

Children's watchdog needs bite



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August 31, 2016 12:00am

A COMMISSIONER for South Australia's children would be appointed by a parliamentary committee — not a minister — under “tweaked” Government legislation.

The change means the proposal is more likely to gain Opposition approval when it is put to Parliament next month.

It comes as a survey of more than 800 parents and school staff shows overwhelming support for giving a children's commissioner the power to investigate, and intervene in, individual cases.

Both the Layton and Nyland inquiries into the state's child protection system recommended establishing a Children's Commissioner in SA.

Draft legislation put forward by Child Protection Reform Minister John Rau would enable a commissioner to investigate systemic issues and cases which arise during those broad investigations. An individual case could also spark a wider inquiry.

However, the commissioner would not be able to investigate or intervene in the circumstances of an individual case.



Premier Jay Weatherill addresses the Nyland Commission report flanked by Education and Child Development Minister Susan Close and Attorney-General John Rau.

Mr Rau said the commissioner should not act as a “complaints clearing house”.

However, “in the end, it’s a matter for the commissioner in their own judgment”, he said.

There had been concerns about plans for a government minister to appoint the commissioner.

Instead, Mr Rau said Cabinet would suggest names which would ultimately be approved by Parliament’s cross-party Statutory Officers Committee, as is done with the Ombudsman, Electoral Commissioner and independent Commissioner Against Corruption.

The survey by the SA Association of State School Organisations, a peak body representing parents, found 97.8 per cent support for a commissioner to investigate individual complaints.

Of the 871 survey respondents, 89.6 per cent also wanted the commissioner to have the power to intervene in individual cases.

SAASSO director David Knuckey said suffering children “can’t wait for ‘systemic review’ — they need someone to protect them now”.

“Surely a commissioner for children should be empowered to protect an individual child,” Mr Knuckey said.

The Government legislation would impose penalties of up to \$10,000 for obstructing the work of the commissioner, making false statements or victimising an informant to the commissioner.

