Children and Young People (Safety and Support) Bill 2024 – Consolidated Amendments 30 May 2025

Amendment	Clause	Content	Explanation
1	1	Clause 1, page 12, line 4— Delete "(Best Interests)" and substitute: (Safety and Support)	• Amends name of Bill – consistent with name passed by House of Assembly.
2	3	Clause 3, page 12, lines 21 and 22 [clause 3(1), definition of ***active efforts***]— Delete the definition and substitute: ***active efforts***, ***principle of active efforts*** or ***standard of active efforts***—see section 11A;	• This amendment deletes the existing definition of active efforts and inserts the new definition of active efforts, principle of active efforts or standard of active efforts in section 11A. • This is related to Amendment no 9 which inserts a new clause inserting the principle of active efforts and the standard of active efforts.
3	3	Clause 3, page 13, after line 21 [clause 3(1)]— Insert: ***Complaints and Feedback Management Guidelines*** means the Complaints and Feedback Management Guidelines published by the Chief Executive under section 27A;	• This amendment defines the term 'Complaints and Feedback Management Guidelines' and is related to Amendment No 23.

Amendment	Clause	Content	Explanation
			• Amendment No 23 inserts a new Division into the Bill which requires the Chief Executive to publish guidelines relation to the receipt and handling of complaints and feedback.
4	3	Clause 3, page 15, after line 19 [clause 3(1)]— Insert: ***recognised peak body***, in relation to a particular section of the community, means an entity from time to time recognised as the recognised peak body for that section of the community under section 34A;	• This amendment defines the term 'recognised peak body' and is related to Amendment No 24. • Amendment No 24 inserts a new Division 5A into the Bill which provides that the Minister may recognise peak bodies to represent the interests of particular sections of the community.
5	3	Insert: ***Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System*** means the Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System prepared under section 15A, as in force from time to time;	• This amendment defines the term 'Statement of Commitment to Children and Young People in Contact with the Child Protection and Family Support System' and is related to Amendment No. 18.

Amendment	Clause	Content	Explanation
			• Amendment 18 legislates the preparation, maintenance and review of a Statement of Commitment to Children and Young People in Contact with the Child Protection and Family Support System.
6	8	Clause 8, page 19, lines 22 and 23 [clause 8(1)]— Delete ", to the extent that it is consistent with section 10 to do so,"	• This amendment is consequential to Amendment No 7 which deletes the clause 'Paramount Principle -safety of children and young people' and inserts the 'Safety Principle'.
7	10	Clause 10, page 21, lines 2 to 6— Delete clause 10 and substitute: **10—Safety principle** It is a principle of this Act (the ***safety principle***) that children and young people are to be kept safe and protected from harm (and, despite any other provision of this Act, the safety of the child or young person must always be the priority in determining whether or not to remove a child or young person under section 83(1)).	• Deletes current clause 10, (The paramount principle – Safety of children and young people). • Inserts the Safety principle which includes that children and young people are to be kept safe and protected from harm • It prescribes that the safety of the child or young person must be the priority when

Amendment	Clause	Content	Explanation
			determining the removal of a child. • The operation of this clause is more narrow than current clause 10.
8	11	Clause 11, page 21, line 7 to page 22, line 22— Delete clause 11 and substitute: **11—Best interests principle** [See Government Amendments]	• Deletes current clause 11 (Best interests principle). • Substitutes with newly redrafted Best interests principle. • Principle includes the need to keep a CYP safe, protect their rights and promote their development must always be considered. • Principle retains current considerations but is expanded to include additional considerations including the desirability of assessing reunification with a CYP parent and the need to consider the effects of cumulative harm on a CYP safety and development.

Amendment	Clause	Content	Explanation
			• Is now drafted in a similar way to the Vic model.
9	New 11A	New clause, page 22, after line 22— Insert: **11A—Principle of active efforts and standard of active efforts** (1) Each person or body involved in the operation and administration of this Act must act in accordance with the principle of active efforts in performing functions under this Act. (2) For the purposes of this Act, the principle set out in this section constitutes the ***principle of active efforts*** (and a reference to a person or body making active efforts will be taken to be a reference to the person or body acting in accordance with that principle). (3) Under the principle of active efforts, active efforts must— (a) be timely; and (b) be practicable, thorough and purposeful; and (c) address the grounds on which a child or young person is considered to be at risk of harm; and	• Introduces the Principle of active efforts and standard of active efforts. • Principle sets out the need for proactive steps to be taken for all children while maintaining the current position in the Bill that the Aboriginal and Torres Strait Islander Child Placement Principle must be applied to the Standard of Active Efforts.

Amendment	Clause	Content	Explanation
		(d) conducted, to the greatest extent possible, in partnership with the child or young person and the family, kin and community of the child or young person; and (e) be culturally appropriate; and (f) comply with any other requirements prescribed by the regulations. (4) Without limiting a preceding subsection, active efforts include— (a) assisting with access to support services and other resources; and (b) if appropriate services or resources do not exist or are not available—considering alternative ways of addressing the relevant needs of the child or young person and their family, kin or community; and (c) activities directed at finding and contacting the family, kin and community of the child or young person. (5) The requirements under this section do not limit any other ways in which active efforts can be made when making a decision under this Act.	

Amendment	Clause	Content	Explanation
		(6) For the purposes of this Act, a reference to something being done to the ***standard of active efforts*** will be taken to be a reference to it being done in a way that accords with the principle of active efforts.	
10	13	Clause 13, page 22, after line 37— Insert: (1a) Without otherwise limiting subsection (1), a person or body referred to in that subsection must— (a) offer the child or young person a reasonable opportunity to present their views in person to the decision maker; and (b) if the child or young person wishes to present their views in person, take reasonable steps to facilitate that prior to the prescribed decision being made.	• This amendment further elevates the voices of children and young people by inserting a requirement they be offered a reasonable opportunity to present their views in person, and, where they wish to do so, requiring reasonable steps be taken to facilitate that.
11	13	Clause 13, page 23, line 9 [clause 13(4)(a)]— Delete subclause (4)(a)	• Clause 13(4)(a) (Voices of CYP) provides that clause 13 need not be complied with if the person or body determines that it would not be in the child or

Amendment	Clause	Content	Explanation
			young person's best interests to do so. • This subclause is deleted to respond to feedback it could led to children's voices not being heard in relation to prescribed decisions.
12	13	Clause 13, page 23, line 15 [clause 13(6)]— Delete "do not wish to do so" and substitute: express a desire to not do so	• Clause 13(6) of the Bill provides that a child or young person is not required to participate in a decision if "they do not wish to do so". • This amendment substitutes these words with the words "express a desire not to do so" and responds to stakeholder feedback that greater certainty could be achieved by providing that a child or young person is not required to participate in a particular decision if they have expressed their desire not to do so.

Amendment	Clause	Content	Explanation
13	13	Clause 13, page 23, line 20 [clause 13(7), definition of ***prescribed decision***, (b)]— After "preparation" insert: or review	• This amendment clarifies that a child or young person's voice must be heard in a decision making relating to the review of a child's case plan. • This is in addition to the existing requirement for their voices be heard in the preparation of their case plan.
14	14	Clause 14, page 24, line 1 [clause 14(3)]— After "preparing" insert: , altering	• Inserts a requirement for the Guardian to consult when altering the Charter of Rights for Children and Young People in Care.

Amendment	Clause	Content	Explanation
15	14	Clause 14, page 24, lines 8 to 11 [clause 14(5)]— Delete subclause (5) and substitute: (5) The Minister may, on receiving the Charter for approval and after consultation with the Guardian for Children and Young People, require an alteration to the Charter before approval (however, such an alteration must be consistent with Part 2). (5a) The Minister must, within 30 days after receiving the Charter, or the Charter as altered, (whichever is the later) approve the Charter.	• This amendment inserts a 30 day timeframe within which the Minister must approve the Charter of rights for CYP.
16	14	Clause 14, page 24, lines 18 and 19 [clause 14(9)]— Delete ", to the extent that it is consistent with section 10 to do so in a particular case,"	• This amendment is consequential on Amendment No 7 re Safety principle.

Amendment	Clause	Content	Explanation
17	15	Clause 15, page 24, lines 27 to 36 — Delete clause 15 and substitute: **15—Chief Executive must provide copy of Charter etc to children and young people in care** (1) The Chief Executive must, as soon as is reasonably practicable after a child or young person is placed in the custody, or under the guardianship, of the Chief Executive under this Act, provide to the child or young person— (a) a copy of the Charter; and (b) an explanation of the content and effect of the Charter; and (c) information about, and the contact details of, the Guardian for Children and Young People. (2) If a child or young person is unlikely to understand the information and documents referred to in subsection (1) (whether by reason of cognitive or physical disabilities, language differences or difficulties, literacy challenges or otherwise), the Chief Executive must make such alternative arrangements as may be necessary to ensure that the information is, if it is reasonably practicable to do so, communicated to the child or young person in a way they are capable of understanding.	• This amendment expands the Chief Executive's obligation to include a requirement for the Chief Executive to provide children and young people with an explanation of the content and effect of the Charter. • In circumstances where the child or young person is unlikely to understand the Charter (or information about the Guardian for Children and Young People), the Chief Executive must make alternative arrangements to ensure information is communicated to the child or young person in a way that they are capable of understanding.

Amendment	Clause	Content	Explanation
		(3) However, the Chief Executive need not comply with this section if the Chief Executive is of the opinion that the child or young person is not reasonably capable of understanding the information referred to in subsection (1).	
18	New Division	New Division, page 24, after line 36— Insert: **Division 5A—Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System** **15A—Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System** (1) The Minister must prepare and maintain a *Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System*. (2) The Minister must review the Statement at least every 5 years.	• This clause provides for the preparation of Statement of Commitment to Children and Young People in Contact with the Child Protection and Family Support System.

		(3) In preparing or reviewing the Statement, the Minister must— (a) invite submissions from, and consult with, the persons or bodies (if any) prescribed by the regulations (and may consult with any other person or body the Minister considers appropriate); and (b) comply with any other requirements set out in the regulations. (4) The Minister must cause the Statement to be published on a website determined by the Minister. (5) The Minister must, within 6 sitting days after approving the Statement, cause a copy of the Statement to be laid before both Houses of Parliament. (6) Each person or body engaged in the administration, operation or enforcement of this Act (other than the Court or SACAT) must perform their functions so as to give effect to the Statement. (7) However, the Statement does not create legally enforceable rights or entitlements.	

Amendment	Clause	Content	Explanation
19	16	Clause 16, page 25, lines 12 and 13 [clause 16(6)]— Delete ", to the extent that it is consistent with section 10 to do so in a particular case,"	• Consequential re Amendment 7 - Safety principle.
20	17	Clause 17, page 25, lines 31 and 32 [clause 17(6)]— Delete ", to the extent that it is consistent with section 10 to do so in a particular case,"	• Consequential re Amendment 7 - Safety principle.
21	23	Clause 23, page 29, after line 34 [clause 23(1)]— Insert: (da) a part setting out, in relation to the reporting year— (i) the number of family group conferences convened by the Chief Executive under the Act (including information identifying how many of the family group conferences related to Aboriginal and Torres Strait Islander children and young people); and (ii) any other information required by the regulations.	• This amendment introduces additional reporting obligations and requires that the Minister's annual report includes the number of family group conferences convened by the Chief Executive, including information identifying how many FGC related to Aboriginal and Torres Strait Islander children and young people.

Amendment	Clause	Content	Explanation
22	27	Clause 27, page 32, after line 38 [clause 27(4)(a)]— After subparagraph (i) insert: (ia) each recognised peak body; and	• This amendment amends clause 27(4)(a) of the Bill to insert a new sub-clause (ia) to provide that before publishing Quality of Care Report Guidelines, the Chief Executive must invite submissions from each recognised peak body.
23	New Division	New Division, page 33, after line 15— After clause 27 insert: **Division 3A—Management of complaints and feedback** **27A—Complaints and Feedback Management Guidelines** [Refer Government Amendments for full clause]	• This amendment inserts a new Division into the Bill which requires the Chief Executive to publish guidelines relation to the receipt and handling of complaints and feedback.

Amendment	Clause	Content	Explanation
24	New Division	New Division, page 38, after line 20— Insert: **Division 5A—Recognised peak bodies** **34A—Minister to recognise peak bodies** (1) The Minister may, by notice in writing, recognise an entity as the ***recognised peak body*** for a particular section of the community for the purposes of this Act if satisfied that the entity— (a) represents the interests of that section of the community; and (b) agrees to be the recognised peak body for that section of the community. (2) Without limiting subsection (1), the Minister must recognise an entity as the recognised peak body for the following sections of the community: (a) children and young people and their families; (b) Aboriginal and Torres Strait Islander children and young people and their families; (c) carers under this Act.	• This amendment inserts a new Division 5A into the Bill which provides that the Minister may recognise peak bodies to represent the interests of particular sections of the community.

Amendment	Clause	Content	Explanation
		(3) The recognition of an entity as a recognised peak body— (a) may be conditional or unconditional; and (b) has effect for the period specified in the notice; and (c) must comply with any other requirements set out in the regulations. (4) The Minister may, by notice in writing and in accordance with any requirements set out in the regulations, vary or revoke the recognition of an entity as the recognised peak body for a particular section of the community.	
25-26	41	**Amendment No 25** Clause 41, page 41, lines 38 and 39 [clause 41(1)]— Delete "(and, in particular, nothing in this Part can be taken to displace section 10)"	• Amendments 25 and 26 are consequential re Amendment 7 - Safety principle.

Amendment	Clause	Content	Explanation
		Amendment No 26 Clause 41, page 42, line 4 [clause 41(2)(a)]— Delete "except where to do so would be inconsistent with section 10,"	
27	New	New clause, page 42, after line 11— Insert: **41A—Right to cultural support in certain proceedings and meetings** (1) The Governor may, by regulation, establish a scheme providing for cultural support to be provided to Aboriginal or Torres Strait Islander children and young people for the purposes set out in the regulations. (2) Without limiting the generality of subsection (1), the regulations may provide for— (a) the appointment of cultural support persons (including by limiting who can be a cultural support person; and	• This amendment introduces a scheme to be established by regulation for cultural support to be provided to Aboriginal and Torres Strait Islander children and young people.

Amendment	Clause	Content	Explanation
		(b) the right of a cultural support person to be present at specified proceedings or other interactions under this Act. (3) This section is in addition to, and does not derogate from, any other provision of this Act.	
28	44	Clause 44, page 45, lines 16 and 17 [clause 44(6)]— Delete subclause (6)	• Clause 44(6) provides that a failure to comply with the Aboriginal and Torres Strait Islander Child Placement Principle does not, of itself, affect the invalidity of a decision under the Act. • The deletion of this subclause responds to feedback expressing concern that the subclause would have the effect of removing the accountability that had been built into the Bill requiring the implementation of the Principle.
29	45	Clause 45, page 45, lines 18 to 31— This clause will be opposed	• This amendment is consequential on Amendment

Amendment	Clause	Content	Explanation
			No 9 which sets out the principle of active efforts and the standard of active efforts in Part 2 of the Bill – Guiding Principles. • This is consistent with the Leg Co practice that where an entire clause is deleted it is 'opposed'.
30	46	Clause 46, page 45, lines 39 and 40 [clause 46(b)]— Delete "it is unlikely that the child or young person and their parents will be able to be reunified" and substitute: reunification of the child or young person and their parents is not viable	• This amendment strengthens the wording of clause 46(b) relating to the reunification of Aboriginal and Torres Strait Islander children and young people and their families. • It maintains the requirement that the Chief Executive make active efforts to explore the ways in which a child or young person and their parents can be unified. Where the Chief Executive considers reunification is not viable (as opposed to unlikely), then active efforts must be made to identify or locate members of the child or

Amendment	Clause	Content	Explanation
			young person's family or community with whom they might be placed.
31	47	Clause 47, page 46, lines 32 to 34 [clause 47(3)]— Delete subclause (3)	• This amendment deletes clause 47(3) of the Bill. • Clause 47 of the Bill sets out the principle of Aboriginal and Torres Strait Islander family-led decision making. • Clause 47(3) provides that a failure to comply with the principle of Aboriginal and Torres Strait Islander family-led decision making does not, of itself, affect the validity of a decision under the Act. • The deletion of this subclause responds to feedback expressing concern the subclause would have the effect of removing the accountability that had been

Amendment	Clause	Content	Explanation
			built into the Bill requiring compliance with the Principle.
32- 35	53	**Amendment No 32—** Clause 53, page 51, lines 5 and 6 [heading to clause 53]— Delete "Chief Executive to offer and convene family group conference in certain circumstances" and substitute: Family group conference to be convened **Amendment No 33 —** Clause 53, page 51, lines 16 to 18 [clause 53(1)]— Delete "in accordance with any requirements set out in the regulations, offer to convene a family group conference under section 94 in respect of the child or young person" and substitute: as soon as is reasonably practicable and in accordance with any requirements set out in the regulations, cause a family group conference under section 94 to be convened in respect of the child or young person **Amendment No 34 [Scriven–7]—** Clause 53, page 51, lines 19 to 22 [clause 53(2)]— Delete subclause (2)	• Amendments 32-25 are interrelated and amend clause 53 of the Bill relating to family group conferencing for Aboriginal or Torres Strait Islander children and young people. • Responds to feedback that it should not be the role of the CE to 'offer' family group conferences.

Amendment	Clause	Content	Explanation
		Amendment No 35 [Scriven–7]— Clause 53, page 51, lines 34 to 36 [clause 53(4)]— Delete subclause (4)	
36	56	Clause 56, page 53, lines 17 and 18 [clause 56(4)]— Delete subclause (4)	• Clause 56 requires the Youth Court to be satisfied the Aboriginal and Torres Strait Islander Child Placement Principle has been implemented to the standard of active efforts before certain Court orders are made. • Clause 56(4) provides that a failure to comply with section 53 does not, of itself, affect the validity of a decision under the Act. • The deletion of this subclause responds to feedback expressing concern that the subclause would have the effect of removing the accountability that had been built into the Bill

Amendment	Clause	Content	Explanation
			requiring that the Court be satisfied that the Aboriginal and Torres Strait Islander Child Placement Principle be implemented to the standard of active efforts before the Court can make certain orders.
37-38	57	**Amendment No 37** Clause 57, page 53, line 21 [heading to clause 57]— Delete "offered" and substitute: convened **Amendment No 38** Clause 57, page 53, lines 25 to 28 [clause 57(1)]— Delete "offered in relation to the child or young person and either— (a) the offer to convene a family group conference was not accepted; or (b) a family group conference is convened in relation to the child or young person." and substitute: convened in respect of the child or young person.	• Amendments No 37 and 38 are consequential to Amendment No 33. • These relate to family group conferences in courts.

Amendment	Clause	Content	Explanation
39	83	Clause 83, page 69, after line 19— Insert: (1a) Despite any other provision of this Act, a child protection officer must, in determining whether to remove a child or young person under subsection (1), always prioritise the safety of the child or young person. **Note—** See section 10.	• Consequential re Amendment 7 - Safety principle.
40	96	Clause 96, page 76, lines 13 and 14 [clause 96(1)]— Delete ", to the extent that it is consistent with section 10 to do so,"	• Consequential re Amendment 7 - Safety principle.

Amendment	Clause	Content	Explanation
41	99	Clause 99, page 79, lines 4 and 5 [clause 99(5)]— Delete "likelihood of reunification occurring and, if reunification is likely," and substitute: viability of reunification and, if reunification is viable,	• This amendment amends the wording of clause 99(5) so that prior to the Chief Executive applying for a prescribed Court order, the Chief Executive must assess the viability of reunification (as opposed to the likelihood of reunification). • The requirement to assess the period within which reunification might occur is retained.
42-43	106	**Amendment No 42** Clause 106, page 81, after line 4 [clause 106(1)]— Before paragraph (a) insert: (aa) the legal practitioner must, in the case of a child or young person who is 10 or more years of age, take reasonable steps to meet with the child or young person;	• Amendments 42 and 43 relate to the duties of legal practitioners representing children and young people in care and protection proceedings before the Youth Court. • Amendment 42 requires a legal practitioner to take reasonable steps to meet with the child or young person where they are aged 10 years or above.

Amendment	Clause	Content	Explanation
		Amendment No 43 Clause 106, page 81, after line 15 [clause 106(1)]— Insert: (ca) the legal practitioner must, in a manner appropriate to the capacity of the child or young person to understand, explain to the child or young person the contents and effect of any documents given to, or orders relating to, the child or young person under this Act;	• Amendment 43 requires that legal practitioners explain the content and effect of court documents and orders relating to children and young people to them in a manner appropriate to their capacity. • These amendments ensure the views of children and young people are properly ascertained in Court processes and they feel supported by the legal practitioner representing them.

Amendment	Clause	Content	Explanation
44	107	Clause 107, page 81, after line 28 [clause 107(2)]— Insert: or (c) the child or young person has expressed a desire to not do so.	• Clause 107 of the Bill ensures that children and young people are given a reasonable opportunity to personally present to the Court their views regarding their ongoing care and protection. • However, this does not apply where the Court is satisfied that: ➢ the child or young person is incapable of doing so; or ➢ it would not be in the child or young person's best interests to do so. • This amendment expands the list of exceptions to include where a child or young person has expressed a desire not to do so. • This responds to stakeholder feedback and acknowledges that there are some children and young people who are not

Amendment	Clause	Content	Explanation
			willing to personally express their views to the Court.
45	129	Clause 129, page 90, after line 35— Insert: (3a) A case plan (including the reunification plan under subsection (4)(g)) for a child or young person must be prepared as soon as is reasonably practicable (and in any case not later than 6 months) after they become a child or young person to whom this section applies.	• This amendment inserts a requirement that a child or young person's case plan must be prepared as soon as reasonably practicable after coming into care, and in any case no later than six months. • It emphasises that this includes the reunification plan in subsection (40(g) • The introduction of this legislative timeframe ensures timely decision making consistent with the principle of active efforts.
46	130	Clause 130, page 91, line 31 [clause 130(1)]— Delete ", to the extent that it is consistent with section 10 to do so,"	• Consequential to change to Safety principle.

Amendment	Clause	Content	Explanation
47-48	139	**Amendment No 47** Clause 139, page 95, line 26 [clause 139(3)(a)]— Delete "likely" and substitute: viable **Amendment No 48** Clause 139, page 95, lines 30 and 31 [clause 139(3)(b)]— Delete "is not satisfied that a reunification is likely, or is satisfied that a reunification is unlikely" and substitute: is satisfied that a reunification is not viable	• Amendments 47 and 48 amend the wording around reunification from likely to viable consistent with Amendments No. 30 and 41.
49	143	Clause 143, page 100, line 17 [clause 143(2)]— Delete "25" and substitute: 26	• Clause 143 of the Bill allows the Chief Executive to provide financial and other assistance to carers to meet the cost of caring for children and young people. • This amendment extends the period the Chief Executive can provide assistance from the age of 25 years, to the age of 26 years.

Amendment	Clause	Content	Explanation
50	170	Clause 170, page 114, line 10 [clause 170(6), definition of ***eligible care leaver***, (a)]— Delete "25" and substitute: 26	• Clause 170 of the Bill requires the Chief Executive to cause assistance to be offered to certain care leavers for the purposes of making their transition from care as easy as reasonably practicable. • This amendment extends the upper age limit in the definition of an eligible care leaver from 25 years to 26 years.
51	198	Clause 198, page 127, after line 5— Insert: (3a) An internal review on an application under subsection (1) must be completed within 60 days after the application is made (and, if the internal review is not completed within that period, the decision will be taken to have been affirmed).	• This amendment amends clause 198 of the Bill and inserts a timeframe of 60 days within which an internal review must be completed. If a review is not completed within that time, the decision under review will be taken to have been affirmed.

Amendment	Clause	Content	Explanation
52	220	Clause 220, page 139, after line 21— Insert: (1a) The Minister must, in the course of the review, consult with the recognised peak bodies.	• This amendment is related to Amendment No 24 which enables the Minister to recognise peak bodies to represent the interests of particular sections of the community. • This amendment requires the Minister to consult with recognised peak bodies when undertaking the five year review of the Act.

Amendment	Clause	Content	Explanation
53	Schedule 2 Ombudsman Act	Schedule 2, page 147, after line 32 [Schedule 2 Part 17]— Insert: **31A—Amendment of section 12C—Time within which complaints may be made** Section 12C—after subsection (1) insert: (1a) Despite subsection (1), the Ombudsman may entertain a complaint under this Act of the following kinds if the complaint is made within 2 years from the day on which the complainant first had notice of the matters alleged in the complaint: (a) a prescribed child protection complaint (within the meaning of section 28A of the *Health and Community Services Complaints Act 2004*); (b) a complaint, or complaint of a class, prescribed by the regulations (being a complaint relating to the performance of functions by or on behalf of the Department under the *Children and Young People (Safety and Support) Act 2025*).	• This amendment amends Schedule 2, Part 17 of the Bill and inserts a new clause 31A which amends section 12C of the *Ombudsman Act 1972.* • Section 12C of the Ombudsman Act governs the time within which complaints may be made to the Ombudsman. Currently section 12C(1) of the Ombudsman Act provides that the Ombudsman must not entertain a complaint if it is made more than 12 months after the complainant first had notice of the matters alleged in the compliant unless the Ombudsman if of the opinion it is appropriate in all the circumstances to entertain the compliant. • This amendment extends the time the Ombudsman has to consider prescribed child protection complaints under the

Amendment	Clause	Content	Explanation
		(1b) To avoid doubt, subsection (1a)(a) applies whether the prescribed child protection complaint— (a) is made by the Commissioner for Children and Young People, the Commissioner for Aboriginal Children and Young People or the Guardian for Children and Young People under the *Children and Young People (Oversight and Advocacy Bodies) Act 2016*; or (b) is referred to the Ombudsman by the Commissioner under section 28A of the *Health and Community Services Complaints Act 2004*; or (c) is made under this Act.	*Health and Community Services Complaints Act 2004* and any complaints made relating the performance of functions by or on behalf of DCP under the Bill to two years. • This amendment ensures the timeframe for the Ombudsman to receive complaints is appropriate having regard to the complexity of the child protection and family support system and to align it with the timeframes set out in the Health and Community Services Complaints Act.