

DRAFT Child Development and Wellbeing Bill 2015 - SA

AASW SA Feedback

The Australian Association of Social Workers is the professional representative body of social workers in Australia, with more than 8,000 members. Throughout its 68 year history, the AASW has supported its membership through a changing profession.

Today, with our nine branches and vibrant community of national committees and practice groups, further supporting the work of the Association, the AASW aims to cater for the professional needs and interests of the growing membership base with their varied working fields, employment and locations.

Introduction

The South Australian Branch of the AASW (AASW (SA)) believes the draft legislation prepared by the Liberal Party to be an exciting initiative that would broaden the state's focus from Child Protection to Child Development, having a systemic focus that is expressed through positive child development being influenced by family and their communities. The focus on community strengths is particularly encouraging as it aims to empower families and communities to foster positive child development. The establishment of systems, mechanisms and positions to advocate and promote the rights and interests of children and young people and monitor, evaluate and create accountability for their operation is encouraging.

Comments

The objects and guiding principles encapsulate the intention to make the development of children and young people a whole of government responsibility; recognise the importance of children and young people to the State, establish a Commissioner (Commissioner) for Children and Young People and a Child Development Council.

The establishment of the Commissioner represents a significant outcome for the interests of Children and Young People in South Australia. Of particular note are the:

- Suitability of the 5 year term, the AASW (SA) supports this
- Proactive, broad and positive functions of the Commissioner ensuring the independent power to instigate and initiate; focus on all children and young people and function with the broader remit of "Investigation of Matters"

The AASW (SA) would like to commend the Liberal Party in the drafting of the Bill and proactively seeking feedback. Its alignment with the AASW (SA) recommendations to the SA Governments Proposed Child Development Legislation is of note. These include:

- Establishment of a Commissioner for Children and Young People
- Definitively stating that consultation "should" occur instead of "Wherever possible and appropriate..."

- Recognising and valuing Cultural and Linguistic Diversity
- Independence of the Commissioner.

Recommendations

Whilst supportive of the draft Bill the AASW (SA) has the following recommendations:

- Cap the report of Enquiry timeframe, to ensure timely resolution
- Outline when and how Commissioner investigation reports and resulting responses and Council advise and reports become public
- Need to ensure suitable funding as there is no reference to provision and assurance of appropriate funding to enable both the Commissioner and Council to carry out their actions and responsibilities. The AASW (SA) would expect that the impact of both the Commissioner and Council is not limited by inadequate funding.
- Legislation needs to compel the Minister to respond to Council reports and advice in the same way it is compelled to respond to the Commissioner. The AASW (SA) would expect the Minister to be accountable to both the Council, ensuring its legitimacy.

The AASW (SA) thanks you for the opportunity to comment on this important and positive subject.

A representative of AASW (SA) executive would be happy to meet and talk further.

Regards,



Chris Chalubek
AASW (SA) Vice President
(on behalf of the SA Branch Executive)