

# Changes to the Working with Children Act 2005

## Amendments come into effect from 1 August 2017

On 1 August 2017 a number of important amendments to the *Working with Children Act 2005* (the Act) will come into effect.

In its [report](#) titled 'Working with Children Checks', the *Royal Commission into Institutional Responses to Child Sexual Abuse* made several recommendations aimed at strengthening the protection children receive through Working with Children Checks. The following amendments to the Act implement these recommendations:

### 1. Expand the definition of 'direct contact' in the Act

The definition of direct contact will now include oral, written or electronic communication as well as face-to-face and physical contact.

### 2. Remove 'supervision' from the Act

The removal of references to 'supervision' from the Act will mean that even if a person's contact with children as part of their child-related work is supervised by another person, they will still need to apply for a Check.

### 3. Require kinship carers to obtain a Check

People caring for a child placed by Child Protection under the *Children, Youth and Families Act 2005* will be required to obtain a Check.

### 4. Consider non-conviction charges

Non-conviction charges (charges that have been finally dealt with other than by a conviction or finding of guilt) for serious sexual, violent or drug offences will be able to be considered as part of Check assessments and re-assessments.

### 4. Compel information

The Secretary to the Department of Justice and Regulation will now be able to compel the production of certain information for the purposes of compliance monitoring.

Detailed information about the amendments is available on our website at [Changes to Legislation](#).