

# Australian Hypnotherapists' Association – Working With Children Guide For Therapists

All AHA Associate, Clinical, & practicing Life Members will need to have undergone a Working with children check or Police check (depending on your state requirements) by 1st May 2010.

Most states and territories have introduced legislation providing for Working With Children (WWC) pre-screening, or are working towards such legislation. However there is no single national framework setting out the requirements for obtaining WWC police checks. Each state and territory has their own procedures and it is necessary to fulfil the requirements in the jurisdiction in which you are working.

The WWC Check was one of the mechanisms set up to help keep children safe from bogus practitioners by seeking to prevent those who pose a risk to the safety of children from working with them, in either paid or volunteer capacity. Anyone undertaking 'child-related work' will now need to have undergone a WWC Check **before beginning that work**.

As convicted paedophiles will naturally claim they will not be working with children it has been decided that all AHA Associate, Clinical & practicing Life members need to have a WWC check as per their state requirements. The WWC certificate needs to be displayed for easy access by clients and their parents or carers. The Working With Children background check is valid only in the state of issue.

In addition to child-related employment legislation (where it exists), all states and territories have legislation that requires people to be screened for criminal offences (such as rape etc). This means that even in jurisdictions where child-related employment legislation does not yet exist there are still requirements for adults to undergo screening.

## **The Difference Between A Police Check And A WWC Check**

Police Checks identify and release relevant criminal history information relating to convictions, findings of guilt or pending court proceedings. However, there are limitations on the information a Police Check can provide (e.g. prior convictions are not to be disclosed where 10 years have passed from the date of the conviction). While a WWC check will check all prior criminal history without a time limit.

Therefore, people will be required to obtain both a Working With Children Check and a National Police Check unless you live in the ACT or SA where WWC cards are not yet available. The police check will only be required once while the WWC card will need to be updated as per the requirements in your particular state.

## **WWC for ACT**

No formal Act or WWC screening program is currently available, though a police criminal check is available. However the ACT government is currently developing legislation for working with vulnerable people that will extend to screening requirements for working with children. It is expected that this legislation will be tabled in late 2009.

Website: [www.afp.gov.au/act.htm](http://www.afp.gov.au/act.htm)

## **WWC for New South Wales**

Self-employed persons now have similar obligations as employees under the new *NSW Working with Children Act 2005*. As a self employed person you need to apply for a "certificate for Self Employed People in Child Related Employment" to show clients you do not have a criminal record that makes you a prohibited person to be working with children. After 1 May 2010 government

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penalties will apply if you do not have a valid Certificate.

Website: [www.kids.nsw.gov.au/](http://www.kids.nsw.gov.au/)

## **WWC for NT**

*The Care and Protection of Children Act 2007* (NT) came into force in 2008. The screening program is being phased in over 12 months in order to allow people already employed in child-related settings to obtain Clearance Notices.

Website: [www.pfes.nt.gov.au/documents/File/police/frontcounter/crimhist/PF095-CriminalHistoryCheck-Application.pdf](http://www.pfes.nt.gov.au/documents/File/police/frontcounter/crimhist/PF095-CriminalHistoryCheck-Application.pdf)

## **WWC for Queensland**

The Queensland Commission for Children and Young People and Child Guardian is responsible for administering the Working With Children Check program, which is known as the Blue Card System. The Blue Card System entails a National Police Check, a review of disciplinary information held by certain professional organisations, and consideration of relevant police investigations. The Blue Card System also provides for ongoing monitoring and notification of changes in Blue Card holders' criminal histories. Blue Cards entitle individuals to work or volunteer in child-related occupations or operate child-related businesses.

Blue Cards are valid for two years.

Website: [www.childcomm.qld.gov.au/employment/bluecard](http://www.childcomm.qld.gov.au/employment/bluecard)

## **WWC for SA**

No formal Act or WWC screening program is currently available; however, a police criminal check is available. Police Check application forms can be obtained from the South Australian Police.

Website: [www.sapolice.sa.gov.au/sapol/home.jsp](http://www.sapolice.sa.gov.au/sapol/home.jsp)

## **WWC for Tasmania**

No formal Act or WWC screening program is currently available; however, a police criminal check is available. The Tasmanian Commissioner for Children is involved in ongoing discussions with policy makers and the police force in relation to the development of a working with children screening program. In 2005, the commissioner released a consultation paper discussing proposals for the introduction of a screening program and cabinet papers have recently been drafted to start the process of legislating for Working With Children Checks

[www.childcomm.tas.gov.au/docs/consultationpaper.pdf](http://www.childcomm.tas.gov.au/docs/consultationpaper.pdf)

Police Checks can be obtained from the Tasmanian Police Department.

Website: [www.police.tas.gov.au/permits/criminal-history](http://www.police.tas.gov.au/permits/criminal-history)

## **WWC for Victoria**

Self-employed persons now have similar obligations as employees under the new Victoria *Working with Children Act 2005*. The WWC Check commenced in April 2006. It will be phased in between 2006 and 2011. Approximately 650,000 Victorians will need to apply for a WWC Check during this period. Victoria **WWC Check Cards are valid for five years.**

Website: [www.justice.vic.gov](http://www.justice.vic.gov)

## **WWC for WA**

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The WWC (*Criminal Record Checking*) Act 2004 (WA) legislates for child-safety screening. The WWC Check is a compulsory criminal check. WWC Checks are different from Police Checks as they offer ongoing monitoring and may be updated if a person's criminal record changes while the check is valid. Additionally, WWC Checks are only concerned with child-related offences. Therefore, people will be required to obtain both a Working With Children Check and a National Police Check. WA Working With Children **Check Card is valid for 3 years.**

Website: [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au)