



# Criminal history screening

*Guide, Hearing and Assistance Dogs Act 2009*

## What is criminal history screening?

Criminal history screening is undertaken to determine whether a person is suitable to work with people with a disability and to train and certify guide, hearing or assistance dogs. Section 58 of the *Guide, Hearing and Assistance Dogs Act 2009* makes it mandatory for the Director-General, Department of Communities, Child Safety and Disability Services to obtain the criminal history of, and related information about, Approved Trainers and Employee Trainers.

The assessment guidelines outlining how decisions are made are available on request. These guidelines ensure decisions are consistent, open and accountable.

## How is the information used?

There are strict requirements for handling the information disclosed in a criminal history screen and information will only be used to assess the Employee Trainer's or Approved Trainer's suitability to work with people with a disability and animals.

In the event that an individual is deemed unsuitable to work with people with a disability and animals because of their criminal history, only the unsuitable status will be disclosed to the employer. The Act requires that if the Department of Communities, Child Safety and Disability Services rejects an application for approval as a trainer or training institution, or grants conditional approval, it must also notify the applicant of the reason.

## Who is required to undergo a criminal history screen?

- An individual trainer applying for approval status under the Act.
- A corporation applying for approval status as a training institution and all employee trainers.
- Approved Trainers and Employee Trainers who have a change to their criminal history. Any change noted in the new screen must be disclosed to the Department of Communities, Child Safety and Disability Services.
- Employee Trainers engaged by Approved Training Institutions employed after the date of approval.
- Approved Trainers and Employee Trainers, every three years from the date of approval.

## Terms relating to criminal history screening

- **Approved Trainer** means an individual approved to train guide, hearing or assistance dogs. Approved trainers must immediately disclose to the department any change to their criminal history. Failure to notify of any change may result in a fine of up to \$ 2,200.
- **Employee Trainer** means a person employed by an approved training institution to train guide, hearing or assistance dogs. From 1 July 2009 all new employee trainers must undertake a criminal history screen. Failure to undertake a criminal history screen may result in a fine of up to \$2,200. Failure to notify of any change to criminal history may also result in a fine of up to \$ 2,200.
- **Disclosure** of a criminal history must be made on the approved form provided by the department and include the existence of the conviction; when the offence was committed; details of the offence; and whether or not a conviction was recorded and any sentence imposed on the trainer.
- **Conviction** means a finding of guilt, or the acceptance of a plea of guilty, by a court.
- **Criminal History** of a person means the convictions, other than a spent conviction, recorded against a person for offences, in Queensland or elsewhere, whether before or after the commencement of this Act.
- **Spent Conviction** is defined in the *Criminal Code Act 1899* as a conviction:

### For further information:

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Email: [ghadogs@communities.qld.gov.au](mailto:ghadogs@communities.qld.gov.au)  
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1. for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
2. that is not revived as is prescribed by section 11 of the *Criminal Law (Rehabilitation of Offenders) Act 1986*.

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