


21/5/14

CHILD PROTECTION REFORM AMENDMENT BILL 2014

Explanatory Notes

FOR

	Paper No:	5414T S135
	Date:	20/5/14
	Member:	Hon Bleijie
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Amendments To Be Moved During Consideration In Detail By The Honourable Jarrod Bleijie MP, Attorney-General and Minister for Justice

Short title

The short title of the Bill is the *Child Protection Reform Amendment Bill 2014*.

Objective of the Amendments

The objective of the amendments is to ensure the Bill achieves its policy objectives.

Achievement of policy objectives

The amendments achieve the object by:

- amending clause 32 of the Bill to clarify that the time for the chief executive (Child Safety) to complete a review required under Chapter 7A commences from the date the chief executive (Child Safety) becomes aware of the child's death or serious injury or, in circumstances where the Minister requests a review be undertaken, from the date the chief executive (Child Safety) receives the Minister's written request; and
- making technical amendments to rectify identified anomalies in the drafting of the *Commission for Children and Young People and Child Guardian Act 2000* (Commissions Act), which will be re-named the *Working with Children (Risk Management and Screening Act) 2000*.

Alternative ways of achieving policy objectives

There is no alternative way to achieve the objectives other than by amending the Bill.

Estimated cost for government implementation

There is no cost to Government to implement the amendments.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

No consultation was conducted on the amendments as they are minor and technical in nature.

Notes on provisions

Amendment 1 amends clause 32 of the Bill to clarify the time for the chief executive to complete a review about a child's death or serious injury commences from the date the chief executive (Child Safety) becomes aware of the child's death or serious injury, or in circumstances where the Minister requests a review be undertaken, from the date the chief executive (Child Safety) receives the Minister's written request.

Amendment 2 amends clause 55 of the Bill to insert the words 'commissioner of a police force or service' to prevent an inappropriate replacement of 'commissioner' with 'chief executive' where it appears in the definition for *interstate police commissioner* in the Commissions Act.

Amendment 3 amends clause 57 of the Bill. As currently drafted, Clauses 57 and 57A of the Bill omit sections 154 and 155 and the headings to Chapter 8, Part 1, Divisions 1 and 2 of the *Commission for Children and Young People and Child Guardian Act 2000*. These amendments are necessary to remove redundant division headings in Chapter 8 Part 1. Clause 57B amends an additional reference to the Commissioner for Children and Young People and the Child Guardian, which is currently found in section 180 of the Commission's Act, and replace it with the words 'Chief Executive' to reflect the transfer of functions to the Public Safety Business Agency.