

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 16 May 1989

CHILDREN, YOUNG PERSONS, AND THEIR FAMILIES BILL *Further Proposed Amendments*

Hon. Dr MICHAEL CULLEN, in Committee, to move the following amendments:

Clause 36: To omit subclause (1) (all the words in lines 8 to 13 on page 39), and substitute the following subclause:

(1) No evidence shall be admissible in any Court, or before any person acting judicially, of any information, statement, or admission disclosed or made in the course of a family group conference.

Clause 213: To insert on page 125, after subclause (1), the following subclause:

(1A) Nothing in subsection (1) of this section prevents a member of the Police from arresting a child or young person without warrant on a charge of any offence where—

- (a) The member of the Police has reasonable cause to suspect that the child or young person has committed a purely indictable offence; and
- (b) The member of the Police believes, on reasonable grounds, that the arrest of the child or young person is required in the public interest.

Clause 364 (2): To omit from line 37 on page 205 the expression “section 11”, and substitute the expression “section 12”.

Clause 458 (2): To insert in line 32 on page 253, after the word “made”, the words “and to have been made under that section on the commencement of this Act”.

Clause 462: To add the following subclause:

(7) Nothing in subsection (6) (b) of this section applies in respect of any order to which subsection (1) of this section applies if that order was made in respect of a complaint made on any of the grounds set out in any of paragraphs (a) to (e) of section 27 (2) of the Children and Young Persons Act 1974.

Second Schedule: To omit from paragraph (b) (ii) of the item on page 268 relating to the Legal Aid Act 1969 the expression “Part VIII”, and substitute the expression “Part VII”.

EXPLANATORY NOTE

This Supplementary Order Paper makes a number of amendments to the Children, Young Persons, and Their Families Bill.

The amendment to *clause 36* in effect omits paragraph (b) of subclause (1) of that clause. That paragraph is considered to restrict unduly the information that may be made available to a Court as a result of a family group conference.

The amendment to *clause 213* permits the Police to arrest a child or young person without warrant on a charge of any offence where there are reasonable grounds for suspecting that the child or young person has committed a serious offence, and the arresting officer believes that the arrest is required in the public interest. The new provision is designed to allow the Police to arrest on a holding charge a child or young person who is suspected of having committed a serious offence.

The amendment to *clause 458 (2)* will ensure that on the expiry of a guardianship order made under the Children and Young Persons Act 1974 and continued in force under the Bill as a *clause 109* order, guardianship of the child or young person to whom the order relates will revert to all persons who are guardians of the child or young person on the commencement of the Bill.

The amendment to *clause 462* means that a supervision order made under the Children and Young Persons Act 1974 on a complaint made on a care or protection ground will not expire automatically 6 months after the Bill comes into force but will expire at the end of the period specified by the Court when the order was made.

The other amendments correct wrong cross-references.