

2010

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2010 (No.1)

EXPLANATORY STATEMENT

**Circulated by the authority of
Joy Burch MLA
Minister for Children and Young People**

Children and Young People Amendment Bill 2010 (No.1)

Outline

The *Children and Young People Amendment Bill 2010 (No. 1)* is intended to provide clarity of interpretation regarding four specific sections of the *Children and Young People Act 2008*. These sections refer to mandated reporters regarding home education; decision making by persons with daily care responsibility for children and young people on the advice of dental therapists and dentists; the provision of annual review reports for children and young people on reviewable care and protection orders and the provision of sensitive information to parties to a proceeding.

Clause 1 – Name of Bill

This clause provides that the Bill is the *Children and Young People Amendment Bill 2010 (No.1)*.

Clause 2 – Commencement

This clause provides that the Act commences on the day after its notification.

Clause 3 – Legislation amended

This clause provides that the Act amends the *Children and Young People Act 2008*.

Clause 4 – Section 19(2)(c)— Daily care and responsibility for children and young people This clause enables dental therapists and dentists to advise people with daily care and responsibility for a child or young person under this Act and enables those people with daily care and responsibility to consent to treatment as advised.

Clause 5 – Section 19 (6) – daily care and responsibility for children and young people This new clause defines the term dental therapist, their registration requirements under the *Health Practitioner Regulation National Law (ACT)* and the limitations of their registration may place on their role and functions.

Clause 6 – Section 356(2)(g) – mandatory reporting of child abuse

This clause places the mandatory reporting responsibilities upon persons who are authorised to inspect education programs, materials or other records used for home education of a child or young person under the *Education Act 2004*.

Clause 7 – Section 495(a) – annual review reports for care and protection matters

This clause clarifies that annual review reports for children and young people on reviewable care and protection orders will occur each year during the duration of the order.

Clause 8 – Section 866(2)

This clause provides that upon information being given or provided to a Court, the Court must not allow the information to be given to the parties to the proceeding unless satisfied that the information is materially relevant to the proceedings and if the information is about the child or young person, that the best interests of the child or young person are protected.