



## Standing Committee on Health and Community Wellbeing

### Inquiry into Annual and Financial Reports 2021-2022 ANSWER TO QUESTION ON NOTICE

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Asked by **MRS ELIZABETH KICKERT MLA:**

Reference: Hearing on 9 November 2022, Annual Report of CSD

In relation to: Page 66, Modernising the Children and Young People Act

1. The annual report states that changes to the *Children and Young People Act* will 'enable a shift from a "child protection" to a family services approach'. Can the minister please explain what the government sees as the most significant differences between these two approaches?

**MINISTER STEPHEN-SMITH:** The answer to the Member's question is as follows:—

While a range of amendments have been made to the *Children and Young People Act 2008* (the Act), it has not been reviewed since its introduction over a decade ago. Inquiries, reviews and complaints demonstrate the need for significant changes to ensure the Act supports the rights and best interest of children and empowers families and the community. It is intended that amendments to the Act will facilitate a shift from statutory intervention to early support; increased trust and transparency between families, the Community Services Directorate and the community; and increased oversight of decision making.

Proposed amendments will include improving and simplifying legislative provisions in the Act so that families can be more quickly and efficiently linked to the right services and improve supports for children who do not require statutory intervention. These changes will make better use of whole-of-government and community resources.

The shift in focus towards a family services approach is expected to facilitate earlier support for families when they need it, restorative ways of working together for better outcomes and a joined-up system of child, youth and family services.

Amendments to the Act will also enact recommendations of the Glanfield Inquiry (2016) and the former Standing Committee on Health, Ageing and Community Services with respect to information sharing, and will provide greater clarity for all whose work involves child protection – including non-government organisations. These changes will enable greater exchange of information related to the welfare and wellbeing of children while at the same time guarding the confidentiality of that information.

Another key focus of the CYP Act modernisation is to fully embed the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) in the legislation. The ATSICPP recognises the importance of connections to family, community, culture and country in child and family welfare legislation, policy and practice, and asserts that self-determining communities are central to supporting and maintaining those connections. The ATSICPP has five core elements – prevention, partnership, placement, participation and connection – that work across the continuum of the child protection system to protect and realise the rights of Aboriginal and Torres Strait Islander children, families and communities. This is a more holistic approach to child and family wellbeing than is reflected in the current statutory child protection system.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:



Date: 12/1/23

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA