

CHILDREN'S GUARDIAN AMENDMENT (CHILD SAFE SCHEME) BILL 2021

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Schedule of the amendments referred to in the Legislative Council's message of 9 November 2021.

No. 1 **PHON No. 8 [c2021-56CD.2]**

Schedule 1, proposed Part 3A, Page 4. Insert after line 7:

**8AA Consistency with Royal Commission Report recommending the Child Safe Standards**

- (1) Implementation of the Child Safe Standards by child safe organisations is to be consistent with Royal Commission recommendations.
- (2) Where a Child Safe Standard can be implemented in more than 1 way, implementation that most closely reflects the Royal Commission recommendations is to be preferred.

No. 2 **PHON No. 11 [c2021-56CD.2]**

Schedule 1, proposed Part 3A, Page 4. Insert after proposed section 8AA as inserted by amendment 8:

**8AB Ministerial guidelines**

- (1) The Minister may issue guidelines to the Children's Guardian about the way the Children's Guardian is to—
  - (a) oversee the implementation of the Child Safe Standards by child safe organisations,
  - (b) enforce the Child Safe Standards within child safe organisations,
  - (c) establish child safe action plans with prescribed agencies,
- (2) Despite section 128(3), the Children's Guardian must, when exercising functions concerning the Child Safe Standards, act in a way that is consistent with guidelines issued by the Minister under subsection (1).

No. 3 **PHON No. 12 [c2021-56CD.2]**

Schedule 1, proposed Part 3A, Page 4. Insert after proposed section 8AB as inserted by amendment 11:

**8AC Oversight by Committee on Children and Young People**

- (1) The Committee on Children and Young People has the following functions under this Part—
  - (a) to monitor and review the functions of the Children's Guardian in—
    - (i) overseeing the implementation of the Child Safe Standards by child safe organisations,
    - (ii) the enforcement of the Child Safe Standards within child safe organisations,
    - (iii) establishing child safe action plans with prescribed agencies,
  - (b) to review the activities of the Children's Guardian for consistency with the Royal Commission recommendations,

- (c) to review guidelines issued by the Minister under section 8AB(1) for consistency with the Royal Commission recommendations,
- (d) to report to both Houses of Parliament, with such comments as it thinks fit, on any matter which the Committee considers should be brought to the attention of Parliament relating to the following—
  - (i) the exercise of the Children's Guardian's functions specified in paragraphs (a) and (b),
  - (ii) guidelines issued by the Minister under section 8AB(1).

(2) In this section—

*Committee on Children and Young People* means the Parliamentary Joint Committee constituted under section 36(1) of the Advocate for Children and Young People Act 2014

No. 4 **PHON No. 9 [c2021-56CD.2]**

Page 4, proposed section 8B Definitions. Insert after line 15:

*Royal Commission recommendations* means the Final Report Recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

No. 5 **GOVT No. 1 [c2021-108]**

Page 5, Schedule 1[3], proposed section 8D(3)(a), line 9. Omit “changes to”.

No. 6 **GRN No. 1 [c2021-110C]**

Page 6, Schedule 1[3], proposed section 8J, line 28. Omit “plan.”. Insert instead—  
plan, and

- (c) if the agency or related bodies provide services to Aboriginal children— consult with 1 or more Aboriginal controlled entities of a class prescribed by the regulations for this section.

No. 7 **PHON No. 10 [c2021-56CD.2]**

Page 16, proposed Schedule 1[21], Schedule 6 Dictionary. Insert after line 7:

*Royal Commission recommendations*—see section 8B.