

- (c) the facts of the case;
  - (d) the seriousness of the offence;
  - (e) the circumstances in which the offence was committed;
  - (f) the age of the child;
  - (g) the apparent maturity of the child;
  - (h) the apparent mental capacity of the child; or
  - (i) the health of the child,
- the Court is of the opinion that it should not proceed to a conviction, the Court shall, as soon as practicable but, in any case, within 6 months—
- (j) dismiss the charge; or
  - (k) make one or more of the orders referred to in paragraph 47 (1) (a), (b), (f) or (g) notwithstanding that a conviction has not been entered.

#### **Prohibition on certain orders**

- 49. (1)** The Court shall not make an order—
- (a) for the imprisonment of a child;
  - (b) releasing a child upon the child giving security to be of good behaviour; or
  - (c) of a kind referred to in paragraph 47 (1) (h), (i), (j) or (k)—
    - (i) in a case where the Court is not empowered to sentence an adult to imprisonment;
    - (ii) unless the Court is satisfied that, in the circumstances, no other order that might be made is appropriate; or
    - (iii) for a period longer than the period of imprisonment that could have been imposed in respect of the offence if the offence had been committed by an adult.

(2) Nothing in paragraph (1) (b) affects the power of the Court under sections 556A or 556B of the Crimes Act 1900 of the State of New South Wales in its application in the Territory.

#### **Variation or revocation of conditional discharge order**

**50.** Where the Court has made a conditional discharge order in respect of a child, application may be made to the Court by the child or a parent of the child for the revocation or variation of the order.

#### **Breach of conditional discharge orders**

**51. (1)** If a child fails to comply with a condition of a conditional discharge order made in respect of the child, the Court may, at any time, by order served on the child or on a parent of the child, direct that the child appear before the Court at the time and place specified in the notice.

(2) If the child does not appear before the Court as directed, the Court may issue a warrant for the apprehension of the child.

(3) The Court may make, with respect to the child with respect to which the conditional discharge order was made—

- (a) an order revoking the conditional discharge order, together with one or more of the orders set out in sub-section 47 (1), other than a further conditional discharge order; or
- (b) an order that the conditional discharge order continue, for such period as the Court specifies, whether with or without a variation in the conditions.

(4) When making an order under sub-section (3), the court shall, in addition to any other matters that the Court considers should be taken into account, take into account—

- (a) the fact that the conditional discharge order was made;
- (b) anything done under the conditional discharge order; and
- (c) any other order made in respect of the offence in respect of which the conditional discharge order was made and anything done in pursuance of that other order.

(5) The Court shall not make, under sub-section (3)—

- (a) an order of the kind set out in paragraph 47 (1) (c), (d), (e), (h), (i), (j) or (k) unless the Court has first convicted the child of the offence with respect to which the conditional discharge order was made; or
- (b) an order imposing a penalty which, when taken together with the penalty previously imposed in respect of the offence in respect of which the conditional discharge order was made, exceeds the maximum penalty the Court could have imposed in respect of that offence.

(6) The Court shall not specify, under paragraph (3) (b), a period that would result in the total period for which the conditional discharge order is in force exceeding 6 months.

### **Fines and like orders**

**52. (1)** In this section, "fine" includes pecuniary penalty, costs or other amount of money ordered to be paid.

(2) Before a court makes an order imposing a fine on a child, the Court shall have regard to the ability of the child to comply with the order.

(3) The Court may, when making an order imposing a fine on a child, of its own motion or on application by or on behalf of the child, by order—

- (a) allow time for the payment of the fine; or
- (b) direct payment of the fine to be made by instalments.

(4) A child against whom an order referred to in sub-section (2) has been made may, at any time, apply to the Court for an order as mentioned in sub-section (3) or for the variation of such an order.

(5) The powers conferred on the Court by this section are in addition to, and not in derogation of, any other powers possessed by the Court.

**Breach of orders imposing fines, &c.**

53. (1) Where a child in respect of whom an order under paragraph 47 (1) (e) or (f) is made fails to obey the order, the Court may, at any time, by order served on the child or on a parent of the child, direct that the child appear before the Court at the time and place specified in the order.

(2) If the child does not appear before the Court as directed, the Court may issue a warrant for the apprehension of the child.

**Enforcement of payment of fines, &c.**

54. (1) In this section, "fine" includes pecuniary penalty, costs or other amount of money ordered to be paid.

(2) Subject to this section, an order of the Court imposing a fine on a child may be enforced by any means provided by law for the enforcement of a like order of the Magistrates Court.

(3) The Court shall not make an order for the imprisonment of a child in default of payment of a fine.

(4) A warrant shall not be issued committing a child to prison by reason of any failure of the child to pay a fine.

(5) Subject to sub-section (6), where a child fails to comply with an order imposing a fine, the Court may make one or more of the following orders:

- (a) an order remitting the fine or reducing the amount of the fine;
- (b) an order allowing time, or further time, for the payment of the fine;
- (c) an order of the kind referred to in paragraph 47 (1) (a), (b), (c), (d), (g) or (h);
- (d) an order that the child be placed in a shelter for such period, not exceeding 30 days, as the Court specifies;
- (e) an order committing the child to an institution or State institution in a specified State or Territory for such period, not exceeding 30 days, as the Court specifies.

(6) The Court shall not make an attendance centre order or an order as referred to in paragraph (5) (d) or (e) unless it is satisfied that the failure of the child to comply with the order imposing the fine was, in the circumstances, unreasonable.

**Probation orders**

55. (1) A probation order may contain one or more of the following conditions and provisions:

- (a) a condition requiring the child to take part in discussions with the supervisor with respect to the welfare of the child, in particular whether the child should receive some form of treatment, or participate in some form of educational, vocational or recreational activity or other activity, having as its object the welfare of the child; and
- (b) such other conditions and provisions as the Court considers to be desirable in the interests of the welfare of the child, in particular conditions and provisions having as their object the avoidance of a repetition of the offence or of the commission of further offences.

(2) Subject to sub-section (3), the Court shall not specify a period that exceeds one year as the period for which a probation order is to remain in force.

(3) Where the Court considers that it is necessary to do so, the Court may specify a period not exceeding 2 years as the period for which a probation order is to remain in force.

**Probation orders—entry and inspection by supervisor**

56. (1) Where a child who is the subject of a probation order resides with a person who has the care, custody and control of the child, the supervisor of the child may, on reasonable grounds and at a reasonable time—

- (a) enter the premises where the child resides; and
- (b) inspect the premises and the child.

(2) Where a child who is the subject of a probation order resides with a person other than a person who has the care, custody and control of the child, the supervisor may enter the premises where the child resides and inspect the premises and the child if, and only if, the entry and inspection is made—

- (a) with the consent of the occupier of the premises; or
- (b) in pursuance of a warrant issued under this section.

(3) Where an information on oath is laid before a magistrate alleging that there are reasonable grounds for suspecting that—

- (a) a child the subject of a probation order is residing on premises otherwise than with a person who has the care, custody and control of the child; and
- (b) it is necessary in the interests of the child for the premises and the child to be inspected,

and the information sets out those grounds, the magistrate may issue a search warrant authorising the supervisor of the child, with such assistance as he or she thinks necessary and if necessary by such force as is reasonable—

- (c) to enter upon or into the premises; and
- (d) to inspect the premises and the child.

- (4) A magistrate shall not issue a warrant under this section unless
- (a) the informant or some other person has given to the magistrate, either orally or by affidavit, such further information (if any) as the magistrate requires concerning the grounds on which the issue of the warrant is being sought; and
  - (b) the magistrate is satisfied that there are reasonable grounds for issuing the warrant.

#### **Attendance centre orders**

**57. (1)** Where the Court makes an attendance centre order in respect of a child, the order—

- (a) shall specify the number of occasions on which the child is to report at the attendance centre or that the child is to report on such number of occasions in each week as the Director from time to time specifies;
- (b) shall specify the day on which and the time at which the child is to report on the first occasion; and
- (c) may contain such other recommendations with respect to the child's attendance as the Court determines.

(2) The duration of each period during which the child is to place himself or herself in the custody of the Director shall be as determined by the Director.

(3) All the periods of custody need not be of the same duration but the periods shall not be longer than 60 hours in the aggregate in a week.

(4) The days on which and the times at which the child is required to report at the attendance centre after the first occasion shall be as the Director determines but the Director shall have regard to any general directions given by the Court.

(5) The days on which and the times at which the child is required to report, and the period during which he or she is to remain in custody, shall be such as to avoid interference with the education or training of the child or with any genuine religious observance by the child.

(6) The Director may, for good cause, excuse a child from attendance on a particular occasion or on all occasions in a particular week.

#### **Duties of child under attendance centre order**

**58. (1)** A child the subject of an attendance centre order is, subject to this Ordinance, subject to the reasonable control, direction and supervision of the Director or of an authorised person while the child is—

- (a) attending an attendance centre;
- (b) outside the attendance centre in pursuance of a direction of the Director; and
- (c) travelling between the attendance centre and a place outside the attendance centre at which the child is directed to be.

(2) A child shall, while he or she is subject to control, direction and supervision in accordance with sub-section (1)—

- (a) engage in such work;
- (b) take part in such activities (whether physical or otherwise);
- (c) attend such classes or groups of persons; or
- (d) undergo such education or training,

as the Director considers to be in the interests of the child.

(3) Before giving directions to a child under this section, the Director shall take into account the religious beliefs, and any conscientious beliefs, of the child.

(4) A child shall not be required to work under the control, direction or supervision of a person who would benefit by the work performed by the child in any way otherwise than as a member of the community or of a group within the community.

(5) A child is not entitled to any remuneration in respect of work performed in pursuance of this section.

(6) In exercising his or her powers under this section, the Director shall take into account any recommendation made by the Court when the attendance centre order was made.

(7) In this section, "authorised person" means a person declared by the Director in writing to be an authorised person for the purposes of this section.

### Compensation

59. (1) In this section—

"Compensation Ordinance" means the *Workmen's Compensation Ordinance 1951*;

"overtime" has the same meaning as in the Compensation Ordinance.

(2) While a child is working pursuant to an attendance centre order the Compensation Ordinance applies in relation to the child as if—

- (a) the child, in so working, were employed by the Commonwealth under a contract of service;
- (b) paragraph (d) of the definition of "workman" in sub-section 6 (1) of the Compensation Ordinance were omitted;
- (c) for sub-paragraph 1 (c) (i) of the First Schedule to the Compensation Ordinance there were substituted the following sub-paragraph:

"(i) of an amount equal to the sum first mentioned in sub-paragraph (b); or"; and

- (d) sub-paragraphs 2 (b) (i) and (ii) of the First Schedule to the Compensation Ordinance were omitted.

(3) Notwithstanding the provisions of paragraph 1A in the First Schedule to the Compensation Ordinance, for the purposes of the application of that

Ordinance in accordance with sub-section (2), the prescribed amount applicable to a child in respect of a week, for the purposes of sub-paragraph 1 (b) of that Schedule, is—

- (a) in the case of a child who, immediately before the day on which the liability of the Commonwealth under the Compensation Ordinance to pay compensation to or in respect of the child arose—
  - (i) was carrying on a business on his or her own account; or
  - (ii) was unemployed and was not carrying on a business on his or her own account but who, at any time during the period of 12 months ending immediately before the day on which that liability arose, was employed or was carrying on a business on his or her own account,

the amount calculated by dividing by 52 the amount that is equal to the income of the child during the period of 12 months ending immediately before the day on which that liability arose;

- (b) in the case of a child who was unemployed immediately before the day on which the liability of the Commonwealth under the Compensation Ordinance to pay compensation to or in respect of the child arose, not being a child referred to in paragraph (a)—nil; and
- (c) in any other case—an amount equal to the income of the child in respect of the period of 7 days ending immediately before the day on which the liability of the Commonwealth under the Compensation Ordinance to pay compensation to or in respect of the child arose.

**(4)** A reference in paragraph (3) (c) to income, in relation to a child, shall not be read as including a reference to—

- (a) a payment in respect of overtime;
- (b) an allowance that is intermittent or is payable in respect of special expenses incurred or likely to be incurred by the child; or
- (c) where the child had more than one occupation during the period of 7 days referred to in that paragraph—income derived by the child from an occupation other than his or her principal occupation.

**(5)** Where—

- (a) the Commonwealth would, but for this sub-section, be liable under the Compensation Ordinance to pay an amount of compensation to, or in respect of, a child in relation to a period, being the whole or a part of a period during which the child is totally incapacitated for work; and
- (b) a person who is an employer of the child is liable, by reason of the child's total incapacity for work, to make a payment to the child by way of salary or wages in relation to that first-mentioned period,

the Commonwealth shall not be liable to pay that amount under the Compensation Ordinance but shall pay to the employer so much of that amount as does not exceed the amount payable to the child by the employer, and the balance (if any) of that amount shall be taken to be compensation

payable by the Commonwealth under the Compensation Ordinance to or in respect of the child in relation to that first-mentioned period.

(6) Notwithstanding the preceding provisions of this section, no amount is payable in respect of a child—

- (a) if the child was employed only in work of a casual nature; or
- (b) in the case of a child who was unemployed—unless the child was qualified to receive an unemployment benefit under the *Social Security Act 1947*.

#### **Breach of attendance centre orders**

60. A person in respect of whom an attendance centre order is in force who—

- (a) fails to report at an attendance centre or other place as required by the Director;
  - (b) contravenes any rule applicable at the attendance centre at which the child is required to report;
  - (c) contravenes sub-section 58 (2);
  - (d) leaves an attendance centre at a time when he or she should be there; or
  - (e) refuses to work or neglects or mismanages his or her work,
- shall be deemed to have failed to comply with the attendance centre order.

#### **Breach of probation, attendance centre or residential orders**

61. (1) If a person with respect to whom a probation order, an attendance centre order or a residential order is made fails, without reasonable excuse, to comply with the order or with a condition of the order, the person is guilty of an offence against this section.

(2) Where a person is convicted of an offence against this section or the Court finds such an offence to be proved but does not proceed to a conviction, the Court may make one or more of the following orders:

- (a) an order that the Court is empowered to make, by this Ordinance or any other law, with respect to the offence in relation to which the order mentioned in sub-section (1) was made;
- (b) an order—
  - (i) revoking or varying the order referred to in sub-section (1); or
  - (ii) directing the person to comply with the order referred to in sub-section (1) in so far as it has not been complied with.

(3) When making an order under paragraph (2) (a), the Court shall, in addition to any other matters that the Court considers should be taken into account, take into account—

- (a) the fact that the probation order, the attendance centre order or the residential order (in this sub-section and sub-section (4) referred to as the “original order”) was made;

- (b) anything done under the original order; and
- (c) any other order made in respect of the offence in respect of which the original order was made and anything done in pursuance of that other order.

(4) The Court shall not make, under paragraph (2) (a), an order imposing a penalty which, when taken together with the penalty previously imposed in respect of the offence in respect of which the original order was made, exceeds the maximum penalty the Court could have imposed in respect of the offence.

(5) Where—

- (a) the Court makes or varies a probation order under sub-section (2) in respect of a child; and
- (b) there is in force another order of the kind referred to in sub-section 47 (1) in respect of the child,

the Court may order that the probation order is to commence to have effect when the other order ceases to have effect.

#### **Revocation and variation of certain orders**

62. (1) Subject to sub-section (5), where the Court has made a conditional discharge order, a probation order, an attendance centre order or a residential order in respect of a child, or an order committing a child to an institution or a State institution (in this section referred to as the "previous order"), the Court may, on an application by the Youth Advocate or any other person, by order revoke or vary the previous order or make another order in substitution for the previous order.

(2) The applicant shall cause a copy of the application to be served—

- (a) on the Youth Advocate;
- (b) if practicable, on at least one of the parents of the child concerned, whether the parent is resident in the Territory or not;
- (c) on the child concerned; and
- (d) on any other person that the Court directs.

(3) The previous order as varied or the order made in substitution for the previous order shall be an order of the kind mentioned in sub-section 47 (1) but the Court shall have regard to the circumstances at the time of the hearing.

(4) Subject to sub-section (3), the Court may make any order that appears to the Court to be appropriate.

(5) Where a probation order has been made in respect of a child without convicting the child of an offence, the Court shall not make—

- (a) an order of the kind referred to in paragraph 47 (1) (c), (d) or (e), in respect of the child; or

- (b) an attendance centre order or a residential order in respect of the child or an order committing the child to an institution or a State institution,

unless the Court first convicts the child of the offence.

(6) This section has effect notwithstanding that the child is, whether under an order of a court or otherwise, for the time being living outside the Territory.

#### ***Division 4—Miscellaneous***

##### **Powers of Supreme Court**

**63.** Where a child is convicted of an offence by the Supreme Court, the Supreme Court may—

- (a) make such other order with respect to the child; and
- (b) issue such warrants, and do such other acts or things,

as the Childrens Court could have made, issued or done if the child had been convicted by that Court.

##### **Adjournment of criminal proceedings**

**64. (1)** Where the hearing of a charge against a child is adjourned by the Court, the adjournment shall not, except in special circumstances, be for a period that exceeds 21 days.

**(2)** Where the Court adjourns the proceedings, the Court may—

(a) by order—

- (i) release the child if the child and one of his or her parents give an undertaking satisfactory to the Court that the child will be present at the next hearing;
- (ii) release the child on bail; or
- (iii) place the child in the custody of a suitable person;

(b) order that the child be placed in a shelter or remand centre; or

(c) if the person in charge of a hospital or approved home consents, order that the child be placed in the hospital or approved home.

**(3)** In determining whether to release a child on bail, the Court shall have regard to the matters specified in sub-section 37 (4).

**(4)** The Court shall not order that a child be placed in a remand centre unless the Court is satisfied that, by reason of the actual or apprehended violent behaviour of the child, the seriousness of the offence, an escape or attempted escape by the child from lawful detention or for other good cause, it is necessary or desirable so to place the child.

##### **Placing in shelter, &c.**

**65. (1)** Where the Court commits a child to a State institution, the child shall be placed in a shelter or remand centre until he or she is removed to the institution.

(2) The child shall not be kept in the shelter or remand centre for more than 14 days unless the Court so orders or the Director approves in writing.

(3) An order committing a child to a State institution is sufficient authority for an officer or police officer to do one or more of the following:

- (a) subject to any contrary provision in the order—
  - (i) take the child to a shelter or remand centre;
  - (ii) take the child from one shelter or remand centre to another;
  - (iii) take the child from a shelter to a remand centre or from a remand centre to a shelter;
- (b) take the child to the State institution;
- (c) take the child to the State or Territory specified in the order for the purposes of detention in the institution.

#### **Children in remand centres**

66. Where a child is in a remand centre in pursuance of this Ordinance, the *Remand Centres Ordinance 1976* applies to and in relation to the child as though the child were a detainee within the meaning of that Ordinance.

#### **Remission of time to be spent in institution**

67. Where a child has been committed to an institution, the Director may, unless the Court otherwise ordered when so committing the child, having regard to the child's excellence in conduct and industry or to special circumstances, reduce the period specified by the Court under that paragraph by not more than one-third of the period so specified.

#### **Director may grant leave for special purposes**

68. (1) The Director may, by instrument in writing, on such terms and conditions as he or she thinks fit, grant leave of absence to a child who has been committed to an institution or placed in a shelter for any reason he or she thinks fit, including one or more of the following:

- (a) the education and training of the child;
- (b) the employment of the child;
- (c) a compassionate reason;
- (d) the health of the child;
- (e) the recreation of the child;
- (f) the participation by the child in a community project or an attendance centre program.

(2) Any period for which a child is outside an institution in pursuance of leave of absence granted under this section shall, for the purposes of this Ordinance, be taken to be a period for which the child was in the institution.

(3) Where the Director—

(a) refuses to grant leave of absence to a child; or

(b) grants leave of absence to a child for a period that is less than the period requested in respect of the child,

the child or a parent of the child may appeal to the Court.

(4) On the hearing of an appeal under this section, the Court may by order confirm, vary or set aside the decision of the Director and may make such other orders as the Court considers necessary.

### **Other rights and freedoms not affected**

69. (1) This Part, in so far as it protects a child, is in addition to and not in derogation of any rights and freedoms of the child under any other law in force in the Territory and it is not intended to exclude or limit the operation of such a law in so far as it is capable of having effect concurrently with this Part.

(2) Nothing in this Ordinance affects the Royal prerogative of mercy.

## **PART V—CHILD CARE PROCEEDINGS**

### ***Division 1—Preliminary***

#### **Authorised persons**

70. For the purposes of this Part, “authorised person” means—

(a) a person for the time being appointed in writing by the Minister to be an authorised person for the purposes of this Part; or

(b) a police officer.

#### **Children in need of care**

71. (1) For the purposes of this Part, a child is in need of care if—

(a) the child—

(i) has been physically injured (otherwise than by accident); or

(ii) has been sexually abused,

by one of the child's parents or by a member of the household in which the child lives or there is a likelihood that he or she will so suffer such physical injury or sexual abuse;

(b) the child—

(i) has been physically injured (otherwise than by accident); or

(ii) has been sexually abused,

by a person other than a person mentioned in paragraph (a), or there is a likelihood that the child will so suffer such physical injury or sexual abuse, and the child's parents are unable or unwilling to protect him or her from the injury or abuse;

(c) by reason of the circumstances in which the child is living or in which the child is found—

- (i) the health of the child has been impaired or there is a likelihood that it will be impaired; or
- (ii) the child has suffered, or is likely to suffer, psychological damage of such a kind that his or her emotional or intellectual development is or will be endangered;
- (d) the child is engaging in behaviour that is, or is likely to be, harmful to him or her and his or her parents or guardian are unable or unwilling to prevent the child from engaging in that behaviour;
- (e) there is no appropriate person to care for the child because—
  - (i) the child has been abandoned by his or her parents or guardian;
  - (ii) the child's parents or guardian cannot, after reasonable enquiries have been made, be found; or
  - (iii) the child's parents are dead and he or she has no guardian;
- (f) there is serious incompatibility between the child and one of his or her parents or between the child and his or her guardian; or
- (g) the child is required by law to attend school and is persistently failing to do so and the failure is, or is likely to be, harmful to the child.

(2) In the application of this Part, an authorised person, the Youth Advocate or the Court shall have regard to the degree of injury, abuse, impairment, likelihood, incompatibility or failure and shall disregard any of those things that, in the circumstances, appears to be not sufficiently serious or substantial to justify action under this Part.

#### **Where person apparently a child**

72. For the purposes of this Part—

- (a) a person who appears to an authorised person, to the Youth Advocate or to the Court, as the case may be, to be a child may be dealt with under this Part as if he or she were a child and the provisions of this Part that refer to a child have effect in relation to the person accordingly; and
- (b) if it becomes known that the person is not a child—
  - (i) no further proceedings with respect to the person shall be taken under this Part; and
  - (ii) if, by reason of the application of any provision of this Part, the person is in an approved home, a hospital, a shelter or a State institution or is in the custody of a person, that provision ceases to have effect with respect to the person and the person is entitled to be released.

#### ***Division 2—Child Care Proceedings Generally***

##### **Proceedings with respect to children in need of care**

73. (1) If it appears to an authorised person that a child is in need of care and the circumstances are such that action under this sub-section should be taken immediately to safeguard the welfare of the child, the authorised

person may take the child into his or her custody and place the child in a shelter or, if the person in charge of an approved home or a hospital consents, the approved home or hospital.

(2) Sub-section (1) has effect with respect to a child who is in the Territory notwithstanding that the usual place of living of the child is not in the Territory.

(3) The authorised person shall, as soon as is reasonably practicable, notify the Youth Advocate of the name and age of the child, the name of the shelter, approved home or hospital in which the person has placed the child, of the time when the child was taken into custody and of any other relevant circumstances.

(4) The Youth Advocate shall record in writing particulars of all notifications under sub-section (3) and of any action that he or she has taken in relation to them.

(5) The authorised person shall, as soon as is reasonably practicable, take all reasonable steps to cause a parent of the child to be notified, whether the parent is resident in the Territory or not, of the time when the child was taken into custody, the name of the shelter, approved home or hospital in which the person has placed the child and of the other relevant circumstances notified to the Youth Advocate under sub-section (3).

#### **Children in hospital**

74. (1) If it appears to an authorised person that a child who is in a hospital is in need of care, or would, upon leaving the hospital, be in need of care, and that it is necessary to take urgent action to safeguard the welfare of the child, the authorised person may, in writing, direct that the child be detained in the hospital and, subject to this Ordinance, the child shall be detained accordingly.

(2) Sub-section (1) has effect with respect to a child who is in a hospital in the Territory notwithstanding that the usual place of living of the child is not in the Territory.

(3) The authorised person shall, as soon as is reasonably practicable, notify the Youth Advocate of the name and age of the child, of the name of the hospital, of the time at which the direction under sub-section (1) was given and of any other relevant circumstances.

(4) The Youth Advocate shall record in writing particulars of all notifications under sub-section (3) and of any action that he or she has taken in relation to them.

(5) The authorised person shall, as soon as is reasonably practicable, take all reasonable steps to cause a parent of the child to be notified, whether the parent is resident in the Territory or not, of the name of the hospital, of the time at which the direction under sub-section (1) was given and of the other relevant circumstances notified to the Youth Advocate under sub-section (3).