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The Secretary
House of Representatives
Standing Committee on Legal and Constitutional Affairs
Parliament House
CANBERRA ACT 2600

Dear Sir/Madam

On the 1st June 2005, the *Parental Support and Responsibility Bill* was introduced into Parliament as part of the Gallop Governments Responsible Parenting Initiative. This initiative is based on evidence, that responsible, empowered parenting is a major strategy for successful prevention of and early intervention in juvenile offending and reflects the view that the primary responsibility for the development of young people to become responsible members of the community rests with their parents and extended family networks.

The system of Parenting Agreements and Orders in the Bill are designed to provide parents of children who are engaging in offending, anti social (school and/or community based) or truanting behaviour, with specialist support and assistance to help them take responsibility for their children. In some cases parents will be required to comply with certain conditions through an order. The outcomes sought are to: - increase capacity to parent, improve socialisation of children, improve school attendance, reduce anti social behaviour and reduce juvenile crime.

The Responsible Parenting Initiative has also seen the launch of a specialist parenting service called *ParentSupport*. Currently established in a first stage implementation site, it is intended that the service will be available state wide.

ParentSupport provides assessment based parenting intervention that is responsive to individual needs and linked to developing the parent(s) capacity to manage a child's anti-social, offending or truanting behaviour. The services available include:

1. Group based parenting education and skills training.
2. One on one counselling with parent to improve parenting skills and confidence, and parent / child relationship.
3. Intensive home based visiting to provide a hands-on approach to creating stability and routine, and to support appropriate parenting.
4. Issues-based counselling (provided, on referral, by non government agencies).

5. Parent mentoring by community volunteers who will meet with the parent outside the home to help reduce social isolation, support them in their parenting role and assist in accessing mainstream services. Please note this will be a later development as it will take some time to set up appropriate checks and monitoring systems.

The Responsible Parenting Initiative is committed to ensuring that both the legislation and assessments and interventions undertaken by *ParentSupport* are culturally sensitive and appropriate, and inclusive of men in the role of parent.

The provisions of the *Family Law Amendment (Shared Parental Responsibility) Bill 2005* outlined in the House of Representatives Standing Committee on Legal and Constitutional Affairs terms of reference for review, are consistent with those in the *Parental Support and Responsibility Bill 2005*.

The *Parental Support and Responsibility Bill 2005*, proposes that where appropriate and subject to the best interest of the child, both parents have a responsibility to ensure not only the safety and well being of their children but also the management of their children's behaviour. As such the Bill presents no impediments to a parent being placed on a Responsible Parenting Agreement or Order who no longer resides with their children. This is particularly salient if one considers that from an evaluation of the United Kingdoms Parenting Order trials which involved 3000 parents, 81% of parents who attended guidance sessions were female.

The *ParentSupport* service is also committed to supporting and empowering fathers to share responsibility for management of their children's behaviour by providing 'father friendly' services and models of intervention.

The underpinning principle of the *Parental Support and Responsibility Bill* is that in performing a function or exercising a power under the Act in relation to a child, a person or a court must regard the best interests of the child as the paramount consideration. Clause 41 of the Bill sets out amendments to the *Children's Court of Western Australia Act 1998*. It amends Section 20, which sets out the exclusive civil jurisdiction of the Children's Court, to include the making of responsible Parenting orders within the exclusive jurisdiction of the Children's Court. This is considered appropriate as the Children's Court generally functions in a less formal, less adversarial manner. It is more attuned to the capacity and needs in families and ensures that children, young people and their parents are able to understand the often complex processes of the formal justice system.

This is further reinforced by Clause 27 of the *Parental Support and Responsibility Bill* which requires proceedings for a responsible parenting order be conducted as informally as possible, having sensitivity to a child's ability to understand and as expeditiously as possible. Additionally Clause 29 ensures that a child, though not subject to an order, may at the Court's discretion, have legal representation to act as a conduit between the Court and the child.

Please find attached a copy of the *Parental Support and Responsibility Bill 2005* for your information.

Yours sincerely

Hilary MacWilliam
Principal Policy Officer
Manager Responsible Parenting Initiative
Office of Crime Prevention
Department of the Premier and Cabinet

18 July 2005