

**LEGISLATIVE COUNCIL**

**Child Protection Legislation Amendment Bill 2013**

**First print**

**Proposed amendments**

---

- No. 1 Page 4, Schedule 1 [7], proposed section 10A (3) (c), lines 39-42. Omit all words on those lines.
- No. 2 Page 4, Schedule 1 [7], proposed section 10A (3) (d), line 44. Omit “(a), (b) or (c)”. Insert instead “(a) or (b)”.
- No. 3 Page 5, Schedule 1 [7], proposed section 10A (3) (e), lines 1-4. Omit all words on those lines.
- No. 4 Page 6, Schedule 1. Insert after line 6:

**[20] Section 38A (5) (g)**

Insert at the end of section 38A (5):

- (g) any support to be provided to the parent or primary care-giver or primary care-givers to assist in complying with the terms of the parent responsibility contract, including but not limited to financial, childcare, housing and transport assistance.

- No. 5 Page 6, Schedule 1. Insert before line 7:

**[20] Section 38A (5A)**

Insert after section 38A (5):

- (5A) A parent responsibility contract making provision for or with respect to attendance for treatment, counselling, alcohol or drug testing or participation in any course must include specific detail about the treatment, counselling, testing or course concerned, including the location where, and period and frequency during which, it is to be undertaken.

- No. 6 Page 6, Schedule 1. Insert after line 11:

- (12) The Director-General may arrange for a government department or agency or a funded non-government agency to provide services to a parent or primary care-giver to enable or assist the parent or primary care-giver to comply with the terms of a parent responsibility contract.

- 
- (13) The government department or agency must use its best endeavours to provide the service concerned.

No. 7 Page 13, Schedule 1 [53], lines 4 and 5. Omit all words on those lines.

No. 8 Page 13, Schedule 1 [55], proposed section 83 (5) and (5A), lines 10– 26. Omit all words on those lines.

No. 9 Page 17, Schedule 1 [65], proposed section 91E. Insert after line 45:

- (2) The Children’s Court must not make a parent capacity order requiring a parent or primary care-giver to attend or participate in a program, service or course unless:
- (a) it is satisfied that an appropriate program, service or course is available, having regard to the following matters:
    - (i) the suitability of that program, service or course for the parent or primary care-giver’s needs,
    - (ii) the availability of that program, service or course, including but not limited to, waiting lists, time frames for completion and travel requirements,
    - (iii) the parent or primary caregiver’s capacity to meet any likely costs associated with attending or participating in the program, service or course,
    - (iv) any support to be provided to the parent or primary care-giver to assist in attending or participating in the program, service or course, including but not limited to financial, childcare, housing and transport assistance, and
  - (b) it has ascertained whether the parent or primary care-giver has any reservations or objections concerning attendance or participation in the particular program, service or course (including but not limited to reservations or objections for cultural or religious reasons) and taken them into consideration.

No. 10 Page 19, Schedule 1 [65]. Insert after line 15:

**91J Provision of programs, services and courses**

- (1) The Children’s Court may require the Director-General to arrange for a government department or agency or a funded non-government agency to provide services to a parent or primary care-giver to enable or assist the parent or primary care-giver to comply with the terms of a parent capacity order.
- (2) The government department or agency must use its best endeavours to provide the service concerned.