

Legislative Council

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PARENTAL RIGHTS AND CHILD PROTECTION

The Hon. A. BRESSINGTON (15:00): I seek leave to make a brief explanation before asking the minister representing the Minister for Education a question about parental rights and child protection.

Leave granted.

The Hon. A. BRESSINGTON: Some time ago I raised the issue of a father who was deeply distressed over his two sons, who attend Northfield Primary School, and who are in the care of their mother. The father expressed concerns that his children were not receiving proper nourishment and care. He produced medical documents stating that both boys were in the low 5 percentile range for their age. He also produced documents which showed that the mother had failed to comply with a court order to undergo psychiatric evaluations.

I rang the school counsellor and he told me over the telephone that he was pleased that someone of some influence had become involved in the matter because he also had grave concerns for the wellbeing of these children. I attended a meeting at the school with a clinical psychologist, and the principal was less than forthcoming. In fact, she made excuses for the fact that the boys often did not take lunch to school. On one occasion the lunches, which the father had packed for the children one week prior, were still in their school bags, mouldy and rotten, when he picked them up for his visit. The father made a point of showing this to the school counsellor.

After no further action had been taken by the school, the father prepared a public interest disclosure statement which was sent to the ministers responsible for education and Families SA, the CEO of the Department of Education, the CEO of Families SA, and also to the school. He was requesting that this matter be looked into by someone in authority. Under the Whistleblowers Protection Act, once a person has filed a public interest disclosure statement he or she is protected by law against further reprisals. Approximately two weeks after the school received the PID, the father received a letter from a lawyer stating that the mother was returning to the Family Court to pursue sole custody of the children. In her affidavit she stated that she had been informed that the father was taking legal action against her. I have also received reassurance from the CEO of Families SA that no such information was passed on to the mother.

I have made a request to the school for documents to show that the father consistently pays the school canteen so that his children are guaranteed a decent lunch, and also to show the number of times that the children have remained in after-school care for extended periods. This is a matter of significant interest, because the mother does not work. I received correspondence from DECS stating that the cost of pulling these documents would be over \$700 when, in actual fact, these documents would be in the school files, or at least should be.

Since PID, the school principal has refused to speak with the father or provide him with the documents needed to prove that his children regularly access the canteen at school because they are hungry. Based on information that I have, the school

principal has also refused to meet with the father at all and has restricted his access to the school counsellor. Until this goes to court, the parents have a shared-care arrangement and the father pays for all the expenses of his children attending that school. Under the care and custody agreement, he has equal rights with the mother. My questions are:

1. Will the minister investigate this as a matter of urgency and take whatever action is needed to ensure that the father is provided with the documents to which he is legally entitled?
2. What is the education department's policy where a school counsellor has concerns over child abuse and neglect issues, and what support do counsellors receive to ensure that their reporting is acknowledged and acted on?
3. Under what policy and by what authority is the principal of the school acting when refusing to meet with or even speak with the father, and restricting his access to the school counsellor once the public interest disclosure statement had been received by the school?
4. Given that the guidelines for disclosure and follow-up are very clear, under the Whistleblowers Protection Act, will the minister instruct the principal to comply with the law as it is written?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister Assisting the Minister for Transport, Infrastructure and Energy) (15:04): I thank the member for her questions and will refer them to the Minister for Education in another place and bring back a response.