



Rush to approve new Children's Bill Fails Children's Rights Test

The South Australian Government appointed Council for the Care of Children is warning Parliament to take heed of children's interests and rights before passing the new Children and Young People (Oversight and Advocacy Bodies) Bill 2016.

Council Chair, Simon Schrapel, said "After 13 years of prevarication it appears our Parliament now runs the risk of rushing through an inadequate Bill with paternalistic overtones. The sad thing is that it doesn't need to be this way and children and young people in South Australia deserve better."

The Council, like many other bodies advocating for the rights and interests of children and young people in South Australia, has long called for legislation to create the State's first Commissioner for Children and Young People. "We are delighted that we are now on the verge of establishing provisions for a Children's Commissioner with broad based political consensus around the model to be deployed. However in the unseemly haste to rush through legislation our lawmakers appear to have missed an essential ingredient – children and young people," said Mr Schrapel.

"Whereas previous Bills to establish a Children's Commissioner have included core elements such as recognition of the competencies and rights of children and young people in our community, this Bill is silent on such matters and has no objects and principles or explicit reference to the United Nations Convention on the Rights of the Child.

"This oversight is further reflected in the Bill's failure to enshrine the role and participation of children and young people in fundamental elements such as the appointment of a Children's Commissioner or in directing the Commissioner in the types of matters and issues they should be engaged in."

"For a Bill which purports to be about promoting children's rights it is very peculiar that the citizens for whom it has been drafted have had such little say in its construction or in its operation," said Mr Schrapel.

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"It is hard to think of any other group in our community who would be so ignored in the drafting of legislation which is aimed at promoting their interests." Now is the time for the South Australian Parliament to take a strong stand for children and young people."

"Various interest groups have over the past months suggested a range of relatively minor enhancements to the Bill which would significantly improve the rights of children and young people to be heard and included."

"Let our elected members now have the courage to listen and act," said Mr Schrapel.