

Community Welfare Act 1972, South Australia

1972 –

Other Names: • Family and Community Services Act 1972

URL: <http://www.legislation.sa.gov.au/LZ/C/A/Family%20and%20Community%20Services%20Act%201972.aspx>

Details

The Community Welfare Act 1972 (Act No. 51/1972) was assented to on 27 April 1972 and commenced on 1 July 1972. Its long title is 'An Act to promote various aspects of community welfare in this State; to repeal the Social Welfare Act, 1926-1971; the Aboriginal Affairs Act, 1962-1968; and the Children's Protection Act, 1936-1969; and for other purposes'. The Act replaced the Social Welfare Act 1926-71 (also known as the Maintenance Act 1926), the Aboriginal Affairs Act 1962-68 and the Children's Protection Act 1936-69 with one Act. It was renamed Family and Community Services Act 1972 by the Community Welfare (Children) Amendment Act 1993 (Act No. 95/1993).

The Community Welfare Act 1972 replaced the Social Welfare Act 1926-71, the Aboriginal Affairs Act 1962-68 and the Children's Protection Act 1936-69 with one Act. The Act made the needs of the child the 'paramount consideration' in all matters affecting the child. It was based on the principle that the welfare of the family and the welfare of the community were inseparable and that they were central to the welfare of children. The Act focused on preventative measures and led to a move from large institutions to smaller group care. Since 1993, the Community Welfare Act 1972 has also been known as the Family and Community Services Act 1972.

One of the central principles of the Act was the statement that "the interests of the child" were always to be the "paramount consideration" in any action taken to provide care. The Act was also underpinned by the principle that "the welfare of the family is the basis of the welfare of the community". It supported the concept that re-establishing family life and ensuring contact with family was central to the lives of children placed in any form of care. The Act placed a much stronger emphasis on preventative services and the provision of smaller group care, in cottages and residential units, rather than large congregate institutions. Congregate care was recognised as damaging and depersonalising and after the passing of the Act, there was a move to close down all large institutions, both government and non-government, and replace them with new more smaller group facilities. The smaller facilities were to provide a more home or family like setting.

In 1972, in conjunction with the passing of the Community Welfare Act, the department was restructured and decentralised at an administrative level into five metropolitan and country regions – the Central Metropolitan Region, Northern Metropolitan Region Southern Metropolitan Region, Northern Country Region and Southern Country Region. Regional Supervisors oversaw the implementation of new policies in the homes and institutions.

The Community Welfare Act also introduced new methods in the care of children including assessment of children's needs and the development of individual care programs. This approach was based on the recognition that children in care were not all the same but rather that each child was an individual with different and unique needs. With the focus of the Act on family and community, there was a growing understanding that children should not be separated from society but rather that they would be helped by integration into the community. The

principles behind that Act were that the community could play an integral role in the care and rehabilitation of children who came into care.

The 1972 Act has been amended a numerous times. The first amendment in 1973 was the Community Welfare Act Amendment Act which removed Minister's power to manage property of Aboriginal people and communities. The Community Welfare Act Amendment Act 1976 included notification requirements in cases of suspected neglect, abuse. The Community Welfare Act Amendment Act 1981 removed the definition of 'Aboriginal' and the Community Welfare Amendment Act 1982 stated that in the administration of the Act account was required to be taken of 'the different customs, attitudes and religious beliefs of the ethnic groups within the community'. Further amendments continued until 2010.

More info

Chronology

- Maintenance Act Amendment Act 1965, South Australia (1966 - 1972)
- Aboriginal Affairs Act 1962, South Australia (1962 - 1972)
- Children's Protection Act 1936, South Australia (1937 - 1972)
- Maintenance Act 1926, South Australia (1927 - 1972)
 - **Community Welfare Act 1972, South Australia (1972 –)**

Related Entries

Related Organisations

- [Glandore Children's Home \(1958 - 1966\)](#)
- [Windana Remand Home \(1965 - 1975\)](#)
- [Glandore Boys' Home \(1966 - 1973\)](#)

Is amended by

- [Community Welfare Amendment Act 1973, South Australia \(1973 - current\)](#)
- [Community Welfare Amendment Act 1975, South Australia \(1975 - 1976\)](#)
- [Community Welfare Amendment Act \(No.2\) 1975, South Australia \(1976 - 1981\)](#)
- [Community Welfare Amendment Act 1976, South Australia \(1977 - current\)](#)
- [Community Welfare Act Amendment Act 1979, South Australia \(1979 - current\)](#)
- [Community Welfare Amendment Act 1981, South Australia \(1983 - current\)](#)
- [Community Welfare Act Amendment Act 1988, South Australia \(1988 - current\)](#)
- [Statute Law Revision Act 1986, South Australia \(1989 - current\)](#)
- [Community Welfare \(Children\) Amendment Act 1993, South Australia \(1994 - current\)](#)
- [Statutes Amendment \(Sentencing of Young Offenders\) Act 1996, South Australia \(1996 - current\)](#)
- [Children's Protection \(Miscellaneous\) Amendment Act 2005, South Australia \(2006 - current\)](#)

Related Archival Series

- [Annual Reports - Department for Families and Community Services and predecessor agencies \(1971 - 1997\)](#)

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