**MEDIA STATEMENT**

**SOCIAL DEVELOPMENT COMMITTEE ADOPTS REPORT ON CHILDREN'S AMENDMENT BILL**

**Parliament, Wednesday, 30 March 2022 –**The Portfolio Committee on Social Development today adopted the motion of desirability report on the Children's Amendment Bill [B18 – 2020].

The Children's Amendment Bill was introduced to Parliament and referred to the committee through the Announcements, Tablings and Committee Reports on 31 August 2020. On 6 October 2020, the committee received a briefing from the Department of Social Development on the Bill.

As part of the public participation process in compliance with the Constitution, the committee advertised the Bill in the national, local and regional newspapers and requested public comments on the Bill. The committee then held virtual national public hearings from 11 to 18 May 2021. Thereafter, it conducted physical provincial public hearings from 2 June to 10 December 2021 in all nine provinces to gather oral submissions from the stakeholders and members of the public.

This Bill emanates from litigation by the Centre for Child Law v the Minister of Social Development, the South African Social Security Agency and others at the North Gauteng High Court in 2011. The litigation was a result of a high backlog in the processing of foster care orders, which led to the lapse of 299 076 orders. The court ruled that the Minister of Social Department should introduce in Parliament a comprehensive legal solution to the challenges in the foster care system. This would be done by amending the Children's Act (No. 38 of 2005) and the Social Assistance Act (No. 13 of 2014).

The court set a deadline of 12 December 2012, which was extended to 2017, 2019, 2020 and to 2022 due to the department's delays in implementing the court's deliverables. As indicated above, the Children's Amendment Bill was finally tabled in Parliament in August 2020.

However, after the committee was briefed on the contents of the Bill by the department, it took a decision that the department should approach the court and request another extension, because there was not enough time for the committee to consider and finalise the Bill before the end of the court's deadline of end November 2020.

The court granted the extension until 27 November 2022. The Bill is comprehensive in that it not only focuses on clauses related to foster care, but also addresses gaps that had been identified in the implementation of the Act.

In order to comply with the North Gauteng High Court order for the development of a comprehensive legal solution to the challenges in the foster care system, the committee is of the opinion that the Bill is desirable and will proceed to deliberate on the details of the legislation.

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON SOCIAL DEVELOPMENT, MS NONKOSI MVANA.**

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