



21 February 2025

## Joint Statement on the draft Children and Young People (Safety and Support) Bill 2024

Today, four organisations that represent the needs and interests of vulnerable South Australian children and young people and those who care for them announce to agreement on a joint position in relation to the draft *Children and Young People (Safety and Support) Bill 2024*.

The agencies are:

**Child and Family Focus SA:** the peak body for child safety and child protection, representing the needs of South Australian children, young people, families, and the non-government, not-for-profit organizations who support them

**Connecting Foster & Kinship Carers SA:** the independent, peak representative body for foster and kinship carers

**The CREATE Foundation:** the peak body representing the voices of children and young people with an out-of-home care experience

**The Reily Foundation:** the parent and family support and advocacy body for South Australia.

Each of our agencies are on the public record asking for a range of important elements that are not in the current draft Bill. Our four agencies have made our position public, prioritising the importance of best interests as the paramount principle in the Act and will continue to advocate and lobby for this. Each agency also had suggested inclusions or changes specific to those they represent that have not been incorporated in the draft Bill.

Having said this, we support the passage of the Bill through parliament, inclusive of the government's amendments. The only other amendment, listed as of 21 February 2025, is that of the paramountcy of the best interest principle. As this is not supported by the government and the government has indicated the Bill will not proceed should this amendment pass, the entire Bill will fail. As such, we support the Bill's passage through parliament without this amendment.

There are many elements in the Bill that will fundamentally improve the operation of the child protection, support and care system in South Australia and vulnerable children, young people and families, and those that support them, need those changes.

All of our agencies have members who continue to call for an amendment that places best interests as the paramount principle in the Act, along with a range of other amendments. Best interests will always include 'safety', while also responding to the needs and wishes of those this Act serves to support. We honour their right to continue their advocacy. We have come to

a collective decision, however, to support the passage of this legislation through Parliament for the following reasons:

There are many changes in the draft Bill that will have a significant impact on the lives of vulnerable children, young people and families and we do not want to see them lost. These include effective intervention, strengthening the importance, voices and rights of children, birth families and carers in decision making, embedding the Aboriginal and Torres Strait Islander Child Placement Principle to standard of active efforts, progressive delegated authority to Aboriginal Community Controlled Organisations and requiring family group conferences to be convened for Aboriginal families.

The Minister has given us written reassurance that we can work in partnership to evaluate the outcomes of the legislation as it is implemented, rather than the usual practice of undertaking a review at 5 years. The Chief Executive has also written to us guaranteeing a constructive and meaningful collaboration to design and deliver supportive and effective initiatives that best address the needs of children and their families, playing a strong role in getting the application of the best interests principle right.

Each signatory to this commitment holds a responsibility to advocate at the highest level and with the utmost vigour on behalf of some of the most vulnerable people in our state. We will proudly continue to do this, and we commend the government and the department for agreeing in writing to work in partnership with us to ensure the policies and practices required to enact this bill give children, young people and families the best chance to grow and flourish together.

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