

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 Attorney-General a question about child protection restraining orders.

Leave granted.

The Hon. A. BRESSINGTON: Late last year, this place passed the Statutes Amendment (Children's Protection) Bill which, as members may recall, provided for child protection restraining orders enabling parents whose child has run away from home to apply for a restraining order against a person harbouring the child against their will.

Many cases involve young teenage girls who have been lured away from the family home by older men. These older men may have encouraged young girls to stretch the boundaries and rules of the family to create conflict within the family and then encouraged those girls to move out of home and live with them. Too often, drugs and alcohol are used as a grooming tool.

In other cases, children have been lured away by their peers who have often already found themselves in a drug culture through other family or friends. The provisions of the child protection restraining orders were enacted and came into operation on 1 August this year. While one would have expected the relevant stakeholders to be briefed and prepared for this commencement by the Attorney-General's Department, this unfortunately did not occur.

Staff at the Courts Administration Authority were seemingly not informed, with few staff knowledgeable, let alone conversant, regarding its existence. In fact, they did not receive the child protection restraining order application form until long after it had come into operation and, to this day, do not have the tailored affidavit that is to accompany an application available on the courts website. The effect of the inadequate preparation by the Attorney-General's Department for the Public Service, police and judiciary was utter confusion, not least of which involved our constituents.

One in particular, a father of a 13 year old girl who ran away to live with her 18 year old boyfriend, did not learn of the child protection restraining order until it was raised on radio. Due to the front-line police having no knowledge of child protection restraining orders, this father was initially told by an officer that it was not a police problem and that they were powerless to intervene. More disturbingly, it is alleged that another officer informed the daughter that she was free to leave home and her parents were powerless to stop her.

To further demonstrate how woefully prepared stakeholders were, when this father's child protection restraining order application was heard, the associate magistrate had to briefly excuse himself to go into his chambers and read the relevant provisions because he was not familiar at all with the legislation. My questions for the minister are:

1. What is the usual process carried out by the Attorney-General's Department for briefing relevant stakeholders to ensure that they are prepared prior to a new offence or, in this case, restraining order, coming into operation?
2. Given the obvious failings in the preparation for child protection restraining orders, will the Attorney-General commit to reviewing the process to ensure they are not repeated?

3. Given that the case mentioned has highlighted the need for cooperation between the police, Families SA, the Courts Administration Authority and the judiciary, what further measures will the Attorney-General be taking to ensure this occurs and child protection restraining orders work to assist parents to protect their children?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:58): I thank the honourable member for her detailed question. I will refer it to the Attorney-General and bring back a reply.