



**Government  
of South Australia**

**Minister for Communities and  
Social Inclusion  
Minister for Social Housing  
Minister for the Status of Women  
Minister for Ageing  
Minister for Multicultural Affairs  
Minister for Youth  
Minister for Volunteers**

17MCSI/0638  
PREM17D06226.8

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Dear Ms Hywood

Thank you for your email to the Premier, Hon Jay Weatherill MP, about the resolution of the General Synod of the Anglican Church of Australia. As this matter falls within my portfolio responsibilities as Minister for Communities and Social Inclusion, the Premier has asked me to respond on his behalf.

In South Australia, the *Children's Protection Act 1993* (CP Act) governs child-related employment screening, and requires certain organisations to undertake an assessment of a person's relevant history before engaging them to work in *prescribed positions*. This obligation can be met by the organisation obtaining a criminal history report relating to the person and undertaking an assessment of relevant history themselves; or by engaging the Department for Communities and Social Inclusion (DCSI) Screening Unit.

The DCSI Screening Unit child-related employment screening offers a comprehensive assessment of a person's relevant history. As well as assessing an individual's criminal history information, the Unit assesses additional information, including child protection and care concern information.

The CP Act is not concerned with age restrictions, exemptions or exclusions and any employee or prospective employee, regardless of age, must have a child-related employment clearance before they can work in a *prescribed position*.

I am advised that people over the age of 18 who wish to work with children in a volunteer capacity also require child-related employment screening. However, individuals under 18 years of age, who undertake work on a voluntary basis, are exempt from the requirements of the CP Act.



I am aware the 'Working with Children Checks (WWCC) Report' from the Commonwealth Royal Commission into Institutional Responses into Child Sexual Abuse, noted that further measures were required to protect children against sexual abuse by other children, including those children engaged in child-related work. In addition, they considered a more holistic and proportionate response was required rather than a WWCC for children.

The Commission commented that any such response should be based on broader child-safe strategies and risk management safeguards that include; appropriate supervision and rigorous recruitment and selection processes, such as screening through detailed interviews, reference checking and obtaining a national criminal history check.

More recently in the 'Child Protection Systems Royal Commission Report', the South Australian Royal Commission recommended a stand-alone Act to regulate the screening of people engaged in child related work. As a result, the government introduced the *Child Safety (Prohibited Persons) Act 2016* (the CS Act).

The CS Act will provide a more consistent, efficient and transparent system, with removal of the option for organisations to undertake an assessment of relevant history themselves, and workers and volunteers being able to initiate their own screening applications. The Attorney General's Department is currently drafting regulations to support the CS Act, and are yet to set a commencement date.

Similar to the current scheme, the CS Act does not place age restrictions, exemptions or exclusions for the requirement for a WWCC. Where a person is to engage in child-related work they will be required to obtain a WWCC, irrespective of age.

I trust this information is of assistance.

Yours sincerely



**Hon Zoe Bettison MP**  
MINISTER FOR COMMUNITIES AND SOCIAL INCLUSION

27 / 12 / 2017

Cc Hon Jay Weatherill MP, Premier.