



**W**HEN Danyse Soester and the other members of the governing council of a western suburbs primary school were given the devastating news that the director of their school's after-hours care program had been charged with a serious sexual offence against a student, they had nowhere to turn.

There was a suppression order in place, the school principal told them, and not a word of what they had heard was to be repeated outside of the room.

Ms Soester spoke of having to stand in the playground and listen to parents speculate about the case.

"I had to step backwards out of conversations, bite my tongue, change the subject," she told *The Advertiser* after the release of the Debelle

report. "All I wanted to do was to stand on top of the slippery dip and yell it out at the top of my lungs. I felt I was betraying the trust of so many parents and children."

Ms Soester was convinced that their silence put other children at risk. She refused to back down, and over 2½ years, repeatedly approached law firms, MPs and the State Ombudsman in her bid to inform the school community of the pedophile who lurked among them. Had there been a powerful advocate for children, Ms Soester and the other parents who fought to have the suppression order lifted might have been spared the burden and the anguish of their long struggle to bring the case to light.

Last week, Jennifer Rankine, Minister for Education and Child Development, announced that the Govern-

ment would appoint an independent Commissioner for Children and Young People.

Finally, a decade after Robyn Layton QC called for such an appointment in her Child Protection Review, the Government has acted, the last State Government to do so. Every other state and territory has such an office, and in February then Prime Minister Julia Gillard announced the appointment of the first National Children's Commissioner, Megan Mitchell.

"If there had been a child commissioner, there would have been a place for them to go where the focus would have been on the children," said Ms Layton yesterday.

Ms Soester agrees it might have made a difference, but to dust off a 10-year-old recommendation now falls well





short of what is required.

“A commissioner was the minimum requirement 10 years ago,” she said yesterday. “They’re offering us something so outdated it would be like our boss coming to us and offering us a DOS computer system to work on now. No, we actually need someone with a little more authority and it has to start with an Education Ombudsman,” she said.

While the announcement has been welcomed by the Law Society of South Australia and the Australian Centre for Child Protection, Ms Soester’s concern echoes that of Freda Briggs, emeritus professor in child development, who last week expressed fears that a child commissioner would be a “toothless tiger” if it lacked the investigative powers.

“How valuable this position is, one that we have been campaigning for more than 30 years, will depend on its independence, authority and ability to impact decisions of government,” Prof Briggs said.

At a press conference following the announcement,

Ms Rankine said the Ombudsman had “royal commission powers” over all aspects of government departments.

“So we have someone with investigative powers,” Ms Rankine said.

**T**HE “first port of call” would be an Education Department that was “open to listening to parents and dealing with their complaints”. If they didn’t get satisfaction, they could refer matters to the commissioner, who could then call on the Ombudsman to exercise his investigative powers.

Ms Soester said that having been turned away by eight lawyers and Legal Aid, she had finally approached the Ombudsman. “The Ombudsman’s Office wasn’t interested in what I had to say, they didn’t brush me off, but they needed to be talked into it,” she said.

Minister Rankine acknowledged that direct approaches to the Ombudsman had not been easy for the parents fighting the Education Department’s suppression order. “What we know also is that parents did lodge com-

plaints with the Ombudsman,” she said. “The frustrating thing for parents is they felt like they hit a brick wall at every door they knocked on. I’m making sure now in the work that I’m doing that doors will be open to hear complaints from parents and that they will be considered appropriately.”

Ms Soester said that she had conveyed her feelings to both the Premier and Ms Rankine. “I told them, half-fixed is not all right,” she said. “They half-fixed it 10 years ago when they gave us a guardian instead of a commissioner and now instead of giving us an Ombudsman, they’re giving us a commissioner. So they’re half-fixing it again.”

Professor Fiona Arney, director of the Australian Centre for Child Protection has welcomed the appointment. “The inclusion of children’s views, their rights, their aspirations and their needs will significantly enhance public policy and debate,” she said. Prof Arney said that among the priorities for the new Commissioner

would be addressing the over-representation of Aboriginal and Torres Strait Islander children in our care and protection systems.

“On any given day, one in 20 Aboriginal children are in State Care, and it has been forecast that 80 per cent of Aboriginal children in this State will have been the subject of a notification to child protection by the time they are 17 years old.”

Ms Layton said that her recommendation was for a Commissioner who would be policy-focused, and not a part of the complaints mechanism. Rather than dealing with a specific complaint, it would have looked at systemic failures such as those identified in the Debelle report. She also recommended that an indigenous deputy Commissioner also be appointed.

“If the complaints are going to be with the Ombudsman, and I don’t have an issue with that because that’s what I was suggesting, there’s got to be dedicated staff that can relate to the interests of children,” she said.