

**Legislative Council—No 108**

As received from the House of Assembly and read a first time, 30 March 2021

South Australia

**Statutes Amendment (Recommendations of  
Independent Inquiry into Child Protection)  
Bill 2021**

A BILL FOR

An Act to amend the *Bail Act 1985* and the *Children and Young People (Safety) Act 2017*.

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**The Parliament of South Australia enacts as follows:**

## **Part 1—Preliminary**

### **1—Short title**

5 This Act may be cited as the *Statutes Amendment (Recommendations of Independent Inquiry into Child Protection) Act 2021*.

### **2—Commencement**

This Act comes into operation on a day to be fixed by proclamation.

### **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 *Bail Act 1985***

### **4—Amendment of section 10A—Presumption against bail in certain cases**

Section 10A(2)—after paragraph (g) insert:

or

15 (h) an applicant taken into custody in relation to an offence against section 86(4) of the *Children and Young People (Safety) Act 2017*.

## **Part 3—Amendment of *Children and Young People (Safety) Act 2017***

### **5—Amendment of section 86—Direction not to communicate with, harbour or conceal child or young person**

20 Section 86(4), penalty provision—delete the penalty provision and substitute:  
Maximum penalty:

- (a) for a first offence—Imprisonment for 3 years; or
- (b) for a second or subsequent offence—Imprisonment for 4 years.