



Hon Ann Bressington MLC

Parliament House
North Terrace
ADELAIDE SA 5000
Phone: 08 8237 9541
Fax: 08 8237 9534

MEDIA RELEASE

Wednesday, 9 September 2009

PARENTS TO BE GIVEN POWERS TO PROTECT THEIR CHILDREN

Independent MLC Ann Bressington will be moving amendments to the Government's *Statutes Amendment (Children's Protection) Bill 2009* to give good parents the right to protect their children from predators.

The Government's Bill allows for parents or the State to initiate proceedings in a court for a child protection restraining order. To achieve an order it must be proven on the 'balance of probabilities' that:

- the person harbouring the child or another who is residing at the address has within 10 years been convicted of a prescribed offence; or that
- the person harbouring the child is sexually active with the child or is exposing them to illicit substances; and
- that making an order is appropriate in the circumstances.

These criteria will only apply in some cases but definitely not in all where a child is being harboured against the parents' will and reasonable parental authority.

"Even if these narrow criteria proposed apply, few parents will be able to satisfy the high threshold of evidence required. Parents are not police, yet the Government's Bill expects them to be," Ann said.

"Many parents whose child is being harboured have reported to me that both the Police and Families SA have refused to intervene.

"Giving parents the option of bypassing these supposed services and initiate proceedings themselves is a huge step forward. But, parents must be given a reasonable prospect of success if this is to have any impact.

Ann's amendment lowers the evidentiary threshold to 'the child's best interests' and allows the Court to make an enforceable order of custody to the child's parents or another appropriate person.

"If a parent can show that the person harbouring their child is allowing the child to truant from school, to consume cigarettes and alcohol, or simply live lawlessly, why would the Government deny the parents the right to protect their child.

"This is not a remedy for all circumstances but where it is appropriate parents need to be given a realistic chance of having the child appropriately returned to their care."