

FACT SHEET

Children, Young Persons and Their Families Amendment Bill 2011

The Bill amends the *Children, Young Persons and Their Families Act 1997* (CYP Act) to clarify:

- the Secretary's current power in the CYP Act to place certain children in the care of a suitable person extends to placing children in the care of a suitable organisation
- drafting issues in relation to provisions relating to legal protections for required reports, and penalties.

Care of Children

The Bill supports recent reforms flowing from New Directions for Child Protection in Tasmania (2008), under which the Crown enters agreements with non-government organisations to care for children under the guardianship, or in the custody of, the Secretary to the Department of Health and Human Services.

The organisations (such as Anglicare and the Salvation Army) provide for the care of children through approved care employees. The organisations are required to meet the Department's requirements regarding screening, assessment and training.

Provisions relating to disclosures and reports

The CYP Act was amended in 2009 in relation to voluntary and mandatory disclosure and reporting of child protection issues. An unintended consequence was that the legal protection provided for disclosures and reports, and the penalties for non-compliance with the mandatory reporting provisions, are now inconsistent.

These amendments provide increased clarity and certainty to persons making notifications and providing information for the purposes of assessments.