

# FACT SHEET

## ***Registration to Work with Vulnerable People Bill 2013***

The *Registration to Work with Vulnerable People Bill 2013* (the Bill) is a significant reform. It reflects up-to-date policy and practice, to further prevent the risk of sexual, physical, emotional or financial harm or neglect for children and vulnerable adults.

The Bill gives legal authority to implement the Tasmanian Government's commitment to the Council of Australian Government (COAG) to establish a centralised background checking and risk assessment process for people working with children.

The risk of harm faced by children and vulnerable adults are similar. Therefore, like the ACT, Tasmania's proposed system will ultimately provide similar protections for vulnerable adults as it does for children.

The Bill creates a framework that requires people who have contact with children and vulnerable adults, in the course of engaging in certain regulated activities, to be registered. On commencement of the Bill the Minister for Justice will have administrative responsibility for the Act generally. A Registrar and staff will consequently be appointed to perform the checking and registration tasks.

The premise of background checking and risk assessment is that the past behaviour of an individual provides an indication of the possible future behaviour of that individual. The exclusion of people with a known history of certain behaviour is a fundamental part of creating safe working environments for children and vulnerable adults.

People who are not registered, or who are deemed to present an unacceptable risk of harm, will be prohibited from working with children and vulnerable adults in Tasmania.

The Bill establishes a broad base on which to conduct background checking; which includes a person's criminal history, non-conviction information, relevant offences and other information. It also safeguards the rights of people working with, or wanting to work with vulnerable people by protecting their privacy, creating exemptions in specified conditions, providing for conditional registration and prescribing review and appeal provisions.

The exact nature of all regulated activities, and when these will be required to be registered, will be provided for in the Regulations. Regulated activities will only be required to be registered upon adoption of the relevant Regulations. The community will have an additional opportunity to provide input regarding the initiative at that stage.

It is anticipated, through Regulations, the requirement for registration would commence in different years depending on the type of activity or service a person works in.

The Bill also sets out provisions in respect to the creation of an Advisory Council, miscellaneous provisions, creates certain exemptions from the *Right to Information Act 2009* and the *Personal Information Protection Act 2004* and provides for offences and infringement notices.