and the person’s interstate working with children authority is suspended under a corresponding WWC law; or • an interstate interim bar is imposed on the blue card holder. <p>The new s 295(2) together with current s 296 will compel the Chief Executive to suspend a blue card if there is a change in assessable information and the Chief Executive considers the person would pose a risk to the safety of children if the person was permitted to engage in regulated employment or carry on a regulated business pending reassessment – see new s 233 and new s 234.</p> <p><u>Amendments to cancellation provisions</u></p> <p>Current s 303 (Cancelling authority if relevant disqualified person) requires the Chief Executive to cancel a person’s blue card if they become a ‘relevant disqualified person’ – defined in existing s 18. Note:</p> <ul style="list-style-type: none"> • removal of the s 18 definition of relevant disqualified person and amendment of s 303 to replace reference to relevant disqualified person with a reference simply to a disqualified person • amendment of s 16 will mean that a card holder cannot be subject to automatic cancellation for any offences committed as a juvenile. <p>Amended s 303 (Cancelling authority if relevant disqualified person), with new (1A) sets out an additional ground for mandatory cancellation of blue card. See also amended s 304A (Cancelling authority because of subsequent information) which enables the Chief Executive to cancel blue card without receiving submissions from the blue card holder (under s 235) as to why negative notice should not be issued and without issuing a negative notice to the blue card holder.</p> <p><u>Applications to cancel a negative notice</u></p> <p>Changes to the provisions about applications to cancel a negative notice include:</p> <ul style="list-style-type: none"> • new s 304HA (Chief executive may request further information) • new s 304HB (Withdrawal by chief executive—failure to comply with particular requests) <p><u>Self-disclosure requirements</u></p> <p>The amendments impose requirements on blue card applicants, blue card holders and applicants for cancellation of a negative notice to disclose changes in relation to certain matters, to the Chief Executive, including in relation to a <i>disclosable matter</i> concerning them. Failure to do so will be an offence (new s 328B; see also new s 188) (note: blue card holders are already required to notify the Chief Executive of a change in police information – current s 323).</p> <p>The new s 186 (Meaning of <i>disclosable matter</i>) defines <i>disclosable matter</i> as a matter that relates to any of the following:</p> <ul style="list-style-type: none"> • a domestic violence order or police protection notice, made or issued against them, under the <i>Domestic and Family Violence Protection Act 2012</i>

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		<ul style="list-style-type: none"> an adverse interstate WWC decision an allegation of harm caused by the person substantiated by the Chief Executive (Child Safety) or the Chief Executive of the department of another State administering a child welfare law of the State (relevant child welfare laws are listed in the <i>Child Protection Act 1999</i>, schedule 3) disciplinary action taken against the person that is prescribed by regulation another matter relevant to whether the person poses a risk to the safety of children prescribed by regulation. <p><u>New and amended offences</u></p> <p>Changes to offence provisions include:</p> <ul style="list-style-type: none"> New offences: <ul style="list-style-type: none"> failure to disclose whether police information or a <i>disclosable matter</i> exists (amended s 188 (Form of application)) failure to notify Chief Executive of changes to personal details (new ss 328B and 328C) failure to comply with Chief Executive’s request for information for auditing and compliance monitoring purposes (new s 370B (Obtaining information from persons)). Amended offence: allowing a suspended person to perform work in regulated employment - amended to apply only to employer/potential employer who has been given notice about suspension (amended s 298 (Effect of suspension of working with children authority)). The omission of Chapter 8, Part 1 (Restrictions on making working with children check applications) removes the current ss 176K and 176L offences for a disqualified person or a negative notice holder to make a WWCC application. <p><u>New provisions to facilitate compliance with the WWCC</u></p> <p>These include:</p> <ul style="list-style-type: none"> new Chapter 10, Part 1A (Powers to audit and monitor for compliance) new Chapter 10, Part 1 (Requirement to keep register about persons employed in regulated employment) which sets out employers’ obligations to keep a register of information about persons they employ, recording details relevant to WWC requirements. <p><u>Amendments to Schedule 1 categories of regulated employment and business</u></p> <p><i>Amendment to schools categories</i></p> <p>Schedule 1, s 3 currently includes schools as a category of regulated employment (employees other than teachers and parents). Amendments to this will provide for employment in schools to be captured if any of the usual functions of the employment take place in an area of a school as specified. However, such employment will not be captured if it involves undertaking work that is not directed at children and if it does not permit or facilitate contact with children, other than incidental contact. The Explanatory Note says that these changes are intended to promote clarity and reduce overcompliance.</p> <p>A new s 18C (Educational services and activities conducted inside school) in Schedule 1, Includes educational services and activities conducted inside school as a category of regulated employment – with inclusions and exclusions equivalent to those above for employment in schools.</p> <p><i>Amendments to other categories</i></p> <p>Other changes:</p> <ul style="list-style-type: none"> include gyms and play facilities as regulated employment and regulated business under the existing sport and active recreation category (new ss 11(1)(b) and 22(1)(b))

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		<ul style="list-style-type: none"> include a new standalone category for entertainment or party services, beauty or talent competitions, and photography services as regulated employment and regulated business (new ss 11A and 22A(1)) include organised overnight camps in the existing child accommodation service category (new ss 9(1)(b) and 21(1)(b)) (parents volunteers in this category will not be exempted from WWC requirements – see below) include new category for justice and detention services (as regulated employment – new s 4B and regulated business – new s 18B) remove the exemption for lawyers currently in s 28A and include legal support as regulated employment and regulated business (new ss 6(1)(d) and 16(1)). <p><i>Exemption/inclusion of parent volunteers</i></p> <p>Current exemptions for parent volunteers vary across regulated categories. With respect to:</p> <ul style="list-style-type: none"> Education and care services and similar employment - volunteers are currently not considered to be in regulated employment if they are the parent of a child to whom education and care is regularly provided)in the course of the service or at the premises (s 4(4)) Child care and similar employment - currently, volunteers are not considered to be in regulated employment if they are the parent of a child to whom child care is regularly provided in the course of the service (s 4A(2)) <p>The amendments omit Schedule 1, ss 4(4) and 4A(2) as these exemptions are now addressed in a broad exemption for parent volunteers.</p> <p>The amendments establish an overarching rule across regulated categories to exempt volunteers from regulated employment where the service/activity includes their own child. (see amended s 156).</p> <p>However, the amendments provide specific exceptions to this rule which mean that a parent volunteer will have to obtain a blue card if they are:</p> <ul style="list-style-type: none"> participating in an overnight camp or excursion for children under the amended sch 1 s9 (child accommodation services) (new s 156(5)), or providing a service or activity to a child that includes, or may include, close personal contact with a child other than the person’s own child (eg, assisting a child with toileting, bathing, or dressing). (this could capture parent volunteers in ECEC) (new s 156(6)). <p>The Explanatory Note notes that this is consistent with both the Royal Commission’s position and the National Standards for Working with Children Checks (National Standards), which received final endorsement from all States and Territories in November 2019 (National Standard 6(d)).</p> <p><u>Amendment of offence Schedules</u></p> <p>Schedule 4 (Current disqualifying offences): the entry for the Criminal Code, s 215 (Engaging in penile intercourse with child under 16) is amended so that this is a disqualifying offence only if an imprisonment order is or was imposed.</p> <p>Schedule 5 (Repealed or expired disqualifying offences): amended to include Criminal Code s 209 (Attempted sodomy).</p> <p>The WWC Amendment Act 2024</p> <ul style="list-style-type: none"> replaces the Schedule 2 with a new Schedule 2 (Current serious offences), replaces the Schedule 3 with a new Schedule 3 (Repealed or expired serious offences) amends Schedule 4 (Current disqualifying offences) – the entry for the Criminal Code, s 215 (Engaging in penile intercourse with child under 16) is amended so that this is a disqualifying offence only if an imprisonment order is or was imposed amends Schedule 5 (Repealed or expired disqualifying offences) – to include Criminal Code s 209 (Attempted sodomy). <p><u>Other amendments</u></p>

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		<p>Other changes include amendments to the provisions for information sharing, including:</p> <ul style="list-style-type: none"> to enable information sharing with prescribed entities (see new Chapter 8, Part 6, Division 8A noting entities are yet to be prescribed by regulation) for broader information sharing with the Queensland College of Teachers (new s 343) to expand the Chief Executive’s power to share information with <i>another person</i> authorised by the department to assist the Chief Executive in performing main functions under s 8(a) – ie, to administer the WWC scheme, audit and monitor compliance and to establish a register of regulated persons who provide home based care services to children (see new s 344A(1)(e)). <p>At the time of writing (prior to commencement of these amendments) the Act was in this form: Working with Children (Risk Management and Screening) Act 2000</p> <p>Changes to other laws</p> <p>The amending Act also changes other laws including:</p> <ul style="list-style-type: none"> <i>Child Protection Act 1999</i> <i>Children’s Court Act 1992</i> <i>Disability Services Act 2006</i>.
19 September 2024	<p>Child Safe Organisations Act 2024 – date of assent.</p> <p>Commencement dates:</p> <ul style="list-style-type: none"> ss 1–2 comm on date of assent ch 1 pts 1 (other than ss 1–2, 3 (2) (c)–(d)), 2, chs 2, 4 pts 1–2, 4, chs 5 (other than ss 58 (1) (b)–(c), 59 (1) (b), 60 (6) def relevant entity, para (d)), 6 (other than s 91 (2) (b)–(f), (4) def relevant person, paras (b)–(e)), 7 (other than s 98 (c)), 8 (other than ss 103 (1) (b), 107 (2)), 9 (other than s 112), 10 pts 1, 3, schs 1 (other than ss 1–3, 6–7, 9–12), 3 comm 1 October 2025 (see s 2 (1)) sch 1 ss 1, 3, 6–7, 12 comm 1 January 2026 (see s 2(2)) ch 10 pts 4 (other than s 128), 5, sch 1 ss 2, 9–11, schs 4–5 comm 1 April 2026 (see s 2 (3)) s 3 (2) (c)–(d), chs 3, 4 pt 3, ss 58 (1) (b)–(c), 59 (1) (b), 60 (6) def relevant entity, para (d), 91(2)(b)–(f), (4) def relevant person, paras (b)–(e), ss 98 (c), 103 (1) (b), 107 (2), 112, ch 10 pt 2, s 128, sch 2 ss 4–5, 8–9 comm 1 July 2026 (see s 2 (4)) sch 2 ss 1, 6–7 comm 1 January 2027 (see s 2 (5)) sch 2 ss 2–3 comm 1 July 2027 (see s 2 (6)) <p>See also the Implementation Timeline on the QFCC’s website</p>	<p>The Explanatory Note said:</p> <p>Following an extensive five-year inquiry, the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) presented its Final Report on 15 December 2017, finding widespread and systemic failings of institutions to protect children and respond to child sexual abuse. “Institution” was broadly defined to include any entity (or organisation) that provides, or has at any time provided, activities, facilities, programs or services of any kind that enable adults to have contact with children.</p> <p>In its Final Report, the Royal Commission recommended state and territory governments:</p> <ul style="list-style-type: none"> require relevant organisations to comply with 10 Child Safe Standards (CSS) as a best-practice approach to keep children safe (recommendation 6.8, Volume 6, Final Report);and establish nationally consistent reportable conduct schemes (RCS) to provide independent oversight of organisational responses to allegations of child abuse across sectors (recommendations 7.9– 7.12, Volume 7, Final Report). <p>The Queensland Government has accepted or accepted in-principle all CSS and RCS recommendations.</p> <p>It said:</p> <p>The Bill achieves the policy objectives and supports the intent of recommendations made by the Royal Commission by:</p> <ul style="list-style-type: none"> establishing mandatory compliance with 10 CSS, based on the National Principles for Child Safe Organisations (National Principles), and a Universal Principle for cultural safety for Aboriginal and Torres Strait Islander children; establishing an RCS for the oversight of reporting and investigations into allegations of child abuse by organisations within scope; and providing that the Commission is the independent oversight body responsible for administration of CSS and an RCS. <p>The Act is structured around 10 Chapters that include, relevantly:</p> <ul style="list-style-type: none"> Chapter 1 (Preliminary) including the purpose of the Act and interpretive provisions Chapter 2 (Child Safe Standards), including: <ul style="list-style-type: none"> s 11 (Child safe entities must implement and comply with child safe standards and universal principle) s 14 (Principles for implementing and complying with child safe standards and universal principle) Chapter 3 (Reportable conduct scheme)

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		<ul style="list-style-type: none"> • Chapter 4 (Disclosure of information and confidentiality) • Chapter 5 (Confidentiality and protection) • Chapter 6 (Investigation and enforcement), and • Chapter 7 (Review of decisions). <p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>Transitional and consequential amendments were made to the WWC Act. Amongst other things, new s 343A (Requirement to notify Family and Child Commission of negative notice) was inserted to require the Chief Executive under the WWC Act to notify the QFCC if a negative notice is issued to a person, or a person’s negative notice is cancelled, and the Chief Executive is aware the person is the subject of a reportable conduct finding.</p>
19 September 2024	<p><i>Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Act 2024</i></p> <p>Relevant dates:</p> <ul style="list-style-type: none"> • date of assent 19 September 2024 • s 49 sch 1 pts 1–2 not yet proclaimed into force (see s 2(d)) 	<p>Changes to the <i>Working with Children (Risk Management and Screening) Act 2000</i></p> <p>This Act amends the WWC Act with the insertion of Criminal Code offence s 210A (Sexual acts with a child aged 16 or 17 under one’s care, supervision or authority) in Schedule 2 (Current serious offences) and Schedule 4 (Current disqualifying offences).</p>