



**AUSTRALIAN MEDICAL ASSOCIATION**  
(SOUTH AUSTRALIA) INC.

ABN 91 028 693 268

23 October 2020

Hon Rachel Sanderson  
Minister for Child Protection  
Government of South Australia  
Email: minister.sanderson@sa.gov.au

Dear Minister

**Re: Feedback on the *Children and Young People (Safety) Act 2017***

Thank you for the opportunity to provide additional feedback on the operation of the *Children and Young People (Safety) Act 2017* by commenting on the *Children and Young People (Safety) (Miscellaneous) Amendment Bill 2020*. Now, as always, our children and young people must be able to expect from governments, public institutions, and medical and other health professionals, policies and actions that serve to protect them from harm. The Australian Medical Association South Australia (AMA(SA)) recognises that the Act continues to play an important role in doing this.

In relation to the proposed amendments, as outlined in your correspondence of 13 October 2020, in point nine (9), which proposes changes to section 35, we believe it should be specified that an appropriate chaperone, and ideally a trusted family member or carer, must be present for any medical examination or assessment of an intimate nature if the young person is aged 16 years or less. The section should also include a specification that the same support be offered to young people aged 16 years or older.

More broadly, and as noted in our feedback in 2019, the AMA(SA) believes that the Act focuses unduly on measures to 'fix' issues that have already had damaging ramifications for our children and young people, rather than address the problems that caused the issues. We recommend that any amendments and review should include attention to preventative measures that will stop children and young people being put at risk of any threat to their safety. As stated in the AMA Position Statement on Child Abuse and Neglect, the aim should be to avoid harm that may occur 'through delay or failure to act'; the AMA(SA) strongly suggests that preventative measures will be much more effective in avoiding threats to safety, potential harm, and the possibility of long-term impacts that are so psychologically and financially costly to individuals, families and society.

We in AMA(SA) continue to closely monitor the care provided to and for the children and young people of this state. We will continue to evaluate the outcomes of this Act in readiness for the 2022 'full review'. In the meantime, we look forward to the legislation achieving better outcomes for this state's young people. Please do not hesitate to contact me if you would like to discuss any aspects of this letter or the broader issue of our children's safety.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Moy', written over a white background.

**Dr Chris Moy**  
President

2304-Minister's request for feedback-Children and Young People Safety Bill\_231020