

Legislative Council

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CHILD PROTECTION

The Hon. A. BRESSINGTON (14:55): I seek leave to make a brief explanation before asking the minister representing the Premier a question relating to ministerial responsibility and accountability.

Leave granted.

The Hon. A. BRESSINGTON: Approximately two weeks ago, the public of South Australia heard about the tragic case of baby Elijah who was born on a footpath to a drug-addicted mother and whose death, according to the Coroner, probably could have been prevented if the child had been removed from the mother's care. The Coroner stated:

...unable to draw any casual links between acts of omission of departmental employees for the reason I do not feel that would be appropriate to make a recommendation about the Children's Protection Act. In my opinion it is extraordinary that the act would not permit the ready removal from the custody and guardianship of the mother of a child born in the appalling circumstances confronting Elijah, born on a footpath and with an addiction to the drugs thoughtlessly consumed by her mother during pregnancy and marked by a total failure to look after the interests of her unborn child.

The only intervention that took place in this case was that workers from Families SA developed a safety agreement with the mother and grandmother of Elijah (both substance abusers). The Coroner's comments about the safety agreement was:

It was unclear as to whether the mother or grandmother was to be the primary carer for Elijah.

He went on to say that on the evidence presented the grandmother had not even sighted the agreement. On the first visit the midwife noted that baby Elijah was overdressed, and the mother was advised on the appropriate amount of clothing to be worn. She also noted that the baby had lost 95 grams in weight.

I remind members that my first question in this council in April 2006 was in relation to the services and facilities available to drug-addicted mothers. I have met with many representatives sent to my office by the Minister for Health regarding post-natal health services for drug-addicted mothers, and I was told of the after-care that is offered. Upon prompting, however, I was informed that only 4 per cent of drug-addicted mothers access these support services (which, of course, translates to the fact that 96 per cent of drug-addicted mothers do not); and, according to the Coroner, the Children's Protection Act does not allow for the removal of such children. This means that 96 per cent of drug-addicted babies are released into the care of their drug-addicted mothers without follow-up.

I was also told in this meeting by advisers to the Minister for Health that the support provided for these mothers was some sort of safeguard for the babies. The Coroner stated that according to the midwife employed by the Women's and Children's Hospital in baby Elijah's case it was not her practice, nor that of other midwives, to check the sleeping arrangements of new-born babies. We are all aware that baby Elijah was sleeping on two couches pushed together. There was no cot and no appropriate bedding for a new-born baby, and it is presumed that the baby smothered to death on a full sized pillow.

As reported in the *Guardian Messenger*, Dr Haslam, the head of Perinatal Medicine at the Women's and Children's Hospital, has stated that there has been a 20 per cent increase in babies born addicted in the past year. Clearly, this has become a problem that requires immediate action. We have no less than three ministers who are equally responsible and accountable for the systems that are or are not in place to deal with the many cases such as baby Elijah. So, my questions are:

1. When will the Premier insist that the Minister for Mental Health and Substance Abuse take action and provide facilities that accommodate the needs of both drug-addicted babies and their mothers?

2. Will the Premier request that the Minister for Health undertake to revise the after-care services to drug-addicted mothers to determine the effectiveness in eliminating the harm to babies released into the mother's care; and why were the concerns of the social services department of the Women's and Children's Hospital ignored by Families SA in the case of baby Elijah?

3. If the Children's Protection Act prevents the removal of drug-addicted babies, as stated by the Coroner, will the Premier instruct the Minister for Families and Communities to make the necessary amendments to ensure that babies born addicted are protected from harm and neglect?

4. Will the Premier investigate whether any department under these three ministers made any attempt to notify the child protection authority on the matter of baby Elijah?

5. When will the Premier insist that ministers involved in child protection services sit down and develop an overall strategy to ensure that the safety of children born addicted to drugs takes priority over the rights of the parents?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (14:59): On behalf of the Premier, I can assure the honourable member that the Premier has full confidence in his ministers working in this area, and I am sure those ministers are well aware of the issues involved and have developed a number of strategies for dealing with them.