

South Australia

**Children's Protection (Recording of Meetings)
Amendment Bill 2010**

A BILL FOR

An Act to amend the *Children's Protection Act 1993*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Children's Protection (Recording of Meetings) Amendment Act 2010*.

5 2—Commencement

This Act will come into operation 4 months after the day on which it is assented to by the Governor.

3—Amendment provisions

10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Children's Protection Act 1993*

4—Insertion of sections 57A and 57B

After section 57 insert:

57A—Recording of meeting etc by Department

- 15 (1) A meeting or other proceeding held under this Act—
- (a) at premises of the Department; and
 - (b) at which a child, or a guardian of a child to whom the meeting or proceeding relates, is present,
- 20 must be recorded by an employee of the Department unless—
- (c) a person present at the meeting or other proceeding, other than an employee of the Department, objects to the recording; and
 - (d) the person's objection is noted in a form approved by the Chief Executive, and signed by the person.

- (2) The following requirements must be complied with in relation to a recording made under this section:
- (a) if it is reasonably practicable to make an audio visual recording of the meeting or other proceeding, such a recording must be made;
 - (b) if it is not reasonably practicable to make an audio visual recording of the meeting or other proceeding, an audio recording must be made;
 - (c) a recording made under this section must be kept by the Department until the youngest person present at the recorded meeting or other proceeding, or the youngest person to whom the recorded meeting or other proceeding relates, has reached the age of 21 years;
 - (d) each participant in the meeting or other proceeding is, on request, entitled to a copy of the recording;
 - (e) each participant in the meeting or other proceeding must be given a written statement informing the participant—
 - (i) that the recording will be kept by the Department until the youngest person present at the recorded meeting or other proceeding, or the youngest person to whom the recorded meeting or other proceeding relates, has reached the age of 21 years; and
 - (ii) of his or her right to obtain a copy of the recording; and
 - (iii) of the procedure to be followed to obtain such a copy.

57B—Recording of conversation

A person may make an audio, or audio visual, recording of a conversation held in relation to a matter under this Act between an employee of the Department and him or herself or a child of whom the person is a guardian if the person informs the employee that he or she intends to record the conversation.