

LEGISLATIVE COUNCIL
HUMAN SOURCE MANAGEMENT BILL 2023

(Amendments and New Clause to be proposed in Committee by KATHERINE COPSEY)

1. Clause 12, line 2, omit '**aged 14 years or under**'.
2. Clause 12, lines 4 and 5, omit 'who is aged 14 years or under'.
3. Clause 15, line 2, omit '**14 years of age or under**'.
4. Clause 15, line 4, omit 'aged 14 years or under'.
5. Clause 16, lines 8 to 12, omit all words and expressions on these lines and insert—
 - '(1) A police officer, during any interaction with a child concerning the potential registration of that child as a human source, must ensure the presence of at least one of the following—
 - (a) an Australian legal practitioner;'
6. Clause 16, lines 24 to 31, omit all words and expressions on these lines and insert—
 - '(2) For the purposes of subsection (1), the police officer must—
 - (a) consult the child before determining who will be present during the interaction; and
 - (b) if an Australian legal practitioner is not to be present during the interaction, inform the child and the child's parent, guardian or independent person that the child may express their wish to have an Australian legal practitioner present at any time; and
 - (c) take reasonable steps to facilitate the child's wishes in this regard before any interaction with the child takes place or before any further interaction with the child takes place (as the case requires).'
7. Clause 17, lines 3 to 8, omit all words and expressions on these lines and insert—
 - '(1) A police officer, during any interaction which constitutes human source activity with a child who is a human source, must ensure the presence of at least one of the following—

- (a) an Australian legal practitioner;'.
 8. Clause 17, lines 20 to 33, omit all words and expressions on these lines and insert—
 '(2) For the purposes of subsection (1), the police officer must—
 (a) consult the child before determining who will be present during the interaction; and
 (b) if an Australian legal practitioner is not to be present during the interaction, inform the child and the child's parent, guardian or independent person that the child may express their wish to have an Australian legal practitioner present at any time; and
 (c) take reasonable steps to facilitate the child's wishes in this regard before any interaction with the child takes place or before any further interaction with the child takes place (as the case requires).'

NEW CLAUSE

9. Insert the following New Clause after clause 17—

'17A Protections for a child—emergency registrations

- (1) A child is entitled to the presence of the following persons during any interaction between the child and a police officer concerning the potential registration of that child as a human source—
 (a) an Australian legal practitioner;
 (b) either—
 (i) a parent or a guardian; or
 (ii) if a parent or guardian is unavailable or it is not appropriate for a parent or guardian to attend, an independent person.
- Example**
 It is not appropriate for a parent or guardian to be present if the child is to provide information about the parent or guardian or the presence of the child's parent or guardian may place the child or any other person at risk.
- (2) A human source registered on an emergency registration who is a child is entitled to the presence of the persons specified in subsection (1)(a) and (b) during any interaction between the human source and a police officer concerning the child's role as a human source.
- (3) A human source registered on an emergency registration who is a child is entitled to request the presence of a person referred to in subsection (1)(a) or (b) (or both) during any other interaction between the human source and a police officer.
- (4) A police officer must inform the child of the entitlements in subsection (1) before any interaction concerning potential emergency registration of the child takes place between the human source and the police officer.

- (5) A police officer must inform the child of the entitlements in subsections (2) and (3) before any interaction concerning registration or deactivation takes place between the human source and the police officer.
- (6) The police officer must take reasonable steps to facilitate the presence of each person entitled to be present under subsection (1) or (2) or whose presence is requested under subsection (3).'

10. Clause 20, after line 34 insert—

- '(3A) If it is not appropriate for the parent or guardian to give consent to the child's registration, a police officer must ensure that an independent person is present at the time the child gives informed consent.'