

Mehtap Komuksu

From: Nicola Doumany
Sent: Thursday, 18 November 2021 12:55 PM
To: Kate Deere; Fiona Fraser; Michelle Miller
Subject: FW: JAG-#5736081-v2-
Minister_and_Director_General_Meeting_Paper_-_Criminal_History_Delays_Impacting
_Blue_Card_Matters (003)
Attachments: FW: FOR APPROVAL by COB today (7/9) - Minister and Director General Meeting
Paper - Criminal History Delays Impacting Blue Card Matters ; JAG-5736081-
Minister_and_Director_General_Meeting_Paper_-_Criminal_History_Delays_Impacting
_Blue_Card_Matters.DOCX

Here is the ACIC brief

Nicola

From: ED Approval
Sent: Wednesday, 8 September 2021 11:52 AM
To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Cc: Zahra Killin <Zahra.Killin@bluecard.qld.gov.au>; Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Subject: FW: JAG-#5736081-v2-Minister_and_Director_General_Meeting_Paper_-_Criminal_History_Delays_Impacting_Blue_Card_Matters (003)

Good morning

Please see attached amended meeting paper,

eDocs: 5736081 Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters

I have also attached the original email requesting the update.

Kind Regards

Nicola

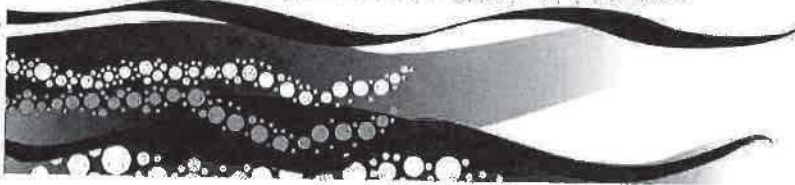


**Queensland
Government**

Nicola Doumany
Executive Director
Community Justice Services
Department of Justice and Attorney-General
Level 21, 53 Albert Street, Brisbane Qld 4000
P: 07 3211 6800 **M:** [Sch4\(3\)\(3\)](tel:0732116800)
E: Nicola.Doumany@justice.qld.gov.au



We acknowledge the traditional owners of this land



Zahra Killin
Executive Assistant
Blue Card Services, Justice Services
Department of Justice and Attorney-General
Level 20, 53 Albert Street, Brisbane Qld 4000
P: (07) 3211 6785 E: zahra.killin@bluecard.qld.gov.au

From: ED Approval <ED-Approval@justice.qld.gov.au>
Sent: Tuesday, 7 September 2021 5:48 PM
To: Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Subject: RE: JAG-#5736081-v2-Minister_and_Director_General_Meeting_Paper_-_Criminal_History_Delays_Impacting_Blue_Card_Matters (003)

Thanks Michelle

We can send through tomorrow. Zahra – could you update edoc copy?

Kind regards
Nicola

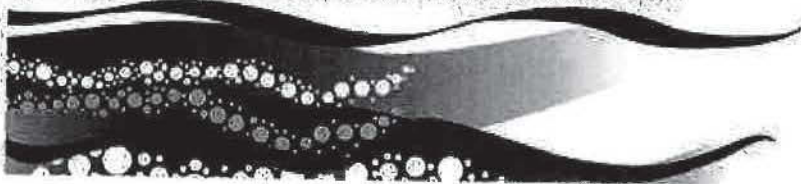


Nicola Doumany
Executive Director
Community Justice Services
Department of Justice and Attorney-General
Level 21, 53 Albert Street, Brisbane Qld 4000
P: 07 3211 6800 M: [Sch4\(3\)\(3\)](tel:0732116800)
E: Nicola.Doumany@justice.qld.gov.au

**Queensland
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From: Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Sent: Tuesday, 7 September 2021 5:29 PM
To: ED Approval <ED-Approval@justice.qld.gov.au>
Subject: JAG-#5736081-v2-Minister_and_Director_General_Meeting_Paper_-_Criminal_History_Delays_Impacting_Blue_Card_Matters (003)

Hi Nicola

I have amended the attached brief to include the information Jenny was seeking answers to earlier today.

I'm sorry I missed Zahra to load the document in edocs. I needed to speak with Kate and SJ before responding and only managed to speak with them late this afternoon.

I thought I should send it through to you in case you wanted to send it to Jenny tonight.

Kind regards

Michelle

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Mehtap Komuksu

From: DDG Approvals
Sent: Tuesday, 7 September 2021 12:53 PM
To: Michelle Miller; Ata Isarabhakdi; Justice Services Correspondence
Cc: Nicola Doumany
Subject: FW: FOR APPROVAL by COB today (7/9) - Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters
Attachments: JAG-5712116-Bennett_Stephen_MP_obo_Sch4(3)(3) MO_21_2725_re_7_month_wait_time_for_Blue_card_application.MSG.DRF; JAG-5717505-Bennett_Stephen_MP_obo MO_21_2725_re_Blue_Card_Services_timeframes.docx.DRF; JAG-5736081-Minister_and_Director_General_Meeting_Paper_-_Criminal_History_Delays_Impacting_Blue_Card_Matters.DOCX.DRF

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Michelle

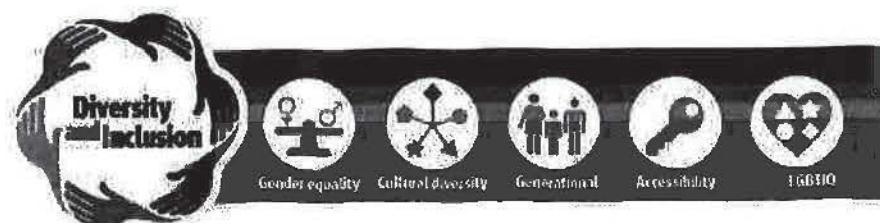
Thanks for providing the attached.

Can you also advise re the below please:

1. Given the number of people affected what are we doing to let them know about this issue.
2. Also, is it appropriate to place some information on the BCS website about this particular issue?
3. Finally do we think the AG should write to the Cth Minister and other relevant state and Territory Ministers to see if there is capacity to prioritise these matters?

thanks
Jenny

Jennifer Lang
Deputy Director-General
Justice Services
Department of Justice and Attorney-General
P: 07 3738 9435 M: [redacted]
E: Jennifer.Lang@justice.qld.gov.au



From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Sent: Tuesday, 7 September 2021 12:27 PM
To: DDG Approvals <DDG.Approvals@justice.qld.gov.au>
Subject: FOR APPROVAL by COB today (7/9) - Minister and Director General Meeting Paper – Criminal History Delays

Impacting Blue Card Matters

Importance: High

Hi Jenny

As requested, BCS have prepared a meeting paper to brief the AG in relation to the Criminal History Delays Impacting Blue Card Matters (Australian Criminal Intelligence Commission (ACIC))

eDocs: 5736081 Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters

The original matter is also attached:

eDocs: 5712116 Bennet Stephen MP obo Sch4(3)(3) MO 21 2725 re 7 month wait time for Blue card application
eDocs: 5717505 Bennett Stephen MP obo Mo 21 2725 re Blue Card Services timeframes

Thanks



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: ED Approval <ED-Approval@justice.qld.gov.au>
Sent: Tuesday, 7 September 2021 10:17 AM
To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Cc: Zahra Killin <Zahra.Killin@bluecard.qld.gov.au>; Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Subject: FW: FOR ACTION by 6 September 2021: MCAR 599629/1 Bennett Stephen MP obo [redacted]
MO.21.2725 re 7 month wait time for blue card application
Importance: High

Hello

Please see attached as requested:

eDocs: 5736081 Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters

The original matter is also attached and the template that was supplied:

eDocs: 5712116 Bennet Stephen MP obo [redacted] MO 21 2725 re 7 month wait time for Blue card application
eDocs: 5717505 Bennett Stephen MP obo [redacted] Mo 21 2725 re Blue Card Services timeframes
eDocs: 5471297 Meeting Paper Template

Kind Regards



Zahra Killin
Executive Assistant
Blue Card Services, Justice Services
Department of Justice and Attorney-General
Level 20, 53 Albert Street, Brisbane Qld 4000
P: (07) 3211 6785 E: zahra.killin@bluecard.qld.gov.au

From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Sent: Friday, 3 September 2021 4:01 PM
To: Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Subject: FOR ACTION by 6 September 2021: MCAR 599629/1 Bennett Stephen MP obo Sch4(3)(3) MO.21.2725 re 7 month wait time for blue card application
Importance: High

Hi Michelle

Further to below. I spoke with Jenny who has requested that you use the attached template.

Could you please have something back to JS Corro by COB Monday, 6 September 2021.

Thanks



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: Justice Services Correspondence
Sent: Thursday, 2 September 2021 5:56 PM
To: Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Subject: FW: FOR APPROVAL: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo [redacted] MO.21.2725 re 7 month wait time for blue card application
Importance: High

Evening Michelle,

Please see below from Jenny.

I am thinking Jenny might want a AG corro brief.

Can you start getting the info together and I will confirm with Jenny to see if a brief is necessary.

Thanks



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: DDG Approvals <DDG.Approvals@justice.qld.gov.au>
Sent: Thursday, 2 September 2021 5:33 PM

To: Ata Isarabhakdi <Ata.Isarabhakdi@justice.qld.gov.au>

Subject: FW: FOR APPROVAL: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo [redacted] Sch4(3)(3)
[redacted] MO.21.2725 re 7 month wait time for blue card application

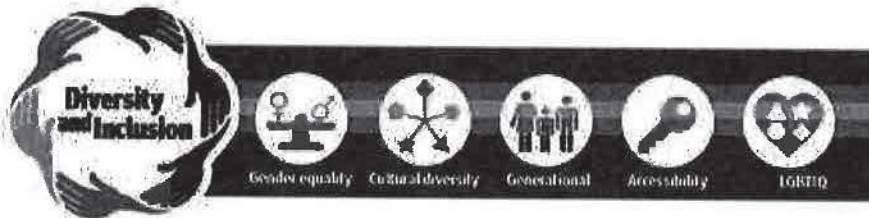
Importance: High

Hi

I have approved but anticipate that I will need to alert the AG and get some more information about this – could you liaise with Michelle Miller in BCS about getting some more detail about the ACIC issue please Ata.

Kind regards
Jenny

Jennifer Lang
Deputy Director-General
Justice Services
Department of Justice and Attorney-General
P: 07 3738 9435 M: [redacted]
E: Jennifer.Lang@justice.qld.gov.au



From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>

Sent: Wednesday, 1 September 2021 2:42 PM

To: DDG Approvals <DDG.Approvals@justice.qld.gov.au>

Subject: FOR APPROVAL: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo [redacted]
[redacted] MO.21.2725 re 7 month wait time for blue card application

Importance: High

Hi Jenny

This one was returned to JS Corro by the DLO. They requested that the response (previously approved by you) be updated with the dot point advice we provided them, specifically, the reasons for the delay.

BCS (Michelle Miller) has updated the response.

Can you please re-review and approve.

Thanks



**Queensland
Government**

Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: ED Approval <ED-Approval@justice.qld.gov.au>

Sent: Wednesday, 1 September 2021 9:41 AM

To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Cc: Zahra Killin <Zahra.Killin@bluecard.qld.gov.au>; Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Subject: FW: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo Sch4(3)(3)
MO.21.2725 re 7 month wait time for blue card application
Importance: High

Good morning,

Please see attached with amendments:

eDocs: 5712116/5717505 – WORD version Bennett Stephen MO obo [redacted] MO 21 2725 re Blue Card
Services timeframes

Please Note: BCS does not have access to the file part so the edocs has not been updated the attached copy is the dereferenced copy

Kind Regards

Nicola



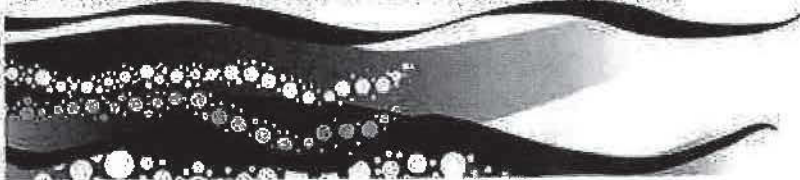
**Queensland
Government**

Nicola Doumany
Executive Director
Community Justice Services
Department of Justice and Attorney-General

Level 21, 53 Albert Street, Brisbane Qld 4000
P: 07 3211 6800 **M:** [redacted]
E: Nicola.Doumany@justice.qld.gov.au



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Zahra Killin
Executive Assistant
Blue Card Services, Justice Services
Department of Justice and Attorney-General
Level 20, 53 Albert Street, Brisbane Qld 4000
P: (07) 3211 6785 **E:** zahra.killin@bluecard.qld.gov.au

From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Sent: Wednesday, 25 August 2021 12:02 PM
To: Blue Card Services - DJAG Correspondence <Blue_Card_Services-DJAG-Correspondence@bluecard.qld.gov.au>

Subject: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo [redacted] MO.21.2725 re 7 month wait time for blue card application

Importance: High

Hi BCS,

Please see below for actioning ASAP. I have added in the dot points below for your convenience:

Constituent name:	[redacted]
Other notes/comments:	<ul style="list-style-type: none">Unfortunately the time taken to process [redacted] application was impacted by the current delays being experienced by Queensland Police Information Centre (PIC) in receiving criminal history checks from other jurisdictions.The Australian Criminal Intelligence Commission (ACIC) recently advised that they are experiencing unprecedented use of the system and due to a number of factors outside their control, there may be significant delays in the processing of checks. Queensland Police have advised that AFP have brought on several contractors to assist with their backlog and they are starting to see an improvement in the reduction of outstanding matters.Blue Card Services is working closely with PIC to work identify and resolve the outstanding matters. <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"><p>The following is confidential information under the Working with Children (Risk Management and Screening) Act 2000 (the Act) and is provided to the Minister under section 385 of the Act. The Minister is prohibited from releasing confidential information unless specific criteria are met (see sections 384 and 385 of the Act).</p></div> <ul style="list-style-type: none">[redacted]

Cheers



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: DLO <DLO@justice.qld.gov.au>

Sent: Wednesday, 25 August 2021 11:48 AM

To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>

Subject: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo [redacted] MO.21.2725 re 7 month wait time for blue card application

Importance: High

Hi Ata/Jess,

Please see below request from AGO. Can you please ask BCS to urgently update the MCAR response to outline the reasons for the delay (as provided in the dot points) and return to Exec Services for progression back to the AGO?

Let me know if there are any issues with this request.

Thanks

Amanda Robles

Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General
Ph: 07 3719 7418

From: Justin Foster <Justin.Foster@ministerial.qld.gov.au>
Sent: Wednesday, 25 August 2021 11:40 AM
To: DLO <DLO@justice.qld.gov.au>
Subject: FW: MO.21.2725 - Stephen Bennett MP
Importance: High

Hi J/A,

Can the letter to MP Bennett please be relatively urgently updated to reflect the below reasoning for the delay? I had intended to update myself but I would assumedly need to have it reviewed by dept to confirm accuracy anyway.

Kind regards,

JUSTIN FOSTER Sch4(3)(3)

Policy Advisor

Office of Hon. Shannon Fentiman MP



Queensland
Government

Attorney-General and Minister for Justice
Minister for Women
Minister for the Prevention of Domestic and Family Violence

P 07 3719 7410 | M [redacted] | Email: justin.foster@ministerial.qld.gov.au
1 William Street, Brisbane Q 4000 GPO Box 149 Brisbane Q 4001

From: DLO <DLO@justice.qld.gov.au>
Sent: Tuesday, 24 August 2021 4:26 PM
To: Justin Foster <Justin.Foster@ministerial.qld.gov.au>
Subject: FW: MO.21.2725 - Stephen Bennett MP

Hi Justin,

Please see below.

Amanda Robles

Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General
Ph: 07 3719 7418

From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Sent: Tuesday, 24 August 2021 4:22 PM

To: DLO <DLO@justice.qld.gov.au>

Subject: RE: MO.21.2725 - Stephen Bennett MP

Hi Amanda

Please see below for progression. The DDG JS had also asked for them previously hence why I can provide so expediently. These have been reviewed and approved by the ED, CIS.

Constituent name:	Sch4(3)(3)
Other notes/comments:	<ul style="list-style-type: none">Unfortunately the time taken to process [redacted] application was impacted by the current delays being experienced by Queensland Police Information Centre (PIC) in receiving criminal history checks from other jurisdictions.The Australian Criminal Intelligence Commission (ACIC) recently advised that they are experiencing unprecedented use of the system and due to a number of factors outside their control, there may be significant delays in the processing of checks. Queensland Police have advised that AFP have brought on several contractors to assist with their backlog and they are starting to see an improvement in the reduction of outstanding matters.Blue Card Services is working closely with PIC to work identify and resolve the outstanding matters. <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"><p>The following is confidential information under the Working with Children (Risk Management and Screening) Act 2000 (the Act) and is provided to the Minister under section 304 of the Act. The Minister is prohibited from releasing confidential information unless specific criteria are met (see sections 304 and 305 of the Act).</p></div> <ul style="list-style-type: none">[redacted]

Cheers



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: DLO <DLO@justice.qld.gov.au>

Sent: Tuesday, 24 August 2021 4:16 PM

To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>

Subject: FW: MO.21.2725 - Stephen Bennett MP

Hi Ata,

Can we please get some very brief high-level dot points on the delay for this application?

Kind regards,

Amanda Robles

Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General
Ph: 07 3719 7418

From: Justin Foster <Justin.Foster@ministerial.qld.gov.au>

Sent: Tuesday, 24 August 2021 4:06 PM

To: DLO <DLO@justice.qld.gov.au>

Subject: RE: MO.21.2725 - Stephen Bennett MP

Hi J/A,

Can I get very brief dot points on why this one took so long to process?

Kind regards,

JUSTIN FOSTER Sch4(3)(3)

Policy Advisor

Office of Hon. Shannon Fentiman MP



Queensland
Government

Attorney-General and Minister for Justice
Minister for Women
Minister for the Prevention of Domestic and Family Violence

P 07 3719 7410 | M [redacted] Email: justin.foster@ministerial.qld.gov.au
1 William Street, Brisbane Q 4000 GPO Box 149 Brisbane Q 4001

From: DLO <DLO@justice.qld.gov.au>

Sent: Wednesday, 11 August 2021 4:06 PM

To: ESB Allocations <ESB.Allocations@justice.qld.gov.au>

Subject: FW: MO.21.2725 - Stephen Bennett MP

ASAP

JS – BCS

Dept to contact & AG response with CoS contact details in concluding para

Note from AG's office: Please handle as per usual – Dept to contact asap to provide update and reflect discussion in letter to MP.

Amanda Robles

Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General
Ph: 07 3719 7418

From: Justin Foster <Justin.Foster@ministerial.qld.gov.au>

Sent: Wednesday, 11 August 2021 4:03 PM

To: DLO <DLO@justice.qld.gov.au>

Cc: Attorney-General <attorney@ministerial.qld.gov.au>

Subject: FW: MO.21.2725 - Stephen Bennett MP

See below.

Kind regards,

JUSTIN FOSTER

Sch4(3)(3)

Policy Advisor

Office of Hon. Shannon Fentiman MP



Queensland
Government

Attorney-General and Minister for Justice

Minister for Women

Minister for the Prevention of Domestic and Family Violence

P 07 3719 7410 | M [redacted] | Email: justin.foster@ministerial.qld.gov.au
1 William Street, Brisbane Q 4000 GPO Box 149 Brisbane Q 4001

From: Attorney <attorney@ministerial.qld.gov.au>

Sent: Wednesday, 11 August 2021 1:03 PM

To: Justin Foster <Justin.Foster@ministerial.qld.gov.au>

Subject: MO.21.2725 - Stephen Bennett MP

Let me know if this needs to be printed for the A-G.

CORRESPONDENCE TO ACTION	
MO Ref: MO/2021/2725	Dept Ref:
ADVISOR: Justin	RESPONSE – MO Use Only: <i>Please highlight required action</i> <ul style="list-style-type: none">• Department to contact• Department to reply• Department to outcome dot points to MO• MO response letter (standalone)• MO response letter (with briefing note)• Referral letter to:• Briefing note required about issue:• No response required – info/action as required:
REPLY FROM: Attorney-General / Chief of Staff / SPA	DUE TO MO BY: <i>Please highlight required action</i> <ul style="list-style-type: none">• ASAP• 5 days• 15 days• Other:
CONCLUDING PARAGRAPH CONTACT: Chief of Staff / SPA / Department	
MO COMMENTS: Please handle as per usual – Dept to contact asap to provide update and reflect discussion in letter to MP.	

From: Burnett Electorate Office <BURNETT@parliament.qld.gov.au>

Sent: Wednesday, 11 August 2021 1:00 PM

To: Attorney <attorney@ministerial.qld.gov.au>

Subject: Blue card application

11 August 2021

The Hon. Yvette D'Ath MP

Attorney General

Dear Minister,

I write on behalf of my constituent, [redacted] and [redacted] application for a Blue Card for employment.

After nearly seven weeks and regular phone calls to Blue Card Services, no information is available on when the card may be issued.

The Blue Card application details are as follows:

Applicant Name: [redacted]
Application Ref Number: [redacted]
Application Date: [redacted]
D.O.B: [redacted]
Place of Birth: [redacted]
Mob: [redacted]

I respectfully seek your urgent assistance on behalf of [redacted] to ensure [redacted] employment offer is not withdrawn due to lack of a Blue Card.

Thank you for your assistance in this matter.

Yours sincerely,

Stephen Bennett MP

Stephen Bennett MP | Member for Burnett
Shadow Assistant Minister for Tourism Industry Development



@Bennett4Burnett



StephenBennettMP



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Mehtap Komuksu

From: DLO
Sent: Wednesday, 11 August 2021 4:06 PM
To: ESB Allocations
Subject: FW: MO.21.2725 - Stephen Bennett MP

ASAP

JS – BCS

Dept to contact & AG response with CoS contact details in concluding para

Note from AG's office: Please handle as per usual – Dept to contact asap to provide update and reflect discussion in letter to MP.

Amanda Robles

Departmental Liaison Officer

Office of the Director-General

Department of Justice and Attorney-General

Ph: 07 3719 7418

From: Justin Foster <Justin.Foster@ministerial.qld.gov.au>
Sent: Wednesday, 11 August 2021 4:03 PM
To: DLO <DLO@justice.qld.gov.au>
Cc: Attorney-General <attorney@ministerial.qld.gov.au>
Subject: FW: MO.21.2725 - Stephen Bennett MP

See below.

Kind regards,

JUSTIN FOSTER Sch4(3)(3)

Policy Advisor

Office of Hon. Shannon Fentiman MP



Queensland
Government

Attorney-General and Minister for Justice

Minister for Women

Minister for the Prevention of Domestic and Family Violence

P 07 3719 7410 | M [redacted] | Email: justin.foster@ministerial.qld.gov.au
1 William Street, Brisbane Q 4000 GPO Box 149 Brisbane Q 4001

From: Attorney <attorney@ministerial.qld.gov.au>
Sent: Wednesday, 11 August 2021 1:03 PM
To: Justin Foster <Justin.Foster@ministerial.qld.gov.au>
Subject: MO.21.2725 - Stephen Bennett MP

Let me know if this needs to be printed for the A-G.

CORRESPONDENCE TO ACTION	
MO Ref: MO/2021/2725	Dept Ref:
ADVISOR: Justin	RESPONSE – MO Use Only: <i>Please highlight required action</i> <ul style="list-style-type: none">• Department to contact• Department to reply• Department to outcome dot points to MO• MO response letter (standalone)

	<ul style="list-style-type: none"> • MO response letter (with briefing note) • Referral letter to: • Briefing note required about issue: • No response required – info/action as required:
REPLY FROM: Attorney-General / Chief of Staff / SPA	DUE TO MO BY: <i>Please highlight required action</i> <ul style="list-style-type: none"> • ASAP • 5 days • 15 days • Other:
CONCLUDING PARAGRAPH CONTACT: Chief of Staff / SPA / Department	
MO COMMENTS: Please handle as per usual – Dept to contact asap to provide update and reflect discussion in letter to MP.	

From: Burnett Electorate Office <BURNETT@parliament.qld.gov.au>

Sent: Wednesday, 11 August 2021 1:00 PM

To: Attorney <attorney@ministerial.qld.gov.au>

Subject: Blue card application

11 August 2021

The Hon. Yvette D'Ath MP
 Attorney General

Dear Minister,

I write on behalf of my constituent, [redacted] and [redacted] application for a Blue Card for employment.

Sch4(3)(3)

After nearly seven weeks and regular phone calls to Blue Card Services, no information is available on when the card may be issued.

The Blue Card application details are as follows:

Applicant Name: [redacted]
 Application Ref Number: [redacted]
 Application Date: [redacted]
 D.O.B: [redacted]
 Place of Birth: [redacted]
 Mob: [redacted]

I respectfully seek your urgent assistance on behalf of Sch4(3)(3) to ensure employment offer is not withdrawn due to lack of a Blue Card.

Thank you for your assistance in this matter.

Yours sincerely,

Stephen Bennett MP

Stephen Bennett MP | Member for Burnett
Shadow Assistant Minister for Tourism Industry Development



@Bennett4Burnett



StephenBennettMP



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Attorney-General and Minister for Justice
Minister for Women and Minister for the Prevention of
Domestic and Family Violence

1 William Street Brisbane Q 4000
GPO Box 149 Brisbane Q 4001
Telephone +61 7 3719 7400
Email attorney@ministerial.qld.gov.au

Our ref: 599629/1, 5717505

Mr Stephen Bennet MP
Member for Burnett
burnett@parliament.qld.gov.au

Dear Mr Bennett

Thank you for your correspondence dated 11 August 2021 on behalf of your constituent, Sch4(3)(3) regarding the processing timeframe for [redacted] blue card application.

I have been informed by Blue Card Services that [redacted] application was finalised on [redacted] and [redacted] was notified by telephone that day that a blue card had been issued to [redacted] also received email confirmation that day providing [redacted] with the details of [redacted] blue card so [redacted] could use this information to start work until [redacted] physical card arrived in the post.

Unfortunately, the processing of [redacted] application was impacted by the current delays being experienced by Queensland Police Service in receiving criminal history checks from other jurisdictions. The Australian Criminal Intelligence Commission (ACIC) has recently advised all jurisdictions that they are experiencing unprecedented use of their system and due to a number of factors outside of their control, there may be significant delays in the processing of criminal history checks. I am informed Blue Card Services is working closely with Queensland Police Service to identify and resolve the outstanding matters.

While the delay, in this instance, was outside of the control of Blue Card Services, they would like to apologise to [redacted] for any inconvenience the delay may have caused [redacted]

If you have any questions in relation to the above, I invite you to contact my Chief of Staff, Laura Fraser Hardy, on (07) 3719 7400 or at laura.fraserhardy@ministerial.qld.gov.au.

Yours sincerely

Shannon Fentiman MP
Attorney-General and Minister for Justice
Minister for Women and Minister for the Prevention of Domestic and Family Violence
Member for Waterford

(2)

Prepared by: Michelle Miller
Submitted through: Nicola Doumany/ Jennifer Lang
Position: Executive Director Community Justice Services
Date: 01/09/21-
Document name: Bennett Stephen MP obo Sch4(3)(3) MO.21.2725 re Blue Card Services processing timeframes

.....
APPROVED
David Mackie
Director-General

/ /

Minister and Director-General Meeting - Paper

Meeting Date:	Friday 10 September 2021	
No	Agenda item	Discussion Lead
1	Criminal history delays impacting blue card matters	David Mackie

Purpose

To brief the Minister on the current delays being experienced by the Queensland Police Service (QPS) in receiving criminal history checks from other jurisdictions which is impacting the timeframes for blue card applicants who may have either an interstate history or their details match an entry in another jurisdiction that requires an investigation before the criminal history result can be released.

What action is required from the Minister

To note the issues and the actions taken by the Australian Crime and Intelligence Commission (ACIC), QPS and Blue Card Services (BCS) to address the issue.

Background

- As part of the working with children check, BCS undertakes a national criminal history check. This involves electronically sending applicants' information to the QPS Police Information Centre (PIC) at regular intervals throughout the day. PIC then sends this information to the ACIC to identify people who may have criminal histories in other Australian states and territories. Following ACIC's check, PIC conducts another check to identify any recent offences that have occurred in Queensland before providing final advice to BCS.
- If an applicant's details do not match any records in the ACIC database, it sends a clear result to PIC. PIC then sends this result to BCS. Most applicants do not have a criminal history in Queensland or anywhere in Australia and most of the results are returned the same day or within 48 hours and a blue card is issued.
- For people with a potential criminal history match, the relevant state or territory assesses and confirms the potential match is accurate and checks whether it can legally release the person's criminal history to BCS. In complex matters, it can take up to 28 days to complete a matched criminal history information release to BCS. It can take longer than 28 days where:

- the applicant has a common name, or a name that matches with many potential Persons of Interest on policing systems;
- the applicant has old police information that requires manual collection and processing of hardcopy records;
- the relevant police agency having inaccurate or incomplete records which need to be investigated properly before the check can be finalised;
- information is transferred between the various state and territory police agencies before the information can be vetted and/or released; or
- resourcing constraints within an affected agency, impacts their ability to turn around these check results more quickly, particularly during peak periods.

Key Points

- On 9 August 2021, PIC advised BCS that it was experiencing delays in receiving criminal history results from the other jurisdictions which impacted their ability to provide outcomes on some criminal history checks.
- Advice had been provided by the ACIC that the National Police Checking Service (NPCS) was experiencing an unprecedented use of the system, and due to several factors outside their control (such as responding to COVID-19) there may be significant delays in the processing of checks.
- On 6 September 2021 BCS sought an update from PIC and was advised that while there are still delays in the processing of criminal history check, the number of outstanding checks was reducing daily.
- Currently BCS has 196 criminal history checks that are over 28 days.
- QPS advised that ACIC is addressing the issue at the national level, which includes ACIC providing direct assistance to other state jurisdictions where possible. Additional staff have also been contracted and are in the process of being trained to reduce the number of outstanding checks.
- While PIC recognises the impacts the delays are having on BCS applicants, they acknowledged that the capacity of some interstate jurisdictions to complete these checks was outside of their control.
- Nonetheless, they are working closely with inter-state jurisdictions and the ACIC to reduce the impact of the delays. They have offered assistance to other jurisdictions and have been able to provide some assistance with the matching of persons, but not having access or training in other jurisdiction systems or legislation means that they are limited in the level of assistance they can provide.

-
- PIC is working closely with BCS to identify and resolve the outstanding matters and continually negotiate urgent matters on behalf of BCS.
 - BCS is contacting the impacted applicants to inform them of the issue and the work being done to reduce the number of outstanding matters. Information will also be placed on BCS' website.
 - Given the strategies that have been put in place by ACIC, PIC and other state and territory police authorities which is resulting in a decrease in the number of outstanding blue card matters, it is considered not necessary at this stage for the AG to write to the Commonwealth Minister and other state and Territory Ministers seeking their assistance to prioritise these matters.
 - BCS will continue to monitor the situation and will brief again if the numbers rise or remain stagnant.
-

DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL
DIRECTOR-GENERAL MEMORANDUM



TO: David Mackie, Director-General
FROM: Nicola Doumany, Executive Director, Community Justice Services
THROUGH: Jenny Lang, Deputy Director-General, Justice Services
SUBJECT: Sch4(3)(3) request for ex gratia payment
DATE: [redacted]

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PURPOSE

To seek your **decision** in relation to a request for an 'ex gratia' payment from [redacted] following the decision by Blue Card Services (BCS) to cancel [redacted] negative notice after additional material was produced by [redacted] as part of an Application to Cancel Negative Notice.¹

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BACKGROUND

[Large redacted area]

[Redacted area]

Briefing Officer: Michelle Miller
Director, Screening Services
Blue Card Services
Telephone: 3211 6841

Approved by: Jenniter Lang
Deputy Director-General,
Justice Services
Date: [redacted]

Reference No: 5379223

During the processing of the application to cancel a negative notice, additional information and references were submitted on [redacted] behalf by [redacted] legal representatives, [redacted]

[redacted] In considering the further material provided on [redacted] behalf and additional police information, BCS decided that there was sufficient evidence to address the original concerns about [redacted] eligibility to hold a blue card, and on [redacted] cancelled the negative notice (**Attachment 2**).

[redacted] lodged an application for a blue card to engage in paid employment [redacted] and [redacted] was subsequently issued with a blue card.

Sch4(3)(3)

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ISSUES

Crown Law advice [redacted]

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Sch3(7)

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Briefing Officer Michelle Miller
Director, Screening Services
Blue Card Services
Telephone 3211 8841

Approved by Jennifer Lang
Deputy Director-General,
Justice Services
Date: [redacted]

Page 2 of 5

Crown Law advice [redacted]

Sch3(7)

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Authority to make an ex gratia payment

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As the accountable officer of the Department of Justice and Attorney-General, you are empowered to authorise the making of an *ex gratia* payment pursuant to section 72(1)(b) of the *Financial Accountability Act 2009*.²

Your discretion to make an 'ex gratia' payment is broad. Historically, 'ex gratia' *ex gratia* payments are not made simply because a mistake has been made, or because a decision which is open but otherwise harsh has been made, but usually requires evidence of misconduct, negligence, or failure to act reasonably.

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The decision to issue the negative notice to [redacted] was not unlawful, not unreasonable, and was consistent with the information before the decision maker at the time it was made.

Sch4(3)(3)

The decision was not motivated by malice and the process of making the decision did not involve misconduct or negligence on the part of the decision maker. There are no exceptional circumstances in [redacted] case warranting the making of such a payment.

² When read together with the definition of 'special payment' contained in sch 3, *special payment* includes *ex gratia* expenditure and other expenditure that is not under a contract.

Briefing Officer	Michelle Miller Director, Screening Services Blue Card Services	Approved by	Jennifer Lang Deputy Director-General, Justice Services
Telephone	3211 6841	Date:	[redacted]

Crown Law [redacted]

Sch3(7)

CONCLUSION

[redacted] it is recommended you decline [redacted] request for an 'ex gratia' ~~ex gratia~~ payment.

Sch4(3)(3)

[redacted] the information before the decision maker supported the issuing of a negative notice. Had the additional information [redacted] been available when the decision to issue a negative notice was made, BCS would have considered it.

There is no suggestion that BCS acted other than in a bona fide way in issuing a negative notice to [redacted] it would be apparent that [redacted] circumstances are not exceptional in which it would be reasonable to warrant you exercising your discretion to make an 'ex gratia' ~~ex gratia~~ payment to [redacted]

If you accept this recommendation, a letter (**Attachment 3**) notifying [redacted] of your decision has been drafted for your approval and signature.

HUMAN RIGHTS IMPACT ASSESSMENT

In accordance with section 58(5) of the *Human Rights Act 2019*, BCS has given consideration as to whether a decision to decline a request for an 'ex gratia' ~~ex gratia~~ payment limits a human right under section 13. -As [redacted] has no legal right to be paid compensation as a result of a decision by BCS, the decision you are being requested to make is compatible with human rights.

Briefing Officer Michelle Miller
Director, Screening Services
Blue Card Services
3211 6841

Approved by Jennifer Lang
Deputy Director-General,
Justice Services
Date: [redacted]

RECOMMENDATION

That you:

1. consider Sch4(3)(3) request (Attachment 1) and the reasons for BCS' decision to cancel negative notice (Attachment 2);
2. Sch3(7)
3. decline to make an 'ex gratia' ex gratia payment to and
4. sign the letter giving notice of your decision at (Attachment 3).

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☐ Noted ☐ Approved ☐ Not Approved

Signed:

David Mackie
Director-General

Date:

1 1

³ The essence of the Crown Law advice is contained at page 2 of the memorandum.

Briefing Officer	Michelle Miller Director, Screening Services Blue Card Services	Approved by	Jennifer Lang Deputy Director-General, Justice Services
Telephone	3211 6841	Date:	

Courtney Thompson

From: Sch4(3)(3)
Sent:
To:
Cc: Blue Card Services -
Subject: - claim for a Special Payment pursuant to the Financial Accountability Act 2009 (Qld)
Attachments: Draft.Compensation.Spec.Payment.Initial pdf
Categories: Courtney

Good Afternoon

I act for

hereby makes a claim for a Special Payment pursuant to the Financial Accountability Act 2009 (Qld) following the issuing of a negative notice in respect of Blue Card, which has subsequently been cancelled.

Can I please have your early reply acknowledgment of receipt of this letter.

Kind regards

Sch4(3)(3)

[redacted]
Our Ref: [redacted]

Your Ref

[redacted]
Head of Legal

Qld Blue Card Services

Department of Justice and Attorney

General

Dear Officers

Re [redacted] – Claim for Special payment the Financial Accountability Act 2009 (Qld)

I act on behalf of [redacted] I would be grateful if you could onforward my letter to your relevant officer.

[redacted] hereby makes a claim for a Special Payment pursuant to the Financial Accountability Act 2009 (Qld) [redacted]

[redacted] following the issuing of a negative notice in respect of [redacted] Blue Card, which has subsequently been cancelled.

As you are aware, Special Payments are defined to include 'ex gratia expenditure and other expenditure that is not under contract'.

BACKGROUND TO CLAIM

I provide the following chronology of events under my client's own hand

[redacted] Blue Card Services (Department of Justice and Attorney-General) ('Blue Card Services') issued to me a Blue Card and a letter of positive notice of approval for Blue Card. I had previously held a Blue Card for many years until [redacted]

Sch4(3)(3)

[redacted] - By way of letter with attached reasons, Blue Card Services notified me of the cancellation of the positive notice and issued a negative notice with instructions to return the Blue Card and the letter of positive notice.

[redacted] - I made submissions to Blue Card Services in support of my application for the revocation of the [redacted] positive notice and Blue Card and issue of the negative notice. [redacted]

[redacted] By way of letter, Blue Card Services notified me that, following a reassessment of my eligibility to work or volunteer in regulated employment, the negative notice had been cancelled.

Sch4(3)(3)

It is submitted that the Department of Justice and Attorney-General's (Blue Card Service's) decision to cancel [redacted] Blue Card and positive notice and to issue the negative notice, which automatically led to the termination of [redacted] employment [redacted] was manifestly wrong in the circumstances because it failed to take into account all relevant circumstances:

FINANCIAL CLAIM

[redacted]

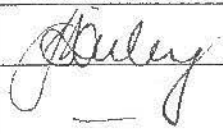
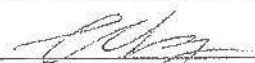
Sch4(3)(3)

I would be appreciative of your advices as to any further requirements your Office may have in respect of claim.

Yours faithfully,

CANCELLATION OF NEGATIVE NOTICE

To	Michelle Miller Director, Blue Card Services (Screening Services)
----	--

		Recommendation supported
Through	Judy Bailey – Manager, Eligibility Assessment, Blue Card Services	
Through	Principal Legal Officer, within Eligibility Assessment, Blue Card Services	
Prepared by	Erin Berg Legal Officer	

SUBJECT: APPROVAL TO CANCEL A NEGATIVE NOTICE

1. PURPOSE

To obtain approval to cancel a negative notice pursuant to section 236(3) of the *Working with Children (Risk Management and Screening) Act 2000* (the Act).

Sch4(3)(3)

the applicant applied to have the negative notice cancelled on the basis that the original decision was made on wrong or incomplete information.

2. APPLICANT'S DETAILS

Surname First Names	Date of Birth	Place of Birth	File No.
------------------------	---------------	----------------	----------

3. BACKGROUND INFORMATION

Sch4(3)(3)

3.2 *Investigative information*

3.3 *Disciplinary Information*

3.4 *Additional information received from Queensland Police Service*

3.5 *Information from Department of Child Safety, Youth and Women*

Sch4(3)(3)

4. OFFENCES OF SIGNIFICANCE

5. ASSESSMENT PROCESS

Type of information	Assessment process
Conviction for an offence other than a serious offence	Application granted, unless the Chief Executive is satisfied it is an exceptional case in which it would not be in the best interests of children to grant the application - (s.221(1)(c), s.221(2) and s.236(6) / s.238(2))

6. PRELIMINARY ASSESSMENT

Having regard to the information disclosed at the time of issuing the negative notice, and taking into account any new information, it was proposed to issue a negative notice. The applicant was requested to provide a submission addressing why the decision to issue a negative notice was based on wrong or incomplete information.

7. SUBMISSIONS

Sch4(3)(3)

Experience with children and community involvement

7.1.2 Reference material

The references are summarised as follows:

Sch4(3)(3)

[Redacted content]

7.2 Change in police information ~ reassessment in

7.2.1 Written submissions ~

[Redacted content]

Sch4(3)(3)

7.2.2 References

The references are summarised as follows:

Sch4(3)(3)

7.3 *Current application – re-assessment of previous decision*

7.2.1 *Personal submission*

Sch4(3)(3)

7.2.2 Reference material

The references are provided as below:

8. FINAL ASSESSMENT

The paramount consideration in my decision is a child's entitlement to be cared for in a way that protects them from harm and promotes their wellbeing.

In accordance with sections 226-228, when deciding whether an *exceptional case* exists, regard must be given to the following factors:

Type of information	Factors to be considered
Criminal history information (226(2))	<p>(a) (i) whether it is a conviction or a charge;</p> <p>(ii) whether the offence is a serious offence and, if it is, whether it is a disqualifying offence; and</p> <p>(iii) when the offence was committed or is alleged to have been committed; and</p> <p>(iv) the nature of the offence and its relevance to employment, or carrying on a business, that involves or may involve children; and</p> <p>(v) in the case of the conviction – the penalty imposed by the court and if it decided not to impose an imprisonment order for the offence, or decided not to make a disqualification order under s.357, the court's reasons for its decision;</p> <p>(b) any information about the person given to the Chief Executive under s.318 (from the Director of Public Prosecutions) or s.319 (from Corrective Services);</p> <p>(c) any report about the person's mental health given to the Chief Executive under s.335;</p> <p>(d) any information about the person given to the Chief Executive under s.337 (Mental Health Court) or s.338 (Mental Health Review Tribunal);</p> <p>(e) anything else relating to the commission, or alleged commission, of the offence that the Chief Executive reasonably considers to be relevant to the assessment of the person</p>

9. CONCLUSION

9.1 Basis on which the negative notice was issued

At the time the applicant was issued with a negative notice, the following factors were of concern in assessing the potential risk of harm which the applicant posed to children and young people:

Sch4(3)(3)

9.2 Mitigation of risk factors

The following factors address the above issues of concern and mitigate the risk of harm to children and young people, and support the view that on balance the negative notice previously issued to the applicant should be cancelled:

² Chief Executive Officer, Department of Child Protection v Scott (No 2)(2008) WASCA 171 at 23.

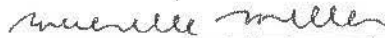
Sch4(3)(3)

The positive comments outlined by the referees indicate the support the applicant has within the community and demonstrate ☐ capabilities to work well with children. This has been considered in the applicant's favour.

- On the basis of the material before me I am satisfied that this is not an exceptional case in which it would not be in the best interests of children to grant the application.

10. DECISION

Based on this re-assessment, I approve the cancellation of the applicant's negative notice.



Michelle Miller
Director, Blue Card Services (Screening Services)
Department of Justice and Attorney-General

Date:

Department of Justice and Attorney-General
Office of the Director-General

In reply please quote: 5379227

1 William Street Brisbane
GPO Box 149 Brisbane
Queensland 4001 Australia
Telephone 13 74 68 (13 QGOV)
www.justice.qld.gov.au

ABN 13 846 673 994

Sch4(3)(3)

Dear [REDACTED]

I refer to your letter dated [REDACTED] requesting that consideration be given to a request for an ex gratia payment to your client [REDACTED]

[REDACTED] arising from the issue of the negative notice by Blue Card Services.

The negative notice was issued pursuant to the provisions of the *Working with Children (Risk Management and Screening) Act 2000*.

A decision was made by Blue Card Services to issue [REDACTED] with a negative notice in [REDACTED]. The decision was not unlawful, not unreasonable, and was consistent with the information before the decision maker at the time it was made. The decision was not motivated by malice and the process of making the decision did not involve misconduct or negligence on the part of the decision maker. [REDACTED] was provided with the opportunity to make submissions prior to the decision being made.

The decision was reviewed by Blue Card Services following the provision of additional material submitted on behalf of [REDACTED] during the process of [REDACTED] application to cancel a negative notice. In light of this new information, Blue Card Services decided that there was sufficient evidence to address the original concerns about [REDACTED] eligibility to hold a blue card. The negative notice previously issued to [REDACTED] was therefore cancelled and [REDACTED] was subsequently issued with a blue card.

The question of whether the State of Queensland should make an ex gratia payment to a person may arise in circumstances where there has been conduct by an officer or employee of the State which is not unlawful but is nevertheless defective in some manner. Generally, for an ex gratia payment to be considered, there needs to be special circumstances, such as clear evidence of misconduct, gross negligence or a complete failure by the State or its representative to act reasonably in order to justify such a payment.

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Blue Card Services maintains that it has acted lawfully, properly and responsibly at all times in the course of this matter, and that no special circumstances exist to warrant an ex gratia payment.

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I therefore decline your client's request.

Yours sincerely

David Mackie
Director-General

Prepared by: Michelle Miller, Director Screening Services
Submitted through: Greg Bourke / Peter Cook
Position: A/ED CJS JA/DDG, Justice Services
Date: Sch4(3)(3)
Document name: 5379227

The Tribunal QCAT continues with a staged resumption of 'in person' hearings at 259 Queen Street, Brisbane and in regional locations. All directions hearings and compulsory conferences continue by phone until otherwise advised.

HUMAN RIGHTS IMPACT ASSESSMENT

In accordance with section 58(5) of the *Human Rights Act 2019*, and in preparing this memorandum, I have given proper consideration to human rights, including identifying any human rights that may be affected by decision/s relating to this memorandum and considering whether or not the decision/s would be compatible with human rights under section 13 of that Act.

Given this memorandum is for reporting purposes, I have not identified any human rights which may be affected by this memorandum that have not otherwise been considered at various stages of the respective blue card assessments and the Tribunal QCAT and QCATA reviews. This report and attachment does not identify any applicants and therefore does not limit applicants' right to privacy and reputation (section 25 of the *Human Rights Act 2019*).

RECOMMENDATION

That you note the contents of the attached report (**Attachment 1**).

☐ Noted ☐ Approved ☐ Not Approved

Signed:

David Mackie
Director-General

Date: / /

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Briefing Officer Michelle Miller
Director, Screening Services
Blue Card Services

Approved by Nicola Doumany
Executive Director
Community Justice Services

Telephone (07) 3211 6841

Date 18/11/2020

DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL
DIRECTOR-GENERAL MEMORANDUM



TO: David Mackie, Director-General
FROM: Michelle Miller, Director (Screening Services), Blue Card Services
THROUGH: Nicola Doumany, Executive Director, Community Justice Services
SUBJECT: Blue Card Services - QCAT Matters
DATE: 26 November 2020

PURPOSE

That you **note** Blue Card (BC) matters currently proceeding through the Queensland Civil and Administrative Tribunal (QCAT) and the QCAT Appeal Tribunal (QCATA).

BACKGROUND

You have requested a monthly report on matters proceeding through QCAT and QCATA.

The attached report outlines all current matters with upcoming hearings and decisions pending, as at 1 November 2020 (**Attachment 1**).

ISSUES - Appeals

In October, there were six appeals with QCATA:

- the first appeal is by you from a QCAT decision delivered on [redacted] Sch4(3)(3)
[redacted]
[redacted] Sch3(7)
[redacted] A QCATA hearing was conducted on [redacted] A decision is pending;
- the second appeal is by you from a QCAT decision delivered on [redacted]
[redacted]
[redacted]
The matter was heard on [redacted] Following the hearing, QCATA reserved its decision;
- the third appeal is an appeal by an Applicant filed on [redacted] with QCATA. The Appellant had [redacted] negative notice affirmed by QCAT on [redacted] The Applicant was issued with a negative notice on the basis of disciplinary information.
[redacted]
The matter is currently on-foot and in its early stages in QCATA;

Briefing Officer Michelle Miller
 Director, Screening Services
 Blue Card Services

Approved by Nicola Doumany
 Executive Director
 Community Justice Services

Telephone (07) 3211 6841

Date 18/11/2020

**DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL
DIRECTOR-GENERAL MEMORANDUM**



TO: David Mackie, Director-General
FROM: Nicola Doumany, Executive Director, Community Justice Services
THROUGH: Jennifer Lang, Deputy Director-General, Justice Services
SUBJECT: Sch4(3)(3) - request for ex gratia payment
DATE: [redacted]

PURPOSE

The purpose of this memorandum is to seek your **decision** in relation to a request for an ex gratia payment from [redacted] following the decision by Blue Card Services to cancel [redacted] negative notice after additional evidence was produced as part of a Queensland Civil and Administrative Tribunal (QCAT) review process.

BACKGROUND

[Large redacted area]

On [redacted] Blue Card Services issued a negative notice on the basis that it would not be in the best interests of children and young people for [redacted] to retain a blue card.

On [redacted] sought a review of that decision in QCAT.

During the conduct of the proceeding the following additional material was filed by [redacted] or otherwise obtained by Blue Card Services:

- a) Response to a notice to produce issued to the Department of Child Safety, Youth and Women;

¹ Police Powers and Responsibilities Act 2000 (Qld), section 790(1).

Briefing Officer	Michelle Miller Director, Screening Services Blue Card Services	Approved by	Jennifer Lang Deputy Director-General Justice Services
Telephone	(07) 3211 6841	Date:	[redacted]

b) Additional police information;

Sch4(3)(3)

In light of the additional material adduced during the proceedings, Blue Card Services reconsidered the decision to issue a negative notice to [redacted] and decided to cancel the negative notice on the basis of that material (**Attachment 2**). QCAT was informed of the decision and the proceeding was discontinued.

On [redacted] wrote to 'The Director of Department of Justice and Attorney General' requesting consideration of an ex gratia payment [redacted]
[redacted] (**Attachment 1**).

Further background information in relation to the matter is set out in Crown Law's advice at **Attachment 3**.

On [redacted] Blue Card Services contacted [redacted] to advise [redacted] that [redacted] request was being considered and that [redacted] would be informed in due course of the outcome.

ISSUES

Crown Law advice

Sch3(7)

Briefing Officer

Michelle Miller
Director, Screening Services
Blue Card Services
(07) 3211 6841

Approved by

Jennifer Lang
Deputy Director-General
Justice Services

Telephone

Date:

Authority to make an ex gratia payment

As the accountable officer of the Department of Justice and Attorney General you are empowered to authorise the making an ex gratia payment pursuant to section 72(1)(b) of the *Financial Accountability Act 2007*².

Sch3(7)

Sch4(3)(3) your discretion to do so is broad. Historically, ex gratia payments are not made simply because a mistake has been made, or because a decision which is open but otherwise harsh has been made. What is usually required is that there be clear evidence of misconduct, gross negligence, or a complete failure of the Crown to act reasonably in order to justify such a payment.

CONCLUSION

Blue Card Services recommend declining request for an ex gratia payment. the information before the decision maker supported the issuing of a negative notice. Had the additional information adduced on review been available when that decision was made, Blue Card Services would have considered it. There is no suggestion that Blue Card Services acted other than in a bona fide way in issuing a negative notice to

If you accept this recommendation, a copy of a letter notifying of your decision is attached (**Attachment 4**).

HUMAN RIGHTS IMPACT ASSESSMENT

In accordance with section 58(5) of the *Human Rights Act 2019*, Blue Card Services has given consideration as to whether a decision to decline a request for an ex gratia payment limits a human right under section 13. As has no legal right to be paid compensation as a result of a decision by Blue Card Services, the decision you are being requested to make is compatible with human rights.

² When read together with the definition of 'special payment' contained in schedule 3; *special payment* includes ex gratia expenditure and other expenditure that is not under a contract.

Briefing Officer

Michelle Miller
Director, Screening Services
Blue Card Services
(07) 3211 6841

Approved by

Jennifer Lang
Deputy Director-General
Justice Services

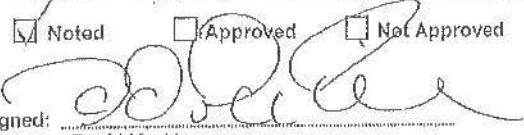
Telephone

Date:

RECOMMENDATION

That you:

1. give consideration to Sch4(3)(3) request (Attachment 1) and the reasons for Blue Card Services' decision to cancel negative notice dated (Attachment 2);
2. Sch3(7)
3. decline to make an ex gratia payment to and
4. give notice of your decision by signing the letter at Attachment 4.

<input checked="" type="checkbox"/> Noted	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved
		
Signed: David Mackle Director-General		
Date:		

Briefing Officer	Michelle Miller Director, Screening Services Blue Card Services (07) 3211 6841	Approved by	Jennifer Lang Deputy Director-General Justice Services
Telephone		Date:	



Department of Justice and Attorney-General
Office of the Director-General

In reply please quote: 5115216

Sch4(3)(3)

1 William Street Brisbane
GPO Box 149 Brisbane
Queensland 4001 Australia
Telephone 13 74 68 (13 QGOV)
www.justice.qld.gov.au

ABN 13 846 673 994

Dear [redacted]

Thank you for your letter dated [redacted] requesting that consideration be given to an *ex gratia* payment of [redacted] arising from the issue of the negative notice by Blue Card Services. I apologise for the delay in responding.

I am aware that a decision was made by Blue Card Services to issue you with a negative notice in [redacted]. The negative notice was issued pursuant to the provisions of the *Working with Children (Risk Management and Screening) Act 2000*. The decision was not unlawful, not unreasonable and was consistent with the information before the decision maker at the time it was made. The decision was not motivated by malice and the process of making the decision did not involve misconduct or negligence on the part of the decision maker. You were provided with the opportunity to make submissions prior to the decision being made.

The decision was reviewed by Blue Card Services following the provision of additional evidence by you during the process of your Queensland Civil and Administrative Tribunal (QCAT) review. In considering the further material provided by you, Blue Card Services decided that there was sufficient evidence to address the original concerns about your eligibility to hold a blue card.

Blue Card Services advised you and QCAT that the original decision had been reconsidered. The QCAT proceeding was withdrawn, the negative notice was withdrawn and a blue card was issued to you on [redacted].

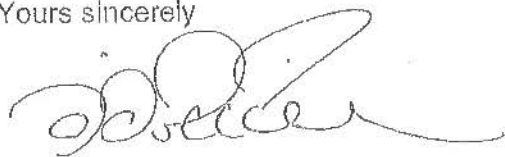
Blue Card Services maintains that it has acted lawfully, properly and responsibly at all times in the course of this matter.

The question of whether the State of Queensland should make an *ex gratia* payment to a person may arise in circumstances where there has been conduct by an officer or employee of the State which is not unlawful but is nevertheless defective in some manner. Generally, for an *ex gratia* payment to be considered, there needs to be special circumstances, such as clear evidence of misconduct, gross negligence or a complete failure by the State or its representative to act reasonably in order to justify such a payment. This has not occurred in your case.

(2)

It is accepted that the negative notice meant that you were unable to work in child-related regulated employment for a period of time. However, I have decided that there is no evidence of special circumstances warranting the making of an *ex gratia* payment and in this instance I decline your request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Mackie', with a long horizontal flourish extending to the right.

David Mackie
Director-General

**DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL
DIRECTOR-GENERAL MEMORANDUM**



TO: David Mackie, Director-General
FROM: Nicola Doumany, Executive Director, Community Justice Services
THROUGH: Jenny Lang, Deputy Director-General, Justice Services
SUBJECT: Sch4(3)(3) request for ex gratia payment
DATE:

PURPOSE

To seek your **decision** in relation to a request for an 'ex gratia' payment from [redacted] following the decision by Blue Card Services (BCS) to cancel [redacted] negative notice after additional material was produced by [redacted] as part of an Application to Cancel Negative Notice.¹

BACKGROUND

[Large redacted area for background information]

[Redacted area for signature and date]

Briefing Officer

Michelle Miller
Director, Screening Services
Blue Card Services
3211 6841

Approved by

Jennifer Lang
Deputy Director-General,
Justice Services

Telephone

Date:

During the processing of the application to cancel a negative notice, additional information and references were submitted on [redacted] behalf by [redacted] legal representatives. [redacted]

Sch4(3)(3)

[redacted] In considering the further material provided on [redacted] behalf and additional police information, BCS decided that there was sufficient evidence to address the original concerns about [redacted] eligibility to hold a blue card and on [redacted] cancelled the negative notice (**Attachment 2**).

On [redacted] lodged an application for a blue card to engage in paid employment [redacted] and [redacted] was subsequently issued with a blue card.

ISSUES

Crown Law advice [redacted]

Sch3(7)

Briefing Officer

Michelle Miller
Director, Screening Services
Blue Card Services
3211 6841

Approved by

Jennifer Lang
Deputy Director-General,
Justice Services

Telephone

Date: [redacted]

Crown Law advice

Sch3(7)

Authority to make an ex gratia payment

As the accountable officer of the Department of Justice and Attorney-General, you are empowered to authorise the making of an *ex gratia* payment pursuant to section 72(1)(b) of the *Financial Accountability Act 2009*.²

Your discretion to make an 'ex gratia' payment is broad. Historically, 'ex gratia' payments are not made simply because a mistake has been made, or because a decision which is open but otherwise harsh has been made, but usually requires evidence of misconduct, negligence, or failure to act reasonably.

The decision to issue the negative notice to Sch4(3)(3) was not unlawful, not unreasonable, and was consistent with the information before the decision maker at the time it was made.

The decision was not motivated by malice and the process of making the decision did not involve misconduct or negligence on the part of the decision maker. There are no exceptional circumstances in case warranting the making of such a payment.

² When read together with the definition of 'special payment' contained in sch 3: *special payment* includes *ex gratia* expenditure and other expenditure that is not under a contract.

Briefing Officer	Michelle Miller Director, Screening Services Blue Card Services	Approved by	Jennifer Lang Deputy Director-General, Justice Services
Telephone	3211 6841	Date:	

Sch3(7)

CONCLUSION

[redacted] it is recommended you decline
Sch4(3)(3) request for an 'ex gratia' payment.

[redacted] the information before the decision maker supported the issuing of a negative notice. Had the additional information adduced on [redacted] application to cancel a negative notice [redacted] been available when the decision to issue a negative notice was made, BCS would have considered it.

There is no suggestion that BCS acted other than in a bona fide way in issuing a negative notice to [redacted] it would be apparent that [redacted] circumstances are not exceptional in which it would be reasonable to warrant you exercising your discretion to make an 'ex gratia' payment to [redacted]

If you accept this recommendation, a letter (**Attachment 3**) notifying [redacted] of your decision has been drafted for your approval and signature.

HUMAN RIGHTS IMPACT ASSESSMENT

In accordance with section 58(5) of the *Human Rights Act 2019*, BCS has given consideration as to whether a decision to decline a request for an 'ex gratia' payment limits a human right under section 13. As [redacted] has no legal right to be paid compensation as a result of a decision by BCS, the decision you are being requested to make is compatible with human rights.

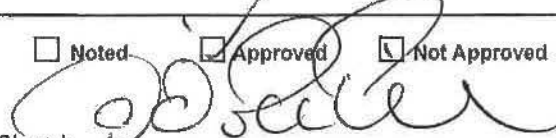
Briefing Officer Michelle Miller
Director, Screening Services
Blue Card Services
Telephone 3211 6841

Approved by Jennifer Lang
Deputy Director-General,
Justice Services
Date: [redacted]

RECOMMENDATION

That you:

1. consider Sch4(3)(3) request (**Attachment 1**) and the reasons for BCS' decision to cancel his negative notice dated (**Attachment 2**);
2. Sch3(7)
3. **decline** to make an 'ex gratia' payment to and
4. **sign** the letter giving notice of your decision (**Attachment 3**).

<input type="checkbox"/> Noted	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Not Approved
		
Signed: 		
David Mackie Director-General		
Date:	 	

³ The essence of the Crown Law advice is contained at page 2 of the memorandum.

Briefing Officer	Michelle Miller Director, Screening Services Blue Card Services 3211 6841	Approved by	Jennifer Lang Deputy Director-General, Justice Services
Telephone		Date:	



Department of Justice and Attorney-General
Office of the Director-General

In reply please quote: 582719/2, 5460086

1 William Street Brisbane
GPO Box 149 Brisbane
Queensland 4001 Australia
Telephone 13 74 68 (13 QGOV)
www.justice.qld.gov.au

ABN 13 846 673 994

Sch4(3)(3)

Dear [redacted]

Request for special payment to [redacted]

Thank you for your letter dated [redacted] requesting a special payment under section 72 of the *Financial Accountability Act 2009* [redacted] arising from the issue of a negative notice to [redacted] by Blue Card Services (BCS). The negative notice was issued under the *Working with Children (Risk Management and Screening) Act 2009*. I apologise for the delay in responding.

Decision to issue negative notice

On [redacted] BCS issued [redacted] with the negative notice.

The decision to issue the negative notice was not unlawful, not unreasonable and was consistent with the information before the decision maker at the time it was made. The decision was not motivated by malice and the process of making the decision did not involve misconduct or negligence on the part of the decision maker.

Prior to the decision being made, [redacted] was provided with the opportunity to make submissions. Submissions were made on behalf of [redacted] and these were considered by the decision maker.

Decision to cancel the negative notice

On [redacted] applied to have the negative notice cancelled after additional material was provided by [redacted]

On [redacted] after considering the further information, BCS decided to cancel the negative notice.

(2)

Consideration of request for special payment

None of the human rights under the *Human Rights Act 2019* are engaged by a consideration of whether or not to make a special payment under the *Financial Accountability Act 2009*.

There is no liability for the State of Queensland to make a special payment under the *Financial Accountability Act 2009*, as such payments are, by definition, made in circumstances where there is no legal liability to do so.

The making of a special payment by the State of Queensland may be appropriate in circumstances where there has been conduct by an officer or employee of the State which is not unlawful but is nevertheless defective in some manner. Generally, for an 'ex gratia' payment to be considered, there needs to be special circumstances, such as clear evidence of misconduct, gross negligence or a complete failure by the State or its representative to act reasonably in order to justify such a payment. This has not occurred in Sch4(3)(3) case.

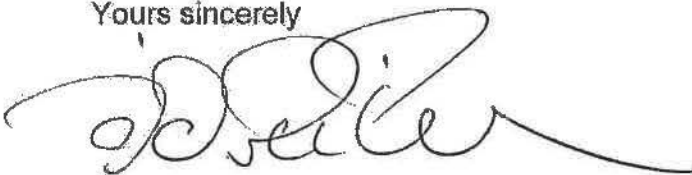
It is accepted that the negative notice meant that was unable to work for a period of time in child-related regulated employment.

BCS maintains it has acted lawfully, appropriately and responsibly at all times in the course of this matter.

As there is no evidence of special circumstances warranting the making of an 'ex gratia' payment, I decline request.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Mackie', with a long horizontal flourish extending to the right.

David Mackie
Director-General

DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL BRIEF FOR NOTING

Date: Sch4(3)(3)

To: Attorney-General and Minister for Justice
Minister for Women and Minister for the Prevention of
Domestic and Family Violence

Through: Nicola Doumany, Executive Director, Community Justice Services

From: Michelle Miller, Director, Screening Services, Blue Card Services

Subject: Queensland Civil and Administrative Tribunal (QCAT) decision to
set aside a Negative Notice for a person who had a charge for a
disqualifying offence

Requested by: Internally generated

RECOMMENDATION

That you note the contents of this brief.

NOTED or APPROVED / NOT APPROVED			
Comments			
<div> <div>SHANNON FENTIMAN MP</div> <div> Attorney-General and Minister for Justice Minister for Women and Minister for the Prevention of Domestic and Family Violence </div> </div> <div>Chief of Staff</div> <div>Policy Advisor</div>			
Contact Officer:	Name: Michelle Miller Position: Director, Screening Services Phone: 07 3211 6841 Date:	Approved by:	Name: Nicola Doumany Position: Executive Director, CJS Phone: 07 3211 6800 Date:
Approved by:	Name: Jennifer Lang Position: Deputy Director-General, JS Phone: 07 3736 9435 Date:	Endorsed:	David Mackie Director-General
<input type="checkbox"/> Election Commitment <input type="checkbox"/> CBRC / Cabinet related <input type="checkbox"/> ECM related			

POTENTIAL MEDIA

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Page 1 of 4

BACKGROUND SUMMARY

2. On [redacted] QCAT set aside a decision made by Blue Card Services (BCS) to issue a negative notice, in the matter of [redacted] Director-General, Department of Justice and Attorney-General [redacted] (Attachment 23).

The following is confidential information under the *Working with Children (Risk Management and Screening) Act 2000* (the Act) and is provided to the Minister under section 395 of the Act. The Minister is prohibited from releasing confidential information unless specific criteria are met (see sections 384 and 385 of the Act).

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3. Sch4(3)(3)

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4. Sch3(7)

- 5.

ISSUES

6. Concerns raised in relation to Applicant [redacted]

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Sch4(3)(3)

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4.9. The Applicant subsequently applied to QCAT to review the decision to issue [redacted] with a negative notice.

5.10. On [redacted] after conducting a hearing of the matter on [redacted] QCAT set aside the BCS' decision, finding the Applicant's case was not exceptional and [redacted] was eligible for a working with children clearance (blue card).

HUMAN RIGHTS IMPACT ASSESSMENT

7.12. In accordance with section 58(5) of the *Human Rights Act 2019* (HR Act) and in preparing this brief, proper consideration has been given to human rights, including identifying any human rights that may be affected by decision/s relating to this brief and considering whether or not the decision/s would be compatible with human rights under section 13 of the *HR Act*.

8.13. Given this brief is for noting purposes only, no human rights which may be affected by this brief have been identified that have not otherwise been considered at various stages of the respective blue card assessment processes.

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CONSULTATION WITH STAKEHOLDERS

Sch3(7)

FINANCIAL IMPLICATIONS

40-15. The Applicant was legally represented. While QCAT is a no costs jurisdiction, it is not unlikely that an application for costs will be made against the Department DJAG.

EMPLOYMENT IMPACT

44-16. Not applicable.

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Received in MO:
Page 4 of 4

Mehtap Komuksu

From: Michelle Miller
Sent: Tuesday, 7 September 2021 5:12 PM
To: DDG Approvals; Ata Isarabhakdi; Justice Services Correspondence
Cc: Nicola Doumany
Subject: 13/9 completed - save and relate to brief please. RE: FOR APPROVAL by COB today (7/9) - Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters

Follow Up Flag: Follow up
Flag Status: Completed

Hi Jenny

With respect to your comments below.

Re: Comments 1 and 2- I have arranged for the list of impacted applicants to be given to the Community Engagement Team who will tomorrow contact (either by email or phone) the relevant applicants to advise them of the issue and the work being done to progress their matter. Information will also be placed on our website.

RE: Comment 3 – Given the strategies that have been put in place by ACIC, PIC and other state and territory police authorities which is resulting in a decrease in outstanding checks, I don't think it is necessary at this stage for the AG to write to the Commonwealth Minister and other state and Territory Ministers. BCS is liaising daily on the issue with PIC, will continue to monitor the situation and will brief again if the numbers rise or remain stagnant.

I hope that sufficiently addresses your questions. I'm sorry I didn't think of that myself!

I can amend the briefing note overnight to include this information.

Kind regards



Michelle Miller
Director, Screening Services
Blue Card Services, Justice Services
Department of Justice and Attorney-General
Level 20, 53 Albert Street, Brisbane Qld 4000
P: (07) 3211 6841 E: michelle.miller@bluecard.qld.gov.au

From: DDG Approvals <DDG.Approvals@justice.qld.gov.au>
Sent: Tuesday, 7 September 2021 12:53 PM
To: Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>; Ata Isarabhakdi <Ata.Isarabhakdi@justice.qld.gov.au>; Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Cc: Nicola Doumany <Nicola.Doumany@justice.qld.gov.au>
Subject: FW: FOR APPROVAL by COB today (7/9) - Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters
Importance: High

Hi Michelle

Thanks for providing the attached.

Can you also advise re the below please:

1. Given the number of people affected what are we doing to let them know about this issue.
2. Also, is it appropriate to place some information on the BCS website about this particular issue?
3. Finally do we think the AG should write to the Cth Minister and other relevant state and Territory Ministers to see if there is capacity to prioritise these matters?

thanks
Jenny

Jennifer Lang

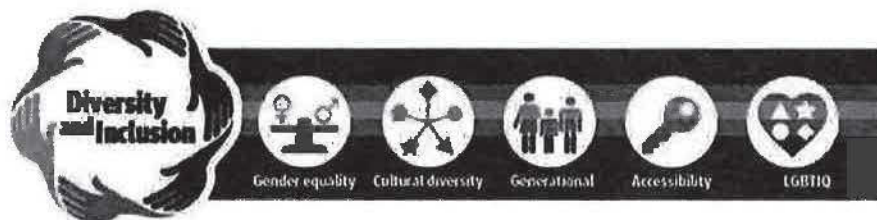
Deputy Director-General

Justice Services

Department of Justice and Attorney-General

P: 07 3738 9435 M: Sch4(3)(3)

E: Jennifer.Lang@justice.qld.gov.au



From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>

Sent: Tuesday, 7 September 2021 12:27 PM

To: DDG Approvals <DDG.Approvals@justice.qld.gov.au>

Subject: FOR APPROVAL by COB today (7/9) - Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters

Importance: High

Hi Jenny

As requested, BCS have prepared a meeting paper to brief the AG in relation to the Criminal History Delays Impacting Blue Card Matters (Australian Criminal Intelligence Commission (ACIC))

eDocs: 5736081 Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters

The original matter is also attached:

eDocs: 5712116 Bennet Stephen MP obo [redacted] MO 21 2725 re 7 month wait time for Blue card application

eDocs: 5717505 Bennett Stephen MP obo [redacted] Mo 21 2725 re Blue Card Services timeframes

Thanks



Ata Isarabhakdi

A/Executive Officer | Office of the Deputy Director-General | Justice Services

(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au

Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000

GPO Box 149, Brisbane QLD 4001

Department of Justice and Attorney-General

From: ED Approval <ED-Approval@justice.qld.gov.au>
Sent: Tuesday, 7 September 2021 10:17 AM
To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Cc: Zahra Killin <Zahra.Killin@bluecard.qld.gov.au>; Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Subject: FW: FOR ACTION by 6 September 2021: MCAR 599629/1 Bennett Stephen MP obo [redacted]
MO.21.2725 re 7 month wait time for blue card application
Importance: High

Hello

Please see attached as requested:

eDocs: 5736081 Minister and Director General Meeting Paper – Criminal History Delays Impacting Blue Card Matters

The original matter is also attached and the template that was supplied:

eDocs: 5712116 Bennet Stephen MP obo [redacted] MO 21 2725 re 7 month wait time for Blue card application
eDocs: 5717505 Bennett Stephen MP obo [redacted] Mo 21 2725 re Blue Card Services timeframes
eDocs: 5471297 Meeting Paper Template

Kind Regards



Zahra Killin
Executive Assistant
Blue Card Services, Justice Services
Department of Justice and Attorney-General
Level 20, 53 Albert Street, Brisbane Qld 4000
P: (07) 3211 6785 E: zahra.killin@bluecard.qld.gov.au

From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Sent: Friday, 3 September 2021 4:01 PM
To: Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>
Subject: FOR ACTION by 6 September 2021: MCAR 599629/1 Bennett Stephen MP obo [redacted] MO.21.2725 re 7 month wait time for blue card application
Importance: High

Hi Michelle

Further to below. I spoke with Jenny who has requested that you use the attached template.

Could you please have something back to JS Corro by COB Monday, 6 September 2021.

Thanks



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: Justice Services Correspondence
Sent: Thursday, 2 September 2021 5:56 PM

To: Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>

Subject: FW: FOR APPROVAL: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo [redacted] Sch4(3)(3)
[redacted] MO.21.2725 re 7 month wait time for blue card application

Importance: High

Evening Michelle,

Please see below from Jenny.

I am thinking Jenny might want a AG corro brief.

Can you start getting the info together and I will confirm with Jenny to see if a brief is necessary.

Thanks



Ata Isarabhakdi

A/Executive Officer | Office of the Deputy Director-General | Justice Services

(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au

Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000

GPO Box 149, Brisbane QLD 4001

Department of Justice and Attorney-General

From: DDG Approvals <DDG.Approvals@justice.qld.gov.au>

Sent: Thursday, 2 September 2021 5:33 PM

To: Ata Isarabhakdi <Ata.Isarabhakdi@justice.qld.gov.au>

Subject: FW: FOR APPROVAL: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo [redacted]
[redacted] MO.21.2725 re 7 month wait time for blue card application

Importance: High

Hi

I have approved but anticipate that I will need to alert the AG and get some more information about this – could you liaise with Michelle Miller in BCS about getting some more detail about the ACIC issue please Ata.

Kind regards

Jenny

Jennifer Lang

Deputy Director-General

Justice Services

Department of Justice and Attorney-General

P: 07 3738 9435 M: [redacted]

E: Jennifer.Lang@justice.qld.gov.au



From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>

Sent: Wednesday, 1 September 2021 2:42 PM

To: DDG Approvals <DDG.Approvals@justice.qld.gov.au>

Subject: FOR APPROVAL: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo Sch4(3)(3)

MO.21.2725 re 7 month wait time for blue card application

Importance: High

Hi Jenny

This one was returned to JS Corro by the DLO. They requested that the response (previously approved by you) be updated with the dot point advice we provided them, specifically, the reasons for the delay.

BCS (Michelle Miller) has updated the response.

Can you please re-review and approve.

Thanks



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: ED Approval <ED-Approval@justice.qld.gov.au>

Sent: Wednesday, 1 September 2021 9:41 AM

To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>

Cc: Zahra Killin <Zahra.Killin@bluecard.qld.gov.au>; Michelle Miller <Michelle.Miller@bluecard.qld.gov.au>

Subject: FW: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo

MO.21.2725 re 7 month wait time for blue card application

Importance: High

Good morning,

Please see attached with amendments:

eDocs: 5712116/5717505 – WORD version Bennett Stephen MO obo MO 21 2725 re Blue Card Services timeframes

Please Note: BCS does not have access to the file part so the edocs has not been updated the attached copy is the dereferenced copy

Kind Regards

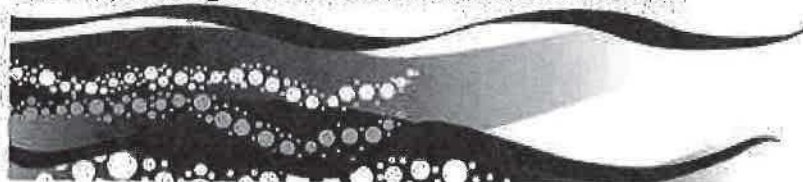
Nicola



Nicola Doumany
Executive Director
Community Justice Services
Department of Justice and Attorney-General
Level 21, 53 Albert Street, Brisbane Qld 4000
P: 07 3211 6800 M:
E: Nicola.Doumany@justice.qld.gov.au



We acknowledge the traditional owners of this land



Zahra Killin
Executive Assistant
Blue Card Services, Justice Services
Department of Justice and Attorney-General
Level 20, 53 Albert Street, Brisbane Qld 4000
P: (07) 3211 6785 E: zahra.killin@bluecard.qld.gov.au

From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Sent: Wednesday, 25 August 2021 12:02 PM
To: Blue Card Services - DJAG Correspondence <Blue_Card_Services-DJAG-Correspondence@bluecard.qld.gov.au>
Subject: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo Sch4(3)(3) MO.21.2725 re 7 month wait time for blue card application
Importance: High

Hi BCS,

Please see below for actioning ASAP. I have added in the dot points below for your convenience:

Constituent name:	
Other notes/comments:	<ul style="list-style-type: none">• Unfortunately the time taken to process application was impacted by the current delays being experienced by Queensland Police Information Centre (PIC) in receiving criminal history checks from other jurisdictions.• The Australian Criminal Intelligence Commission (ACIC) recently advised that they are experiencing unprecedented use of the system and due to a number of factors outside their control, there may be significant delays in the processing of checks. Queensland Police have advised that AFP have brought on several contractors to assist with their backlog and they are starting to see an improvement in the reduction of outstanding matters.• Blue Card Services is working closely with PIC to work identify and resolve the outstanding matters.

The following is confidential information under the Working with Children (Risk Management and Screening) Act 2000 (the Act) and is provided to the Minister under section 396 of the Act. The Minister is prohibited from releasing confidential information unless specific criteria are met (see sections 364 and 385 of the Act).

Sch4(3)(3)

Cheers



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: DLO <DLO@justice.qld.gov.au>

Sent: Wednesday, 25 August 2021 11:48 AM

To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>

Subject: RETURNED FOR URGENT UPDATES: MCAR 599629/1 Bennett Stephen MP obo [REDACTED] MO.21.2725 re 7 month wait time for blue card application

Importance: High

Hi Ata/Jess,

Please see below request from AGO. Can you please ask BCS to urgently update the MCAR response to outline the reasons for the delay (as provided in the dot points) and return to Exec Services for progression back to the AGO?

Let me know if there are any issues with this request.

Thanks

Amanda Robles

Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General
Ph: 07 3719 7418

From: Justin Foster <Justin.Foster@ministerial.qld.gov.au>

Sent: Wednesday, 25 August 2021 11:40 AM

To: DLO <DLO@justice.qld.gov.au>

Subject: FW: MO.21.2725 - Stephen Bennett MP

Importance: High

Hi J/A,

Can the letter to MP Bennett please be relatively urgently updated to reflect the below reasoning for the delay? I had intended to update myself but I would assumedly need to have it reviewed by dept to confirm accuracy anyway.

Kind regards,

JUSTIN FOSTER Sch4(3)(3)

Policy Advisor

Office of Hon. Shannon Fentiman MP



Queensland
Government

Attorney-General and Minister for Justice

Minister for Women

Minister for the Prevention of Domestic and Family Violence

P 07 3719 7410 | M [redacted] Email: justin.foster@ministerial.qld.gov.au

1 William Street, Brisbane Q 4000 GPO Box 149 Brisbane Q 4001

From: DLO <DLO@justice.qld.gov.au>

Sent: Tuesday, 24 August 2021 4:26 PM

To: Justin Foster <Justin.Foster@ministerial.qld.gov.au>

Subject: FW: MO.21.2725 - Stephen Bennett MP

Hi Justin,

Please see below.

Amanda Robles

Departmental Liaison Officer

Office of the Director-General

Department of Justice and Attorney-General

Ph: 07 3719 7418

From: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>

Sent: Tuesday, 24 August 2021 4:22 PM

To: DLO <DLO@justice.qld.gov.au>

Subject: RE: MO.21.2725 - Stephen Bennett MP

Hi Amanda

Please see below for progression. The DDG JS had also asked for them previously hence why I can provide so expediently. These have been reviewed and approved by the ED, CJS.

Constituent name:	[redacted]
Other notes/comments:	<ul style="list-style-type: none">Unfortunately the time taken to process [redacted] application was impacted by the current delays being experienced by Queensland Police Information Centre (PIC) in receiving criminal history checks from other jurisdictions.The Australian Criminal Intelligence Commission (ACIC) recently advised that they are experiencing unprecedented use of the system and due to a number of factors outside their control, there may be significant delays in the processing of checks. Queensland Police have advised that AFP have brought on several contractors to assist with their backlog and they are starting to see an improvement in the reduction of outstanding matters.Blue Card Services is working closely with PIC to work identify and resolve the outstanding matters.

The following is confidential information under the Working with Children (Risk Management and Screening) Act 2000 (the Act) and is provided to the Minister under section 395 of the Act. The Minister is prohibited from releasing confidential information unless specific criteria are met (see sections 384 and 385 of the Act).

Sch4(3)(3)

Cheers



Ata Isarabhakdi
A/Executive Officer | Office of the Deputy Director-General | Justice Services
(07) 3738 9428 (Ext 99428) | ata.isarabhakdi@justice.qld.gov.au
Level 18, State Law Building | 50 Ann Street Brisbane QLD 4000
GPO Box 149, Brisbane QLD 4001
Department of Justice and Attorney-General

From: DLO <DLO@justice.qld.gov.au>
Sent: Tuesday, 24 August 2021 4:16 PM
To: Justice Services Correspondence <JusticeServices.Correspondence@justice.qld.gov.au>
Subject: FW: MO.21.2725 - Stephen Bennett MP

Hi Ata,

Can we please get some very brief high-level dot points on the delay for this application?

Kind regards,

Amanda Robles
Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General
Ph: 07 3719 7418

From: Justin Foster <Justin.Foster@ministerial.qld.gov.au>
Sent: Tuesday, 24 August 2021 4:06 PM
To: DLO <DLO@justice.qld.gov.au>
Subject: RE: MO.21.2725 - Stephen Bennett MP

Hi J/A,

Can I get very brief dot points on why this one took so long to process?

Kind regards,

JUSTIN FOSTER

Sch4(3)(3)



Policy Advisor
Office of Hon. Shannon Fentiman MP
Attorney-General and Minister for Justice
Minister for Women
Minister for the Prevention of Domestic and Family Violence

P 07 3719 7410 | M [redacted] | Email: justin.foster@ministerial.qld.gov.au

From: DLO <DLO@justice.qld.gov.au>
Sent: Wednesday, 11 August 2021 4:06 PM
To: ESB Allocations <ESB.Allocations@justice.qld.gov.au>
Subject: FW: MO.21.2725 - Stephen Bennett MP

ASAP

JS – BCS

Dept to contact & AG response with CoS contact details in concluding para

Note from AG's office: Please handle as per usual – Dept to contact asap to provide update and reflect discussion in letter to MP.

Amanda Robles

Departmental Liaison Officer

Office of the Director-General

Department of Justice and Attorney-General

Ph: 07 3719 7418

From: Justin Foster <Justin.Foster@ministerial.qld.gov.au>
Sent: Wednesday, 11 August 2021 4:03 PM
To: DLO <DLO@justice.qld.gov.au>
Cc: Attorney-General <attorney@ministerial.qld.gov.au>
Subject: FW: MO.21.2725 - Stephen Bennett MP

See below.

Kind regards,

JUSTIN FOSTER

Sch4(3)(3)

Policy Advisor

Office of Hon. Shannon Fentiman MP



Queensland
Government

Attorney-General and Minister for Justice

Minister for Women

Minister for the Prevention of Domestic and Family Violence

P 07 3719 7410 | M [redacted] | Email: justin.foster@ministerial.qld.gov.au
1 William Street, Brisbane Q 4000 GPO Box 149 Brisbane Q 4001

From: Attorney <attorney@ministerial.qld.gov.au>

Sent: Wednesday, 11 August 2021 1:03 PM
To: Justin Foster <Justin.Foster@ministerial.qld.gov.au>
Subject: MO.21.2725 - Stephen Bennett MP

Let me know if this needs to be printed for the A-G.

CORRESPONDENCE TO ACTION	
MO Ref: MO/2021/2725	Dept Ref:
ADVISOR: Justin	RESPONSE – MO Use Only: <i>Please highlight required action</i> <ul style="list-style-type: none">• Department to contact• Department to reply• Department to outcome dot points to MO• MO response letter (standalone)• MO response letter (with briefing note)• Referral letter to:

	<ul style="list-style-type: none"> Briefing note required about issue: No response required – info/action as required:
REPLY FROM: Attorney-General / Chief of Staff / SPA CONCLUDING PARAGRAPH CONTACT: Chief of Staff / SPA / Department	DUE TO MO BY: <i>Please highlight required action</i> <ul style="list-style-type: none"> ASAP 5 days 15 days Other:
MO COMMENTS: Please handle as per usual – Dept to contact asap to provide update and reflect discussion in letter to MP.	

From: Burnett Electorate Office <BURNETT@parliament.qld.gov.au>

Sent: Wednesday, 11 August 2021 1:00 PM

To: Attorney <attorney@ministerial.qld.gov.au>

Subject: Blue card application

11 August 2021

The Hon. Yvette D'Ath MP
 Attorney General

Dear Minister,

I write on behalf of my constituent, [redacted] and [redacted] application for a Blue Card for employment.

Sch4(3)(3)

After nearly seven weeks and regular phone calls to Blue Card Services, no information is available on when the card may be issued.

The Blue Card application details are as follows:

Applicant Name: [redacted]
 Application Ref Number: [redacted]
 Application Date: [redacted]
 D.O.B: [redacted]
 Place of Birth: [redacted]
 Mob: [redacted]

I respectfully seek your urgent assistance on behalf of [redacted] to ensure [redacted] employment offer is not withdrawn due to lack of a Blue Card.

Thank you for your assistance in this matter.

Yours sincerely,

Stephen Bennett MP

Stephen Bennett MP | Member for Burnett

Shadow Assistant Minister for Tourism Industry Development



@Bennett4Burnett



StephenBennettMP



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