



15 September 2011

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The Honourable Russell Wortley MLC
Minister for Industrial Relations
GPO Box 464
ADELAIDE SA 5001

Dear Minister

Child Employment Bill 2011

I refer to a letter from your predecessor, the Honourable Bernard Finnigan MLC, in which he formally provided the above Bill to the Society. The Bill has been considered by the Society's Children and the Law Committee, which has reported to me. Accordingly, we provide the following comments.

The Committee is supportive of the legislation as it draws employers' attention to the unique position of children in the workforce; their inherent vulnerability due to their young age and inexperience in the work environment.

We are however concerned with the conflict between the object (Section 3) and the application of the Act (exclusion pursuant to s6(3)(a)). On the one hand the Act purports to provide for the care and protection of children working in this State by ensuring they do not undertake work that may be harmful to their health, safety or development, or affect their schooling; yet it excludes employment of a child by the child's guardian.

All employers should be made aware of and held to account in relation to providing supportive and positive work conditions for children. Children working in a family business are just as much at risk of being required to undertake work that may be harmful to their health, safety, or development or that which adversely affects their schooling, as those children employed in a non-familial business. In fact it may be argued they are more at risk of missing educational or childhood development opportunities due to family business pressures. We therefore request that the exclusion in s6(3)(a) be withdrawn from the Bill.

We request that the regulations to accompany the Bill, once drafted, be closely reviewed to minimise instances of the Act inappropriately excluding children from work. An example is children "working in the entertainment industry" (s5(d) or (e)) by performing in a theatre production convened by a theatre, drama or dance school.

We thank you for the opportunity to provide comment on the *Child Employment Bill*. Please do not hesitate to contact me should you wish to discuss any aspect of this submission.

Yours sincerely

Ralph Bönig
PRESIDENT