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OPP--OPPOSITION

LEGISLATIVE COUNCIL

Children and Young Persons (Care and Protection) Amendment (Family is Culture) Bill 2022

First print

Proposed amendment

No. 1 Evidence of active efforts to take alternative action

Page 6, Schedule 1[8], proposed section 63(5), lines 13–19. Omit all words on the lines. Insert instead—

- (5) If the Children’s Court is not satisfied with the evidence provided by the Secretary under subsection (1), the Court must not take either of the following actions unless the Court is satisfied that taking the action is in the best interests of the safety, welfare and well-being of the child or young person—
 - (a) dismiss a care application in relation to the child or young person,
 - (b) discharge the child or young person from the care responsibility of the Secretary.