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**MEDIA RELEASE**  
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## **MLC FIRES WARNING SHOT AT CHILD ABUSE INVESTIGATORS**

Independent MLC Ann Bressington has asked serious questions of the South Australian Police Minister in the apparent failure to properly investigate a serious case of child abuse:

**The Hon. A.M. BRESSINGTON:** I seek leave to make a brief explanation before asking the Minister for Police a question about investigating child abuse.

Leave granted.

**The Hon. A.M. BRESSINGTON:** Four weeks ago a distressed father contacted my office regarding the mother of his four year old daughter allegedly attempting to perform female circumcision on the little girl with a kitchen knife in the shower of her home. The girl's older brother, aged six, witnessed the incident and a medical report from the Lyell McEwin Hospital assessed the child to be at risk.

Last week (approximately four weeks after the incident) police interviewed the child and told the father, 'This is a cultural issue. We don't expect this to go any further.' When the father pointed out that the six year old brother saw it and had stated this, he was told, 'Well, children say things sometimes, you know.' He was also told that the mother was asked if she did it and she had said 'No', and that it would not be pursued any further.

My questions for the Minister for Police minister are as follows:

1. Why are police not enforcing or at least investigating this matter as a possible criminal act (female genital mutilation) under the Criminal Law Consolidation Act 1935, which provides very clearly that any act of this kind attracts a penalty of imprisonment for seven years?
2. By what authority can police dismiss this act after taking four weeks to conduct an initial interview in the first place?
3. When is a witness to such a crime actually considered to be a reliable witness, given that the six year old brother did witness the act?
4. Since when has law enforcement relied on the perpetrator of a crime actually admitting to the crime to investigate or perhaps prosecute?
5. Does the minister have concerns that reports of child abuse made by fathers is perhaps being treated less seriously than accusations made against fathers?
6. Is the minister aware of any barriers that would prevent a more prompt response to such investigations of this most serious nature?

**The Hon. P. HOLLOWAY (Minister for Police):** The police do take accusations of child abuse seriously and, of course, within this state there has been an unprecedented amount of activity in this area following the establishment of the Mullighan inquiry which, of course, has gone back many decades to when a lot of these matters were covered up. In some ways it appears to be suggested that the police are not sympathetic to accusations of this type, and I do not accept that. It is probably not appropriate for me to comment on a particular case. When you have these sorts of issues, particularly involving partners, there is always two sides to the story. It is obviously very difficult for the police, who have to listen to all sides, and if they are to take action there obviously has to be sufficient evidence for a case to stand up in court. If the honourable member believes that the police have not acted properly in a particular case, then she should refer the details either directly to the Police Complaints Authority or to me and I will get—

*Members interjecting:*

**The Hon. P. HOLLOWAY:** Hundreds of people make allegations against our police—hundreds of people who complain each year against our police. The fact is that our police have an extremely difficult job to do and they do a very good job, and in cases—

**The Hon. A.M. Bressington:** Most of the time.

**The Hon. P. HOLLOWAY:** They do most of the time; in fact, the vast majority of the time. The reason we have the Police Complaints Authority is for occasions when, if people really have genuine evidence that police have not acted in accordance with proper procedures, then that will be investigated and, in appropriate cases, police are disciplined. What I do know is that, as I said, there is always two sides to a story. Anyone who has been, as I have, a member in a House of Assembly seat where you get hundreds of constituent inquiries over the course of a year soon gets to know that there are two sides to every story. Often people will come with the complaints but they will, in their accusations, leave out significant facts. I am not saying that is necessarily the case here, but the only way that can be determined, as I said, is if it is investigated.

As a general rule, the police and, I think, the community generally now have a far more serious attitude towards child abuse than was ever the case in the past. That is why we have the Mullighan commission that is going back 20 to 30 years and beyond to try to clear up this matter. That is why we have the intervention in the Northern Territory at the moment in indigenous communities, where these sorts of abuse were just overlooked for many years. Apart from that, I do not think there is much more I can add. The only way that one can see whether the police have acted appropriately in a case is to have it reviewed, firstly by senior officers and then, if necessary, by the Police Complaints Authority. So, I would encourage the honourable member to take that course of action. Otherwise, unless there is evidence to the contrary, then I will stand up here and defend the police of this state, who are doing a very good job in often very difficult situations.

**The Hon. A.M. BRESSINGTON:** I have a supplementary question. Can the minister advise what would happen if the parent goes to the hospital and a diagnosis is made that the child has had an attempted female circumcision, has been assessed as being at risk and has then gone to the Child Protection Unit? It has then taken four weeks for the police to undertake this investigation—

**The PRESIDENT:** Order! The honourable member will ask the question.

**The Hon. A.M. BRESSINGTON:** This is not a matter of an accusation one against the other.

**The PRESIDENT:** Order!

**The Hon. A.M. BRESSINGTON:** Where do we go from there?

**The Hon. P. HOLLOWAY:** The honourable member says that this person has been discussed with the Child Protection Unit. Presumably, what the honourable member is suggesting is that someone should be charged with an offence.

**The Hon. A.M. Bressington:** An investigation.

**The Hon. P. HOLLOWAY:** Well, the police would need evidence that will stand up in court for that to happen. Again, if the honourable member provides the details, we will see where that has gone, why there was a particular outcome and whether proper procedures were followed. Beyond that, there is not much more I can say.

(Hansard, South Australian Legislative Council, 27/9/07)

The Hon Ann Bressington today called on the Minister and SAPOL to immediately investigate these very serious allegations.

“This is not a cultural matter; this is a matter of reassuring South Australians that our police are serious about protecting the welfare of our children from serious and horrific crimes and bringing the perpetrators of these crimes to justice.”