

# Creating Child and Youth Safe Organisations

A Project Plan for developing and  
implementing a Child and Youth Safe  
Organisations Framework for Tasmania



Department of Justice  
Child Abuse Royal Commission Response Unit  
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# Acknowledgement of Aboriginal People and Country

The Tasmanian Government acknowledges and pays respect to the Tasmanian Aboriginal people as the traditional and original owners and continuing custodians of lutruwita/Tasmania. We honour Tasmanian Aboriginal elders, past and present as the first peoples of this Land and recognise the deep history and culture of this Island.

We recognise and value Aboriginal histories, knowledge and lived experiences and commit to being culturally inclusive and respectful in our working relationships with all Aboriginal people.

We also acknowledge that Tasmanian Aboriginal children and young people's wellbeing has been and continues to be based on a deep and continuous connection to community and country, and we acknowledge that Tasmanian Aboriginal children and young people have a right to wellbeing outcomes equal to all Tasmanians.

# A Child and Youth Safe Organisations Framework for Tasmania

## What is the Child and Youth Safe Organisations Framework?

The Child and Youth Safe Organisations Framework (Framework) will be a legislatively mandated framework comprising of Child Safe Standards and a Reportable Conduct Scheme.

The Framework will contribute to the development of child and youth safe organisations in Tasmania, which promote children and young people's right to safety from all forms of harm in institutional settings. In particular, the Framework will contribute to the prevention of sexual abuse against children and young people in institutional settings. It will also improve investigation of, and responses to, child sexual abuse in institutional settings.

## What is a Child and Youth Safe Organisation?

Child safe organisations intentionally:

- Create a culture where children's safety and wellbeing is the centre of thought, values and actions
- Place emphasis on genuine engagement with, and valuing of children
- Create conditions that reduce the likelihood of harm to children and young people
- Create conditions that increase the likelihood of identifying any harm
- Respond to any concerns, disclosures, allegations or suspicions<sup>1</sup>.

Child safe organisations 'create cultures, adopt strategies and take action to prevent harm to children, including child sexual abuse.'<sup>2</sup> While the Child and Youth Safe Organisations Framework will apply to all types of harm and abuse of children, there is a specific focus on ensuring organisations prevent, identify and improve responses to child sexual abuse in institutional settings.

Responding to feedback from young people regarding the inclusion and visibility of young people in establishing child safe organisations, the Tasmanian Government has adopted the term Child and Youth Safe Organisations.

## What are Child Safe Standards?

Child Safe Standards (Appendix A) promote the safety of children and young people in services, organisations, businesses, clubs, and associations. Adhering to the Child Safe Standards will contribute to the prevention of abuse and harm to children, and will also ensure that services, organisations, businesses, clubs, and associations have policies and procedures in place to effectively respond to any incidents of child abuse, particularly child sexual abuse.

Implementing Child Safe Standards was a recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission), which found that the Standards are what a service, organisation, business, club, or association needs to do to be a child and youth safe organisation and prevent child sexual abuse.

Based on the recommendations of the Royal Commission, the Australian Human Rights Commission developed the National Principles for Child Safe Organisations (National Principles) in 2018 (Appendix A). The National Principles are underpinned by the *United Nations Convention on the Rights of a Child* and reflect the child safe standards recommended by the Royal Commission, with a broader scope that goes beyond child sexual abuse to cover other forms of harm to children and young people.

The Tasmanian Government will adopt the National Principles as the Child Safe Standards in Tasmania, adapting them to the Tasmanian context as required after consultation with key stakeholders.

<sup>1</sup> Australian Human Rights Commission. (2018). *National Principles for Child Safe Organisations*. <https://childsafe.humanrights.gov.au/national-principles/download-national-principles>

<sup>2</sup> Royal Commission into Institutional Responses to Child Sexual Abuse. (2017). *Final Report Volume 6: Making institutions child safe*. Commonwealth of Australia, p. 135.

## What is a Reportable Conduct Scheme?

The Child and Youth Safe Organisations Framework will include a legally mandated Reportable Conduct Scheme.

Some organisations engage with children and young people in ways that place them at higher risk of harm. The Reportable Conduct Scheme will require leaders of those organisations to report allegations, conduct, or convictions related to child abuse involving an employee or volunteer of their organisation to an independent oversight body.

The independent oversight body will monitor how the organisation handles and investigates the allegations, conduct, or conviction related to harm to children.

The Royal Commission recommended each Australian state and territory establish a Reportable Conduct Scheme as a way to improve the safety of children by providing independent oversight of an organisation's response to allegations of child sexual abuse by employees or volunteers.

Information sharing provisions required to make the Reportable Conduct Scheme work will also be put in place.

## Who will the Framework apply to?

The Royal Commission made several recommendations about the types of organisations the Child Safe Standards and the Reportable Conduct Scheme should apply to (Appendix B). The Tasmanian Government has committed to aligning the Framework with these recommendations at a minimum.

This means that services, organisations, businesses, clubs, and associations that specifically engage or involve children and young people under the age of 18 years will be legally required to comply with the Framework. The involvement of children and young people can be as service users, participants, members, students, trainees and employees, and/or volunteers.

It is estimated that up to 8000 organisations will be legally required to comply with the Framework from throughout Tasmania. The Tasmanian Government and the independent oversight body will support them to comply.

The full range of organisations required to comply with the Framework will be finalised after further consultation with key stakeholders.

## Who will provide independent oversight of the Framework?

The Tasmanian Government has committed to establishing a dedicated independent oversight body to monitor and enforce the Child and Youth Safe Organisations Framework. There may also be independent regulators that work together with the independent oversight body to monitor the different elements of the Framework. A comprehensive model of oversight and regulation will be developed in consultation with key project stakeholders.

## How will the Framework be developed?

A Project Team within the Department of Justice is leading the project to develop and implement the Framework. However, the project will involve extensive collaboration across Government Agencies who are stakeholders in the Framework. These Government Agencies are also undertaking other work related to child safe organisations, responding to other Royal Commission recommendations that are connected to the Framework, and/or undertaking other reform related to the safety and wellbeing of children and young people. All this work is interdependent with the Child and Youth Safe Organisations Framework and project and will be carefully considered in the development of the Framework. An Interdepartmental Working Group has been established to coordinate the cross-agency work.

The Framework will also be developed through comprehensive input from key sector stakeholders who will be affected by the Framework. An overview of the project Consultation and Engagement Strategy is provided on page 13.

## When will the Framework come into effect?

The project to develop and implement the Framework is expected to go for three years. The indicative commencement date of the Framework is 1 January 2024 and it is expected there will be phased implementation across the range of organisations required to comply.

## What will happen to the Child Safe Organisations Bill 2020?

*The Child Safe Organisations Bill* (Bill) was released for public consultation at the end of 2020. The feedback from the consultation and further developments in relation to child sexual abuse in institutional settings in Tasmania since that time have informed the current approach to the development of a comprehensive and integrated Child and Youth Safe Organisations Framework as outlined in this project plan. A new standalone Bill will be drafted to establish a Child and Youth Safe Organisations Framework in Tasmania.

# The Framework in the Context of Related Inquiries

The Child and Youth Safe Organisations Framework is being informed and shaped by several inquiries – past and present. The most relevant inquiries are briefly referred to below.

## Commission of Inquiry into the Tasmanian Government's responses to child sexual abuse in institutional settings

The Tasmanian Government established a Commission of Inquiry into the Tasmanian Government's responses to child sexual abuse in institutional settings (Commission of Inquiry) in 2021. Public hearings commenced in October 2021 and further public hearings began in May 2022.

The Commission of Inquiry will examine the Tasmanian Government's progress in relation to key recommendations of the Royal Commission, amongst other critical areas.

The progress and findings of the Commission of Inquiry will be key to the development and implementation of the Child and Youth Safe Organisations Framework.

## Independent Inquiry into the Tasmanian Department of Education's Responses to Child Sexual Abuse

In 2020, the Tasmanian Government announced an Independent Inquiry into the Tasmanian Department of Education's Responses to Child Sexual Abuse (Independent Inquiry). The findings and recommendations of the Independent Inquiry were released in 2021. All 20 recommendations for strengthening child safeguarding in the Department of Education were accepted.<sup>3</sup> Elements of the Department of Education's plan to implement the recommendations overlap with the development of the Child and Youth Safe Organisations Framework. Therefore, the Department of Justice and the Department of Education are working closely on their mutual projects.

<sup>3</sup> There are 21 recommendations in the report, however recommendation 11 and 15 are duplicates.

The Department of Education's response to the independent inquiry can be found [here](#).

## Royal Commission into Institutional Responses to Child Sexual Abuse

The Royal Commission was held between 2013 and 2017. During this time, the Commission held around 8000 private sessions with 6875 victim-survivors of child sexual abuse in institutional settings and received 992 written accounts from victim-survivors. Additionally, the Royal Commission held 57 public hearings with 1302 witnesses, examining 134 institutions. Sixty-seven private hearings were also held. Overall, information was gathered from 15,249 individuals during the course of the Royal Commission.

The final report of the Royal Commission was released in 2017 and contained 409 recommendations. The recommendations in Volume 6 and Volume 7 are of most relevance to this project. Volume 6 focused on making institutions child safe and contains 24 recommendations. Volume 7 made 12 recommendations related to improving institutional responding and reporting related to child sexual abuse.

The Tasmanian Government accepted the four recommendations related to establishing a Reportable Conduct Scheme and accepted in principle the seven recommendations related to implementing the Child Safe Standards. From here, commitments to create child safe organisations through legislating Child Safe Standards and a Reportable Conduct Scheme have been made by the Tasmanian Government through successive Action Plans for implementing the recommendations of the Royal Commission.

The Tasmanian Government's Fourth Annual Progress Report and Action Plan regarding the implementation of the Royal Commission recommendations can be found [here](#).

## Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission) has been underway since 2019. It was established in response to community concern about widespread reports of violence against, and the neglect, abuse and exploitation of, people with disability. The Disability Royal Commission is investigating how to:

- prevent and better protect people with disability from experiencing violence, abuse, neglect and exploitation
- achieve best practice in reporting, investigating and responding to violence, abuse, neglect and exploitation of people with disability
- promote a more inclusive society that supports people with disability to be independent and live free from violence, abuse, neglect and exploitation.

During the Disability Royal Commission, many people with disability have shared their personal experience of child sexual abuse in institutional settings.

The Disability Royal Commission will deliver its final report in September 2023. Its findings and recommendations will likely have implications for the Child and Youth Safe Organisations Framework.

## New Zealand Abuse in Care Royal Commission of Inquiry

An Abuse in Care Royal Commission of Inquiry (Inquiry) is underway in New Zealand. The Inquiry is looking into what happened to children, young people and vulnerable adults in State and faith-based care in Aotearoa New Zealand between the years 1950-99, and may also hear about survivor experiences before and after these dates. The Child and Youth Safe Organisations Framework project team will stay informed of the progress of the Inquiry and consider how any findings can inform the development of the Framework in Tasmania.

# An Integrated Reform

The Child and Youth Safe Organisations Framework is affected by other policies, frameworks, and Tasmanian Government initiatives. The main policies and reforms impacting on the Framework are described below.

## United Nations Convention on the Rights of the Child

The Child Safe Standards developed by the Royal Commission, and the subsequent National Principles, are underpinned by the *United Nations Convention on the Rights of the Child* (UNCRC) which recognises the human right of children to be protected from exploitation and abuse.

Australia ratified the UNCRC in 1990.

## National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030

Tasmania is a signatory to the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030* (National Strategy), which also incorporates the *First National Action Plan*. The development of the National Strategy was a recommendation of the Royal Commission.

The vision of the National Strategy is that all children and young people are protected and safe from sexual abuse, and that victims and survivors are supported and empowered. Theme 1 of the National Strategy relates to the implementation and promotion of the National Child Safe Principles and creating and maintaining child safe cultures in organisations engaging children.

## National Agreement on Closing the Gap

The objective of the *National Agreement on Closing the Gap* (National Agreement) is to overcome the entrenched inequality faced by Aboriginal and Torres Strait Islander people so that their life outcomes are equal to all Australians. Specific outcomes of the National Agreement that will

inform the Child & Youth Safe Organisations Framework and project include shared decision making and building the community-controlled sector.

## Wiyi Yan U Thangani (Women's Voices): Securing Our Rights, Securing Our Future Report

The aim of *Wiyi Yan U Thangani* is to elevate the voices of Aboriginal and Torres Strait Islander women and girls, and to reflect the holistic and interconnected nature of their lives.

In developing *Wiyi Yan U Thangani*, the Australian Human Rights Commission and the National Indigenous Australians Agency captured what communities consider to be their key strengths and concerns, what principles they think ought to be enshrined in the design of policies, programs and services, and what measures they recommend ought to be taken to effectively promote the enjoyment of their human rights into the future.

The recommendations of the report and the associated implementation framework will inform the development of the Child and Youth Safe Organisations Framework, as well as the engagement between the Department of Justice and the Tasmanian Aboriginal Community during its development.

## 'It takes a Tasmanian village': Child and Youth Wellbeing Strategy

The Child and Youth Safe Organisations Framework will align with Tasmania's Child and Youth Wellbeing Strategy. The vision of the Child and Youth Wellbeing Strategy is for children and young people to have what they need to grow and thrive. In particular, the Framework will reflect the principles of the Child and Youth Wellbeing Strategy and add to the outcomes under the 'Being Loved, Safe and Valued' domain, with implications for several of the other wellbeing domains also.

## Other Related Tasmanian Government Initiatives

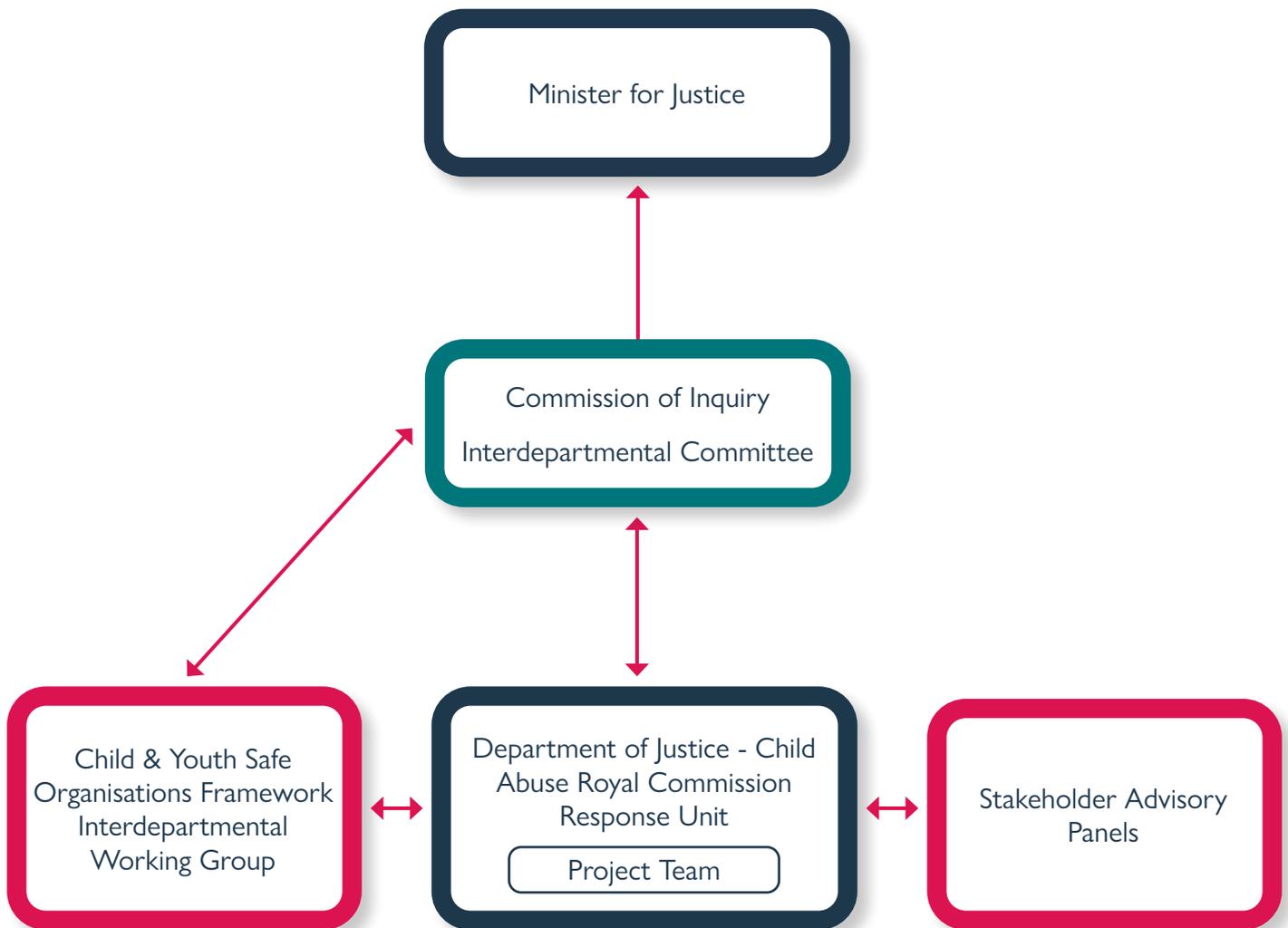
The Tasmanian Government has numerous reforms and initiatives underway which intersect with the Child and Youth Safe Organisations Framework project – particularly those that relate to the safety and well-being of children. The development and implementation of the Framework will be coordinated with these other important reforms.

An overview of the key areas of work is provided in the table below:

Area of Work	Overview
Tasmania's Third Family and Sexual Violence Action Plan	The Department of Communities has commenced consultation on the next Family and Sexual Violence Action Plan for Tasmania. This plan will place the voice of victim-survivors at the centre of service system and design. The Action Plan is due to be released in the second half of 2022.
Review of the <i>Children, Young Persons, and Their Families Act 1997</i>	The review of the <i>Children, Young Persons and Their Families Act 1997</i> includes a review of existing reports, recommendations and other strategic directions, alongside an extensive community consultation process to inform recommendations regarding the Act to ensure it aligns with contemporary best practice approaches for the safety and wellbeing of children, young people, and their families
Development an Out of Home Accreditation Scheme and a Carer's Register	The Tasmanian Government is developing a mandatory Out of Home Care Accreditation Scheme (based on Tasmanian Out of Home Care Standards) and a Carers Register, to create a strong framework for monitoring the quality of care of children and young people in out of home care.
Review of the <i>Disability Services Act 2011</i>	A review is underway to update the <i>Disability Services Act 2011</i> to achieve better results for people with disability in light of changes in the specialist disability services sector since the Act came into effect.
Youth Justice System Reform	Consultation is underway to develop the Blueprint to transform the youth justice system as a whole to better support the safety and wellbeing of Tasmania's children and young people, and our whole community, including the transition away from the Ashley Youth Detention Centre.
Implementation of recommendations from the Independent Inquiry into the Tasmanian Department of Education's Responses to Child Sexual Abuse	The Office of Safeguarding Children and Young People has been established by DoE to lead and provide strategic advice and direction on culture, systems, practices, procedures and professional learning as they relate to safeguarding children and young people from the harm of abuse in all DoE settings. The office is also overseeing the implementation of the recommendations of the Independent Inquiry.
Quality and Safeguarding Framework Review	Department of Communities Tasmania is developing a new approach to quality and safeguarding that supports Communities Tasmania funded community sector organisations to effectively plan, manage and account for the quality and safety of their services and continuous improvement activities.
Response to the Independent Review of the Tasmanian State Service	An independent Review of the Tasmanian State Service was undertaken to consider whether the governing framework of the State Service is fit for purpose for Tasmania today and into the future. The Tasmanian Government will implement the 72 recommendations in three stages over five years commencing in 2022.

# Project Governance

The development and implementation of the Framework requires coordinated effort across government agencies and between government and non-government partners – particularly those who will be impacted by the establishment of the Framework. To assist with this, a robust governance structure has been developed as depicted below.:



# Consultation and Engagement Strategy

A comprehensive Consultation and Engagement Strategy has been developed that includes multiple engagement mechanisms to reach the numerous and diverse stakeholders in the Child and Youth Safe Organisations Framework project.

Engagement on development and implementation of the Framework will include:

- Sector stakeholder advisory panels.
- Individual key stakeholder meetings.
- Regional workshops.
- Public consultation.

The main consultation mechanisms will be five project advisory panels representing groups of key stakeholders. These are briefly described in the table below:

The Department of Justice has begun collaborating with Aboriginal stakeholders to jointly develop a partnership approach to working on the Framework, with an emphasis on Aboriginal cultural safety and self-determination.

Consultation and engagement with a broad cross-section of stakeholders in the Framework will ensure it is informed by the expertise of those who will have to comply with the Framework and will provide the Tasmanian Government with a better understanding of stakeholder issues and concerns. Consultation will also help inform and raise the awareness of stakeholders about the Framework.

Once finalised, the Consultation and Engagement Strategy will be available on the project website.

## Advisory panels



# Where can I find more information?

We welcome comments and enquiries related to the Child and Youth Safe Organisations project plan.

For further information or enquiries, please contact [cysof@justice.tas.gov.au](mailto:cysof@justice.tas.gov.au).

A Child and Youth Organisations Framework project website is in development, where you will be able to find key project information and updates. Please visit [www.justice.tas.gov.au/cysof](http://www.justice.tas.gov.au/cysof) where you can find general project information at this stage.

## Seeking Help

We encourage anyone affected by child sexual abuse or other type of child abuse or sexual violence to access advice and support. Support is available from the following services:

### National

- ▶ 1800 Respect 1800 737 732 or visit [www.1800respect.org.au](http://www.1800respect.org.au)
- ▶ Lifeline 13 11 14 or visit the [Lifeline website](#)
- ▶ Beyond Blue 1300 224 636
- ▶ Blue Knot Foundation 1300 657 380
- ▶ MensLine Australia 1300 789 978
- ▶ Men's Referral Service 1300 766 491

### Tasmania

- ▶ Strong Families, Safe Kids Advice & Referral Line 1800 000 123
- ▶ Sexual Assault Support Service 1800 697 877
- ▶ Family Violence Counselling and Support Service 1800 608 122
- ▶ Victims of Crime Service 1300 300 238
- ▶ Relationships Australia Tasmania 1300 364 277

# Appendix A – Child Safe Standards and the National Principles for Child Safe Organisations

Child Safe Standards (Royal Commission Recommendation 6.5)	National Principles for Child Safe Organisations
1. Child safety is embedded in institutional leadership, governance and culture	1. Child safety and wellbeing is embedded in organisational leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously	2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved	3. Families and communities are informed and involved in promoting child safety and wellbeing
4. Equity is upheld and diverse needs are taken into account	4. Equity is upheld and diverse needs respected in policy and practice
5. People working with children are suitable and supported	5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
6. Processes to respond to complaints of child sexual abuse are child focused	6. Processes to respond to complaints and concerns are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training	7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
8. Physical and online environments minimise the opportunity for abuse to occur	8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
9. Implementation of the Child Safe Standards is continuously reviewed and improved	9. Implementation of the national child safe principles is regularly reviewed and improved
10. Policies and procedures document how the institution is child safe.	10. Policies and procedures document how the organisation is safe for children and young people.

# Appendix B — Scope of the Child and Youth Safe Organisations Framework

<b>Child Safe Standards (Royal Commission Recommendation 6.9)</b>	<b>Reportable Conduct Scheme (Royal Commission Recommendation 7.12)</b>
<p>Legislative requirements to comply with the Child Safe Standards should cover institutions that provide:</p> <ul style="list-style-type: none"> <li>a. accommodation and residential services for children, including overnight excursions or stays</li> <li>b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children</li> <li>c. childcare or child-minding services</li> <li>d. child protection services, including out-of-home care</li> <li>e. activities or services where clubs and associations have a significant membership of, or involvement by, children</li> <li>f. coaching or tuition services for children</li> <li>g. commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions</li> <li>h. services for children with disability</li> <li>i. education services for children</li> <li>j. health services for children</li> <li>k. justice and detention services for children, including immigration detention facilities</li> <li>l. transport services for children, including school crossing services.</li> </ul>	<p>Reportable conduct schemes should cover institutions that:</p> <ul style="list-style-type: none"> <li>• exercise a high degree of responsibility for children</li> <li>• engage in activities that involve a heightened risk of child sexual abuse, due to institutional characteristics, the nature of the activities involving children, or the additional vulnerability of the children the institution engages with.</li> </ul> <p>At a minimum, these should include institutions that provide:</p> <ul style="list-style-type: none"> <li>a. accommodation and residential services for children, including: <ul style="list-style-type: none"> <li>i. housing or homelessness services that provide overnight beds for children and young people</li> <li>ii. providers of overnight camps</li> </ul> </li> <li>b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children</li> <li>c. childcare services, including: <ul style="list-style-type: none"> <li>i. approved education and care services under the Education and Care Services National Law</li> <li>ii. approved occasional care services</li> </ul> </li> <li>d. child protection services and out-of-home care, including: <ul style="list-style-type: none"> <li>i. child protection authorities and agencies</li> <li>ii. providers of foster care, kinship or relative care</li> <li>iii. providers of family group homes</li> <li>iv. providers of residential care</li> </ul> </li> <li>e. disability services and supports for children with disability, including: <ul style="list-style-type: none"> <li>i. disability service providers under state and territory legislation</li> </ul> </li> </ul>



<b>Child Safe Standards (Royal Commission Recommendation 6.9)</b>	<b>Reportable Conduct Scheme (Royal Commission Recommendation 7.12)</b>
	<ul style="list-style-type: none"><li>ii. registered providers of supports under the National Disability Insurance Scheme</li><li>f. education services for children, including:<ul style="list-style-type: none"><li>i. government and non-government schools</li><li>ii. TAFEs and other institutions registered to provide senior secondary education or training, courses for overseas students or student exchange programs</li></ul></li><li>g. health services for children, including:<ul style="list-style-type: none"><li>i. government health departments and agencies, and statutory corporations</li><li>ii. public and private hospitals</li><li>iii. providers of mental health and drug or alcohol treatment services that have inpatient beds for children and young people</li></ul></li><li>h. justice and detention services for children, including:<ul style="list-style-type: none"><li>i. youth detention centres</li><li>ii. immigration detention facilities.</li></ul></li></ul>



Tasmanian  
Government

Department of Justice

