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South Australian Association Of State School Organisations Inc.

Tuesday November 25, 2014

The Hon Tammy Franks MLC
By email

Dear Honourable Member,

Re: Children's Commissioner

We write to you regarding your current consideration, in committee, of amendments to a bill to create a Commissioner for Children.

For years now, SAASSO has called for a dedicated, independent advocate for education and children.

We have heard too many complaints from too many parents. The Debelle inquiry, the sex abuse scandals that dominated the front page of the paper for the following year and the current Families SA crisis are just the tip of the iceberg.

The Debelle Report was damning in its assessment of the department's management of such crises and its focus instead on simply keeping a lid on unfavourable news.

Until you have been through it, you cannot imagine the fear, frustration and sheer anguish a parent feels when trying to help and protect their child, only to be confronted by an inexorable bureaucratic wall.

It seems that only when a story hits the headlines, is anything done. But we cannot rely on the media to be our children's protector.

South Australia's children need someone to look out for them. And parents need somewhere to turn when they are desperate.

As we have previously stated, there are three vital components to a genuine 'advocate' for children:

- 1. They must be independent of control or influence.**
- 2. They must have investigative powers.**
- 3. They must be able to intervene in individual cases.**

We appreciate the development to strengthen these vital aspects. We also acknowledge the commitment by all members to find a compromise.

We ask, however, that you not compromise on any of these three vital factors.

Had there been an empowered Children's Commissioner in 2010, able to investigate individual cases, and act as a true advocate for children, failed by the system - the Debelle inquiry would likely not have been needed. The truth would have come out years earlier, parents would have been told their children had been exposed to a paedophile and counselling would have begun at the time of the crisis.

But a Commissioner with limited powers, hamstrung from investigating individual cases - would have been relegated to author of yet another report, after the fact.

We understand that the issue of the power of the Commissioner to investigate individual cases is a contentious one. But it is also a vital one.

It would actually be preferable for there to be no Commissioner for Children in 2014, than the wrong commissioner - for at least then, the debate would continue. Once you create a commissioner, the discussion will be closed.

Finally, we ask you to consider a selection process that stipulates the involvement of specific, key stakeholders; such as SAASSO. For true independence, it is vital the Commissioner not be a political appointment - which is a risk if the minister of the day simply chooses the Commissioner, or handpicks those who choose the Commissioner.

You have a once-in-a-decade opportunity. For the sake of our children, please do not create a 'toothless tiger'. Our children need a fierce advocate, empowered to stand up for any child in need.

I thank you for your attention.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G Amato', written in a cursive style.

Gino Amato
President