

PARENTAL SUPPORT AND RESPONSIBILITY BILL 2005

Council's Amendments

Amendments made by the Council now considered.

Consideration in Detail

The amendments made by the Council were as follows -

No 1

Clause 3, page 2, line 13 - To delete “**(Community Development)**” and insert instead -
(Child Protection)

No 2

Clause 3, page 2, line 15 - To delete “*Community Services Act 1972*” and insert instead -
Children and Community Services Act 2004

No 3

Clause 3, page 2, line 19 - To delete “**(Justice)**” and insert instead -
(Corrective Services)

No 4

Clause 3, page 2, line 23 - To delete the line.

No 5

Clause 3, page 3, line 8 - To delete “*Community Services Act 1972*” and insert instead -
Children and Community Services Act 2004

No 6

Clause 3, page 3, lines 26 and 27 - To delete the lines.

No 7

Clause 3, page 4, lines 11 and 12 - To delete the lines.

No 8

Clause 4, page 4, line 18 - To delete “, government agency or court” and insert instead -
or government agency

No 9

Clause 5, page 5, after line 9 - To insert -

For the purposes of this section, “**responsibility**” includes but is not limited to all the duties, powers, responsibilities and authority which, by law, parents have in relation to children.

No 10

Clause 6, page 5, line 12 - To delete “or a court”.

No 11

Clause 7, page 5, lines 24 and 25 - To delete “or any responsible parenting order directed towards them”.

No 12

Clause 8, page 5, line 28 - To delete “or a court”.

No 13

Clause 9, page 6, after line 26 - To insert -

(6) The *Interpretation Act 1984* sections 41, 42, 43 and 44 apply to the guidelines as if the guidelines were regulations.

No 14

Extract from *Hansard*
[ASSEMBLY - Thursday, 6 September 2007]
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- Clause 9, page 7, line 5 - To delete 'or responsible parenting order'.
- No 15
Clause 12, page 10, lines 3 to 16 - To delete the clause.
- No 16
Clause 13, page 10, line 17 to page 11, line 12 - To delete the clause.
- No 17
Clause 14, page 11, line 13 to page 12, line 13 - To delete the clause.
- No 18
Clause 15, page 12, lines 14 to 18 - To delete the clause.
- No 19
Clause 16, page 12, lines 19 to page 13, line 2 - To delete the clause.
- No 20
Clause 17, page 13, lines 3 to 27 - To delete the clause.
- No 21
Clause 18, page 13, line 28 to page 15, line 22 - To delete the clause.
- No 22
Clause 19, page 15, line 23 to page 16, line 3 - To delete the clause.
- No 23
Clause 20, page 16, lines 4 to 28 - To delete the clause.
- No 24
Clause 21, page 17, lines 2 to 13 - To delete the clause.
- No 25
Clause 22, page 17, lines 14 to 28 - To delete the clause.
- No 26
Clause 23, page 18, lines 1 to 11 - To delete the clause.
- No 27
Clause 24, page 18, lines 12 to 30 - To delete the clause.
- No 28
Clause 25, page 19, lines 2 to 8 - To delete the clause.
- No 29
Clause 26, page 19, lines 9 to 12 - To delete the clause.
- No 30
Clause 27, page 19, lines 13 to 22 - To delete the clause.
- No 31
Clause 28, page 19, line 23 to page 20, line 3 - To delete the clause.
- No 32
Clause 29, page 20, lines 4 to 21 - To delete the clause.
- No 33
Clause 30, page 20, line 22 to page 21, line 7 - To delete the clause.
- No 34
Clause 31, page 21, lines 8 to 20 - To delete the clause.

No 35

Clause 32, page 21, line 21 to page 22, line 4 - To delete the clause.

No 36

Clause 33, page 22, lines 5 to 7 - To delete the clause.

No 37

Clause 34, page 23, line 3 - To delete “(Community Development)” and insert instead -
(Child Protection)

No 38

Clause 34, page 23, line 4 - To delete “(Justice)” and insert instead -
(Corrective Services)

No 39

Clause 35, page 23, line 9 to page 24, line 3 - To delete the clause.

No 40

Clause 36, page 24, lines 11 to 15 - To delete the lines.

No 41

Clause 41, page 28, line 4 to page 29, line 26 - To delete the clause.

No 42

Clause 42, page 30, line 11 - To delete “provide -” and insert instead -
provide an appointed person or body with information relating to a person who is, or was, a
young offender or detainee, for the purposes of section 37 of the *Parental Support and
Responsibility Act 2005*.

No 43

Clause 42, page 30, line 12 to line 20 - To delete the lines.

No 44

Clause 42, page 30, line 21 - To delete “(b)”.

No 45

Clause 42, page 30, line 31 to page 31, line 5 - To delete the lines.

No 46

Clause 43, page 31, line 8 to page 32, line 17 - To delete the clause.

No 47

New clause 9, page 5, after line 30 - To insert the following new clause -

9. Principle of shared responsibility

In performing a function or exercising a power under this Act in relation to a child, a person or a court must have regard to the shared responsibility that parents, family and the community have for the wellbeing of the child.

No 48

New clause 37, page 24, after line 29 - To insert the following new clause -

37. Restriction on publication of certain information or material

(1) A person must not, except in accordance with a written authorisation given under this section, publish information or material that identifies, or is likely to lead to the identification of, another person (the “**identified person**”) as -

(a) a person who is or was a parent who entered into a responsible parenting agreement;

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- (b) a person who is or was a child in respect of whom a responsible parenting agreement was entered into; or
 - (c) a person who the parent of a child is to ensure, or take all reasonable steps to ensure, the child avoids contacting, under a responsible parenting agreement.
- Penalty: \$12 000 and imprisonment for one year.
- (2) If the identified person is under 18 years of age, written authorisation for the publication of information or material to which subsection (1) applies may be given by both the CEO and a parent of the identified person.
 - (3) If the identified person has reached 18 years of age, written authorisation for the publication of information or material to which subsection (1) applies may be given -
 - (a) by the identified person; or
 - (b) if the identified person is dead or cannot be found after reasonable inquiries, by the CEO.
 - (4) In this section -
 - “CEO” means the CEO of the department of which the authorised officer who entered into the agreement is a public service officer;
 - “publish” means to bring to the notice of the public or a section of the public by means of newspaper, television, radio, the internet or any other form of communication.

No 49

Long title, page 1, lines 5 and 6 - To delete “and responsible parenting orders”.

No 50

Long title, page 1, line 7 - To delete “the *Children’s Court of Western Australia Act 1988* and”.

Leave granted for amendments 1 to 3 to be considered together.

Mr D.A. TEMPLEMAN: I move -

That amendments 1 to 3 made by the Council be agreed to.

Question put and passed; the Council’s amendments agreed to.

Mr D.A. TEMPLEMAN: I move -

That amendment 4 made by the Council be not agreed to.

The government very clearly, when introducing the Parental Support and Responsibility Bill 2005, was absolutely committed to ensuring that central to that legislation was the issue of responsible parenting orders. The government has very good reason for it being the central part of this parental responsibility legislation. We need to understand that throughout the communities of Western Australia, huge numbers of community members are highlighting the fact a number of children and young people are simply not attending school. They are contributing to unacceptable social behaviour and causing difficulties in communities and schools etc. The idea behind ensuring that we put in place responsible parenting orders was simply to compel those parents who repeatedly fail to control their children who engage in antisocial behaviour, truanting from school and so on, to take some responsibility and, if need be, that would include responsible parenting orders and court orders being put in place.

It astounds me that when this piece of legislation was presented and debated in this place, the opposition supported it. In fact, a number of opposition members indicated strong support for this legislation and an understanding of why the government wanted to put in place this important and critical element of the legislation. The fact is that somewhere between here and the other place, something changed. Members of the opposition in the other place decided to oppose it, firstly through the committee system and then through a decision in the party room. In opposing this amendment and subsequent amendments that relate to parenting orders, the government seeks to reinstate the original intention. If I or members opposite receive complaints from our constituents about the small number of children who are not able to behave in appropriate ways, and if we do not have in place a compulsion mechanism for the parents of those children to be actively involved and engaged in dealing with and addressing their behaviour, the government can simply say to the opposition that its

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opposition to this element of the legislation is an obstructionist move. That is why the government seeks once again to ensure that this critical part of the legislation is included.

Mr A.J. SIMPSON: The opposition supports amendment 4, which appears on the notice paper amongst the amendments made by the Legislative Council.

Mr D.A. TEMPLEMAN: The government opposes amendment 4 because it believes that, as in the original clause, the word “court” should stay.

Mr R.F. JOHNSON: These are tough words from the minister, but at the end of the day, the whole purpose of having two houses is for the upper house to act as a house of review. It reviews legislation that comes from this house. Very often over the past 100 years, the government of the day has not got legislation right. The concern raised by members of the upper house is that the government is targeting and placing financial liabilities upon people who can least afford them. The majority of those people who will be involved are in that position. I am staggered that the minister wants to do that. We all want parents to be responsible for their children; of course we do. I think both sides of both houses would accept that, but there must be other ways. Is it because the minister does not actually have the guts to take into care those children who are obviously out of control and over whom their parents have no control, and to give them a good education and teach them how to behave? Is that the minister’s responsibility? I think it is.

Mr D.A. Templeman: You’re incorrect again; I am no longer Minister for Child Protection.

Mr R.F. JOHNSON: He should have done it when he was.

Mr D.A. Templeman: As you have been reminded on a number of occasions.

Mr R.F. JOHNSON: The trouble is that we have seen such a rapid change of ministers in these very important portfolios. None of them has seemed able to come to grips with the task at hand. At the end of the day, this amendment by the Legislative Council is obviously one it considered to be a very important one. It does not want to see the most vulnerable parents being fined in such heavy monetary terms. The minister knows as well as I do that they cannot afford such fines and will not pay them, so what is the next step? Why does the minister not listen to the commonsense of the deliberation and review of the upper house, and accept these amendments?

Ms S.E. WALKER: I do not think I spoke on this bill when it was being debated in the Assembly. Can the minister tell me what it is that he objects to?

Mr D.A. TEMPLEMAN: I want to highlight some very important data. It relates to amendment 4, which relates to clause 3. The government argues that its parental responsibility court orders are a central part of this legislation, but they have been deleted by the upper house. Therefore, we are moving to reinstate the word “court” and opposing what the Legislative Council has put forward as its amendment. The Legislative Council has removed the word “court”. The government is keen to ensure that parental responsibility court orders remain a central part of the legislation. That is why we oppose this amendment.

Ms S.E. Walker: Do they currently operate in the Children’s Court?

Mr D.A. TEMPLEMAN: No, they do not.

Ms S.E. Walker: And they won’t because of what has happened in the upper house?

Mr D.A. TEMPLEMAN: That is correct.

Ms S.E. Walker: I genuinely don’t know. I am interested in children. What is it that the government is trying to do with this?

Mr D.A. TEMPLEMAN: As I have mentioned, the government considers that parental orders and the capacity to impose a court order are central and important elements of this legislation. That is based on research. Statistics for 2006 from the ParentSupport service - which was established in the south east metropolitan areas - show that 53 per cent of referred families voluntarily engaged in services. At the moment there is no compulsion. If a child is causing huge problems in the community and various services have attempted to engage with the parents to ensure that the family is accessing services, at the moment it is simply a voluntary matter. The family either says, “Yes, we will be involved and use the services” or “No, we won’t.” This element places a compulsion on those parents who are particularly recalcitrant. Reports from established services indicate a very high retention rate for parents who engage with services. The evidence already shows that there is a high retention rate for those parents who engage; up to 95 per cent, which is very high. That means that 95 per cent of parents who engage are actually retained, which can of course have a direct effect upon the reduction of antisocial behaviour etc. However, we need to understand that 44 per cent of all referred parents refuse to cooperate. Presently, there is no compulsion for them to cooperate.

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Ms S.E. Walker: Does that mean that if a child is truanting and the parents are letting the child stay at home and watch TV, there is nothing the state can do about it?

Mr D.A. TEMPLEMAN: Effectively, if we had a parenting order mechanism, there would be a compulsion for the parents to engage with the services. The point that the member for Hillarys made earlier was that the government seeks to penalise -

Ms S.E. Walker: Yes, I am interested in that.

Mr D.A. TEMPLEMAN: That is not what we seek to do. When a parent genuinely attempts to engage and work with a service, there is no guarantee of success. We know that there are children and young people in our community who are, no matter what happens, very difficult to change in terms of their behaviour and practices. We acknowledge that. With this legislation we are saying that we need to have an armoury of mechanisms to draw upon, when needed and when appropriate, to ensure that parents take responsibility. That is the whole purpose of this legislation. The members in the upper house took away what we consider to be an essential element of that armour.

Dr S.C. THOMAS: I will address a couple of matters. I was one of the members on this side of the House who contributed to this debate about two years ago. I want to correct some of the things that the minister has said. The first is that the support from the opposition party in this house changed remarkably between the Legislative Assembly and the Council. That is not the case. I refer the minister to my comments during the second reading debate.

Mr D.A. Templeman: How did you vote?

Dr S.C. THOMAS: I will explain it to the minister. I have only four and a half minutes in which to explain why we voted the way we did. Patience is a virtue. At that time, I said that the opposition would not oppose this bill but that we had serious concerns with it that needed to be addressed. Although we did not oppose it, we did not necessarily support it. We simply let it go to the upper house for it to make the repairs that were required.

Mr D.A. Templeman: What an interesting way of explaining it. If you opposed the clauses, you should have opposed it in the debate.

Dr S.C. THOMAS: The minister might laugh and scoff but the government's policy will get through in the Legislative Assembly because the government has the numbers at the end of the day. In this case, the opposition let the legislation go to the Legislative Council. If the minister reads my comments, he will see that I said a number of things. I said that we would not oppose it in this chamber, which we did not; we let it go through. Unfortunately, the Legislative Council often has to pick up the shortcomings of the legislation presented by this government.

The ACTING SPEAKER (Mrs J. Hughes): Before the member continues, I draw his attention to the fact that we are dealing with the deletion of a line in clause 3 on page 2. This is not an opportunity for the member to canvass the issues raised in the second reading debate. We are going through the consideration in detail stage that relates to this clause. I ask the member to come back to the issue that we are debating.

Dr S.C. THOMAS: I was responding to the comments the minister made on the same clause, of course. I said at the time that we had hold of a tiger by the tail. That is the reason it occurred in the way it did. It is unfair for members in this house to be blamed for that.

Mr R.F. Johnson: I think you are giving an argument as to why we oppose what the minister is moving in relation to opposing the amendment.

Dr S.C. THOMAS: It does not matter which amendment we pick because the same debate will occur amendment after amendment. It comes back to the simple principle of punitive damage. This is about applying a punitive policy of this government, whichever court the matter is taken to, that will not be able to be delivered on. In this chamber, the opposition's position during the original debate was to allow that clause to go through and to let the minister fall over himself. The position elsewhere was to try to correct his misgivings or his failings. That is where the situation sits.

Mr D.A. TEMPLEMAN: Over the past two weeks, members opposite have talked about law and order. They have highlighted photographs of unfortunate victims of a variety of very serious and inappropriate crimes. All the comments, including from the member for Hillarys and others, have been about ensuring that we tighten the laws and that we make stronger laws to deal with those people in our community who are causing major problems. Members opposite are now arguing that we should not be doing something that is seen as central to this legislation. This is a mechanism to engage recalcitrant parents. Parents who are not interested in their children's welfare and who do not take a keen and active interest in ensuring that the services either they or their families need will be obliged to engage in certain services. This is the key element of the legislation. There is a

punitive element to it, but that is at the end of a very important process. This provision deals with children who are continually truant, who cause difficulties at train stations and who are about to become involved in juvenile crime, with all the consequences that entails. This part of the legislation is central. During the second reading debate on this legislation when Geoff Gallop was Premier, we said that we needed to look at what is occurring in families in Western Australia. Some families need extra support and should be accessing services. Some families have children who are in danger of engaging with the juvenile justice system. Some children are truant or are graffitiing property and are behaving unacceptably. There is an obligation on the parents of those children to engage with the services that are available in their communities to try to address that inappropriate behaviour. Given that over the past two weeks the opposition has been consistently attacking the government regarding law and order issues, I would have thought that opposition members would be jumping over themselves to support the thrust of this legislation that calls upon those parents whose children are causing problems to take on an obligation.

Several members interjected.

Mr D.A. TEMPLEMAN: The opposition has gutted it in the other place. The opposition supported the legislation in this house. I have never heard a more pathetic comment than the member for Capel's comment about supporting the clause in this house but that when it went to the other place, the opposition decided that it did not like it. If the member did not like this clause or the central element of this legislation, he should have voted against it and divided on it when it was debated in 2005. The fact is that the member did not vote against it.

Dr S.C. Thomas: How would you have voted?

Mr D.A. TEMPLEMAN: We supported the legislation because it is our legislation and the opposition did not oppose it in this house. The opposition has opportunities in this place to register either its support for or its opposition to a bill or particular clauses. The opposition failed to do that and it has been caught out. In future whenever the member for Capel comes into this place and attacks the government or derides the fact that there are children in the community who are causing problems, that there are truancy issues and that opposition members do not know what to do with the parents because the parents do not seem interested, let us remember this time, because the opposition opposed this element of the legislation. It should not have opposed it. If it had supported it, we would have in place a central part of this legislation that would allow us to ensure that parents take responsibility for their children and work with the services that are available. That is the crux of the legislation. The opposition has suddenly said that it does not agree with this clause. If the opposition did not agree with it, it should have voted against it in the second reading debate.

Ms S.E. WALKER: The government wants to be able to report parents who do not respond. I have done trials in sentencing in the juvenile courts in this state. Some members would be shocked by the multiple pages of criminal offences that some young people present to court. They are a nuisance to society. Some parents do not take responsibility in many respects. I am trying to pin down the minister. If the parents go to court but they do not respond, what will happen to the parents?

Mr D.A. TEMPLEMAN: If the parents do not respond to a parenting order, there is a mechanism to return them to court for determination. It could include a fine but, of course, the court could order a range of -

Ms S.E. Walker: The court can't impose a fine. The standard practice in the courts is to not impose a fine if people cannot afford it.

Mr D.A. TEMPLEMAN: That is true. However, a later court order could include a requirement to engage in services, to attend parenting courses or engage in other supports that deal with the specific problem that the family or parent may have.

Ms S.E. Walker: As it has been said to me, we are talking about a marginalised group of people who are not well off. A fine may be imposed and, because the parents cannot pay it, the bailiff will be sent to their home to confiscate their television set or DVD player. In my experience, the court never imposes a fine on people who do not have the means to pay it. I am not trying to be tricky. The court cannot impose a fine on the parents. Can the court impose a prison sentence?

Mr D.A. TEMPLEMAN: The court can impose a fine if the parental orders are in place.

Ms S.E. Walker: If a fine is imposed, will money be deducted from their pay so that there is no need to involve the bailiff?

Mr D.A. TEMPLEMAN: Those sorts of elements would be determined by the court when it considers the circumstances of a person.

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Ms S.E. Walker: Upper house members are disturbed - I have spoken to one briefly - by the fact that people who have a marginal economic existence will be further marginalised economically because they cannot pay the fine and will have their household goods taken away from them.

Mr D.A. Templeman: Again, the court will have the power to recommend a number of options. Many people who end up in the court system - the member for Nedlands is probably more aware of this than I - particularly young people, are quite often, but not always, from families that experience a range of challenges.

Ms S.E. Walker: And sometimes the parents do not take responsibility.

Mr D.A. Templeman: That is very true. The amendments that have been suggested will compel parents who may be experiencing alcohol or drug dependency issues to get their act together and be responsible for their behaviour. The whole aim of this is to ensure that parents understand that their behaviour and attitudes towards parenting may need to be addressed because they are obviously having a direct impact on their children. The aim of this element is to engage them earlier rather than later. If children demonstrate certain behaviour - I refer, for example, to truancy, but there are others - we want to be able to engage them early. The earlier we engage, the earlier we will ensure that the parents and families receive support. In that way, we are more likely to have a positive impact on the children of those families and on the parents if they are experiencing issues. We need these capabilities because they are central to the legislation.

Ms S.E. Walker: The Minister for the Environment has not answered my question. Is a fine the only punishment that the court can impose on the parents? Can the court order the parents to undergo drug and/or alcohol counselling? What is the relevant clause in the bill?

Mr D.A. Templeman: Fines are not the only mechanisms. Other mechanisms include work and development orders, which include recommendations for counselling for drug and/or alcohol dependency, parenting courses and anger management courses. The parenting responsibility court element will help parents understand that they have an obligation to engage in those programs. The statistics that relate to the parent support operations that exist in the metropolitan area - an operation will soon commence in Peel - have shown that voluntary engagement works to a certain extent. A large percentage of referred parents - some 47 per cent - refuse to cooperate. Those parents need to cooperate, and that is the flavour of this legislation.

Ms S.E. Walker: Where in the bill is there reference to punitive measures?

Mr D.A. Templeman: They are in clause 20.

Ms S.E. Walker: Prior to our debate on the Children and Community Services Act, strong legislative provisions meant that children who were being neglected or abused could be taken from their families. As a result of the passing of the Children and Community Services Bill, which I opposed, those provisions were replaced by certain orders. How do those orders fit in with these orders? Are they being duplicated in any way?

Mr D.A. Templeman: The specific element the member mentioned as part of the Children and Community Services Act 2004 related to child protection orders, which have a separate status or character.

Ms S.E. Walker: The provisions related to physical abuse and neglect. Can that act be used to deal with this type of behaviour and cover what it is the government is trying to do?

Mr D.A. Templeman: The answer is no, because part of the child protection element of that legislation requires a determination of abuse of a child.

Ms S.E. Walker: Or neglect?

Mr D.A. Templeman: Yes. However, the flavour of this legislation is about early intervention and recognising that some behaviours cannot be determined as abuse within the confines of the Children and Community Services Act. What we are saying is that we want to get in early. If indications suggest that a child could be at risk, we want to be able to work with that child's family. The aim is to ensure that we work with families before they reach the stage at which the child needs to be taken into care. That is the intention. Some families will need only one or two sessions. Some people will need assistance with their parenting capabilities. That help is readily available through both government and non-government agencies.

Mr R.F. Johnson interjected.

Mr D.A. Templeman: People who do not want to be involved will be obliged to engage.

Mr R.F. Johnson: How will you compel them?

Mr D.A. Templeman: We will compel them through the court order process that is in place.

Mr R.F. Johnson: What if they don't take any notice of the court order?

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Mr D.A. TEMPLEMAN: If they are ordered to engage, they will be compelled to engage in a range of services. I think that is a good thing.

Mr R.F. Johnson: A lot of them do not take part in court orders. They just will not do it. What form of compulsion will be put upon those parents - prison?

Mr D.A. TEMPLEMAN: No.

Mr R.F. Johnson: So if they are not going to take part in court orders, and you are not going to send them to prison -

Mr D.A. TEMPLEMAN: The member has argued in this place about a range of inadequacies and about not having appropriate responses. This is an appropriate response that will require parents to engage in support services, because that will make a difference to how they will be able to support their children. We have put in place a mechanism that is central to this legislation to ensure that parents understand that they have an obligation to support their children.

Mr R.F. Johnson: But it does not compel them.

Mr D.A. TEMPLEMAN: When the member comes into this place at some other time and, as he has often done in the past, attacks this government because children are running around on our railway systems and are committing graffiti when they should be in school, I will remind him that he opposed this clause. The member is opposing engaging with families to ensure that they understand that they have an obligation to support their children. That is what the member is opposing by not supporting the reinstatement of this clause.

Dr J.M. WOOLLARD: I apologise if the minister has already mentioned this matter, but I want to refer to report 5 of the Standing Committee on Legislation on the Parental Support and Responsibility Bill. The report states at paragraph 2.22 -

The following themes emerged from stakeholders through written submissions and during public hearings:

- The Youth Legal Service Inc Western Australia (**YLS**), the view that the State has a role in assisting parents to understand their responsibilities in relation to the setting and enforcing of behavioural boundaries for children, but this is best brought about by therapeutic and counselling approaches rather than court driven interventions.

The report states that it is best if these matters do not go to a court. However, the proposed amendment that we are debating is to delete the line at page 2, line 23 -

“Court” means the Children’s Court;

If we delete the words “Children’s Court”, which court will then have jurisdiction under this bill to deal with these matters?

Mr D.A. Templeman: We are not deleting the words “Children’s Court”. We are reinstating in the legislation the capacity for parenting orders to be made through the civil arm of the Children’s Court.

Dr J.M. WOOLLARD: This bill refers constantly to the court. Which court is it referring to?

Mr D.A. Templeman: The Children’s Court.

Dr J.M. WOOLLARD: Then why is it proposed to delete those words, because that will leave it open, depending upon the circumstances, for these matters to be dealt with by any court?

Mr D.A. TEMPLEMAN: We are not deleting the words “Children’s Court”. We are actually reinstating those words, because the upper house has taken them out.

Dr J.M. WOOLLARD: Okay.

Mr M.P. Murray interjected.

Point of Order

Ms S.E. WALKER: Madam Acting Speaker, the member for Collie-Wellington is not in his seat, and he is yelling abuse at the member for Alfred Cove, as the men on that side seem prone to do.

The ACTING SPEAKER (Mrs J. Hughes): Order! Member for Nedlands, I take your point. If the member for Collie-Wellington wishes to speak, he must take his seat.

Debate Resumed

Ms S.E. WALKER: I am not trying to be tricky or funny, but it seems to me that provisions are already in place under the Children and Community Services Act to deal with this matter. We debated that legislation at length over some period of time. It seems to me that if a child is truanting with the consent of his or her parents, that

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would constitute neglect of a child, and the department would have the power under that act to apply to the Children's Court for an order to safeguard the wellbeing of the child. Section 3 of the Children and Community Services Act 2004 states -

“wellbeing” of a child includes the care, development, health and safety of the child

I would have thought that if parents are not exercising their responsibilities and their child is going around train stations and is a habitual offender, as some of these children can be, those parents are neglecting the care, development, health and safety of their child, and the department could then apply to the Children's Court for a provisional order.

The ACTING SPEAKER: Order! Member for Nedlands, I am sorry to interrupt, but a lot of discussion is taking place in the house and I am having a bit of difficulty hearing the debate.

Ms S.E. WALKER: Section 43 of the Children and Community Services Act refers to the types of orders that can be applied for. The first is a protection order (supervision). The second is a protection order (time-limited). In other words, the department can say, “Here are the facts. We want to apply for this order, because we want these parents to perform and to ensure that their child does (a), (b) and (c).” As I recall, the department can also ask the parents to participate in programs. If the department already has that power under the Children and Community Services Act, why do we need to double up in this bill? Is there something more in this bill that is not in the Children and Community Services Act?

Mr D.A. TEMPLEMAN: I thank the member for her comments. Members need to understand that the Children and Community Services Act is related particularly to what is now the Department of Child Protection. The aim of this element of the parental responsibility legislation is to engage parents and children who need support services at an early stage before they potentially move into a care and protection determination or jurisdiction. These two pieces of legislation are quite separate. We are focusing on engaging parents and children at an early stage, because if we can do that, we will have a better chance of dealing with and addressing some of the issues that may be expressed by the child or children, and, indeed, of assisting parents who may be experiencing particular difficulties or have concerns. That is the whole point of parenting orders. As I have said previously, the research and the information that we are getting from our parent support centres is that if there is not an element of compulsion, it makes it more difficult to engage with parents. We are saying that a court-ordered process is needed sometimes to ensure that those parents understand that they have a responsibility to engage. They might be referred to anger management courses or to drug and alcohol services. The children, in that case, may need some sort of support service to deal with behaviour, etc. We are saying that, quite frankly, this legislation needs this critical component. The opposition disagrees, but we believe it is essential. Statistics already show that the compulsion element makes it more likely that greater success rates will be achieved. That is the simple philosophy, and that is why the government is seeking, through its response to these amendments, to reinstate all elements relating to parental responsibility court orders. That is why the word “court” appears in various places in the original legislation.

Mr R.C. KUCERA: I will quickly add to what the minister has said about tackling this problem. In a previous life, I was in charge of the truancy unit of the Western Australia Police. One of the great difficulties here is that truancy is often an indication of a problem within a family in relation to a particular child, before that child comes anywhere near the Children's Court system. Often, attempts have been made to deal with the issues with the parent and a child through the school and the education system. The main thrust of this piece of legislation, as the minister has said, is that it provides an additional safety mechanism for the education and child protection authorities, to be able to bring parents before the court. The unfortunate fact of life is that many of these parents will respond only to a court order. For many of them, their lives have been constantly intertwined, since they were children themselves, with the court system, and the only time they will respond to authority is if there is some formal order or some formal action before a court. It is an unfortunate fact of life that that is the case. This is particularly so in the case of children of Indigenous communities. I do not single them out, other than to say that there are particular needs to engage them within the system. I was disappointed when the upper house withdrew this part of the bill. As the minister said, it is part of the main thrust of the legislation.

From a practical perspective, having been exposed to this kind of process for more than 30 years, I know for a fact that, under governments of both persuasions, the police have constantly asked for the capacity to bring parents before courts to deal with children and their problems, and to bring in the support agencies before the child gets to the stage at which the police need to invoke criminal sanctions and bring the child before a court on criminal charges. This legislation allows us to get in first. Where the issues are to do with the Department of Education and Training, this legislation allows this to happen. This legislation was not brought in without a great deal of discussion. There is a distinction between children who are at risk and whose parents who will not engage in dealing with the risk issue, and children who have already entered the criminal justice system. There

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is a real, desperate need to keep those children out of the system, and that is what this legislation is all about. I fully support it.

The ACTING SPEAKER (Dr S.C. Thomas): Before proceeding with consideration of these amendments I advise members that, over the past three quarters of an hour, debate has ranged over a number of areas, most of which relate to second reading debate matters rather than the amendment before the house. As I have now moved into the chair, I have decided it is time to start cracking down on the standing orders of the house. I ask members to address themselves to the clause to which the amendment pertains. The amendment before the house is amendment 4, which pertains to clause 3, which defines “court” as meaning Children’s Court. If members wish to decide that they want the word “court” to mean something else, I suggest they seek the call. Otherwise, I would like them to find a more appropriate point at which to debate the issues.

Ms S.E. WALKER: This is a very important clause, and it should be debated. It revolves around the whole thrust of the bill. This amendment is seeking to reinsert the provision for a court to make a parental responsibility order. It is more than just the name of a court; it is actually about whether the parental responsibility order should be brought before a court and made a court order, as I understand it. Is that not so?

The ACTING SPEAKER: Before the minister replies, I have just discovered that the clause dealing with making a parenting order is clause 12. I refer members to amendments 15, which deals with clause 12, and 16, which deals with clause 13. I propose that if they wish to debate those clauses, that is the appropriate place to do so. If the minister wishes to debate that -

Mr D.A. TEMPLEMAN: The member for Nedlands wishes me to respond to her last question. The government is opposing the amendment made by the upper house to this definition. Therefore, the definition of “court” will remain as proposed by the government in the original legislation.

Ms S.E. WALKER: In relation to that clause, I am asking the minister to explain what the ramifications will be for the legislation, if we vote for or against that clause.

Mr D.A. TEMPLEMAN: By opposing this amendment from the Legislative Council to this clause, we will be reinstating the principle of a parenting responsibility order as highlighted in clause 12.

The ACTING SPEAKER: I remind members that the amendment we are considering deals specifically with the definition of “court”. I am afraid that my patience is wearing thin in this debate.

Dr J.M. WOOLLARD: I appreciate that the minister has said that the government is trying to put the court back into this bill, and I believe we will be going through clause after clause. I read out from the standing committee report that said that the committee did not want these issues going to a court. I asked the minister previously, whether removing this definition of “court” would mean that this bill would be subject to the Family Court of Western Australia. I asked the minister whether this bill could come under the jurisdiction of other courts if this definition were not included.

Mr D.A. TEMPLEMAN: Put simply, if the definition were removed, which is what is proposed by the opposition -

Dr J.M. Woollard: It could mean any court.

Mr D.A. TEMPLEMAN: Yes - any court; it would not be a tight definition. The definition we are referring to, as per the original bill, is very specific, and that is the government’s intention.

Dr J.M. Woollard: Does that mean that this bill could go to the Family Court? What other courts would it be applicable to?

Mr D.A. TEMPLEMAN: First of all, it would be unworkable because it would then be unclear which court is being referred to. We are specifically referring to the Children’s Court. Therefore, that is why we have defined that in the original legislation.

Dr J.M. Woollard: The minister is then saying that without this definition the bill would be unworkable? Is that what you just said?

Mr D.A. TEMPLEMAN: It would be very poor legislation because we are not defining the specific court that we want these orders to refer to. That is why we have put it clearly in the definition.

Dr J.M. Woollard: If it was not there, the fact that you put it on record would not make it unclear because the courts would look at that.

Mr D.A. TEMPLEMAN: It would because it is only referring to a court. This is standard in legislation. I do not think we should get bogged down with this issue because the fact is that the government has defined, in its original legislation that passed this place, the court we are referring to. That is in the definition. That is why we oppose what is being put forward.

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Dr J.M. Woollard: If something is going to court, I think it should go to the Children's Court but I wanted it put on record that it would be only the Children's Court otherwise if this were deleted and the word "court" stays in all the other clauses that we will debate, I believe it would leave it open. Western Australia is the only state to have a family law court. I believe that people may try to put issues in relation to parental support to the other courts for their consideration.

Mr D.A. Templeman: I look forward to the member supporting the government on this -

Dr J.M. Woollard: I will have a close look at report No 5 from the standing committee.

Mr D.A. Templeman: - because it will determine that clear definition for the member.

Ms S.E. Walker: By deleting the line "'Court' means the Children's Court;" does it mean that a parental responsibility order is still on foot and can never go to a court for enforcement?

Mr D.A. Templeman: I have an answer similar to the one I gave to the member for Alfred Cove. If we do not have a clear definition, interpretation of this will be unclear. We are ensuring that it is very clear about which court we are referring to. Therefore, that is why it is referred to in the original government legislation - the original clause passed in this place.

Ms S.E. Walker: By deleting the line "'Court' means the Children's Court;" is the effect that the parental response of the order is still on foot? Can people still get a parental responsibility order?

Mr D.A. Templeman: No, they would not.

Ms S.E. Walker: Is that thrown out the window?

Mr D.A. Templeman: There would be no reference or guidance as to which court that person could seek such an order from. The member should remember that it is the upper house's amendment that we are asking her to oppose in regard to this definition.

Ms S.E. Walker: Yes. With the deletion of the line, what is the purpose of the bill? What is left?

Mr D.A. Templeman: There are a number of amendments from the upper house that we are opposing because they gut from the original legislation the capacity for parental orders to be made and enforced.

Ms S.E. Walker: At all?

Mr D.A. Templeman: Yes. What we have done and what we are doing is to reject a number of amendments from the upper house that specifically gut that intention. We are reinstating the original clauses. Where parental court orders or the court is mentioned, we obviously oppose those amendments because the upper house has attempted to take out the capacity of the bill to refer to court orders and court-related matters.

Ms S.E. Walker: I have listened to what the minister has said but I have not read the upper house committee report.

Mr D.A. Templeman: You have?

Ms S.E. Walker: No, I have not. That is what I have been trying to ascertain from the minister because I have an interest in what happens to children. I am not satisfied that the state cannot already achieve what it wants through the court under the Children and Community Services Act 2004. I do not know whether an analysis was done of that in the upper house by that committee. I cannot support the amendment because, looking at the Children and Community Services Act, the state already has enormous powers given to it to intervene in relation to children who are misbehaving. That is done under provisional care plans and other time-limited protection orders if children are being neglected. There is no age limit on it; they can be done at a very young age, even from before birth. If the department thinks that a child is being neglected or its wellbeing is being impaired - which could include truancy or any of the issues we have talked about - I am not persuaded. However, I do not know whether the upper house has had a look at that. I thank the minister for responding to my question. For that reason I am not satisfied that there is not already a very significant power in place that will enable the department to ensure that it can deal with the situation is the minister is talking about.

Dr J.M. Woollard: It is not often we have legislation that goes to and from the houses. It looks like this legislation, because the government had the numbers in this house and does not always have the numbers in the upper house, might be such legislation. In the executive summary of the Standing Committee on Legislation report on this bill it states, in part -

The Committee found broad community support for the concept of responsible parenting agreements in response to both the Office of Crime Prevention's Discussion Paper and during hearings into the Bill. However, in the majority -

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The ACTING SPEAKER (Dr S.C. Thomas): Order! Just before the member continues, clause 12 of the bill deals with responsible parenting orders. If the member is going to go into debate on responsible parenting orders, she needs to be very specific. Clause 3 of the bill deals with the definition of “Court”. She needs to be very specific about her debate. This is not an opportunity for a broader debate.

Dr J.M. WOOLLARD: I will come to that. This part of the executive summary deals with the legislative part we are dealing with, which is whether the Children’s Court should be in the bill. I will read that part of the summary again -

The Committee found broad community support for the concept of responsible parenting agreements in response to both the Office of Crime Prevention’s Discussion Paper and during hearings into the Bill. However, in the majority of cases this support did not extend to responsible parenting orders. Many stakeholders preferred non-legislative means of responding to irresponsible parenting.

That is what I am saying; it comes back to this bill because we are dealing with whether this bill should define “Court” as the Children’s Court. Do we need legislation for these issues to go to court? The minister has said that not retaining that definition makes a nonsense of the legislation because people would not know what court a matter would go to. According to the summary, the President of the Children’s Court said -

The programs put in place to support the proposed legislation are excellent and should be commended and supported. However I don’t think that the proposed legislation is necessary for such practical supports to be put in place.

That is saying that although there is agreement with what the government wants to do with this area, it is not thought necessary to go to the court. That is what this clause is all about: should this legislation go to a court and should that court be the Children’s Court? That is what the amendment is all about. Will it delete the line that states that the court is the Children’s Court?

Point of Order

Mr D.A. TEMPLEMAN: The member’s argument relates to a clause and an amendment we will be debating later. This is specifically about the definition.

The ACTING SPEAKER: I agree with the minister. I uphold the point of order. If the member wants to debate her point further, she needs to do it when we deal with clauses 12 or 13. We need to progress with this amendment.

Debate Resumed

Dr J.M. WOOLLARD: Am I able to ask the minister what the current time delay is when something goes to the Children’s Court and whether people wait two weeks, 12 weeks or four months?

Mr D.A. Templeman: That is not relevant to the clause in question.

The ACTING SPEAKER (Dr S.C. Thomas): Nobody is on his or her feet.

Dr J.M. WOOLLARD: Mr Acting Speaker?

The ACTING SPEAKER: The member cannot stand again once she has sat.

Ms S.E. WALKER: I would be interested in hearing what the member for Alfred Cove has to say.

The ACTING SPEAKER: Member for Alfred Cove, but strictly on the basis of relevance.

Dr J.M. WOOLLARD: We are currently debating the deletion of -

“Court” means the Children’s Court;

This house has recently moved many matters from courts to tribunals. I am concerned that our insertion of the Children’s Court into this legislation will cause a great delay to parental support that can be given in the community, so I do not think that I can accept and support this line going back into the bill. The minister is not willing to give an answer to what is currently happening in the Children’s Court and how long cases are taking in the Children’s Court.

Mr D.A. Templeman: How am I supposed to know at this point in time? You are talking about a hypothetical situation.

Dr J.M. WOOLLARD: The minister is dealing with the Children’s Court, yet he does not know. He should adjourn the debate and get some answers.

Several members interjected.

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The ACTING SPEAKER: Order! This is not an opportunity for a wide-ranging debate. The member for Alfred Cove has adequately made her point on that amendment. I ask her to resume her seat. If any member wishes to debate the amendment before the house, I ask them to do so, otherwise I suggest that we move forward.

Question put and passed; the Council's amendment not agreed to.

Mr D.A. TEMPLEMAN: I move -

That amendment 5 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Leave granted for amendments 6 to 8 to be considered together.

Mr D.A. TEMPLEMAN: I move -

That amendments 6 to 8 made by the Council be not agreed to.

These amendments relate to responsible parenting orders and make reference to courts again. I am subject to the will of the house. The government will be opposing amendments 6, 7 and 8.

Question put and passed; the Council's amendments not agreed to.

Mr D.A. TEMPLEMAN: I move -

That amendment 9 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Leave granted for amendments 10 to 12 to be considered together.

Mr D.A. TEMPLEMAN: Amendments 10, 11 and 12 also refer to elements of our previous debate relating to courts and parental responsibility orders. I move -

That amendments 10 to 12 made by the Council be not agreed to.

Question put and passed; the Council's amendments not agreed to.

Mr D.A. TEMPLEMAN: Amendment 13 relates to part 3 of the bill, information sharing. I move -

That amendment 13 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Mr D.A. TEMPLEMAN: I move -

That amendment 14 made by the Council be not agreed to.

Question put and passed; the Council's amendment not agreed to.

Mr D.A. TEMPLEMAN: The government has a substitution for amendment 15, which appears on page 41 of the notice paper. I move -

That amendment 15 made by the Council be not agreed to and that the following amendments be substituted -

Clause 12.

Page 10, line 5 - To delete "(Community Development)" and substitute -
(Child Protection)

Page 10, line 6 - To delete "(Justice)" and substitute -
(Corrective Services)

Ms S.E. WALKER: This appears to relate to clause 12 of the bill.

Mr D.A. Templeman: That is correct.

Ms S.E. WALKER: It is a major plank of the bill and relates to responsible parenting orders. Does deleting the amendment to which the minister is opposed mean that the state will no longer be able to make responsible parenting orders?

Mr D.A. Templeman: That is correct.

Ms S.E. WALKER: Is it possible for this legislation to work on a complementary basis for responsible parenting orders under clause 12? Will this bill still stand? Will we have a bill at the end of the day that refers

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to a responsible parenting order when it cannot be complementary to an order that can already be sought under the Children and Community Services Act? I am having a little difficulty understanding why we need this bill at all, given the Children and Community Services Act is about the protection and care of children and their wellbeing. Under clause 12 we are looking for a responsible parenting order. A responsible parenting order is one that requires a parent to attend parent guidance counselling and take all reasonable steps to ensure the child attends school, to ensure the child avoids contact with a specified person or persons, and avoids a specified place or specified places. The Community Services Act 2004 - still dealing with clause 12 - in comparison states that the state can seek from the Children's Court a care and protection order in the forms that I have already outlined. There are time limits on it, and it can apply from any age from zero to 18 years. The act provides that this can be done if a child has suffered or is likely to suffer harm as a result of any one or more of the following - physical, sexual or emotional abuse, psychological abuse or neglect - and the child's parents are not protected.

Point of Order

Mr J.C. KOBELKE: Mr Acting Speaker, I ask you to consider that the member is again going well beyond the matter that is before the house in the consideration of the amendments from the other place. There are two elements for us to consider. The first is the amendment from the other place, which is being disagreed to, and that relates to an application for a responsible parenting order. The member is speaking on a whole lot of other matters that go well beyond merely the application. The second part relates to the substitution of two terms to update them, which is clearly an administrative matter. I put it to you, Mr Acting Speaker, that anyone speaking to the current matter before the house must speak specifically to the requirements of an application or to the technical changes that the minister is suggesting should be made, and no other matter, as it is not a general debate.

The ACTING SPEAKER (Dr S.C. Thomas): My ruling is that the member is discussing the need for the clause. Therefore, the need for the clause would come under this part of the debate. However, I direct the member for Nedlands to get to the end of her remarks as quickly as possible.

Debate Resumed

Ms S.E. WALKER: I mean no disrespect to the Acting Speaker's ruling, but I thought we were debating the amendment to try to work out whether we should vote for it. Under the Children and Community Services Act, the minister can do what he is seeking to do because intervention action can be taken against parents under that act. I cannot support what the minister is doing because we already have legislation that protects children in this regard.

Mr C.J. BARNETT: This is one of the principal changes recommended by the upper house committee and the government is opposing the amendment to delete this clause. Far be it from me to defend the upper house, but it strikes me that when the upper house, as the house of review, takes the time to form a committee that holds public hearings and receives submissions, the government should take the committee's recommendations more seriously. This house did not form a committee on the matter. This is a key clause relating to the application of a responsible parenting order. I have listened to members' comments and I am concerned about the courts becoming involved in a relationship between a parent and a child. I am not defending parents who fail to properly raise their children and who do not insist that their children go to school. However, when the court intervenes in a family that might have low levels of education or might be dysfunctional, I fear that this type of intervention could lead to violence in the family and aggressive behaviour, particularly to children. It is a very dangerous ground for governments to intrude into those relationships. That is the type of issue that the upper house looked at.

The government would be wise to think more seriously about the recommendations of the committee's report. It has fulfilled its proper role by reviewing contentious legislation. If the provisions of this legislation go wrong, the consequences could be very severe for individual children and families. This type of legislation is playing with fire. Although it might be good politics and although I might be sympathetic to the view that we should require and order parents to ensure that their children go to school, we are entering into an area that may involve dysfunctional families with alcohol or drug-affected parents. No-one can predict the consequences of parents having court orders issued against them as a result of the behaviour of their children. However, I am almost willing to bet that there will be tragic consequences. We must be very careful with this type of legislation. The minister should go away and think carefully about the recommendations of the upper house.

Dr J.M. Woollard interjected.

The ACTING SPEAKER: I call the member for Alfred Cove to order for the first time.

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Question put and passed, the Council's amendment not agreed to and the Assembly's amendments substituted.

Mr D.A. TEMPLEMAN: I move -

That amendment 16 made by the Council be not agreed to.

Question put and passed; the Council's amendment not agreed to.

Mr D.A. TEMPLEMAN: I move -

That amendment 17 made by the Council be not agreed to and that the following amendment be substituted -

Clause 14

Page 12, lines 9 and 10 - To delete "an order under section 30 of the *Child Welfare Act 1947*" and substitute -

a protection order under the *Children and Community Services Act 2004*

Question put and passed; the Council's amendment not agreed to and the Assembly's amendment substituted.

Leave granted for amendments 18 and 19 to be considered together.

Mr D.A. TEMPLEMAN: I move -

That amendments 18 and 19 made by the Council be not agreed to.

Question put and passed; the Council's amendments not agreed to.

Mr D.A. TEMPLEMAN: I move -

That amendment 20 made by the Council be not agreed to and that the following amendment be substituted -

Clause 17

Page 13, line 23 - To delete "Disciplinary" and substitute -

Discipline

Question put and passed; the Council's amendment not agreed to and the Assembly's amendment substituted.

Mr D.A. TEMPLEMAN: I move -

That amendment 21 made by the Council be not agreed to and that the following amendment be substituted -

Clause 18

Page 14, lines 5 to 9 - To delete the lines and substitute -

(c) no protection order under the *Children and Community Services Act 2004* is in force in respect of the child;

(d) no protection proceedings under the *Children and Community Services Act 2004* are pending in respect of the child;

Question put and passed; the Council's amendment not agreed to and the Assembly's amendment substituted.

Mr D.A. TEMPLEMAN: I move -

That amendment 22 made by the Council be not agreed to and that the following amendment be substituted -

Clause 19

Page 16, lines 1 and 2 - To delete "an order under section 30 of the *Child Welfare Act 1947*" and substitute -

a protection under the *Children and Community Services Act 2004*

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Question put and passed; the Council's amendment not agreed to and the Assembly's amendment substituted.

Mr D.A. TEMPLEMAN: I seek leave to deal with amendments 23 to 36 inclusive.

Mr C.J. BARNETT: I would like an explanation about why they are being grouped.

Mr D.A. TEMPLEMAN: They all relate to definitions and to the capacity to make responsible parenting orders.

Leave granted for amendments 23 to 26 to be considered together.

Mr D.A. TEMPLEMAN: I move -

That amendments 23 to 36 made by the Council be not agreed to.

Question put and passed; the Council's amendments not agreed to.

Leave granted for amendments 37 and 38 to be considered together.

Mr D.A. TEMPLEMAN: I move -

That amendments 37 and 38 made by the Council be agreed to.

Question put and passed; the Council's amendments agreed to.

Leave granted for amendments 39 to 45 to be considered together.

Mr D.A. TEMPLEMAN: I move -

That amendments 39 to 45 made by the Council be not agreed to.

All of these relate to other acts and again refer to the capacity for parenting orders.

Question put and passed; the Council's amendments not agreed to.

Leave granted for amendments 46 and 47 to be considered together.

Mr D.A. TEMPLEMAN: I move -

That amendments 46 and 47 made by the Council be agreed to.

Question put and passed; the Council's amendments agreed to.

Mr D.A. TEMPLEMAN: Amendment 48 relates to new clause 37. I move -

That amendment 48 made by the Council be agreed to subject to the following amendments -

New clause 37(1) is amended after paragraph (b) by deleting "or" and inserting -

- (c) a person who is or was a parent to whom a responsible parenting order is or was directed or in respect of whom an application for such an order has been made;
- (d) a person who is or was a child in respect of whom a responsible parenting order was made or an application for such an order has been made; or

New clause 37(1)(c) is amended by inserting after "agreement" -

, interim responsible parenting order or responsible parenting order

After new clause 37(3) the following subclause is inserted -

- (4) Subsection (1) does not apply to information or material contained in a report of proceedings to which section 35(1) of the *Children's Court of Western Australia Act 1988* applies.

Mr C.J. BARNETT: I would like an explanation for the amendments the government has made to this amendment. I am half agreeing.

Mr D.A. TEMPLEMAN: I thank the member for Cottesloe. The amendments in this clause again relate to parenting orders. As the member is aware, it is the government's intention to reinsert these instruments.

Question put and passed; the Council's amendment agreed to subject to the Assembly's further amendments.

Mr D.A. TEMPLEMAN: I move -

That amendment 49 made by the Council be not agreed to.

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Question put and passed; the Council's amendment not agreed to.

Mr D.A. TEMPLEMAN: I move -

That amendment 50 made by the Council be not agreed to.

Question put and passed; the Council's amendment not agreed to.

The Council acquainted accordingly.