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Warwick Bateman OAM
BRANCH COMMISSIONER (SPECIAL PROJECTS)

Mr Peter Olah
CEO
Scout Association of Australia (NSW Branch)

Peter,

Attached find the original Fax, dated 09/02/2001, from NSW Commission for Children & Young People together with a copy of the 'Prohibited Employment Declaration' that I submitted for their approval.

The fax approves our modifications to the official declaration. My original correspondence was addressed to Mr Grant Matley, Manager of Employment Screenings, the approval is signed by Peta Lucas Coordinator, Employment Screening and dated the 9th February 2001.

A pre-requisite of the Commission was that it be approved by our overseeing authority, The Department of Sport & Recreation, which was initially obtained on 27th October 2000 at a meeting with the manger of their screening department, David Rees.

As Mr Rees is currently on holidays I took the precaution of resubmitted the document to the Department. I received telephone confirmation. First from a Ms Kathleen Gallagher, who said she had carriage of such matters, then in a return telephone call from a Ms Lewis, who said she was in fact Mr Rees's deputy.

I believe from my discussions with both bodies, there is no problem in changes to the final layout as long as the wordage and emphasis is maintained.

Warwick

Warwick Bateman

9th February 2001

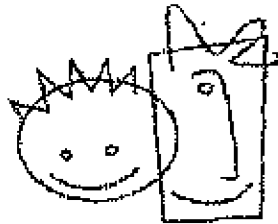
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WB ✓ Peta Lucas

nsw commission for
children & young people

FACSIMILE MESSAGE

Date: 9 February 2001	No. of Pages (including this page) 1
To: Mr Warwick Bateman	From: Peta Lucas Coordinator, Employment Screening
Phone:	Phone: REDACTED
Fax: REDACTED	Fax: REDACTED
SUBJECT: Prohibited Employment Declaration form	

Message:

Dear Mr Bateman

I refer to your recent correspondence in relation to variations which the Scout Association wish to make to the Prohibited Employment Declaration form.

The amended declaration form which you sent to the Commission has been reviewed and is considered appropriate for use by the Scout Association.

Should you have any further enquiries in relation to this matter, please contact me on RED

Yours sincerely,

Peta Lucas
Coordinator, Employment Screening



PROHIBITED EMPLOYMENT DECLARATION

A requirement of the NSW Government under the Child Protection (Prohibited Employment) Act 1998

With the exception of where an order from the Industrial Relations Commission or the Administrative Decisions Tribunal, declares that the Act does not apply to a particular person, the Child Protection (Prohibited Employment) Act 1998 makes it an offence for a person convicted of a serious sex offence (a prohibited person) to apply for, undertake or remain in, child-related employment whether paid/unpaid (this includes volunteers, who for purposes of the Act are classed as unpaid employees).

Section 5 of the Child Protection (Prohibited Employment) Act 1998 defines a serious sex offence as an offence involving sexual activity or acts of indecency that was committed in NSW and that was punishable by penal servitude or imprisonment for 12 months or more, or, an offence involving sexual activity or acts of indecency that was committed elsewhere and that would have been an offence punishable by penal servitude or imprisonment for 12 months or more if it had been committed in NSW.

Child-related employment means any employment that primarily involves direct contact with children where that contact is not directly supervised. Section 1 of the Child Protection (Prohibited Employment) Act 1998 specifies that child-related employment is employment (including volunteers) :-

- in clubs, associations or movements (including those of a cultural, recreational or sporting nature) having a significant child membership.
- at overnight camps for children.
- involving the provision of child protection services
- in pre-schools, kindergartens and child care centres (including residential child care centres)
- in schools or other educational institutions (not including universities)
- in detention centres (within the meaning of the Children (Detention Centres) Act 1987)
- in refuges used by children
- in any religious organisation
- in wards of public or private hospitals in which children are patients
- in any entertainment venues where the clientele is primarily children
- as a babysitter or childminder that is arranged by a commercial agency
- involving fostering or other childcare
- involving regular provision of taxi services for the transport of children with a disability
- involving the private tuition of children
- involving the direct provision of health services
- involving the provision of counselling or other support services for children
- on school buses

UNDER THIS ACT:

- it is an offence for a prohibited person to apply for, undertake or remain in child-related employment
- employers must ask existing employees, both paid and unpaid, and preferred applicants for employment to declare whether they are a prohibited person or not.
- all child-related employees must inform their employers if they are a 'prohibited person' (someone who has been convicted of a serious sex offence) or remove themselves from child-related employment
- penalties are imposed for non-compliance.

I am aware that I am ineligible to apply for, undertake or remain in, child-related employment, either paid and unpaid, if I have been convicted of a "serious sex offence" as defined in the Child Protection (Prohibited Employment) Act 1998.

I have read and understood the above information in relation to the Child Protection (Prohibited Employment) Act 1998 and understand my responsibilities and obligations under this Act.

I declare that I am not a person prohibited by the Act from seeking, undertaking, or remaining in child related employment.

Full Name (Block Letters) _____

Signature _____

Date _____

Scout membership number: _____

SEEK LEGAL ADVICE IF YOU ARE UNSURE OF YOUR STATUS AS A PROHIBITED PERSON.