

Toolkit: Responding to a request for submissions from Blue Card Services

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About this toolkit

This toolkit is designed to help you respond to a request for submissions from **Blue Card Services**.

Blue Card Services is the public business unit within the Department of Justice responsible for administering **blue cards** in Queensland.

The authority to issue, suspend and revoke blue cards is given to Blue Card Services by the *Working with Children Check Act 2000* (the WWCC Act).¹ Blue Card Services is also responsible for monitoring compliance with the WWCC Act, including ensuring that individuals who are working in **regulated employment** have a current blue card.

The information in this toolkit is for general information purposes only. The law, procedure and other information in this toolkit may have changed since it was prepared. If you are unsure about anything in the toolkit, or need help applying this information to your circumstances, you should seek legal advice.

This resource was created by LawRight and was funded by a grant from the Community Legal Education Collaboration Fund.

LawRight is an independent community legal centre that coordinates pro bono legal services for individuals and community groups. LawRight operates several programs that provide free legal assistance to vulnerable people through strategic partnerships with law firms, barristers, and universities.

When to use this toolkit

You may be able to use this toolkit if you have received a request for submissions in one of the following situations:

- When you first apply to be issued with a blue card or **exemption card**; or
- When you apply to renew your blue card or exemption card; or
- When you apply to cancel an existing **negative notice**; or
- When you currently have a blue card or exemption card but Blue Card Services has become aware of **assessable information** or a change in assessable information that may affect your eligibility to continue holding a blue card or exemption card.

Although these situations are different, the same basic process applies. If the **decision-maker** proposes to decide that you pose a risk to the safety of children, you must be given an opportunity to provide submissions before a final decision is made. The decision-maker must consider your submissions when making that decision.

¹ The *Working with Children (Risk Management and Screening) Act 2000* was renamed the *Working with Children Check Act 2000* on 1 April 2026.

This toolkit should be read together with these Blue Card Services documents:

- [Risk Assessment Guidelines](#); and
- [Guidelines for Dealing with Information](#).

When not to use this toolkit

Serious or disqualifying offences and serious allegations that have not been tested by a court

If any of the below scenarios apply to you, we don't recommend using this toolkit. It is best to get your own legal advice so someone can look at your situation properly and explain your rights and options:

- If you were **charged** with a **serious** or **disqualifying offence** and the charges were withdrawn, dismissed or no evidence was offered in relation to the charge; or
- You were found not guilty following a trial; or
- Your information involves an allegation, complaint or investigative information that has not been tested by a court or tribunal.

See information under [Other Legal Services](#) on page 54 for where to get legal advice.

Negative notice issued

If you have already been given a negative notice, it may be too late for you to provide a submission. If you did not receive the request for submissions for some reason (e.g. change of address, illness or your application was decided based on wrong or incomplete information), you may be able to complete an [Application to cancel a negative notice](#). Before submitting this form, we recommend you discuss your circumstances with Blue Card Services or get legal advice.

If, after making submissions, you receive a negative notice and would like to know your options for challenging this decision skip to [What if I receive a negative notice?](#) in Part 3 of this toolkit and see our factsheet on [Applying to QCAT for review of a blue card related decision](#)

Disqualified persons

Disqualified persons are prevented from applying for a blue card. If you think you might be a disqualified person, we recommend you seek legal advice.

Guide to using this toolkit

- Words that are [blue and underlined](#) are a 'hyperlink'. If you are looking at this toolkit online, when you click on these words, you will be directed to another webpage containing more information or another part of the toolkit.

- Words that are **bold and underlined** are included in the definitions section of this toolkit in **Appendix 1**. You can click on any of these words and you'll be directed to the definition.
- Blue boxes contain warnings and cautions.
- Green boxes contain Frequently Asked Questions.
- Purple boxes contain optional exercises to assist you to draft your submission.
- Grey boxes contain examples.

Part 1: Applying for a blue card

Under section 226 of the WWCC Act, an application for a blue card must be approved or refused, unless it is withdrawn before a decision is made. During the application process, you must disclose information about yourself (known as **disclosable matters**) and by completing an application, you give consent to Blue Card Services to gather certain information about you. During the information gathering process, the decision-maker may obtain assessable information.

- ☒ If the decision-maker is not aware of any assessable information, they must approve your application and issue you with a blue card (section 227 of the WWCC Act).
- ☒ If the decision-maker is aware of assessable information, they must consider whether you pose a risk to the safety of children and conduct a **risk assessment** (sections 229 and 230 of the WWCC Act).

For more information, see the table on page 13 of the Blue Card Services document [Guidelines for Dealing with Information](#).

Why have I been asked to provide a submission?

If your application involves a risk assessment and the decision-maker proposes to decide that you pose a risk to the safety of children, section 235 of the WWCC Act requires Blue Card Services to give you a written notice. The notice must state the assessable information they hold about you and invite you to make a submission about:

- Why you do not pose a risk to the safety of children;
- Why you should be issued with a working with children clearance; and
- In the case of a **conviction** for a serious offence, or if you have previously been a disqualified person, why you are an '**exceptional case**'.

We will refer to this written notice as a 'Request for Submissions' throughout this toolkit.

Deciding whether to make a submission

Read the Request for Submissions carefully before deciding what to do. If you have trouble understanding it, seek legal advice or ask a trusted friend, family member or support worker to help you read it.



These documents could contain information from your past which may trigger an emotional or physical response. We recommend that you get a person you trust to sit with you while you go through these documents. If you get overwhelmed or distressed, reach out to your support networks.

Your options

The Request for Submissions will usually set out the following options:

1. Provide a submission;
2. Do not provide a submission;
3. Withdraw your application; or
4. If your eligibility to hold your current blue card is being reassessed, request to cancel your blue card.

If you decide to cancel your blue card, you must ***return it to Blue Card Services immediately*** (section 304E of the WWCC Act).

You must act quickly once you receive a Request for Submissions, as the timeframe to respond may be as little as two weeks.

What should I consider before deciding to provide a submission?

Before responding to the request, ask yourself the following questions:

1. *Do I actually need a blue card for my current employment or volunteer work or will I likely need a blue card in the near future?*

A blue card is required for work in regulated employment. Regulated employment is defined in [schedule 1](#) of the WWCC Act. A blue card is also required for work in certain regulated businesses.

Figuring out if you require a blue card can be confusing. We recommend that you view these pages on the Blue Card Services website:

- [Individuals requiring a blue card](#)
- [Industries requiring a blue card](#)

If you are still unsure, call Blue Card Services and ask. If your employer or potential employer is insisting you need a blue card when you are not required to under the WWCC Act, we recommend you seek legal advice.

2. *Do I have working with children clearances or pending applications for working with children clearances in other Australian states and territories?*

Being given a negative notice in one state or territory could affect your clearance or pending application for a working with children clearance in another. You will need to decide which jurisdiction you most need the clearance. If it is Queensland and you have pending applications in other states or territories, you should consider cancelling your clearances or applications in those jurisdictions.

3. *What is the nature of the assessable information Blue Card Services has about me, and am I likely to obtain a blue card after providing a submission?*

While each case is considered on its merits, there are some offences and factors that will make it very difficult for your application to succeed if they apply to you. These include:

- Any offence committed or allegedly committed against a child;
- Sexual offences, committed or alleged to have been committed against a person of any age;
- Recent offending, particularly where a conviction for a serious offence is involved, regardless of whether the offence involved a child or not;
- Repeated acts of domestic violence, particularly if there were multiple victims or aggrieved persons; and
- An extensive criminal history.

The above list is non-exhaustive and if any of the above apply to you, we recommend you seek legal advice before making your decision.

4. *Can I put in the time and work involved in providing a submission, and (if I am unsuccessful) am I willing to proceed to the Queensland Civil and Administrative Tribunal (QCAT) for a review of the decision?*

It is unlikely that you will be successful with only a submission and no supporting evidence. If you do not think you will be able to gather evidence, even with an extension of time, you should consider cancelling your application or card. You should read [Step 6 – Gather supporting evidence](#) before making that decision.

This consideration should be read together with consideration 1. If you do not need a blue card and are not able to gather evidence, withdrawing your application or cancelling your blue card may be your best option.

Unsure what to do? See the FAQs on the following page for more guidance.



FAQs

Why would I choose to withdraw my application or cancel my blue card rather than provide a submission and “have a go”?

If you provide a submission and you are unsuccessful, you will be issued a negative notice. Negative notice holders are **restricted persons** under the WWCC Act. ‘Restricted persons’ cannot engage in regulated employment or **restricted employment**. Restricted employment is employment or volunteering that may be carried out by a person without a blue card in certain circumstances.

For example, a parent of a child attending a school, may volunteer at that school without a blue card so long as their child attends that school, unless they are a restricted person. If you receive a negative notice, you would be unable to volunteer at the school, even though you didn’t need a blue card to volunteer in this way. Please note that if you have a current adverse **interstate WWC** decision, you are a restricted person in Queensland and cannot apply for a blue card while that decision is in effect.

If I cancel my card, or withdraw my application, can I apply again in the future?

Yes. However, you may still be subject to the same assessment criteria and still be required to do a submission.

Part 2: Responding to the Request for Submissions

This part of the toolkit contains suggested steps for drafting a submission. Some of the steps have Optional Exercises that may assist you to organise your information and structure your submission.

This is a guide only and some parts may not apply to your situation. You also do not have to complete the steps in the order they appear in the toolkit. If you are unsure about anything, we recommend you seek legal advice.

Suggested steps in this section:

[Step 1 – Plan your time](#)

[Step 2 – Decide on a format](#)

[Step 3 – Understand how Blue Card Services will assess your case](#)

[Step 4 – Read and understand your assessable information](#)

[Step 5 – Identify your risk factors and protective factors](#)

[Step 6 – Gather supporting evidence](#)

[Step 7 – Draft your submission](#)

[Step 8 – Review and lodge your submission](#)

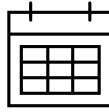
If you change your mind, you can decide at any time before the due date whether you want to continue and choose to withdraw your application, or cancel your existing card.

A note on the examples

There are examples throughout Part 2 that are designed to assist you with the steps involved in preparing your submission. The applicant, Alex Smith and the other people referred to throughout are completely fictional as are the events detailed in Example G.

The examples are to provide guidance only and are not intended to be legal advice.

Step 1 – Plan your time



The first step is to plan your time. The process is not quick and can also be mentally and emotionally draining. You will need to make sure you have enough time and energy to prepare your submission.

Timeframe to lodge submission

The Request for Submissions will tell you when you need to lodge your submission and supporting evidence. Under the WWCC Act, you should be given **at least 7 days** after being given the notice to respond. If you do not think you will meet the deadline, you can email or call Blue Card Services **before** the due date and request an extension. [Example A](#) is an example of an email to Blue Card Services requesting an extension.

See FAQs 1.1 and 1.2 for further information about extensions of time.

How to plan your time effectively

To plan your time effectively, look at the due date in your calendar and consider whether you will be able to complete the submission in that time. Take note of the following:

- Public holidays
- Upcoming commitments such as holidays, exams, jury duty, work etc

As well as your own commitments, you will need to think about who you might ask for a reference and any support services or health professionals you might need evidence from and whether they will also be able to meet the deadline. While you're thinking about this, we recommend you also read [Step 6 – Gather supporting evidence](#) and start making enquiries with your references and supports.

Tip for staying on track



Set yourself a reminder in the calendar application on your phone or through your email account, such as Google Calendar or Outlook. We recommend setting weekly reminders to check your progress and consider whether you are on track to meet the deadline.

Example A - Email requesting an extension

Alex has received the Request for Submissions and started making enquiries with the people in their support network that they want to get evidence from. Alex has realised they won't be able to comply with the due date in the Request for Submissions and decides to ask for an extension. Below is the email that they send to Blue Card Services.

Tell Blue Card Services why you need the extension

Dear Blue Card Services

My name is Alex Smith and I am the applicant in Application Ref: 123456.

I am writing to seek an extension to the time for me to comply with a request for submissions.

I received the request on 28 March 2025 and I am due to provide my submission by 14 April 2025. I have made enquiries with my psychologist who will provide a report for my submission, however, they cannot complete the report until after 4 May 2025. I am therefore requesting an extension of time until 11 May 2025 to lodge my submission.

A copy of the email from my psychologist confirming this is **attached**.

Kind regards

Alex Smith

Your reference is the numbers next to the word 'Reference' above the date on your Request for Submissions Letter. Use this in all correspondence with Blue Card Services

Attach evidence if you have it



FAQs

1.1 If I need an extension, how long should I ask for?

Think about how long it will take to gather the information needed for your submission. Reports or letters from professionals can sometimes take a few weeks to obtain. You should also factor in the time of year, including any public holidays, as this could affect wait times. It is often better to overestimate the time you need and ask for a longer extension. You can always lodge your submission earlier than the due date. In Example A, Alex has requested an additional week after his psychologist said they can provide their report to give themselves extra time in case the report is not provided on time.

1.2 How many extensions can I be granted?

There is no limit under the WWCC Act, however an extension is unlikely to be given without a good reason, if you have been granted multiple extensions already or if you're unable to show that you will be able to comply with a new deadline.

Step 2 – Decide on a format



Once you have planned your time, the next step is to decide on a format. Under the WWCC Act, you have the option to provide your submissions orally (usually over the phone) or in writing. You may choose to do both an oral and a written submission.

The word 'submission' in a legal context, usually refers to written or oral legal arguments in which the law is applied to the facts of a case in support of a particular outcome. In this context though, the decision-maker is looking for information about you and your assessable information that will help them decide whether you pose a risk to the safety of children.

Oral submissions

Oral submissions are usually given over the phone to an employee of Blue Card Services. The employee will take notes and may ask you questions. It is very important that ***if you do not feel comfortable answering their questions, that you decline to provide an oral submission.***

If you want to make an oral submission, you should be well prepared. You could write down what you want to say in advance. If you are unable to write down and read what you'd like to say, you might want to ask someone to help you.

Important things to know about making oral submissions:

- If you decide to do an oral submission, you will still need to provide supporting evidence via email or post.
- It is common for Blue Card Services to call you after you lodge a written submission to ask questions about the contents. Answers to your questions will be recorded and these answers will be taken as an oral submission.
- If you are an Aboriginal or Torres Strait Islander person, you may request to speak with a staff member from Blue Card Services who is Aboriginal or Torres Strait Islander.
- Anything you say to Blue Card Services over the phone will be recorded and may be used in their risk assessment. This information may also be relied upon in any future legal proceedings relating to your blue card (for example, if you decide to seek a review of a decision at QCAT).



You may give permission to someone else to speak to Blue Card Services on your behalf, however you should not allow that person or anyone else to speak to Blue Card Services on your behalf without you being present.

Written submissions

Written submissions can be typed or handwritten. There is no prescribed format; however, Blue Card Services has a template you can use on its website:

- [Submission response form - blue card application](#).

You may use the Blue Card Services template. However, we recommend a different style with numbered paragraphs, similar to a statement or affidavit. Further information about the suggested structure is in [Step 7 – Draft your submission](#), including a template ([Template 3](#)) and an example ([Example G](#)).



If drafting your submission triggers traumatic memories or is likely to involve recall of traumatic events, we recommend that you seek assistance to draft your submission. You might like to reach out to your support network or contact a lawyer who can assist you to draft it. See pages 53-54 of this toolkit for a list of legal and non-legal support services.

Tips for accessing technology



If you want to type your submission and you do not have access to a computer, you could visit your local library or ask a friend or family member to use theirs. We do not recommend using a computer or email account connected with your employment.



If you do not have a program like Microsoft Word, you could use Google Docs which anyone with a Gmail account can access or you could draft the submission in the body of an email. You can save the draft email in your drafts as you go.



If typing or handwriting is difficult for you, there may be applications on your smart phone or available for download from the app store that can transcribe your voice into text.



Optional Exercise 1

When asked to “tell your side of the story”, your first instinct may be to defend yourself or criticise the decision-making process. Your feelings about this are valid and it is helpful to express them, however these frustrations should not go in your submission.

To assist you to focus on what is relevant, we recommend you write down everything you want to say including your frustrations on a separate piece of paper, type in a separate document or record it in a voice note on your phone.

You can keep adding to this document or voice note as you draft your submission. The purpose of this exercise is to provide an alternative outlet for you to vent your frustrations so your submission can focus on the relevant information.

If you provide submissions to Blue Card Services that are filled with complaints about the legal system or about other people, this is only going to cause Blue Card Services to question whether any reflection you have done on your past conduct is genuine.



Warning about the use of Generative AI

We **do not** recommend that you use generative AI to draft your submission for the following reasons:

- Your submission should be in your own words;
- Although AI might draft something that you think sounds “better” or more like a legal submission, it will be very obvious that it is not something you wrote. This might make it hard for the decision maker to know whether to believe the things you are saying about any reflection you have undertaken or whether it is just what an AI has told you to say;
- You should not put your sensitive personal information into an AI website without having a proper understanding of the site’s data storage and privacy policies; and
- Most AI uses a type of language or pattern recognition. When you use AI, it has access to the information other people have given it. This means it can “hallucinate” information or can provide false results.

Your submission should be in your own words; however if you want to use AI to help you, you should try to limit it to certain tasks like:

- Formatting the document;
- Wording of a particular sentence; and
- Making a submission more succinct.

Step 3 – Understand how Blue Card Services will assess your case



Before drafting your submission, you need to understand how Blue Card Services will assess your case so you can ensure your submission is relevant. The information in this section outlines the legal framework for assessing an application for a blue card.

Paramount consideration

Section 6 of the WWCC Act states that the Act must be administered '*under the following principles*':

- a) *the welfare and best interests of a child are paramount;*
- b) *every child is entitled to be cared for in a way that protects the child from harm and promotes the child's wellbeing, which for an Aboriginal and Torres Strait Islander child includes recognising the importance of connection with the child's family, community, culture, traditions and language'.*

For more information, see FAQ 3.1 What does 'paramount consideration' mean?

Risk assessment

Blue Card Services decides whether you pose a risk to the safety of children by conducting a risk assessment. In broad terms, that process involves:

- Considering your assessable information;
- If applicable, making a referral to an advisory committee or the appointment of an expert advisor to provide Blue Card Services with recommendations about your case; and
- Applying the 'reasonable person test'.

Consideration of your assessable information

Under section 234 of the WWCC Act, the following factors must be considered about conduct or alleged conduct in your assessable information:

- *the nature, gravity and circumstances of the conduct;*
- *how the conduct is relevant to engaging in regulated employment or the carrying on of a regulated business;*
- *how long ago the conduct occurred;*

- *if the conduct involved the commission of an offence or another act against another person (the victim)—*
 - *the victim’s vulnerability at the time of the conduct; and*
 - *the age difference between you and the victim at the time of the conduct; and*
 - *your relationship to, or position of authority over, the victim at the time of the conduct;*
- *whether the conduct indicates a pattern of concerning behaviour;*
- *your conduct since the conduct occurred;*
- *if you are Aboriginal person or Torres Strait Islander—the effect of—*
 - *systemic disadvantage and intergenerational trauma; and*
 - *the historical context and limitations on access to justice;*
- *your submissions and any information given with your application;*
- *any other circumstances relevant to your conduct; and*
- *any other matters the chief executive considers relevant.*

Test for deciding ‘risk to the safety of children’

A reference in the WWCC Act to a risk to the safety of children is a reference to ‘a real and appreciable risk to the safety of children’ (section 18D WWCC Act).

To decide whether a person poses a risk to the safety of children, the **chief executive must be satisfied there is a real possibility** that the person will pose a risk to the safety of children and **does not need to be satisfied that it is likely** the person will pose a risk to the safety of children (section 232 (2) WWCC Act).



Figure 1: Risk Assessment rating

Disclaimer – Figure 1 has been created by LawRight to show a visual representation of the risk assessment test. This is not an official graphic or tool used by Blue Card Services and should not be taken as legal advice or used in your submission.

Blue Card Services have published [Risk Assessment Guidelines](#) which show how the decision-maker may weigh up the above factors when considering your assessable

information. The table in Appendix A of the Risk Assessment Guidelines (pages 13-19) provides some broad guidance about factors that may indicate greater or lower risk. When reading the table, imagine that the needle on the risk assessment rating (Figure 1) sits between the green and the yellow sections. For each factor, the needle will move to the left or the right depending on whether the factor indicates greater risk or lower risk.

The decision-maker does not need to be satisfied that risk is likely, only that there is a real possibility of risk. If, at the end of the assessment, the needle remains in the yellow section, the decision-maker must give you a negative notice.

If the needle is in the green section, the decision-maker then has to consider [the reasonable person test](#) (see below) before they can issue you with a blue card.

Advisory Committees and Expert Advisors

To help decide your application, Blue Card Services may decide to refer your application or part of your application to an advisory committee or appoint an expert advisor.

An advisory committee can review information provided to them as part of the risk assessment process and provide recommendations to Blue Card Services. Blue Card Services must consider the recommendations in their risk assessment (section 232 (1)(b) WWCC Act).

An expert advisor is a 'person having specialist knowledge or skills' that may assist the decision-maker to conduct the risk assessment (section 246D WWCC Act).

Blue Card Services can only provide the information to an advisory committee with your consent (section 246 WWCC Act). Before your matter is referred to an advisory committee, you will be notified and asked to provide your consent. If you do not provide consent, your application will be decided without the advisory committee's recommendation.

See FAQ 3.2 Should I consent to my application being referred to an advisory committee?

The reasonable person test

Following the risk assessment, if the decision-maker is proposing to decide that you do not pose a risk to the safety of children, the decision-maker must consider this final question before granting your blue card.

Section 233 of the WWCC Act contains the 'reasonable person test' which provides that *'the chief executive may decide a person does not pose a risk to the safety of children **only** if the chief executive is satisfied that a reasonable person would allow their child to have **direct contact** with the person—*

- a) whether supervised or unsupervised by another person; and*
- b) while the person is engaged in regulated employment or carries on a regulated business'*

Interpreting the 'reasonable person' test



The below information is relevant as of 30 June 2026. To ensure you have the most up to date information, check the factsheets on our website:

www.lawright.org.au/legalinformation/blue-cards/

At the end of the risk assessment, if the decision-maker proposes to decide that you **do not** pose a risk to the safety of children, they must further consider whether a 'reasonable person' would allow you to have direct contact with their child, supervised or unsupervised while engaged in regulated employment before they can give you a blue card.

To help you visualise how this works, return to Figure 1 (page 15). If the needle sits in the green section at the end of the risk assessment but you fail the reasonable person test, the blue card cannot be granted.

See FAQ 3.3 Is 'reasonable person' defined in the WWCC Act?



FAQs

3.1 What does "paramount consideration" mean?

It means that the welfare and best interests of children outweighs any other consideration such as detriment to an individual who is unable to obtain a blue card and any benefit the public would gain by an individual having a blue card.

3.2 Should I consent to my application being referred to an advisory committee?

The choice is yours, however if the decision-maker thinks that an advisory committee will help to determine your application, it may mean they are considering refusing your application. Advisory committee members are investigated as to their suitability and must keep your information confidential and declare any conflicts of interests before providing recommendations on an application.

3.3 Is 'reasonable person' defined in the WWCC Act?

'Reasonable person' is not defined in the WWCC Act. The concept of a reasonable person is used in many legal contexts as a baseline level to judge the action of a person. You may have heard of the term in relation to breaches of duty of care in negligence cases. The concept of a 'reasonable person' is to assist a decision-maker to make an objective decision or assessment based on what a hypothetical, ordinary individual, exercising care and good judgment would do in the relevant situation.

Where a term is not defined in the legislation, it must be interpreted by the decision-maker according to previous decisions, also known as 'precedent'.

The WWCC Act was amended on 20 September 2025 to include the reasonable person test. As of 30 June 2026, no Queensland Civil and Administrative Tribunal (QCAT) decisions have been published which can offer guidance on the interpretation under the

WWCC Act. Where no local precedent exists, the decision-maker may look to other similar jurisdictions.

The reasonable person test has been part of equivalent working with children check legislation in NSW and Victoria for many years. Until Queensland has its own precedent, Blue Card Services and, eventually, QCAT may look to those jurisdictions for guidance. The most commonly cited Victorian case on how the reasonable person test is interpreted is *VQB v The Secretary to the Department of Justice* [2013] VCAT 789, which includes the following statement about the 'reasonable person':

"The reasonable person would, in reaching his or her conclusions, acquaint himself or herself with all of the matters that have been placed before me, giving an applicant for a positive assessment a right to be heard, as well as considering the material gathered by the Secretary.

A reasonable person would not approach the task with a closed mind, thinking that once a person has offended, he or she can never be redeemed. The reasonable person, however, would not put aside all scepticism and reasonable caution in this most difficult area in some over-optimistic attempt to facilitate rehabilitation".

Step 4 – Read and understand your ‘assessable information’



Now that you understand how Blue Card Services will assess your case, the next step is to understand what is in your ‘assessable information’ and how that legal framework applies to you.

The Request for Submissions letter will include copies of your assessable information. For the purpose of this section, we will call these documents your ‘Bundle’.

Depending on what assessable information exists about you, your Bundle could be only a few pages or multiple pages (exceeding 100 pages in some cases). Depending on the type of assessable information, it could be difficult to understand, especially if some information is redacted. **See FAQ 4.1 Why is some of my assessable information redacted?**

The information and exercises in this step are designed to assist you to:

- Understand the categories of assessable information;
- Recognise particular documents in your Bundle;
- Understand the relevance of particular information to the risk assessment process;
- Think broadly about risk that may arise from certain conduct;
- Organise your assessable information into a timeline and make reference points for your submission; and
- Put yourself in the shoes of the decision-maker.



Optional Exercise 2

As you go through your Bundle, create a timeline of events and categorise each event into the type of assessable information (see Graphic 1) with a reference to where it appears in your Bundle. See [Example B](#) for an example of how you might do this.

We recommend that you highlight, or tab the documents in your Bundle so you can find the reference again.

Keep the timeline as you will add to it as you work through the other exercises in this toolkit.

Categories of assessable information and types of documents

Below is a graphic showing the categories of assessable information and the types of documents you might see in your Bundle. For more information about the categories below, see pages 5-12 of Blue Card Services' document [Guidelines for Dealing with Information](#).

Graphic 1: Categories of assessable information and types of documents

Police Information	Domestic Violence Information	Disciplinary information	Adverse Interstate WWC Information	Other relevant information
• Criminal history • Investigative information • Information about whether you have ever been a disqualified person	• Information about the history of domestic violence orders made, or police protection notices issued, in which you are named as the Respondent	• Information from Child Safety about foster and kinship carer certificates • Information from the Queensland College of Teachers • Information from the Department of Education • Information from Disability Services including from interstate NDIS clearances	• Includes 'Adverse interstate decisions' and the 'reasons for those decisions' and, if another state allows a 'conditional' working with children check, the reasons for issuing the conditional authority	• Circumstances surrounding your other assessable information such as substance use or mental health concerns • Child Safety information about your own children • Complaints made to Blue Card Services about you
Documents	Documents	Documents	Documents	Documents
• National Police Check Results Report • Court Brief • Verdict and Judgment record • Transcripts of court proceedings	• DV History Report • Domestic Violence Protection Order • Temporary Domestic Violence Protection Order	• Disciplinary decisions from the relevant body or QCAT • Outcome letter from Standards of Care Investigation by Child Safety • Letters from other government departments	• Information from interstate screening units • Decisions and reasons from interstate screening units or state Tribunals	• Summary of child safety information • Summary of information received from third parties

See FAQs 4.2 and 4.3 for common questions about information contained in Police Information.

A note on 'Other Relevant Information'

The category 'other relevant information' is the most difficult to identify in your Bundle. It's not always obvious but can be read between the lines of your other assessable information. [Step 5 – Identify Risk and Protective Factors](#) and **Optional Exercise 3** will assist you to identify potential other assessable information.

Example B – Timeline of events in Bundle

The applicant, Alex Smith has received their Bundle and is sorting through the assessable information and following the steps in **Optional Exercise 2** to create the timeline below. Alex's Bundle contains Police Information and Domestic Violence information.

Note the document and page number of where the information appears in your bundle

1 January 2020 – incident at home. Police attended. Given Police Protection Notice. (DV Information, DV History report, page 2)

4 January 2020 – attended court in relation to incident on 1 January 2020. Asked for an adjournment to seek legal advice. Temporary Protection Order made. (DV Information DV History report, page 2)

7 January 2020 – incident at home. Charged with breaching temporary domestic violence order made on 4 January 2020. (DV Information and Police Information, Court Brief, page 3)

18 January 2020 – attended court again in relation to 1 January 2020 incident. Consented without admission to Domestic Violence Protection Order being made. Order will expire on 18 January 2025. (DV Information, DV History report, page 2)

20 February 2020 – attended court in relation to breach of domestic violence order charge, plead guilty. Magistrate ordered that I be of good behaviour for 12 months, no conviction was recorded. (DV Information and Police Information, Verdict and Judgement Record, page 5)

20 February 2021 – good behaviour bond completed

Add all important dates including dates of incidents, the court date and the date court orders are made and expired

18 January 2025 – domestic violence order expired (DV Information)

How to work out what is relevant

Protecting the welfare and best interests of children involves more than preventing physical or sexual abuse of children. The decision-maker may also be concerned about conduct that suggests poor judgment, unsafe behaviour, or a lack of insight into children's needs.

Examples of conduct that may raise these concerns include:

- Conduct that shows disregard for children's welfare and safety, such as neglecting a child's physical or emotional needs, exposing children to violence, inappropriate behaviour, drug use, or other illegal activity;
- Conduct that models poor behaviour for children;
- Situations where you have placed your own needs ahead of children or other vulnerable people in your care; and/or
- Conduct that shows poor judgment, impulsivity, dishonesty, or an inability to manage conflict safely.

Identifying risk in your assessable information

When looking at your assessable information, you need to think broadly about risks that may be implied from your conduct, not just the court outcomes. In [Example B](#) above, the applicant, Alex Smith had ‘no conviction recorded’ for breaching a domestic violence order. What raises concern for the decision-maker though is:

- The applicants conduct during the incident on 1 January 2020 that led to a Police Protection Notice being issued.
- The applicants conduct during the incident on 7 January 2020.
- The fact that the applicant breached the temporary protection order and committed more domestic violence. This might be an indication that the applicant has a disregard for the law and that the existence of a protection order did not prevent them from committing further acts of domestic violence.
- That a domestic violence order was in place for 5 years. This may indicate that the applicant did not commit further domestic violence during this period only out of fear of breaching the order, rather than indicating a genuine change in behaviour.
- The factors in section 234 of the WWCC Act, in particular whether any children witnessed these incidents and the vulnerability of the victim.

Therefore, the applicant Alex Smith needs to address the above matters in their submission as the court outcome alone will not satisfy the decision-maker that they do not pose a risk to the safety of children. Examples of how to address these matters in a submission are included in [Example G](#).

Tips for getting in the right mindset



To assist you to understand the relevance of certain conduct to the risk assessment we recommend you read column 2 of [Appendix 2- Assessable Information, Risk Factors and Supporting Evidence](#) and the Blue Card Services [Risk Assessment Guidelines](#) document.



While reading your Bundle, it may help to imagine yourself in the shoes of the Blue Card decision-maker and think *“if I saw this information without meeting the person or knowing the context of the information, would I have concerns about permitting them to work or volunteer unsupervised with children?”*



FAQs

4.1 Why is some of my assessable information redacted?

The names and identities of other people mentioned in your assessable information need to be kept confidential in accordance with the WWCC Act or other laws. That includes children, victims of crime, informants, complainants people named in or a party to a domestic violence order.

4.2 Are traffic infringements included in 'criminal history'?

Some serious traffic offences are criminal offences and these will appear on your criminal history. Infringements for which you have paid a fine, generally will not show on your criminal history. These will however, show in your traffic record which, if Blue Card Services has, will be considered "other relevant information".

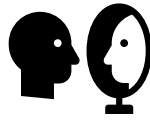
4.3 I was charged with an offence. I plead guilty but the court did not record a conviction. How can Blue Card Services see or consider this offence?

In schedule 7 of the Act "conviction" means a finding of guilt by a court, or the acceptance of a plea of guilty by a court, ***whether or not a conviction is recorded.***

Similarly, if you are charged with an offence and the charges are dropped or if you are found not guilty of an offence, this is still assessable information that Blue Card Services will consider.

In both circumstances, the nature, gravity and circumstances of the conduct that lead to you being charged is more important in the decision-makers assessment than the court outcome.

Step 5 – Identify your risk factors and protective factors



Now that you have organised your assessable information, the next step is to take some time to reflect on it carefully and think about the surrounding circumstances and contributing factors and identify your risk and protective factors. Depending on your circumstances, you may find this task easy or difficult. You may have reflected on your past conduct but not in a structured way or you may have reflected but not ever had to write it down or speak to another person about it.

The information and exercises in this step are designed to help you think about the circumstances surrounding your assessable information and what you will include in your submission.

Importance of reflection

There may be circumstances where you disagree with the contents of your assessable information and you may need to correct an error or clarify certain information in your submission. The main purpose of your submission however, is less about defending or disputing the contents of the assessable information and more about showing the decision-maker that you:

- Recognise past mistakes, take responsibility, and show that your past conduct does not indicate future risk.
- Understand what happened, why it happened, how your behaviour affected or could have affected other people.
- That you have reflected on the conduct, developed better judgment, and taken steps to prevent it from happening again; and
- Understand your 'risk factors' and 'protective factors'.

Identification of risk factors

In the step above, you were instructed to think about risks that maybe present in your assessable information. Those are risks which may apply to anyone with similar assessable information. In this part, however, the reflection is to help you identify specific risk factors for your situation.

As you reflect and start to build your timeline, you might identify factors that contributed to your behaviour. Identifying these factors is an important part of your submission. Factors that contributed to certain conduct, if not mitigated may be considered a 'risk factor' for future similar conduct. Examples of these factors include:

Stress and anxiety	Chronic health conditions	Limited support network
Alcohol consumption	Social isolation	Unemployment
Substance use	Unhealthy social, domestic or familial relationships	Grief and loss
Mental health conditions	Financial hardship or poverty	Relationship breakdown, separation, divorce, family conflict
Experiences of trauma	Homelessness	Low intelligence or cognitive deficit

In [Example C](#), the applicant has identified that they were made redundant from their employment not long before the first incident of domestic violence and that stress was a contributing factor. The applicant has also identified that both incidents of domestic violence involved excessive alcohol consumption.

The decision-maker will look for possible risk factors in your assessable information and in your submission. These risk factors, may also be considered 'other assessable information'. The presence of risk factors is not fatal to your application for a blue card. In fact, being able to identify your own risk factors shows good insight and risk factors can be mitigated by 'protective factors'.

Identification of protective factors

'Protective factors' are the things that are present in your life that may minimise future risky behaviour and mitigate the presence of risk factors. These can include anything that is positive and stable in your life and strategies or supports for minimising risk. Examples of protective factors are listed in *Table 1* in the next step.

For each risk factor you identify, you also want to identify a corresponding protective factor that mitigates the risk. The reflection questions below and **Optional Exercise 4** may help you identify your protective factors.

Guide to reflecting

To help you identify the circumstances surrounding your assessable information, potential risk factors and protective factors. We recommend you take a moment to reflect.

While each circumstance is different, you might start by looking at each piece or category of assessable information, and asking yourself these questions:

- What was going on for me at the time?
- Did anything contribute to my conduct?
- If I could go back, would I do anything differently? Is there an example of a similar situation in my life since that time where I have acted differently?
- Do I take accountability for my role in what happened?
- Do I feel remorse for any of the victims?
- Does this conduct set a good example for children?
- Is something like this likely to happen again in the future? If not, why not?
- How have I overcome hardship in my life? Who has helped me? Who is my support network?
- What have I done since then to reduce the risk of similar conduct happening again?
- What insight do I have into any of my past actions?
- What are my greatest achievements? What am I proud of?

If you cannot reflect on the conduct, take responsibility for it, or explain why the risk is now different, you should think carefully about whether you are ready to provide a submission without first getting legal advice or further support.



If reflecting brings up traumatic memories, we recommend you do this with a support person or speak to your psychologist or psychiatrist before attempting this exercise.

Tips for healthy reflection

- Avoid overthinking – When we get stuck in repetitive, negative thoughts about past mistakes, interactions, or decisions, this is known as rumination². If you feel like you

² THIS WAY UP, 'Relief from the Revolving Door of Worry and Rumination' (Web Page)
<<https://thiswayup.org.au/resources/stuck-in-a-revolving-door-of-worry-and-rumination>>.

are ruminating, do something to stop the thought cycle such as going for a walk, meditation, talking to a friend etc.

- Be gentle and show yourself compassion - Self-compassion is important during this process because reflecting on past conduct can bring up shame, guilt or distress. Treating yourself with kindness does not mean avoiding responsibility though, it means giving yourself enough care and steadiness to stay engaged, think clearly, and reflect honestly on what happened and what has changed. A self-compassionate approach can help you avoid becoming overwhelmed and better support meaningful reflection.
- Focus on explaining, rather than excusing – the events that happened might have occurred while you were dealing with health issues or going through a particularly challenging time. Thinking about this might help you reflect on why this happened, but it doesn't change the fact that the event still happened. Reflection in this context is about focusing on what happened, as well as the why.
- Remember that you are responsible for your own actions – while particular events or the actions of another person may have contributed to your behaviour, you are responsible for your actions and reactions. Acknowledging your role in an event and taking responsibility for your actions is important as blaming someone else for your actions shows a lack of insight.



Optional Exercise 3

As you reflect, you may start to notice links between different events in your life and your assessable information.

Part 1 of this exercise is to add significant life events to the timeline you created for your assessable information. See Column A of [Example C](#).

This may help you identify how parts of your assessable information relate to what was happening in your life at the time. For example, conduct may have occurred during a period of poor mental health, trauma, separation, grief, unemployment or other major stress.

For Part 2 of this exercise, add your reflections on the surrounding circumstances and contributing factors and try and pinpoint anything that may be seen as a risk factor. See Column B of Example C.

Example C – Adding significant life events to assessable information timeline and identifying surrounding circumstances, contributing factors and potential ‘risk factors’.

In column A, Alex has added significant life events to the timeline of assessable information and in column B has added some reflections about the surrounding circumstances.

Column A: Significant life events and assessable information timeline	Column B: Surrounding circumstances, contributing factors and potential risk factors
1 January 2000 – Born	
15 March 2010 – father dies suddenly	
20 December 2019 – made redundant from work.	Reflection – was feeling very stressed about money at the time.
1 January 2020 – incident at home. Police attended. Given Police Protection Notice. (DV Information, DV History report, page 2).	Reflection – Both X and I were drinking heavily this night. The night before was New Years Eve and the New Years Day was my Birthday.
4 January 2020 - attended court in relation to incident on 1 January 2020. Asked for an adjournment to seek legal advice. Temporary Protection Order made. (DV Information DV History report, page 2)	
7 January 2020 – incident at home. Charged with breaching temporary domestic violence order made on 4 January 2020. (DV Information and Police Information, Court Brief, page 3).	Reflection – was drinking heavily again. I let my emotions overwhelm me and I did not abode by X’s wishes for me to leave them alone. Alcohol could be seen as a risk factor.
18 January 2020 – attended court again in relation to 1 January 2020 incident. Consented without admission to Domestic Violence Protection Order being made. Order will expire on 18 January 2025. (DV Information, DV History report, page 2)	
20 February 2020 – attended court in relation to breach of domestic violence	

order charge, plead guilty. Magistrate ordered that I be of good behaviour for 12 months, no conviction was recorded. (DV Information and Police Information, Verdict and Judgement Record, page 5)	
21 February 2020 – relationship with X ended	Continued to drink heavily over this period. Moved in with Mum.
20 February 2021 – good behaviour bond completed	
November 2023 – Mother had a stroke	Felt incredibly sad and stressed, however did not drink excessively
October 2024 – relationship with Y started	
18 January 2025 – domestic violence order expired (DV Information)	

Step 6 – Gather supporting evidence



The next step is to gather evidence that supports what you will say in your submission. We recommend obtaining the evidence before you draft your submission so you can refer to the evidence throughout.

Evidence

When you think about the word ‘evidence’, your mind may go to things like DNA, witnesses, CCTV footage, documents, text messages or something used to prove or disprove a particular fact. In a blue card matter, however, the purpose of evidence is not usually to dispute that an event occurred. Instead, it is to show, as much as possible, that the risk of that event happening again in the future is remote. The best way to do this is by highlighting your protective factors.

The table below lists some common protective factors and suggests evidence that may be available to you.

Table 1: Protective Factors and evidence

Examples of protective factors	Examples of evidence
Stable employment history and/or history of working with children or other vulnerable people	• Resume or CV • Reference from current or former colleague or supervisor
Participation in the local community through religious or cultural groups, sporting clubs, community organisations or volunteering	• Letters of support • Reference from community member, supervisor or fellow volunteer
Stable Relationships (e.g. partners, adult children, parents etc)	• References
Relationships with children (e.g. nieces and nephews, grandchildren)	• References
Education and Qualifications	• Certificate or academic transcript • Letter of support from course coordinator
Informal support network, including: • Friends	• References from friends and family • Letters of support

• Family members • Community groups	• Reference from community member, supervisor or fellow volunteer
Professional Supports, including: • Attending therapy or counselling • Treatment by a health professional	• Health Report • Attendance record
Programs or courses for rehabilitation or behaviour change, including: • Anger management programs • Drug and/or alcohol rehabilitation e.g Narcotics Anonymous • Parenting programs, for example Triple P • Engagement in Domestic violence counselling or support services • Mens groups or behaviour change programs • Gambling support or counselling	• Health report • Record of attendance • Letter of support from program convenor • Completion certificate • Reference from mentor or fellow attendee

See [Appendix 2 - Assessable Information, Risk Factors and Supporting Evidence](#) for examples of things you can mention in your submission about your protective factors.



Optional Exercise 4

To help you think about your protective factors, imagine you are attending a job interview for a role that involves working with children. The interview panel doesn't know about your assessable information and wants to hear about what makes you suitable for the job. What would you tell them about your suitability to work with children and what examples or evidence could you provide to support your job application?

Add these events and evidence to the timeline you have been creating. See **Example F**.

Ensuring the quality of your evidence

References

References can be good evidence to include with your submissions. You may use the [template provided by Blue Card Services](#) or your referee may draft their own in a different format.

References should be written in the referee's own words. At a minimum, the reference should include:

- The referees name and contact details;
- Their relationship to you and if relevant, their occupation;
- A description of how they know you and how long they have known you;
- Their knowledge of your assessable information. If they have read your Bundle, they should explicitly say so; and
- Matters within their knowledge that support you having a blue card, this can include:
 - Any changes in your behaviour; and
 - Their observations of you working with children, caring for children or relationships with the children in your life.

[Template 1](#) is a letter you can send to someone to request a reference, see [Example D](#) for an example of how to complete it.

Example D – Letter requesting reference

Alex Smith has decided to ask the following people for references:

- Their friend Riley Moore who has known them for most of their life and is a part of their informal support network;
- Their mother Barbara Smith. As well as being Alex's mother, Barbara is a significant part of Alex's support network and assisted during their recovery phase.
- Joshua Jacobs, a person that Alex coached at soccer for 2 years when they were both under 18.
- Y, Alex's current partner.
- Jane Johnson, Alex's former work supervisor; and
- Mo Zhou, Alex's current employer.

Example D is an example of a letter or email you can write to someone requesting a reference. The contents will change depending on how you know the person and their role in your life. The wording would be different for a work colleague or supervisor for example. In the letter Alex writes to Mo Zhou or Jane Johnson, they might request that the letter covers topics such as:

- How long they have worked together and the roles Alex had in the workplace;
- Alex's conduct in the workplace and their rapport with clients or patients;
- Observations of Alex's adherence to health and safety procedures etc.

Be honest about why you have to provide a submission

Dear Riley

I am writing to ask you for a reference in relation to my application for a Blue Card. A Blue Card will allow me to work with children.

My application has been flagged for a risk assessment by Blue Card Services because of my criminal history and domestic violence information.

This information is what Blue Card Services calls 'assessable information'. My assessable information, your reference and my personal submission will be assessed to decide whether I pose a risk to the safety of children.

I will provide you with a full copy of my assessable information, however, I ask that you keep the matters contained within confidential and delete or dispose of any copies when you are finished.

You may use the attached template or draft a letter, either way, I ask that you include the following information:

- Your name and contact details;
- Your relationship to me and if relevant, your occupation;
- A description of how you know me and how long you have known me for;
- Whether you are aware of my assessable information;
- Whether you have witnessed any changes in my behaviour;
- If you have firsthand knowledge of my interactions with children - your observations of me working with or caring for children;
- Any information that supports your belief I should have a blue card; and

The reference should also be signed and dated.

I am required to provide submissions to Blue Card Services, including your reference by 11 May 2026. I therefore ask that you provide me with your reference, no later than 5 May 2026.

If you have any questions or concerns, please contact me on alex.smith@hotmail.com or 0400123456.

Kind regards

Alex Smith

Give yourself some extra time, just in case!

Tips for choosing referees



It is important that your referee explicitly states that they are aware of your assessable information. If the author is not aware, then you should reconsider asking them to be your referee. For more information about how the decision-maker will consider your references, see page 18 of the [Risk Assessment Guidelines](#). **For FAQs about choosing referees, see FAQ 6.1.**

Letters from professional or formal supports

If you have attended or engaged with any of the services listed under Professional Supports or Programs or courses for rehabilitation or behaviour change in *Table 1* above, then you should gather documentary evidence of doing so. The best evidence would be a letter from the program coordinator, organiser or counsellor which includes the following:

- A description of the program or support service;
- An explanation of how often you attend/attended;
- Their knowledge of your assessable information; and
- If they're comfortable, they can provide their opinion on how well you engaged with the program.

Again, there is no prescribed format, the person can write a letter with their organisation's letterhead and provide any documents about the program. In [Example G](#), you can see that Alex discusses their engagement with alcohol counselling and participation in a behaviour change program, Alex has therefore obtained evidence about his participation in these programs.

Health Reports

A health report can come from a registered health practitioner. The most relevant are usually obtained from a psychologist or psychiatrist. Depending on your circumstances though, you might be able to obtain a letter from your General Practitioner (GP), occupational therapist or social worker. For example, if you have a good relationship with your GP, you may discuss your mental health or other aspects of your life with them. They may be well placed to comment on changes in your mental health, particularly if they have drafted a Mental Health Plan for you. In [Example G](#), you can see that Alex has mentioned their GP's role in their recovery journey and has provided a letter from them.

Report from a psychologist or psychiatrist

Not everyone is engaged with or has the financial means to see a psychologist or psychiatrist. However, evidence from a psychologist or psychiatrist can be incredibly persuasive in blue card matters. There are two different types of reports or letters you could obtain to support your application:

1. A letter from your treating psychologist or psychiatrist which outlines the work you do with them and provides an opinion on the factors listed in [Paragraph 56 of QCAT](#)

[Practice Direction 5 of 2022](#). If the report is from a psychiatrist, it should also outline any relevant diagnosis and medication.

2. An assessment from an independent psychologist which provides their opinion on the factors listed in [Paragraph 56 of QCAT Practice Direction 5 of 2022](#).

See FAQ 6.3 – What is QCAT Practice Direction 5 of 2022?

If you are unable to obtain a report or letter, a statement of attendance at appointments could be used. In your submission, you should include information about the work you did in the sessions you attended, and what you have learnt. If you have not been attending a psychologist regularly or recently, you may consider option 2. However, the cost of this type of report could exceed \$2000. **See FAQ 6.2 for information about circumstances where you can't obtain documentary evidence.**

[Template 2](#) is a letter that you can send to a psychologist seeking such a report. [Example E](#) is an example of a letter to a psychologist.

Example E – letter to psychologist asking for health report

Alex has drafted the email below to their psychologist Margaret Miller requesting a health report.

Dear Margaret

I am writing about obtaining a report for the purpose of an application for a Working with Children check, or Blue Card.

I have applied for a Blue Card and have received a letter from Blue Card Services requesting submissions in response to information they have about me.

I seek a quotation for a report that covers the questions in paragraph 56 of the attached QCAT Practice Direction 5 of 2022.

Blue Card Services have copies of my criminal history and history of domestic violence orders.

Documents provided to me by Blue Card Services will be provided for your consideration and the report should outline which documents were considered during the assessment. To give you an idea, these documents will be roughly 10 pages.

I am required to file the report by **14 April 2025**. I ask that you give me a timeframe within which you can provide the report.

If my application is unsuccessful, I may also require you to provide an updated report in the future to be filed in the Queensland Civil and Administrative Tribunal as evidence. If this occurs, you may also be required to attend the Tribunal by telephone for up to an hour, on a date in the future to answer questions about the report.

You will need to give them copies of your Bundle for review

Provide a copy of the Practice Direction

Ask for a timeframe before committing so you know whether you need an extension

I am a student, I therefore require a quotation in advance of committing to an appointment. If there are payment plan options available, please also let me know.

Kind regards

Alex Smith

Ask about cost and payment options before committing. It may not be covered by Medicare

Prescribing doctors for medical cannabis

If you have a prescription for medical cannabis and it is relevant to your conduct, you should obtain a letter from your prescribing doctor that outlines:

- Your diagnosis; and
- Details of prescription including dosage, frequency of use, time when you take your medication etc.

You may not need to disclose that you are using medical cannabis unless it is relevant to your case. For information about when this evidence might be relevant, see [Appendix 2 - Assessable Information, Risk Factors and Supporting Evidence](#)

Evidence that is not helpful

- Criminal history check – unless there is an error with the way your information is recorded, providing a copy of your criminal history check is unnecessary because all of the information is recorded in the assessable information. It is not necessary to show that your criminal history has no recorded convictions.
- References from people under the age of 18 – it may be considered inappropriate to have a child involved in your application depending on the contents of your assessable information.
- Photographs – photographs generally only show a point in time and are only useful in situations when you need to prove you were in a particular location at a particular time. That type of evidence is not usually relevant in a blue card matter.
- References from people who have limited to no knowledge of your assessable information.
- A reference that you have prepared and asked someone to sign - while you might think it is better to draft the references yourself so that it covers everything you want it to, the better way to do this is to tell the individual what you want the reference to cover. If you draft the reference for them, it will be obvious that the information is not in their own words or it might look like it has been carefully worded to 'match' your submission.
- Evidence of financial hardship or any detriment that you might suffer by not obtaining a blue card. The decision-maker cannot consider the hardship the decision will cause you, therefore any information along these lines will be irrelevant. In addition, by focusing on yourself, you show a lack of insight towards the protective nature of

the blue card system. See information about Paramount consideration on pages 14 and 17.

- References or reports that were drafted for other purposes. For example, a reference for a job or a health report that was written for the purpose of Centrelink or the National Disability Insurance Scheme – these types of reports focus on different aspects and tend to highlight a persons impairment rather than their ability to manage a condition without substantial support.



FAQs

6.1 How many references should I get?

There is no required number of referees, however quality is preferred over quantity. That means less references from good referees who know you well are better than multiple references from referees that do not know you well. Unlike a reference for a job, references from people such as your friends and family are strong evidence, particularly if they are part of your support network.

6.2 I attended a rehabilitation program more than 10 years ago. I do not have any contacts with the program or a way to obtain documentary evidence that I attended. Should I still mention this in my submission?

Yes. It can be difficult to obtain evidence relating to events that occurred many years ago. This does not mean that you should leave those things out of your evidence. In your submission, you should provide as much detail as possible about where and when you attended the program, what you learnt from it and importantly, why you no longer attend. That could be because the program only ran for a short time period or you feel you learnt enough prevention strategies from the program that you don't need to return.

6.3 What is QCAT Practice Direction 5 of 2022?

Practice Directions are official procedural guidelines issued by courts and tribunals. Practice Direction 5 of 2022 was issued by the Queensland Civil and Administrative Tribunal and outlines the QCAT review process for a blue card decision from start to finish. While you are not at the stage where you have to apply to QCAT, the practice direction gives the best guidance about what should be in a health report. If you receive a negative notice and decide to apply to QCAT later, your report will already have addressed the right questions.

Example F – Adding protective factors and evidence to timeline

After completing the table in Example C, Alex has identified a number of protective factors and added them to the below timeline as well as the evidence they can obtain to support the presence of the protective factors.

1 January 2000 – Born

15 March 2010 – father dies suddenly

2016 approximately – started coaching under 8s soccer. Reference from person I coached at soccer.

2018 commenced Certificate III in Aged Care. Copy of Certificate.

5 May 2019 – relationship with X commenced.

20 December 2019 – made redundant from work.

1 January 2020 – incident at home. Police attended. Given Police Protection Notice. (DV Information, DV History report, page 2)

4 January 2020 - attended court in relation to incident on 1 January 2020. Asked for an adjournment to seek legal advice. Temporary Protection Order made. (DV Information DV History report, page 2)

7 January 2020 – incident at home. Charged with breaching temporary domestic violence order made on 4 January 2020. (DV Information and Police Information, Court Brief, page 3)

18 January 2020 – attended court again in relation to 1 January 2020 incident. Consented without admission to Domestic Violence Protection Order being made. Order will expire on 18 January 2020. (DV Information, DV History report, page 2)

20 February 2020 – attended court in relation to breach of domestic violence order charge, plead guilty. Magistrate ordered that I be of good behaviour for 12 months, no conviction was recorded. (DV Information and Police Information, Verdict and Judgement Record, page 5)

21 February 2020 – relationship with X ended

March 2020 – started seeing a psychologist, and counsellor for alcohol management Letter from counsellor, Letter from psychologist

May 2020 – started working at new aged care facility. Reference from employer

July 2020 – started behaviour change program, Letter from program convenor.

September 2020 – completed behaviour change program.

20 February 2021 – good behaviour bond completed

March 2022 – started studying nursing. Copy of Academic transcript

November 2023 – Mother had a stroke

October 2024 – relationship with Y started Reference from Y

18 January 2025 – domestic violence order expired (DV Information)

Step 7 – Draft your submission



Once you have identified your risk and protective factors, gathered your evidence and completed your timeline, you are ready to draft!

Contents of your submission

What you say in your submission will depend on your individual circumstances and assessable information. The ultimate goal is to convince the decision-maker that you do not pose a risk to the safety of children. At a minimum, your submission needs to:

- Cover any matters outlined in the Request for submissions letter;
- Provide the necessary context to your assessable information;
- Reflect on the causes and identify your risk factors; and
- Highlight your protective factors.

[Appendix 2 - Assessable Information, Risk Factors and Supporting Evidence](#) provides further guidance about what may be included in a submission based on the contents of your assessable information.

Structure

In terms of structure, there is no perfect way to present your information, however you want to make sure it is logical, precise and concise. You may state each assessable piece of information and then provide a response based on each of the factors in section 234 of the WWCC Act (see [Consideration of your assessable information](#)) or you can group the assessable information together and then discuss how your conduct has changed after that passage.

You may use the Blue Card Services template (linked on page 13) or LawRight's [Template 3](#). Example G uses Template 3.

In [Example G](#), the applicants assessable information relates to incidents that occurred over a short period of time arising from the same set of circumstances. Therefore, they have addressed the conduct first, then have moved onto their conduct since and protective factors.

If your assessable information occurred over a longer period or involves multiple categories of assessable information, you may choose to structure it differently.

Tips for drafting:

- If you are using **Template 3**, use a new numbered paragraph for each topic or incident. As a guide, try to keep each paragraph to 3 to 5 sentences. Use headings to group information together.
- Write in first person using “I” statements. E.g. “I was charged with breaching a domestic violence order”, “I attended counselling sessions once a week”.
- When describing a particular event, be specific - think about who, what, when, why and how.
- If you are stuck on how to word something, write down the idea in plain language, highlight it, and come back to it later. Do not get stuck trying to make your first draft perfect. Using your own words will always be better than trying to craft a perfect ‘legal’ position.



FAQs

7.1 I plead guilty or the court found me guilty but I do not agree with the facts. Can I dispute the contents of the information?

When you plead guilty to an offence, you are agreeing that you committed the offence as per the facts in the QP9. Similarly, if you are found guilty by the court, the finding of guilt is indisputable. In both of these scenarios, the decision-maker will accept your plea or the court decision as evidence the offence was committed. The decision-maker cannot “go behind” a finding of guilt. In a scenario where you have been found guilty by a judge or jury, you may not agree entirely with the facts. You can dispute the facts, however ultimately, the decision maker will accept the courts finding.

7.2 I consented without admission to a domestic violence order being made. How do I address this in my submission?

A domestic violence order is considered ‘domestic violence information’. In a contested application for a domestic violence application, the court must be satisfied on the civil standard, “the balance of probabilities” that domestic violence occurred. In these proceedings evidence is provided by both parties and the Magistrate must make a finding that domestic violence occurred to make the order.

If you consented without admission however, the court does not need to be satisfied that domestic violence occurred before making the order. Therefore, in this circumstance, if you do not agree with the information that is in the domestic violence order application, you must explain why in your submission. If you think you need to do this, you should make sure you have reflected carefully on what happened and take accountability for your involvement in anything that occurred.

Example G – Submission format

In Example G, Alex puts all of the information from the timelines together into one document. The information in Example G is based on entirely fictional scenario. The example is to demonstrate how to use **Template 3** and how to bring together the information in the timeline created in the Optional Exercises. The way the information is drafted is to show you how you might write about parts of your assessable information.

SUBMISSION OF ALEX SMITH

Background

1. My name is Alex Smith, I am the applicant in application ref: 123456.
2. I am 26 years old, born on 1 January 2000 in Wattle Creek.
3. I have lived in Wattle Creek my whole life.
4. I am currently employed as a Personal Care Support Worker. I am studying a Bachelor of Nursing at Wattle Creek University. I require a blue card to complete placement.
5. I applied for a blue card on 14 December 2024. On 28 March 2025, I received a request for submissions.

You should start with a brief introduction section to give context to the document

DV Information and Criminal History

In this section you want to outline the circumstances of your conduct or alleged conduct which appears in your assessable information. Remember to explain, not excuse.

6. My assessable information relates to the period 1 January 2020 to 20 February 2020. The aggrieved and complainant is my former partner X. X and I went to school together, however we started dating in May 2019. We began living together in November 2019. We are the same age.
7. On 1 January 2020, X and I returned home from a party at approximately 4am. We had both been drinking heavily. I can't remember why we started to argue, however there had been some tension around the house over the Christmas/New Year period.
8. I was made redundant from my job as a Personal Care Support Worker just before Christmas. I was really upset about this and concerned about money. This caused me to drink more than I normally would.
9. While my memory is hazy, I remember feeling incredibly angry and shouting at X. X went and locked themselves in the bedroom upstairs. I remember throwing an empty bottle at a wall downstairs after this. I believe this is what caused the neighbours to call the Police.
10. The Police Protection Notice says that I threw the bottle at X, but this is not my recollection of events.

Provide necessary context to the relationships between people involved.

Paragraphs 9-10 are an example of how to write about inconsistent information

11. The police attended and issued a Police Protection Notice. I agreed to leave the house. The police drove me to my mother's house, where I stayed for a few days.
12. The Police Protection Notice required me to attend Wattle Creek Magistrate's Court on 4 January 2020. I could not pay for legal advice prior to attending court and was told most free legal services would be closed over the holiday period.
13. When I attended the Wattle Creek Magistrate's Court on 4 January 2020 I spoke to the duty lawyer. I asked the Magistrate for an adjournment. I understand that a Temporary Protection Order was made with the mandatory condition that I be of good behaviour and not commit any domestic violence towards X. The matter was adjourned until 18 January 2020.
14. X was not in court that day and we had not spoken since the incident on 1 January 2020. I felt incredibly anxious and awful and wanted to speak to them. I sent them a text message asking to speak. X texted back and said they did not want to talk to me. I tried to call them but they cancelled my call.
15. On 5 January 2020, I went around to the house, I wanted to try to speak to X and apologise as well as get some of my clothes and personal items to take back to my mothers. When I arrived, X was not there. I grabbed my things and returned to my mothers.
16. By 7 January 2020, I still had not heard from X and I was spiralling. At about 4pm in the afternoon, I started drinking, I was so sad and angry with myself and I just wanted to talk to X. I can't remember making the calls but my call history shows that I called X 25 times and left numerous voicemails between 8pm and 10pm.
17. I then got an uber to the house. I knocked on the door, X told me to go away. I said that I would sit outside until they came out and spoke to me or let me in. I continued to drink while sitting outside the house.
18. The next thing I remember is being arrested by the Police. I spent the night in lock up at the Wattle Creek Police Station and the next morning once I had sobered up, the Police issued me with a Notice to Appear on 20 February 2020 for breaching the Temporary Domestic Violence Order that was made on 4 January 2020.
19. On 18 January 2020, I attended the Wattle Creek Magistrates Court for the hearing in relation to the domestic violence order that was adjourned on 4 January 2020. Because of the breach and my behaviour on 7 January 2020, the Police were now seeking an extra condition that I do not contact X.
20. I saw X at court that day and they looked like they were genuinely scared of me. I immediately felt awful and started to understand the gravity of my behaviour and the hurt I must have caused them.
21. I spoke with the duty lawyer and told them that I did not agree with the information in the Police Protection Notice about throwing the bottle but that I did agree with the amount of calls and messages I had made on the night of the 7 January 2020.

While I could not remember making them, I accept that my call history shows that I did make those calls.

22. I understand that even though no physical violence occurred, my behaviour could still be considered domestic violence because of the fear I caused X and the damage I did to the property.
23. After speaking with the duty lawyer, I decided to consent without admission to the order being in place. An exception was added to the conditions to allow X and I to communicate about me moving out of the rental we shared together. The duty lawyer also gave me information about attending a Behaviour Change Program.
24. On 20 February 2020, I attended the Wattle Creek Magistrate's Court and plead guilty to breaching the temporary domestic violence order. The Magistrate ordered that I be of good behaviour for 12 months and did not record a conviction.
25. The following day, I texted X and asked if they would like me to move my things out of the house and they take over the lease. They responded and said that is what they would like. They would be away from the house for a few days and I could come and get my things.
26. When I arrived at the house later that night, I found a letter from X which officially ended our relationship. I was not allowed to respond to this because of the conditions of the domestic violence order. Standing in that house not being able to apologise to someone that I loved was a rock bottom moment.
27. I knew then that my behaviour during this period was unacceptable. I should never have thrown the bottle on the morning of 1 January 2020 and I can understand why X would have been scared and decided to avoid me from then on.
28. I was very stressed after losing my job, while that contributed to my behaviour, it is not an excuse for my actions.
29. I also should have accepted their message that they did not want to talk to me. In the moment, I thought I was doing the right thing by trying to contact them, I wanted to talk it out and say I was sorry. I realise that I violated their boundaries and the order by contacting them so many times.

Example of showing accountability, insight and remorse

Conduct since and help from support network

Once you've addressed the assessable information, you can start talking about your protective factors

30. After moving out of the rental I shared with X, I moved back in with my mother, Barbara Smith. I had no job, no partner and a criminal record. Some days I would wake up, start drinking and keep drinking until I passed out.
31. After a month or so, my mother and my friend Riley Moore that I went to school with, intervened and insisted that I stop drinking and I make an appointment to see a counsellor. My mother said that she would not allow me to stay with her unless I did these things. **A reference from my mother, Barbara Smith is attachment 1.**
32. My mother helped me get an appointment with my GP who prescribed me something for anxiety and sleep and they made referrals for me to attend a

Reference your supporting evidence throughout

psychologist and an alcohol management program. **A letter from my GP, Dr Brown is attachment 2.**

33. This period of time coincided with the start of the COVID-19 pandemic. It was difficult to stop drinking when there wasn't much else to do. Riley checked on me every day. If I was tempted to drink they would come around to my house (within the limits of public health restrictions) and get me out of the house for a walk. **A reference from Riley Moore is attachment 3.** Riley has known me since primary school and has always been my best friend.

Relationship with alcohol

Alcohol was identified as a contributor to the conduct so must be addressed as a risk factor

34. I began attending counselling sessions specifically for alcohol management at the start of April 2020. The sessions were via Zoom because of the pandemic.
35. While I did not see myself as an alcoholic, I would often turn to alcohol during stressful times. I would drink until I passed out. I was doing this almost every day after my court appearances and the break up with X.
36. Counselling helped me identify the triggers to my excessive alcohol consumption and gave me healthy alternatives to drinking such as mindfulness and exercise. **A letter from the alcohol counselling program is attachment 4.**
37. I did not have an alcoholic drink between 30 April 2020 and 2 June 2023.
38. I began drinking again in June 2023, however only a few light beers on social occasions. I have not felt the need to drink more than that. With the skills I learned in counselling, I know that I can drink socially without going overboard. **My friend, Riley supports this in their reference at paragraph 15.**
39. At the end of 2023, my mother had a stroke. This was very stressful and there were some nights when I couldn't sleep that I thought it would be nice to drink myself to sleep, however I didn't and I was able to get through this period and be present for my mother without turning to alcohol. **In attachment 1 at paragraphs 10-12, my mother outlines how I supported her during her recovery.**

Refer to specific parts of your evidence that supports your submission

Psychologist

40. As well as attending counselling for alcohol management, I also started seeing a psychologist to talk about life and how to handle stressful situations. I started sessions with my psychologist, Margaret Mitchell in April 2020.
41. Initially I was seeing Margaret once a fortnight but over time we reduced to monthly, then every two months and now every three months. **A health report from Margaret is attachment 5.**
42. Margaret assisted me to understand how repressing emotions can lead to emotional outbursts. With Margaret, I have worked on identifying my emotions and expressing them in a healthy way. These techniques were very useful during the

period where my mother was recovering from her stroke (see **paragraph 39** above).

43. Through the work I did with Margaret, I was able to recognise that my father's sudden death when I was aged 10 had a profound effect on the way I expressed my emotions as an adult. I have now been able to deal with the repressed grief and have developed healthy coping mechanisms for stress.

Participation in Behaviour Change Program

44. Following my court appearances, I made enquiries about a Behaviour Change Program as the duty lawyer suggested, however there was a waitlist.

45. In July 2020, I got offered a spot in a six-week program. **Letter from program convenor is attachment 6.**

46. During the program, I learnt:

- a. how to own my actions and stop minimising, justifying or blaming others for my behaviour;
- b. to understand the impact of my actions on others;
- c. how to manage my emotions, particularly anger and frustration.
- d. To recognise the early warning signs of anger and to understand my personal triggers;
- e. Respectful communications skills; and
- f. Empathy.

Employment and volunteering history

47. The conduct in my assessable information did not occur in the workplace, however I acknowledge that my behaviour outside of the workplace might be relevant to the risk assessment.

48. I have an excellent work and volunteering history. No complaints have ever been made about my conduct in the workplace or as a soccer coach.

49. During high school, I made money by umpiring soccer games and working the canteen of my local soccer club. I also did many unpaid coaching roles.

50. After completing high school at the end of 2018, I did a Certificate III in Aged Care (**A copy of my certificate is attachment 7**) and I worked full time at Wattle Creek Aged Care Facility as a Personal Care Support Worker.

51. I worked at Wattle Creek Aged Care Facility as a Personal Care Support Worker for almost 2 years before I was made redundant at the end of 2019. I loved this job

and spending time with the residents gave me a sense of purpose. **A letter from my former supervisor, Jane Johnson is attachment 8.**

52. I did not work between 20 December 2019 and May 2020.
53. In May 2020, a former colleague of mine from Wattle Creek Aged Care Facility told me to apply for a job at East Wattle Creek Aged Care Facility.
54. I started working as a Personal Care Support Worker at East Wattle Creek Aged Care Facility at the end of May 2020. Starting work again filled me with a sense of purpose and aided in my recovery.
55. My duties include assisting residents with personal care, mobility, meals, medication prompts, emotional support, activities, and reporting any changes in their condition to nursing staff.
56. The residents are vulnerable and I understand the importance of adhering to safety standards and policies and procedures. The role also requires a great deal of patience. **A letter from my current employer, Mo Zhou is attachment 9.** Both Jane Johnson and Mo Zhou attest to my calm nature in the workplace and my rapport with the residents.
57. Between 2016 and 2020, I coached numerous child and youth soccer teams ranging from under 8s to under 16s. I really enjoyed coaching and watching young players develop. Currently I am coaching an adult female team. **A reference from Joshua Jacobs, who I coached at soccer between 2016 and 2018 is attachment 10.**

Current circumstances

58. In March 2022, I enrolled in a Bachelor of Nursing at Wattle Creek University. Having worked with many excellent nurses in aged care facilities and seeing the work the nurses did to support my mother during her stroke recovery inspired me to start studying nursing. **A copy of my academic transcript is attachment 11.**
59. In October 2024, I met my current partner Y. I told them all about my history and they were aware that I was still subject to a domestic violence order. We have been together for over a year now and our relationship is really healthy. We can talk things through and resolve conflict in healthy ways. **A reference from Y is attachment 12.**

List of Attachments

1. Reference from Barbara Smith
2. Letter from my GP, Dr Brown
3. Reference from Riley Moore
4. Letter from alcohol counselling program
5. Letter from psychologist, Margaret Mitchell

Make a list of your attachments at the end. Label each of your attachments with the same number as this list.

6. Letter from Mens Behaviour Change program convenor
7. Certificate III Aged Care
8. Letter from former supervisor, Jane Johnson
9. Letter from current employer, Mo Zhou
10. Reference from Joshua Jacobs
11. Bachelor of Nursing Academic transcript
12. Reference from Y

Step 8 – Review and lodge your submission



Once you have a draft, the final step is to review and lodge.

Review your draft

Once you have finished drafting, proofread your submission carefully. If possible, ask a trusted friend or support person to review it with you.

Review checklist:

- Is everything relevant? The goal is to keep it as concise as you can while still explaining the important points.
- Is everything true and correct?
- Is there any conflicting information? Check your submission against what is in the assessable information. Consistencies are ok if there is an explanation. For an example of how to address an inconsistency, see paragraphs 9-10 of Example G.
- Have you covered everything that was mentioned in the Request for Submissions?

What <u>should</u> be in your submission	What <u>should not</u> be in your submission
✓	✗
• Information that explains and gives context to your life and the relevant information • Reasons why your past conduct should not be an indication of future risk – this includes your protective factors • Reflections on your past behaviour and whether you would do anything differently if faced with a similar situation • How your circumstances have changed or the circumstances that lead to offending are unlikely to be repeated	• Your opinion on the fairness of the blue card system • Swear words • False or untrue information – penalties apply for providing false information • Irrelevant information • Information or submissions that appear to blame someone else or deflect responsibility for what happened • Documents and submissions wholly generated by AI

Lodge your submission

Your letter from Blue Card Services will tell you how to lodge your written submission which is usually by email or post.

Practical Tips

- Submit everything in one email or if submitting by post, in one envelope.
- All of your documents should be in some kind of order. We recommend that you provide a list of your references and other supporting evidence at the end of your submission.
- ***Keep a copy of everything you submit.*** If you have hard copies, you should keep everything in a folder or document wallet. Online copies can be kept in a folder on your computer or email inbox.
- Keep your contact details up to date. ***If your details change, you must let Blue Card Services know within 7 days.***

Part 3: After making a submission

Blue Card Services will consider your submissions and the assessable information and make a decision. Blue Card Services may ask you for further information or submissions.

If your circumstances change while the application is being decided, you must notify Blue Card Services.

What do I need to tell Blue Card Services about while I am waiting for a decision?

If your Police information changes (if you are charged with a new offence or sentenced for something for example) while your application is being decided, you must **immediately** notify Blue Card Services by submitting a [Change in Police Information notification](#) form.

You also have **7 days** to notify Blue Card Services, if any of the following occurs:

- Your contact details change;
- You change your name;
- For exemption card holders – if you cease to be a registered teacher or Police Officer;
- Business information changes;
- Any of the following disclosable matters occur:
 - A police protection notice or domestic violence protection order is made against you;
 - You are issued with an adverse interstate WWC decision;
 - An allegation of harm investigated by the Department of Child safety is substantiated;
 - Disciplinary action is taken against you.

How long will it take for Blue Card Services to make a decision?

Unfortunately, there is no legislated timeframe for Blue Card Services to decide your application.

If you have been waiting for more than 12 months, we recommend you seek legal advice about your options.

What if I receive a negative notice?

If you receive a negative notice or Blue Card Services refuse to cancel your negative notice, you will receive a decision in writing with reasons for the decision. As a negative notice holder, you will be a restricted person.

If you think the decision was wrong, or not properly made, you have the option to apply to the Queensland Civil and Administrative Tribunal (**QCAT**) to review the decision.

If you receive one of these decisions, we recommend that you **seek legal advice as soon as possible** as you only have **28 days** from when you receive notice of the decision to make an application to QCAT.

For more information about where to seek legal advice, view our [list of legal support services](#) available.

Receiving a negative decision can be devastating, we recommend that you engage with your support network or reach out to one of the [non-legal support services](#) below.

What if I receive a blue card?

If you receive a blue card, you are now eligible to work in regulated employment. As a blue card holder, you have an obligation to inform Blue Card Services if your circumstances change. For more information, see [Blue card rights and obligations for individuals | Blue Card Services](#)

If you do receive a blue card after using this toolkit to draft your submissions, please [let us know](#). This information can help us improve this toolkit and help us apply for future funding to create resources like this for other types of legal problems. You can choose to stay anonymous.

Feedback

To help us evaluate the usefulness of this toolkit and improve the content, we invite you to complete our [feedback survey](#).

Non-legal support services

Legal processes can be stressful. If you need support, you may wish to contact the organisations listed below.

Crisis Support

Lifeline

24 hour crisis support

T: 13 11 14

The Salvation Army – Salvo Care

24 hour phone counselling

T: 1300 363 622

Beyond Blue

24 hour phone counselling

T: 1300 224 636

Financial Advice

National Debt Helpline

Free, confidential financial counselling

T: 1800 007 007

The Salvation Army – MoneyCare

Free, confidential financial counselling

T: 1800 722 363

Refugee Supports

Multicultural Australia

Social support service

T: 07 3337 5400

World Wellness Group – Multicultural Connect Line

Health, housing, social support

T: 1300 079 020

QPASTT

Counselling service

T: 07 3391 6677

Housing Support

Homeless Hotline

Information and referrals

T: 1800 474 753

DVConnect

Support, information and referrals

T: 1800 811 811

Aboriginal & Torres Strait Islander

Gallang Place

Counselling, advocacy and support

T: (07) 3899 5041

13YARN

24 hour confidential service

T: 13 92 76

Mob Strong Debt Help

Legal advice and financial counselling

T: 1800 808 488

Family Violence Support

1800 RESPECT

24 hour confidential service

T: 1800 737 732

DVConnect

24 hour confidential service

T: 1800 811 811

Men's line

Support, information and referrals

T: 1800 600 636

Legal Services

LawRight

LawRight's Court and Tribunal Services can assist people who have received a negative notice and are seeking to review that decision in QCAT, or have already commenced QCAT review proceedings. To be eligible for help from LawRight, applicants must be unable to afford private legal assistance.

The assistance provided to clients by is tailored to their personal circumstances, the legal problem, and the availability of pro bono resources. This assistance can include:

- Providing legal information or resources;
- Advice and task assistance by internal staff lawyers outside appointments or volunteer member law firms in pre-booked appointments;
- Referral to member barristers for opinions and for discrete tasks such as drafting, advice, or representation at mediation/discrete hearings; and/or
- In limited cases, referral for full pro bono representation by a firm or barrister.

To apply for help or learn more about the assistance available, visit www.lawright.org.au/apply.

Other Legal Services

If you can pay for a lawyer, you can search for one using the Queensland Law Society's You & The Law [Find a Solicitor Directory](#)

If you cannot afford a lawyer, you can search for a community legal centre in Queensland using Community Legal Centres Queensland's [Find a CLC search tool](#).

Aboriginal and Torres Strait Islander people may like to contact the [Aboriginal and Torres Strait Islander Legal Service](#).

Appendix 1 – Definitions

Assessable information refers to:

- Police Information
- Domestic Violence Information
- Disciplinary Information
- Adverse Interstate Working with Children Information
- Other information about the person that the chief executive reasonably believes is relevant to deciding whether the person poses a risk to the safety of children.

See pages 5 to 12 of the [Guidelines for Dealing with Information](#) and section 220 of the WWCC Act.

Blue card is a license to work in regulated employment in Queensland.

Blue Card Services refers to the unit of the Department of Justice that is responsible for issuing and monitoring working with children checks in Queensland.

Charge of an offence, means a charge in any form, including, for example, the following—

- (a) a charge on an arrest;
- (b) a notice to appear served under the Police Powers and Responsibilities Act 2000, section 382;
- (c) a complaint under the Justices Act 1886;
- (d) a charge by a court under the Justices Act 1886, section 42(1A), or another provision of an Act;
- (e) an indictment.

Chief Executive means the Chief Executive of the Department of Justice.

Conviction means a finding of guilt by a court, or the acceptance of a plea of guilty by a court, whether or not a conviction is recorded.

Dealt with in relation to a charge of an offence, means any of the following—

- (a) the person who is charged is convicted or acquitted of the charge;
- (b) the person who is charged is convicted of another offence in relation to which the acts or omissions were substantially the same as the acts or omissions of the charge of the offence;
- (c) the charge has been withdrawn or dismissed;

- (d) a nolle prosequi or no true bill is presented in relation to the charge

Decision-maker refers to the person employed by Blue card Services who is making a decision to issue, suspend or cancel a Blue card.

Direct contact means contact between a person and a child that involves 1 or more of the following—

- (a) physical contact;
- (b) face to face contact;
- (c) contact by post or other written communication;
- (d) contact by telephone or other oral communication;
- (e) contact by email or other electronic communication.

Disclosable matter A *disclosable matter*, in relation to a person, is a matter that relates to any of the following—

- (a) a domestic violence order made, or a police protection direction or police protection notice issued, against the person under the [Domestic and Family Violence Protection Act 2012](#);
- (b) an adverse interstate WWC decision against the person;
- (c) 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;
- (d) a type of disciplinary action taken against the person that is prescribed by regulation;
- (e) another matter relevant to whether the person poses a risk to the safety of children prescribed by regulation.

Disqualifying offences are listed in Schedule 4 of the Act. If you are convicted of a disqualifying offence, you cannot apply for a blue card.

Disqualified person A person is a *disqualified person* if the person—

- (a) has been or is convicted of a disqualifying offence; or
- (b) is subject to—
 - (i) offender reporting obligations; or
 - (ii) an offender prohibition order; or
 - (iii) a disqualification order; or

- (iv) a sexual offender order; or
- (c) is the respondent to an application for an offender prohibition order under the [Offender Reporting Act](#).

Exceptional case refers to the legislative test for determining an application where a person has been convicted of a serious offence. Exceptional case is not defined in the WWCC Act. For serious offences, life changes that amount to people living their life in a law abiding manner as society expects are generally considered to be in the 'ordinary course' and do not usually constitute an exceptional case.

Exemption card registered teachers and Police Officers do not need a Blue card to work as teachers or Police Officers however, to engage in other regulated employment outside of those roles, they must hold an exemption card.

Interstate WWC is the blanket term throughout the Act for working with children checks issued in other states.

Regulated employment see schedule 1, part 1 of the Act. This is employment that requires you to have a blue card before commencing.

Restricted employment is not regulated employment under section 156(3) or (4); or schedule 1, section 6A(3)(a) or (b) of the Act.

Restricted person means a person who—

- (a) holds a negative notice; or
- (b) holds a working with children authority that is suspended; or
- (c) is a disqualified person and does not hold a working with children authority; or
- (d) has been charged with a disqualifying offence the proceeding for which has not ended; or
- (e) is the subject of an adverse interstate WWC decision that is in effect.

Negative notice refers to a decision made by Blue Card Services restricting you from engaging in regulated and restricted employment. See [section 18C](#) of the Act.

Paramount consideration in administering the Act, the '*welfare and best interests of children are the paramount consideration*'. This means any other considerations must yield to this, including the detrimental effect of not having a blue card.

Serious offence see [section 15](#) of the Act. Current serious offences are listed in [Schedule 2](#) of the Act.

Working with Children Check Act 2000 is the legislation that governs the blue card system. This may be referred to throughout the Toolkit as "the WWCC Act", "the Act" or "the legislation".

Appendix 2 – Assessable Information, Risk Factors and Supporting Evidence

Assessable Information	Risk factors and reasons why Blue Card Services might find this concerning	Things you could mention in your submission	Examples of evidence to include
Police Information			
Offences involving violence e.g. assault	People who work with children should be able to manage their emotions and behave appropriately when under stress and not react with violence.	• Whether you are remorseful. • What insight you have into the conduct. • Whether you have attended any counselling or anger management programs. • Any reflections you have about the offence and whether you would act differently in the future if in a similar situation. If you have an example of a similar situation in which you have acted differently you should include it. • Whether other factors influenced your behaviour such as stress, mental health, alcohol or drugs. Note, if there were contributing factors you need to address these separately. • A reflection on the impact your actions had on the victim(s).	• Evidence of attending counselling, anger management programs such as a letter from the counsellor or program coordinator or a statement of attendance. • References from friends, family or co-workers.

Offences involving drugs e.g. possession, supply, trafficking	Children should not be exposed to drugs and people who work with children should not be under the influence of drugs. If someone is charged with possession, an inference can sometimes be drawn that the individual has used drugs more often than the police information suggests. If you have children an assumption may also be made that you have exposed them to drug use or have been under the influence while caring for them.	• The nature and extent of your drug use. For example, whether it was a one- off, or confined to a particular time period. • If your drug use was repeated and ongoing - how long you have been sober and how you maintain your sobriety. • Whether you attended any rehabilitation programs or attended counselling, for example Narcotics anonymous, Lives Lived Well. If you did attend a program or counselling, you should explain what you learnt and how you apply that learning to prevent relapse. • Recognition of the harm drugs cause in the community.	• Evidence of attending these programs such as a letter from the counsellor or program coordinator or a statement of attendance. • If you were using cannabis obtained illegally for a medical purpose but now have a prescription for legal use, you should provide a copy from you prescribing doctor which outlines: ○ what it is prescribed for; and ○ how you use it. • Your submission should also include information about how you store your medical cannabis products and ensure it is not accessed by children in your home.
Offences involving dishonesty e.g. fraud	People who work with children should abide by the law and not engage in deception.	• Whether you are remorseful. • What insight you have. • The circumstances surrounding your conduct. • Whether you have attended any counselling. • Whether your offending was motivated by other factors such as financial stress. If so, you need to explain how you manage financial	• Evidence of attending counselling such as a letter from the counsellor or program coordinator or a statement of attendance.

		stress now without committing further offences. • Whether you have done anything to compensate the victims of your offending.	
Offences involving offences against property e.g. theft, property damage	Offences involving property may raise concerns about judgment, honesty, impulsivity, respect for the law and whether you may place your own interests ahead of the safety and wellbeing of others.	• Whether your offending was motivated by other factors such as financial stress, mental health, drugs or alcohol. If so, you need to explain how you manage those now without committing further offences.	• Evidence of attending counselling such as a letter from the counsellor or program coordinator or a statement of attendance.
Traffic offences	Driving negligently, recklessly or dangerously puts yourself, passengers, other road users and pedestrians (which could be children) at risk of harm.	• Acknowledgement of the risks of unsafe driving.	
Domestic Violence information			
Domestic Violence	Domestic violence is not acceptable in any form. Exposure to domestic violence is detrimental to children's emotional and physical wellbeing.	• If the information involves the making of a domestic violence order, you need to explain how the order was made. For example, did you consent or was the hearing contested and the Magistrate made a finding. • Whether you are remorseful. • What insight you have. • Whether you have attended any counselling or anger management programs.	• Evidence of attending counselling, anger management programs such as a letter from the counsellor or program coordinator or a statement of attendance. • If you are in a new relationship, reference from current partner. • Evidence of attending a psychologist, psychiatrist.

		- Any reflections you have about the incident(s) and whether you would act differently in the future if in a similar situation. If you have an example of a similar situation in which you have acted differently. - Whether other factors influenced your behaviour such as stress, mental health alcohol or drugs. If so, you need to explain how you manage those now without committing further offences. - Whether you are still in a relationship with the perpetrator or aggrieved. If you are – what have you done to ensure no further domestic violence is committed. If you are not – whether you are in a new relationship and if there is any domestic violence in that relationship. - If you have children, what steps (if any) you took to ensure they were not exposed to domestic violence or protected from harm.	
Disciplinary Information			
Disciplinary information concerning your conduct as a	This information generally relates to your conduct in employment that involves looking after children. Similar to Police information, it is the conduct rather than the findings of the	- What insight you have into the investigation and disciplinary process. - Whether you agree with the findings.	Evidence of completing any education or training about compliance with regulations.

teacher or childcare worker	investigating authority that matters most to the decision-maker.	Whether you have completed any education or training about compliance with regulations.	
Child Safety information concerning your conduct as a foster or kinship carer. This can include your foster or kinship carer certificate being cancelled or suspended	This information may raise concerns about your ability to provide safe, appropriate and child-focused care, especially where the conduct relates directly to children placed in your care.	- What insight you have into the reasons why your certificate was cancelled or suspended. - Insight into the harm your behaviour may have caused the children in your care. - Whether you have participated in any programs or courses for foster/kinship caring.	Evidence of participation in any programs or courses for foster/kinship caring.
Other Information			
Child safety information concerning your parenting e.g. neglect, excessive discipline, drug use	This information may raise concerns about whether children in your care have been safe, whether their needs were prioritised, and whether similar risks could arise again in the future.	Insight into the harm your behaviour may have caused your children.	Evidence of attending any counselling, anger management or parenting programs/courses.
Substance use	Substance use may raise concerns about judgment, reliability, emotional regulation, exposure of children to unsafe situations, and whether you can safely care for children consistently.	- How long you have been sober and how you maintain your sobriety. - Whether you attended any rehabilitation programs or attended counselling, for example Narcotics anonymous, Lives Lived Well. If you did attend a program or counselling, you should explain what you learnt	- Drug screening results, however, these are only useful if you can show consistent clear tests over a period of time, including a very recent test. - Evidence of attending rehabilitation programs or drug and alcohol counselling.

		and whether you apply that learning to prevent relapse.	
Mental Health	Having a mental health condition does not automatically make you unsuitable to hold a blue card. However, if you have a mental health condition, you need to show Blue Card Services that you are in control of and can manage your symptoms, so you do not pose a risk to children in your care.	• When you were first diagnosed with the condition. • Whether you are engaged with therapeutic supports. • Whether you take any medication. • Insight into the triggers. • If relevant, how you prevent your condition from deteriorating to a point where you might become a danger to yourself or others.	• Evidence of attending a psychologist, psychiatrist or other mental health professional such as a counsellor or occupational therapist.