



# Child Protection Guide for Families



# Who this guide is for

This guide is for families and communities working with DCJ in NSW. The information was written with the help of parents with experience of the child protection system. These parents told us it was important for DCJ to give information to families about:

- ▶ what to expect when DCJ works with families
- ▶ what decisions DCJ can make about children
- ▶ how families and DCJ can work together.

This guide has general advice only, and every child and every family is different. It is intended as a guide and does not replace advice from caseworkers.

## Acknowledgements

DCJ acknowledges the injustice inflicted on Aboriginal and Torres Strait Islander people through the forced removal of children from their families, known as the Stolen Generations.

Government agencies played a major role in these forced and unjust separations. The trauma has been passed on through generations and the effects are felt today. DCJ gave a formal apology to the Aboriginal people of NSW. As the Department responsible for keeping children safe in NSW, DCJ commits to not repeating past mistakes.

DCJ acknowledges that the Department does not always get it right. DCJ is working hard to improve the way it works with families and knows the best way to keep a child safe is to work together with their family and community. If you or your family have worked with DCJ before, you may be worried or scared about working with them again. DCJ will do its best to partner with you to keep your child safe.

DCJ thanks the generosity and wisdom of parents with experience of our system, including those from **Family Inclusion Strategies in the Hunter**, who provided feedback as this information was written.

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# About this guide



## Reading this guide

The DCJ caseworker can read through this guide with you. Or you might choose to read it alone or with another person. This could be a support worker, friend, family member or someone from your mob.

Your involvement and work with DCJ may include only some of the things in this guide. You may choose to read parts of it, or you may want to know everything and read it all.

If you have questions you want to ask the DCJ caseworker, it can help to write them down or ask someone to write them down for you. You could also record them in other ways such as a voice memo on your phone or device.

### ✓ Your rights

DCJ wants you to understand this information about child protection, as it will help get the best possible outcome for your child. It is also **your right** to know this information and how the child protection system works. It is normal that it may make you feel worried.

### Learn more about support services that can help you and your family.

When the term 'parents' is used, this means anyone who has care of a child and is responsible for looking after them. This may be a **step-parent** or another **carer**. A child may have only one parent, same-sex parents or be raised by a number of family members, mob or those who love and care for them. The information in this guide is for all types of parents and families.



**Words highlighted in green, along with some other terms you might hear and read about the child protection system, are explained in the final section of this guide.**

## About DCJ

In NSW, children and young people are protected by law under the *Children and Young Persons (Care and Protection) Act 1998*. DCJ is the main government department in charge of helping families keep children safe from abuse and neglect. You might know DCJ by previous names like DOCS or FACS.

The role of DCJ is to build relationships with families and communities that help children be safe and cared for. DCJ caseworkers commit to:

- ▶ treating families with dignity and respect
- ▶ sharing information with you when DCJ is worried about children and working in partnership to reduce these worries
- ▶ making sure the information we give you is easy to understand
- ▶ working with you and your community to share knowledge and skills to keep children safe
- ▶ listening to your ideas and responding when you ask for help
- ▶ being honest with you.

Any DCJ caseworker you meet should take their responsibility seriously and treat you and your family, home and culture with dignity and respect. Their priority is always to keep your child safely at home with you. If your child is taken from you because they are at risk of being **hurt**, DCJ will work hard with you to bring your child safely home. The law tells DCJ to look at this as the first option, but for some families it is not possible for their child to return home.

The **Practice Framework Standards** set out what is expected of DCJ when working with children, their families and the community. You can find these Standards as a translated version [here](#) on the DCJ website.



Learn more about what else might happen if your child is taken into care in **Section 4** on **page 24**.



Practice  
Framework  
Standards

## If you have feedback or worries about working with DCJ

You have the most important role in keeping your child safe. It is important you and the caseworker work together, and you feel they listen to you and your child.



Learn more about support services you can call to get help in [Section 11 on page 52](#).

If you feel DCJ has made the wrong decision or has not treated you fairly, you can:

- ▶ tell your worries to the caseworker
- ▶ contact the caseworker's manager to talk about your worries
- ▶ talk to an advocacy group, family support worker or your legal representative
- ▶ contact the **DCJ Enquiries, Feedback and Complaints Unit**
- ▶ contact **Legal Aid NSW or Aboriginal Legal Service (NSW/ACT)**
- ▶ contact the **NSW Ombudsman**
- ▶ if you are Aboriginal, you can ask to speak with an Aboriginal caseworker.



✓ Your rights

### For Aboriginal parents

DCJ acknowledges the fear for Aboriginal families when child protection is involved in their family. DCJ acknowledges the huge impact that colonisation and the forced removal of children from Aboriginal families has on Aboriginal people today. You have the right to ask for an Aboriginal caseworker. All parents have **the right** to have family attend meetings with them. You are able to get help from Aboriginal support services when you work with DCJ. You can find a list of Aboriginal support services in [Section 11 on page 52](#).

The [Aboriginal Case Management Policy](#) applies in all cases where DCJ is working with Aboriginal children, families and communities. This policy supports the right of Aboriginal people to autonomy and self-determination and outlines ways for Aboriginal families to be involved in decisions that affect them. It can be found online at the DCJ and AbSec websites.



Aboriginal Case Management Policy

### For parents from culturally and linguistically diverse backgrounds

DCJ understands that families from refugee or migrant backgrounds may find it hard to understand the NSW child protection system. DCJ acknowledges that your experiences may make you scared to work with a government organisation. Parents from **culturally and linguistically diverse** (CALD) backgrounds have **the right** to ask for an **interpreter** to explain things in a language you understand. An interpreter can be present in person or on the telephone when DCJ visit you at home, at meetings and to explain written documents. You can have a support person from a community group, friend, or family member with you to help you understand what is happening.



✓ Your rights





## For parents with disability

DCJ recognises parents with disability have their own strengths, challenges and fears when working with us. Caseworkers have a responsibility to build on the existing strengths and support systems of your family. DCJ cannot decide that parents are unable to provide care for their child based only on a parent's disability.

If you do not understand some of the things the caseworker is telling you, please ask questions. It is important the caseworker knows what you need, such as how you like to get information or how you need information explained. You have **a right** to ask for help with your disability and to have someone advocate for you. You can bring a support person, or advocate, to all meetings to help you in the ways that suit you.

### ✓ Your rights



## For parents who were in out of home care as a child

DCJ recognises that parents who have an experience of out of home care may find working with a caseworker very stressful. DCJ understands that you will be worried your child will be taken into care.

DCJ will work with you to keep your child with you when it is safe to do so. You have **a right** to ask for help and have a support person with you at all times.

### ✓ Your rights



## For LGBTQIA+ parents

DCJ recognises that families come in all shapes and sizes. They include same-sex families and gender-diverse families. DCJ understands that children may have two mums or two dads; single, gay, lesbian, bisexual or gender-diverse parents; and that surrogates and donors may be involved. DCJ knows that children and young people may identify across a range of sexualities and genders and will be respectful of how family members identify. Please let the caseworker know the pronouns that you use.

# What children's safety and risk mean



## The special role of parents

It takes a whole community to keep children safe, but parents have special responsibilities under the law. These are to:

- ▶ give their child a safe home to live in and enough food and clothing
- ▶ make sure their child gets medical care and an education
- ▶ supervise their child and protect them from things or people that could hurt them
- ▶ help their child to feel loved and cared for
- ▶ not use violence against their child or against others.

There are times in life when it can be hard to meet your child's needs. Often this happens if **you** are not safe or not supported well. It may be that you are living with poverty, trauma or disadvantage, which is not your fault.

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The caseworker's role is to work with you, your family and your community to make sure you can care for your child and live safely. It is strong and protective of you as a parent to ask for help.

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## When the law says a child or young person is at risk of significant harm

The law says a child is 'at **risk of significant harm**' if there are worries for their safety, welfare and wellbeing. This may be because one or more of the following has happened, is happening or is likely to happen to the child:

- ▶ **Their basic needs are not met.** This could mean they are not given enough food, are not going to school regularly, are not clean, do not have a safe home to live in or they are not supervised properly. We call this **neglect**.
- ▶ **Their health needs are not taken care of.** This could mean a child is sick but is not taken to a doctor, or the child has a disability but does not have any help.
- ▶ **They are hurt by someone or something.** This could mean a child has or had bruises, broken bones or injuries because of violence or physical discipline, or because someone was not watching them.
- ▶ **They are sexually abused.** This could mean a child is sexually harmed by an adult or another child.
- ▶ **They are hurt mentally and emotionally.** This could mean a child is ignored, put down, yelled at, threatened or humiliated in a serious way.

- ▶ **A person is using violence against another person in the home.** This is called domestic and family violence. This could mean threats, bullying, being forced to do things they do not want to do, being forced to stop talking to friends and family, not being allowed to have money, and physical acts like pushing, hitting or kicking.

The law says a child is **'in need of care and protection'** if DCJ believes a child is at **risk of significant harm** and DCJ needs to work with the family to keep their child safe into the future.

## SECTION 2

# When a caseworker visits



### Why a caseworker may visit your family

In NSW, people contact the DCJ Child Protection Helpline if they are worried a child has been **harmed**, is not safe or cared for, or may be harmed in the future. This is called a 'report'.

Reports can be made by anyone in the community. There are also special reporters called **mandatory reporters**. These are people with jobs or roles that mean they often spend time with children such as teachers, health workers or the police. The law says if these people think a child is being abused or neglected, they **must** make a report. If a report affects you or is about your children or family, caseworkers cannot tell you who made the report – that is against the law.

Mandatory reporters should not make reports about minor worries. A report should only be made to DCJ when a child is at suspected risk of significant harm.

DCJ uses the information in reports to decide if a **caseworker** should visit your home to see and speak with your child and family. DCJ does this by also looking at any other information they have. This may include other reports about the same worries or different things happening for your family. DCJ may have worked with your family before.

DCJ uses **assessment tools** to help make decisions. Two important decisions are:

1. How safe your child is and whether they are at **risk of significant harm**
2. Whether your child is **in need of care and protection** and DCJ needs to work with your family.

Most of the time, caseworkers will try to ring you before they visit. There may be times when a caseworker will talk to children first. Usually, two caseworkers will come to talk about how safe your child is right now. This is called a **safety assessment**.

Before they visit, the caseworkers will read information that DCJ has about your family. They may ask for information from places like schools, day care, health services or police. This is so they better understand what is happening for your family.

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Caseworkers may also seek cultural consultation. Cultural consultation means they will talk to someone from the same cultural background/s as your child and family. This helps caseworkers better understand your family's cultural experiences and needs. You have **the right** to ask if the caseworker has completed a cultural consultation.

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### ✓ Your rights

## If DCJ contacts you, you can get legal advice straight away

DCJ might want to talk to you because of worries about your child's safety or something that is happening for your kids that you need to know about. It is important that you understand why DCJ is involved, and what they are asking you to do and why. It is a good idea to talk to someone as soon as possible, even if you want DCJ to help you. You can work together with the caseworker while also getting independent advice and support from a lawyer. Independent lawyers can explain your options and how the law works, represent you or give you advice about **alternative dispute resolution** (sometimes called ADR, or known as a Family Group Conference or FGC).

You can ask the caseworker to make a referral to **legal support** for you. The caseworker can help you to get in contact with a lawyer, but if they are really worried about your child, they can't delay a safety assessment while you wait for legal advice.



## Legal and other support and advocacy services

### Aboriginal Legal Service NSW/ACT

☎ 1800 765 767  
👉 [alsnswact.org.au](https://alsnswact.org.au)

### Disability Advocacy NSW

☎ 1300 365 085  
👉 [da.org.au](https://da.org.au)

### Legal Aid NSW

☎ 1800 551 589  
👉 [legalaid.nsw.gov.au](https://legalaid.nsw.gov.au)

### LawAccess NSW

☎ 1300 888 529  
👉 [lawaccess.nsw.gov.au](https://lawaccess.nsw.gov.au)

### Intellectual Disability Rights Service

☎ 1300 665 908  
👉 [idrs.org.au](https://idrs.org.au)

### Wirringa Baiya Aboriginal Women's Legal Centre

☎ 1800 686 587  
👉 [wirringabaiya.org.au](https://wirringabaiya.org.au)

### Women's Legal Service

☎ 1800 801 501  
👉 [wlsnsw.org.au](https://wlsnsw.org.au)

## What caseworkers worry about for a child

There are many things that can **harm** a child. A harm can be something obvious like when their body is **hurt**. A child might be sexually harmed, have a broken bone or lots of bruises, or be sick but not taken to a doctor. Children are also hurt when there is someone using violence or drugs at home, or they are left alone or hungry.

Children can have their feelings hurt a lot or in a serious way. This could mean a child is ignored, told lots of mean things about them, yelled at or humiliated. It can mean they start to see themselves as worthless or unlovable, and this can put them at risk of feeling down or even hurting themselves.

## What caseworkers do at the visit

The caseworkers will explain why they are there and what worries they have for your child. Let them know what worries you have too. Ask questions if something is unclear or you are unsure. You can ask as many questions as you want. You can also ask for a support person, a disability **advocate**, an **interpreter** or a **cultural service**.

The caseworkers will ask questions to help them understand:

- ▶ the worries reported to DCJ
- ▶ what has been going well, and not so well, in your family's life now and in the past
- ▶ your child's wellbeing and safety
- ▶ who lives in your home or sees your child
- ▶ your family's worries
- ▶ things that you do well and people who help you
- ▶ what help your family needs
- ▶ who in your family network or community could be involved in creating safety. You might develop a **genogram** or **eco-map** that shows who these people are, and the caseworker might ask to talk to these people.



The caseworkers write down what they saw and heard in your home. You can also write down what the caseworkers say, and you can ask for a copy of their notes. The caseworkers might talk to their manager by phone during the visit or afterwards back at the office. Together, they decide how safe they think your child is right now.

They use a tool called a safety assessment to help them make decisions about your child's safety. Caseworkers will talk to you about what the safety assessment finds and the decision they have made. You can also give the caseworkers extra information if you like.

## Involving your family

The caseworker may ask if you want to take part in a **Family Group Conference** (also known as an FGC). This is a meeting with your family members, or people who care about you and your child, to come together to work on a plan to keep your child safe.

You can ask to have a Family Group Conference even if the caseworker doesn't ask you. Family can help you early on to make a plan to keep your child safe. You have **a right** to involve your family in your work with DCJ.

### ✓ Your rights

## Talking with and listening to your child

It is a caseworker's job to, talk, listen to, and spend time with your child. It is the child's right to tell, show or communicate to a caseworker what they think, feel and need. DCJ recognises that not all children communicate with words and caseworkers will use other ways to listen to your child, for example, through play and activities. This helps the caseworker to understand what life is like for your child.

The caseworker will talk to you before spending time with your child – unless there is a worry that this might put your child in danger. They will tell you what they will talk to your child about, where and why. If a caseworker talks to, or sees, your child without speaking to you first, they must let you know what they spoke about as soon as possible.

## When your child needs a medical examination

If DCJ believes your child has been harmed, they can decide your child needs to be examined by a doctor. A medical examination may happen as part of the safety assessment. Your caseworker will give you a notice and then take you and your child to a doctor or hospital or arrange for you and your child to go to a doctor. Your child will be legally under the care of DCJ during the examination. The doctor will examine your child and write a report about the examination. You can ask your caseworker for a copy of this report.

The doctor's report will provide information about:

- ▶ the nature of your child's injury or condition
- ▶ the explanation provided for the injury and whether the explanation is consistent with their examination
- ▶ whether your child has been harmed or is at **risk of significant harm**
- ▶ recommendations for further examination or treatment.

The caseworker will consider the doctor's report to help make decisions about your child's safety. The caseworker will talk with you about a plan to make your child safe and what actions will need to be taken to address any worries found during the medical examination.



## Safety assessments

### When a safety assessment happens?

The caseworker will do a safety assessment each time there are changes that might impact your child's experience of safety. For example, this could be if a new concern is raised about your child, or if someone moves in or leaves your home. They can also do a safety assessment to check whether any plans made are still keeping your child safe, or to check your child's safety if DCJ plans to stop working with your family.

### What happens after a safety assessment

A safety assessment will help decide if your child:

- ▶ is safe
- ▶ needs a plan to help them be safe
- ▶ is unsafe.

### If your child is safe

If your child is safe, this means the assessment helped decide they are safe **right now**. The caseworker will still need to look at your child's safety into the future.

### If your child needs a plan to help them be safe

If your child is not safe but quick changes could keep them safe in your care, together you and the caseworker will make a **safety plan**.

## Safety plans

A **safety plan** is a list of things you, your family, your support people and the caseworker need to do to make sure your child is safe. It is not a legal document.

Your safety plan includes a list of things affecting your child's immediate safety. These are called **dangers**. Next to each danger is a plan about what will be done to keep your child safe straight away, as well as who will do it and when. These are called tasks. You should develop these tasks together with the caseworker and anyone else who is part of the safety plan.

A task could be something that you need to change about what you do at home. It might be something you need to stop or start doing like, for example, keeping drugs out of the house. Other tasks could be that someone in your family comes to your home to help care for your child at certain times. Or that a caseworker has someone come to your home urgently to clean or take dangerous items away.



Learn more about future safety in **Section 3** on **page 21**.



If you don't feel this process is fair, see the feedback and worries information on **page 52**.





The safety plan asks you to act **now** to keep your child safe in your home. The safety plan is an immediate plan for safety, not a long-term plan.

The caseworker will check with you how the safety plan is going. They will explain how often they will check in with you until the home is safe. Other people who support you and your community may also have tasks and actions in the safety plan.

### You and the caseworker make the safety plan together

You and the caseworker make the safety plan together. Your child can also take part. They have **a right** to tell DCJ what they need to feel safe. You have a right to make the plan together. If this does not happen, ask the caseworker.

### You have a say on what is in the safety plan

**Tell the caseworkers what you think needs to happen to make your child safe. Tell the caseworkers what you need from others. Ask questions about what might be on offer to help you. Have someone with you or take notes. You have **the right** to have a support person at all meetings.**

Have someone you trust with you when writing your safety plan. This person can help make sure you get a break or support you if you feel overwhelmed or upset. Stress makes it hard to hear and remember. Having someone to talk to about it all later can help. A family support worker or parent advocate may be able to be with you.

Caseworkers will take notes on paper, their phone or iPad. You can do the same or ask the caseworker to share what they have written with you.

You are entitled to have a say in this process and so is your family. It is important that your voice is heard. [Legal Aid NSW](#) can help explain your options and give you free legal advice.

If you are a person with disability, you have **the right** to have a safety plan that matches your abilities. The caseworker needs to make sure the safety plan is easy to understand and should ask who and what you need to understand the safety plan and to do the tasks. This may be an advocacy service. If you have an intellectual disability the Intellectual Disability Rights Service can advocate for you. You can call them on 1300 665 908.

If you do not speak English an interpreter can work with you and the caseworker to develop the safety plan in a language you understand. You or the caseworker can call [Translation and Interpreter Services](#) (TIS) on 131 450.

### After you make the safety plan

The caseworker will check with you to see how you are going with the safety plan. They need to keep reviewing the plan until the dangers are no longer there. They will also talk with you about how long you have to do each task. Sometimes the plan will change. Changes need to be written and given to you.

If it is hard for you to do all the tasks in the plan, let the caseworker know. Be honest about what is happening so you can get more help. Following a safety plan can be stressful, even scary. Get lots of help from people who care about you and your child.

#### ✓ Your rights

#### ✓ Your rights



*There is space in this guide on **page 31** to write down things like the caseworker's name and number.*

#### ✓ Your rights



Legal Aid NSW



Translating and  
Interpreting  
Service



*If your plan changes without you knowing, talk to the caseworker or see the people you can talk to in the feedback and worries section on **page 52**.*



Learn more about services that help children and families in NSW in **Section 11** on page 52.

### ✓ Your rights



### ✓ Your rights



Learn more about support services in **Section 11** on page 52.



Learn more about what happens if your child needs to come into care in **Section 4** on page 24.

## If you can't follow the safety plan

If something gets in the way of you following the safety plan, let the caseworker know straight away. You and the caseworker may need to take another look at the tasks. If the tasks are not realistic, they may need to change to keep your child safe.

After the safety plan is made, the caseworker keeps working with your family. They can link you to services and people who can help you keep your child safe. You can also get help yourself.

## What you can do

- ▶ Talk to the caseworker and ask questions. You have **a right** to speak with the caseworker about what is happening.
- ▶ Let the caseworker know if you can't do the things in the safety plan. The caseworker can help you.
- ▶ Talk to a parent, disability or legal **advocate** or **family support worker** about your worries. If you do not have one, you can ask the caseworker to refer you to one.
- ▶ Talk to the services helping your family about how else they can support you and your family.
- ▶ Ask family or friends to help you or to come along to meetings.
- ▶ You have **a right** to take notes of your conversations and to ask the caseworker about what they have written.

## Shame or stress is normal

A caseworker asking you questions about your family may cause a lot of emotions like shame, anger, fear or relief. This is normal. You can ask the caseworker for time to gather your thoughts. It is important you have people who can support you and who can be with you for meetings. There are also lots of services who can help.

## If your child is unsafe

If your child is unsafe, they will not be able to stay with you. In some cases you can agree to have your child cared for by someone else.

In other cases your child will be placed somewhere else **without** your agreement. This is called a removal, assumption or **bringing a child into out of home care**.

## Temporary care arrangements

If your child is assessed as in need of care and protection, caseworkers may speak with their manager about whether a **temporary care arrangement** (TCA) is an option.

A TCA is an agreement between you and DCJ. This means that your child does not live with you and is legally under the care of the **Secretary of DCJ** but you continue to have **parental responsibility**.

## ✓ Your rights



Read more about a **Family Action Plan for Change** in **Section 11** on page 52.



Find **Legal and other support and advocacy services** in **Section 11** on page 52.

What this arrangement means is that someone else cares for your child, but you have **the right** to have a say in making decisions, including where your child will live and how and when you see your child. You can decide to end the TCA at any time. DCJ can also decide to end the TCA at any point. The TCA will include tasks that need to be done within the period of the TCA so your child can come back home. If you chose to end the TCA, the caseworker will speak with you about whether they think it is safe for your child to return to you.

These tasks will be written down in a plan made together with the caseworker.

**An example of a task:** I will look after my mental health so I am able to safely manage looking after my daughter, like getting her ready for school, making sure she has food and helping to make our house a place she feels safe and happy.

The TCA can only be agreed to for up to three months. This can be extended for another three months if it is clear that with a little more time, you would be able to make enough positive changes. How long the TCA will go for will be agreed on by you and the caseworker. The TCA will include a plan for the support you will need during it.

You have the right to speak to a lawyer before making this agreement. Independent lawyers can explain your options and how the law works, represent you or give you advice.

You can ask the caseworker to make a referral to **legal support** for you.

## Family based assessment

After the safety assessment, the caseworker will keep learning and understanding more about your family to complete a **family based assessment**. The family based assessment is done whether your child was found to be safe, safe with a plan or unsafe during the safety assessment. Sometimes you might get a different caseworker. This depends on staff changes or your family's needs.

The family based assessment will include learning about your family's life now and in the past, and what life is like from your child's perspective. It includes things like your history of alcohol or other drug use, mental health, and domestic and family violence, as well as what is happening in your life now that may hurt your child. It is also important for DCJ to hear what is going well for your family, your strengths and how you have overcome difficulties in the past.

DCJ uses the family based assessment to help decide if your child could be hurt in the future because of what is happening in your family. If your family does not have enough support to keep your child safe in the future, they will decide your child is **in need of care and protection**. This is the legal term used when DCJ decides a child is at **risk of significant harm** and DCJ needs to take action to make sure children are safe and cared for.

If your child is not in need of care and protection, DCJ does not need to keep working with your family.



If DCJ decides your child is in need of care and protection, they will continue working with your family. The caseworker's next step is to work with you and your network to develop a **Family Action Plan for Change**.

When the caseworker has worked with you on your Family Action Plan for Change for three months, they will review the plan with you and your support people and do a **measuring change assessment**. The measuring change assessment looks at the progress your family has made to increase safety or address the concerns as well as any new worries for your child's safety. They will look at what this means for your child's future safety and wellbeing. If there has been enough change, DCJ can stop working with your family. This is sometimes called **closing the case**.



## SECTION 3

# Helping children stay safe at home



### The Family Action Plan for Change

The **Family Action Plan for Change** is made with you after the caseworker has done the family based assessment. It is a longer-term plan than the safety plan. The Family Action Plan for Change includes the worries about your child that came out of the safety assessment and the family based assessment. It records what you and the caseworker think needs to happen, so your child stays safe and the risk to them being hurt in the future is lower.

The Family Action Plan for Change includes:

- ▶ worries about things that may be making your child unsafe
- ▶ goals that show what will be different for you and your child when there is enough change to these worries
- ▶ actions that you will take to work towards those goals with support
- ▶ details about who will do what and when it will be done.

Once the Family Action Plan for Change is written, it is put in place for **three months** to give you time to work on the changes needed. During the three months, you and the caseworker will talk about the plan often and update actions as needed. If you cannot read English ask for an interpreter service to attend the meeting and explain it to you in your language.

After three months, the caseworker will do a **measuring change assessment** to see how much has changed for your child. You, your support people and the caseworker may then update the actions in the plan so you can keep working towards the goals for another three months if more time is needed.

### Making a Family Action Plan for Change

A **Family Group Conference** (also known as an FGC) can be a good way to help you, your family and other support people come up with actions that can go in the Family Action Plan for Change.

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Think about what a happy, healthy and safe life looks like for your child. Families sometimes face issues that are very difficult or painful to overcome. It is important to have people around you to help you make the changes your child needs.

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The goals in a Family Action Plan for Change shouldn't seem too big or unrealistic. You should be clear about:

- ▶ what the goals are
- ▶ what it will look like when the goals are met
- ▶ how the goals are going to keep your child safe
- ▶ what needs to be done to meet the goals
- ▶ who is going to help you get to those goals and how.

## If things change and goals become too hard

If you can't meet a goal, or the plan is too hard or not helping, talk to the caseworker.

The goals can feel big and you have **a right** to break down actions into smaller steps. The caseworker can help you to do this. If they don't, you can ask for the goals to be made smaller. Once you have achieved each smaller step, update the Family Action Plan for Change to add the next steps. The idea is that you will keep updating the actions and steps until you get to the goal. When the **measuring change assessment** shows that the worries have gone down enough, DCJ will close the case.

Making big changes is hard. You may feel stressed, upset or overwhelmed. Think about who you can talk to, or what you can do to help you manage your feelings. Ask the caseworker if you need their help to do this.

## If you are not happy with the plan

If you feel like the caseworker isn't listening to your concerns about your Family Action Plan for Change, you can:

- ▶ contact the caseworker's manager at your local **Community Services Centre** (also known as a CSC)
- ▶ talk to [Legal Aid NSW](#) or [Aboriginal Legal Service \(NSW/ACT\)](#)
- ▶ ring one of the advocacy groups listed in the **support services section on page 52**.

## How the caseworker can help

The caseworker's job is to support families and communities to keep children safe. Often that means making sure the child's family is also safe, so they are able to give the child the support and care they need. The caseworker needs to meet certain standards in the way they work with you and your child.

The caseworker can advocate on your behalf (that is, help you) to get support for housing, food, managing alcohol and other drugs, health issues like medicines, mental health, parenting, disability and refuge from domestic and family violence. A caseworker does this by linking you to nearby services that can help.

### ✓ Your rights



Learn more about where you can call for help in **Section 11 on page 52**.



Legal Aid NSW



Aboriginal  
Legal Service  
NSW/ACT



You can find the **standards** as well as an easy read and translated versions on the **DCJ website**.



Practice  
Framework  
Standards



You should expect the caseworker to:

- ▶ ask you about what is happening in your life and your worries
- ▶ listen and treat you with respect
- ▶ understand your disability and support and meet your specific needs, such as communicating differently (e.g. in more visual ways if needed)
- ▶ do things to support your child, including talking to them, taking them to activities, or making referrals to services they may need
- ▶ talk to your child about their life, and connect them to family, community, friends or networks that make them feel safe
- ▶ understand issues like trauma, grief, violence, mental health, abuse and addiction and to give you advice and help
- ▶ ask you if there are things they can do to help
- ▶ offer support and services for people with disability
- ▶ give you opportunities to learn new skills in a supportive environment
- ▶ help you contact services by calling them or going with you to your first visits
- ▶ make sure the service is the right choice for you and your family
- ▶ listen to what you have to say about the service and if it is right for you
- ▶ explain why they have chosen a service and how it will help keep your child safe.

Caseworkers can support you to access services to help you make the changes needed to keep your child safe. Different areas will have different services available, like:

- ▶ Getting healthy food and groceries
- ▶ Making and attending health appointments
- ▶ Organising cleaning or repairs for your home
- ▶ Help with rental bonds or application letters
- ▶ Help with transport
- ▶ Help with budgeting
- ▶ Help with getting financial support for services like day care.



*Learn more about services that might be able to help in **Section 11** on page 52.*

## Who to contact for help

There are many online, telephone and face-to-face services that can help you.

If you don't have access to a phone, a computer or the internet, speak to the caseworker about whether your Community Services Centre has a phone you can use or if they can suggest local areas with free Wi-Fi.



## SECTION 4

# If your child needs to come into care



## Before your child comes into care

### Seek legal advice



Find Legal and other support and advocacy services in **Section 11** on page 52.

If you haven't already spoken to a lawyer, now is a good time to do so. Remember, you can work together with the caseworker while also getting independent advice and support from a lawyer. Independent lawyers can explain your options and how the law works, represent you or give you advice about **alternative dispute resolution** (sometimes called ADR, or known as a Family Group Conference or FGC).

You can ask the caseworker to make a referral to **legal support** for you.

The caseworker can help you to get in contact with a lawyer, but if they are really worried about your child, they can't delay a safety assessment while you wait for legal advice.

### Alternative dispute resolution

If there are no immediate safety concerns for your child, but DCJ is still worried about your child, the caseworker should talk to you about whether you would like **alternative dispute resolution (ADR)** before a decision is made to remove your child. The ADR process means that your family talks with DCJ at a meeting run by someone independent who does not work for DCJ. This can help families tell DCJ what they think.





An ADR can also be a useful meeting in other ways when you are working with DCJ, such as to help with family action planning, or when decisions need to be made for your child.

### Family Group Conferences

One type of ADR is called a **Family Group Conference (FGC)**. An FGC brings your family and other support people together to hear about the worries for your child and to make a plan for your child. You get to decide who comes. An independent person called a **facilitator** leads the conference. The meeting is a chance for important people in your child's life to be part of decisions about them. It can also help build on the good things about your family and be used to get extra help from family and community. Where appropriate, your child may also attend the FGC and this is an important opportunity for them to share their worries and what they would like to see happen.

An FGC might mean that together you create a plan to keep your child safe, so they do not need to come into care. If your child still needs to come into care, an FGC could help add to a Family Action Plan for Change so your child can come home when it is safe.

The caseworker will explain why the conference could help your family. If you agree to an FGC, the caseworker will make a referral and the facilitator will call you. The facilitator will organise the conference and develop a Family Plan with you. This plan is the one you and your family develop. The Caseworker will update the Family Action Plan for Change afterwards to include tasks agreed to in the Family Plan developed at the FGC. The facilitators are independent and do not make any decisions about your child or family. You can ask for a facilitator from your cultural background.

If during your time working with DCJ you think an FGC might help, speak with the caseworker about it.

### If your child is not safe

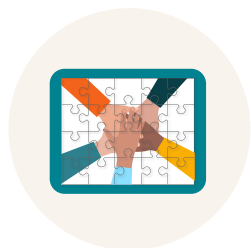
Every caseworker has a manager and they work together to make decisions. If DCJ has decided that your child is not safe, your child will not be able to stay with you. This is called a removal, assumption or **bringing a child into out of home care**.

The caseworker will work with you and your family to try to find someone safe in your family or community to look after your child. If that is not possible, the caseworker will look for a person called a foster carer. This is someone who has been assessed, trained and approved to give care to children when needed.

If no family, community members or foster carers can look after your child, they may be looked after by a service provider in a safe place such as a home with other children.

The caseworker will explain to your child, in a way that is easy to understand depending on their age and development, about why they need to stay with someone else. You are able to lead this conversation or be a part of this conversation if you would like to.

The caseworker will also give you a document that explains your child has been removed and the reasons why. Keep this document and take it to your lawyer. If DCJ removes your child from your care, our priority is to work with your family to get your child home when it is safe to do so.



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*If during your time working with DCJ you think an FGC might help, speak with the caseworker about it.*

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## For Aboriginal and Torres Strait Islander families

For Aboriginal or Torres Strait Islander children, your DCJ caseworker will apply the **Aboriginal placement principles**. The aim of the Aboriginal placement principles is to make sure that if possible and safe, Aboriginal children are placed with their family or kin, local Aboriginal community or wider Aboriginal community and culture. The priority is to work with you and your family to get your child home when it is safe to do so.

An Aboriginal child has a right to be raised on Country with their family and culture. The Aboriginal placement principles recognise the importance and value of family, extended family, kinship networks, culture and community in raising Aboriginal children. The principles prioritise:

1. Aboriginal extended family members
2. The child's Aboriginal community
3. Aboriginal family-based carers.

DCJ may place your child in non-Indigenous care and off Country as a last resort.



## When a caseworker can remove or assume care of your child

DCJ can remove your child from your care if your child is at **immediate risk of serious harm**. This means the caseworker is very worried that your child could be hurt, is not safe, or is not being cared for.

DCJ can also assume the care of your child if your child is at risk of serious harm and it is not in the interest of your child to be removed from the place where they currently are. This means that DCJ take care responsibility of your child in their current location like a school, hospital or relative's house.

If you have a Family Action Plan for Change, there are other options DCJ can look at to prevent a child from needing to come into care. This includes:

- ▶ a family meeting or Family Group Conference to come up with solutions
- ▶ a **parent responsibility contract**
- ▶ a **parent capacity order** to help you with making changes for your child's safety.



Find Legal and other support and advocacy services in **Section 11 on page 52**

These options are not always going to be enough to change the decision about your child being taken into care, but you can ask the caseworker about them.

If your child is removed, DCJ then needs to go to the **Children's Court** where a **magistrate** decides if DCJ made the right decision.

You should get legal advice straight away if this happens. The caseworker can tell you how to contact a lawyer who works in the local Children's Court.

DCJ also works with NSW Police if there is a serious risk to the safety of your child, your child is seriously hurt or there is a serious risk to the safety of staff. There is also a team of DCJ caseworkers who work with specialised Police in responding to children. This team is called the Joint Child Protection Response Program (JCPRP).



Learn more about what happens if your child is taken into care.

Caseworkers have a responsibility to respond to allegations of criminal offences and must report serious offences to the police. Examples of serious offences are drug trafficking, serious assaults, sexual assaults, murder and manslaughter, stalking or intimidation and aggravated burglary.

## When your child can come home

If DCJ removes your child, it is the caseworker's goal to work with you to make your home safe so your child can return home. Ask the caseworker about what changes need to happen and what you need to do. In the two weeks after your child comes into care, the caseworker will also write a report – called a **Summary of the proposed plan for the child or young person** – to let the Children's Court know what changes need to be made for your child to come home safely.

Talk about this plan with your lawyer and any support workers to help you know what you need to do.

## Legal responsibility for your child

When a child is brought into care, changes are made about who can make decisions about your child. This can depend on the way that your child is brought into care.

If you have agreed to a **temporary care arrangement** and DCJ has assessed that this will give your child enough safety and time for things to change, you will keep **parental responsibility** for your child. Your child's carer will also have the ability to make some decisions. This could be things like deciding when to take them to the doctor or dentist, and taking them to school, swimming lessons, after school activities and other services.

Another option is that the caseworker could make an application to the Children's Court for the government minister responsible for children and families to have parental responsibility for your child. This means that, by law, you will not be able to make decisions about your child's life.

This can happen if:

- ▶ you agree with the caseworker's application to the court
- ▶ you do not agree with the caseworker's application to the court, but the court decides from the information they have that your child would be in danger if they stayed with you.



Learn more about the court process on **page 28**.

## What decisions DCJ can make about your child's care

After your child is removed by law, DCJ has to assess and make a recommendation to the Children's Court about where your child will continue to live within:

- ▶ the first six months of them coming into care, if your child is under two years old; or
- ▶ the first 12 months of them coming into care, if your child is over two years old.

The options include:

- ▶ coming home to their parent/s (this is called **restoration**)
- ▶ living with a legal guardian until they are an adult (this is called **guardianship**)
- ▶ **open adoption**
- ▶ being under the **parental responsibility of the Minister** until they are 18 years old, which means living with a foster carer, family or kinship carer – in the past this was called being a ward of the state
- ▶ being under the parental responsibility of another suitable person like another family member or kin.



Learn more about open adoption on **page 44**.



## The court process

### You will need to go to court soon after your child is removed

Within three workdays of your child being removed, the caseworker must provide a **care application** to the Children's Court. The caseworker must give you a copy of the application. It will have the time, date and location of your first court appearance.

**It is very important that you go to the court on this day.**

If you think it will be hard for you to go, or you can't get there, let the caseworker know so they can help.

Try to have someone in court to support you. It is normal to feel emotional before and after court. Think about how to take care of yourself before you go to court.

The care application outlines why DCJ believes your child needed to be taken from your care. The application is about you and your family, and it may be hard to read the things that DCJ believe about the safety of your child. You may wish to have the caseworker, or a support person read it with you.

### Getting a lawyer

On the first day at court, you will be helped by a duty lawyer from Legal Aid NSW or the Aboriginal Legal Service if you do not have your own lawyer.



Learn more about what you can do to take care of yourself in **Section 9 on page 47**.

After the first day, you need to get your own lawyer:

- ▶ Apply for help from Legal Aid NSW – the duty lawyer on day one will help you do this.
- ▶ If you are not able to get legal aid, you will have to get a private lawyer. A website called Law Access can help you find a lawyer – the details are below.
- ▶ Some lawyers offer their services for free or at a discounted price. They may offer a payment plan. Find a lawyer that works for you.
- ▶ While you are waiting for a lawyer, you can also call the services below for advice over the phone.



### Legal and other support and advocacy services

#### Aboriginal Legal Service

☎ 1800 765 767

🖱 [alsnswact.org.au](https://alsnswact.org.au)

#### Disability Advocacy NSW

☎ 1300 365085

🖱 [da.org.au](https://da.org.au)

#### LawAccess NSW

☎ 1300 888 529

🖱 [lawaccess.nsw.gov.au](https://lawaccess.nsw.gov.au)

#### Women's Legal Service

☎ 1800 801 501

🖱 [wlsnsw.org.au](https://wlsnsw.org.au)

#### Wurringa Baiya

##### Aboriginal Women's Legal Centre

☎ 1800 686 587

🖱 [wurringabaiya.org.au](https://wurringabaiya.org.au)

#### Legal Aid NSW

Local offices and contact numbers can be found at:

🖱 [legalaid.nsw.gov.au](https://legalaid.nsw.gov.au)

#### Intellectual Disability Rights Service

☎ 1300 665 908

🖱 [idsr.org.au](https://idsr.org.au)

### At court your child will have a lawyer

Every child has an independent lawyer allocated to them. The lawyer is there to represent what is best for your child. They will talk to your child about what they want and tell the court your child's wishes. The lawyer will be either a **direct representative** and take instructions from your child if they are 12 or older, or they will be a **separate representative** who will give the court an opinion on what is in your child's best interests.

## On the first day of court

On the first day of court, you, the magistrate, DCJ and each lawyer will share their views about who should be able to make decisions about your child. This is called **interim (short term) parental responsibility**. A lawyer for DCJ will explain to the court why the safety assessment found that your child is unsafe and needs to be in care.

The magistrate may disagree with DCJ and return your child to you. Or they may order that your child stay in care so the court can get more information about how safe it would be for them to go home to you. This is called an 'interim order'. This means the **Minister for Families and Communities** or another suitable person has parental responsibility for your child. If the minister has parental responsibility, this means a caseworker makes decisions for your child, alongside their manager, like where they will stay, in the short term.

If an interim order is put in place, the court will set a time for you to come back. This may be to either hear more information or to see what you and the caseworkers have done to make it safer for your child to come home. The court may ask your lawyer to provide an **affidavit**. This is a written document setting out what you say is true about the situation and your child. It is your chance to tell the court your side of the story, and how you can, and will continue, to keep your child safe.

## Telling the court your story

DCJ must be **model litigants**. This means they must tell the court fairly and honestly about their worries and your family's strengths. You get the chance to tell your side of the story too. After the first day at court, you should meet with your lawyer as soon as possible to talk about what DCJ has said to the court. Decide if you want to tell the court what you think about the worries DCJ set out and what has happened from your point of view. This process is called **filing an affidavit**.

## While your child is in care during court proceedings

If your child needs to stay in care during court proceedings, DCJ must give the court a **care plan**. The care plan says whether the caseworker believes there is a possibility your child can come home to you. If the care plan does say this, it will also tell you how long you have to make the necessary changes.

Returning a child home to their parents is always the first option, but if that is not safely possible, long-term family or **kinship care, guardianship, foster care** or **open adoption** will be considered.

## What happens while the court decides

### Your child's care plan

The caseworker will talk with you about the care plan and ask for your ideas. Sometimes a Family Group Conference can be a good way for you and your family to have a say about the care plan.

When care planning with the caseworker tell them about:

- ▶ your child's health, medical history and any medication
- ▶ if your child has disability and is receiving, or needs support or adjustments arranged for them



- ▶ all the people who are important in your child's and family's life so your child has a network of family support and can stay in contact. This could be siblings, grandparents, aunts or uncles, or other important people in your child's life
- ▶ your child's culture and religion
- ▶ where your child goes to school and any activities they do like tutoring, sport or music
- ▶ any support services working with your child.

Planning your next steps:

- ▶ Be open about what has got you to this point.
- ▶ Tell the caseworker your hopes for the future.
- ▶ Follow the tasks set out in the plan. These are specific to you and can range from getting help with your parenting skills or taking steps to reduce your alcohol or other drug use.
- ▶ If you feel like you are meeting the goals but the caseworker doesn't agree, talk to your lawyer or advocate.

Sometimes, the magistrate asks everyone to attend a dispute resolution conference (DRC) to discuss the care plan.

A DRC is organised by the Children's Court and is run by an independent person. All parties to the Court proceedings attend. If you have a lawyer, they will attend with you. The DRC helps families and DCJ talk about any areas of the plan you can't agree on before the magistrate makes a final decision.

Learn more about DRC's by watching the clip created by Justice NSW: [childrenscourt.nsw.gov.au/publications/dispute-resolution-conference.html](http://childrenscourt.nsw.gov.au/publications/dispute-resolution-conference.html)



Dispute  
Resolution  
Conference

### My child's foster care service

My child's foster care service is...

My child's caseworker is called...

Call them on...

Visit their office at...



## The role of a carer

The person caring for your child must give your child love and care. This means doing all the everyday things a child needs to be safe. While your child is in care, you should expect their personal, education, health and cultural needs to be met.

All carers must uphold the [UN Convention on the Rights of the Child](#), also called the **Charter of Rights**. All children have these rights. Carers and caseworkers have a responsibility to support children in their care to understand their rights. All children in care aged seven and older are given a [child-friendly language version](#) of the Charter of Rights. Using this booklet that is specially written for children aged seven to twelve years, as well as [videos and posters](#), caseworkers will help children understand their rights and talk about their feelings and beliefs. These include the right to know their family and to be safe.

For Aboriginal and Torres Strait Islander children, a special community guide to the [UN Declaration on the Rights of Indigenous Peoples](#) is shared with carers. You have **the right** to ask if the caseworker has consulted with an Aboriginal and or Torres Strait Islander staff or community member to help Aboriginal and Torres Strait Islander children and carers understand what the Declaration means to them.

If your child has a disability, the carer will be responsible, along with DCJ, for meeting their care needs and making sure your child's disability support needs are met.

## Foster carers from other services

Sometimes foster carers are supported by services other than DCJ. Anglicare, Barnardos and CatholicCare are some examples of these services. If your child is placed with a carer being supported by another service, a caseworker from that service will work with you and your family. Your child will still have a caseworker from DCJ who will keep in contact with you and the other service. The DCJ caseworker will also be involved in any court processes for your child.

## When you will see your child

It is important that your child stays connected to you. The caseworker will make a time for your child to see and hear from you.

The caseworker must also give you updates about your child. The caseworker will let you know how your child is going when they are in care. If your child's carer is a family member, you may already know a lot about their living situation. If you do not know the carer, the caseworker can tell you general information about them, their living situation and how you can be involved.

You can also play an important role by sharing information about your child with the caseworker, such as their favourite toys and clothes, what they like to eat and drink, and how you like to settle them when they are upset or going to sleep. The caseworker will share this information with the carer.



### ✓ Your rights



*Learn more about staying connected with your child while they are in care in **Section 5 on page 34.***





Learn more about supervised visits in Section 5 on page 34.

## Supervised visits

A **supervised visit** means someone has to be there when you spend time with your child. This might be the caseworker, your child's carer or someone from an organisation that helps with family visits.

### Meeting the foster carer

You may be able to meet, call, text or email your child's foster carer. This will depend on the best plan for your child's safety and care. Get to know the carer and give them the chance to get to know you. Keeping in touch with your child's foster carer means you can tell them important information about your child while also learning more about each other. This can help you feel confident about who your child is with. A good relationship between parents and carers leads to better outcomes for children.

However, this relationship can sometimes be hard for you and the carer. You may feel angry because your child is living with them and not you. You may have differences in parenting choices and values. It is important to work through these, as the relationship with your child's carer is important. If restoration is a possibility, they can support your child to be returned to your care.

### Information about your child while they are in care

You have a right to know about important decisions and events in your child's life regardless of how long they have been in care.

The caseworker must tell you:

- ▶ when your child's carer changes
- ▶ when your child moves house or school
- ▶ any health, disability and medical information about your child
- ▶ about school reports and awards.

The caseworker cannot give you information if:

- ▶ your child says they do not want you to know something
- ▶ sharing the information may make the child or carer unsafe
- ▶ the court decides you cannot be told.

## SECTION 5

# Keeping connected while your child is in care



### Keeping connected while your child is in care

Keeping healthy relationships between parents and children is very important. No matter what happens, you are always your child's parent. If you are able to, and your child wants to, it is important to stay connected. It is the caseworker's role to support your child to maintain a relationship with you.

The ways you stay in touch with your child will depend on your child's needs and wants, and what is safe.

How often and long your child's family visits are and the ways you can keep in touch with your child are included in your child's care plan.

### Different ways to stay connected

The ways your child will stay connected to you are written down in their care plan.

#### Some ways you may be able to stay in touch with your child:

- ▶ Visit them
- ▶ Video call them
- ▶ Talk on the phone or send a text
- ▶ Chat on social media such as Facebook Messenger
- ▶ Prepare gifts for your child
- ▶ Write letters or emails
- ▶ Share information with their carer

### Keeping your child connected to family, community and culture

It is important your child stays connected to their family, community and culture. You can help by sharing information about your culture with your child, their carer and the caseworker. Tell the caseworker who else in the family you would like your child to see and spend time with. Talk to the caseworker about keeping these unique family bonds strong and about your ideas for how to do this. Time with siblings, grandparents or other family can be separate to the time you spend with your child.

The caseworker will work with you and your family to develop a **cultural support plan**. A cultural support plan will include information you think is important for your child to know to support their cultural identity. A cultural plan advocates

for your child to participate in culturally meaningful activities. Its purpose is to help your child feel connected and give them a sense of belonging to their family, community and culture. Their cultural plan should match their individual needs so they can grow with a strong sense of cultural identity.

If your child is Aboriginal or Torres Strait Islander, they have the right to stay connected or build connections to their community and land. The caseworker should consult with Aboriginal staff and community members as well as you, your family and your child's carer to make this happen.

## Visiting your child

### What a visit can look like

A visit with your child can be as short as one hour. It may take place at a park or playground, library, relative's home or the Community Services Centre. Visits can be supervised or unsupervised.

If your home is assessed as safe, visits may happen in your home. This can include an overnight visit if it is safe. You have **the right** to ask for more time with your child, change the place you meet and ask for overnight stays.

### Breastfeeding visits

If you are breastfeeding your baby, it can be especially hard to be apart from them. Your body will need to adjust to not breastfeeding as often. Be kind to yourself and reach out for extra support from friends, family or a support worker.

Every family's circumstances are different. The caseworker will be guided by your baby's GP or paediatrician, and by talking to you and your baby's carer about what is best.

You may be able to have extra visits with your baby to continue breastfeeding, or you may be able to pump breastmilk to give to your baby's carer.

### Why some visits are supervised

The court may decide your visits with your child must be supervised. Ask the caseworker why your visits are being supervised and what you need to do to have unsupervised visits. If you are working with DCJ towards bringing your child home, you should feel supported to spend time alone with your child.

If your visit is supervised, the person supervising can be your child's caseworker or another approved person from another agency, sometimes called a **contact worker**. They will document the visit to demonstrate how the visit went as the court may request these updates. Family members or other support people may apply to DCJ to be authorised supervisors for the time you spend with your child.

You should be treated with respect during visits and have the opportunity to spend meaningful time with your child. You have **the right** to ask for another supervisor if you feel like the supervisor is poorly impacting on the time with your child.

## ✓ Your rights



You can get free advice from the [Australian Breastfeeding Association online](#) or by calling 1800 686 268.



Australian Breastfeeding Association

## ✓ Your rights

## Feeling worried about supervised visits

A supervised visit can be hard. You may feel self-conscious and feel like you have to overthink everything you do. If you are worried that you are not able to be yourself or feel things that happen during your time together are misinterpreted by the person supervising, speak up. Talk to the caseworker, the caseworker's manager or someone you trust.

Organising supervised visits can be stressful. How well they go and how comfortable your child and you feel has a lot to do with the relationships between you, the child's carer and the caseworker. If you don't think these relationships are good, or have worries about them, speak to the caseworker, the caseworker's manager or your lawyer.

You can have a family member or friend apply to be an authorised supervisor. This can make the visit more comfortable and natural for both you and your child.

These visits may be emotional. If you can do your best to stay calm during your time together, this will help your child to stay calm and feel safe too. If you struggle with this, it is only natural. Speak to the caseworker or contact worker about how to get help to manage this.

## Unsupervised visits

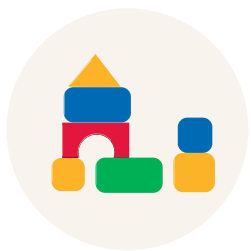
When the court hears that your time with your child is going well, it may change the decision for supervised visits based on your child's best interests and plans for restoration. The caseworker should let you know how you can work towards unsupervised time with your child or how it could be made more natural, for example, by having someone from your child's family approved to supervise.

## Preparing for visits

It can help to set a reminder on your phone about your visit. It is also helpful to arrange your transport so you arrive on time. Spending time together can feel strange for you and your child. Talking to the caseworker or a supportive person about your feelings can help you get ready.

You can also speak with your child about the visit. You may be able to call, text or write a letter letting them know you love them, miss them and can't wait to see





them. If you can't speak to your child beforehand, ask the caseworker how your child is being supported by others to get ready for your time together.

Ask the caseworker or your child's carer about what your child has been enjoying lately – what book they are enjoying, or what food they like to eat or may need during your time together such as a healthy snack. Ask if your child has been learning something new that they would like to share with you during a visit.

You can help lower the stress or worries of a visit by letting your child make decisions such as what will happen and if they want someone special and safe there, like a grandparent or a sibling. If you are spending time with your child in an office and it is not comfortable or fun for your child, ask the caseworker if you can have the visit somewhere else.

It is also important to prepare for the practical elements of a visit. Ask if your child's meal time will happen during your visit. Make sure you have any clothing, nappies or sleeping arrangements prepared if the visit is in your home.

### Making the most of your time together

You might want to bring family photographs to look at, have a book to read, colour in a picture, do a craft activity, play cards or bring your child's favourite food to eat.

You may choose an activity like going to the park or an indoor playground, or something you know your child will enjoy.

Even if you have lots of questions to ask because you have missed your child, they can still get bored by just talking. Doing an activity while chatting will help your child relax and share more about what has been happening at school and in their life.

It is normal to cry, be nervous or get upset at a visit. Try to see things from your child's point of view. Children look up to their parents and often feel the emotions their parent is feeling. If you are very sad, your child may feel sad too.

Make the most of your time together by going in with the goal of making a nice memory for your child. If you or your child get upset or things don't go as planned, don't worry. You can always work at making each visit meaningful for your child and your relationship.

### Working together for children

You, the carer and the caseworker need to work together to make family visits the best they can be for your child.

Before a visit, your child's carer should:

- ▶ ensure your child is ready and has the things they need for the visit
- ▶ be open to talking to you, your child and the caseworker about how the child feels before the visit or after a previous visit.

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**You must all work together to help your child with any stress or sadness that happens around visit time.**

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Be consistent and always turn up. Let your child know when they will see you next. Ask your child what they may like to do next time you see them.



## After a visit

Leaving your child after a visit can be heartbreaking and you may search for ways to ease your sadness. Ask the caseworker to help you plan for a healthy way to cope with the pain. This may include talking to a friend, a service you trust or a support person.

You may feel the urge to ease your child's sadness by making promises such as getting them home soon. This can be tough for your child, especially if you do not know they can come home yet. It is best to comfort your child and express your love while still being mindful of the things you can't promise into the future.

It is important to realise that your child will find this hard too. They need you to be strong and find healthy ways to cope, so that you can continue being there for them. This is your opportunity to make the time count and bring them as much joy and love as you can. Even a short time together can create a happy memory.

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### **If you are worried about your child**

If you notice something happening in your child's life, let the caseworker know. It may be your child seems sad, anxious or stressed. Or they may be acting in a way that feels strange or out of character. Speak up. This can be important information.

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## SECTION 6

# Restoration: bringing your child home



Bringing your child home will be a journey. How long it takes depends on what is happening in your life and the work you do with the support of the caseworker.

### Getting your child back

Getting your child back home to you is the aim wherever this is safe. This is called **restoration**. The law requires DCJ to look at whether restoration is possible before looking at other long-term care options.

The caseworker needs to see you are making changes in your life and how these will make life safer for your child. What you need to change and how you will do it is written in your **Family Action Plan for Change**.

If the caseworker and their manager decide that restoration is possible, or the court orders restoration, the caseworker will complete a **restoration assessment**. This is after you have been working on your Family Action Plan for Change for three months.

A restoration assessment helps the caseworker decide the risk to your child if restoration occurs.



The court requires DCJ to write a **care plan** for your child that includes:

- ▶ how long they think parental responsibility of your child should be held by someone else
- ▶ where your child will live until they can come home
- ▶ your child's views about coming home
- ▶ the minimum outcomes to achieve for restoration, and by when
- ▶ details of the services DCJ will provide to your family to support your child coming home
- ▶ a plan for your child to slowly return from where they are living back to your home.

Restoration is an exciting and challenging time for families. Work with the caseworker to develop a strong **Family Action Plan for Change** to help prepare everyone for the changes they can expect, look at worries about your child's safety, and keep up the positive changes you have made for your child.

## What caseworkers look for when considering restoration

- ▶ How committed you are to making the changes needed for your child to be safe
- ▶ Whether things are changing for the better and will last a long time
- ▶ The relationship between you and your child
- ▶ Whether you want to be with your child and they want to be with you
- ▶ Whether you are getting help from family, friends and services to make your life safe for your child
- ▶ If needed, how committed you are to making change through mental health, alcohol or drug treatment
- ▶ If you understand what was hurting your child and what you have to change
- ▶ What your child says and feels
- ▶ What visits look like and whether you are showing that you are a safe parent during family time

### It is hard to make big changes

Working to get your child back is hard and stressful. You may be starting a new life away from violence, trying to change your use of alcohol or drugs, or getting counselling. You may make big changes and then take a step backwards. This is normal. Do not be too hard on yourself. Speak openly and honestly and get back on track to make the changes your child needs.

## What your child might be feeling

Your child is going through a lot of change during this time, which can be upsetting, stressful or unsettling. How these changes affect them depends on their age and what they have been through in the past.



*Speak to the caseworker about what your child may be feeling and how you can work with the caseworker and your child's carer to make them feel loved, supported and less worried.*

Your child may be feeling:

- ▶ sadness and loss being apart from you, family and community
- ▶ anxious, fearful and confused about their new living arrangements
- ▶ missing home
- ▶ excited about positive changes in you and their family
- ▶ scared about court or being taken from you forever
- ▶ protective of you or their brothers and sisters
- ▶ connected to new people in their life like carers or carer's children
- ▶ uncertain or untrusting about new people like carers
- ▶ responsible for what has happened or like it is their fault
- ▶ confused, angry, jealous and sad if a sibling is restored or stays with their parent when they cannot.



Speak to the caseworker about what your child may be feeling and how you can work with the caseworker and your child's carer to make them feel loved, supported and less worried. Ask about your child's routine, involvement with services, activities they like to do outside school and if they have a behaviour management plan. This will help your child feel safe and settled as quickly as possible.

## Managing stress

As you work through your Family Action Plan for Change, you will have to manage:

- ▶ seeing your child
- ▶ working with caseworkers
- ▶ working with other services
- ▶ everyday stresses like relationships, financial stress or work.

There may be meetings, courses, court hearings and counselling to go to. Grief and shame are normal too. As difficult as it is, try to stay hopeful. Stay motivated by your love for your child.

If you are losing hope or having trouble meeting the goals in your Family Action Plan for Change, speak honestly with the caseworker or ask to speak with their manager. The goals in your plan should never feel completely out of your reach. They should be realistic and well suited to what your child needs to be safe.

Every plan has a review date. If you think you will not be able to make the changes listed on your plan by that date, speak to the caseworker.

## Making the move back home

As change happens and life becomes safer, your child may be able to spend time with you in your home. It could be a day, overnight or even for a weekend.

You need this time together to build the trust and safety your child needs in their life if they are to come home.

## Going to court

When you and the caseworker think you are ready for your child to come home, you will need to make this clear to the Children's Court if the magistrate has not already ordered restoration. The court will look at what the caseworker says about the changes you have made, what you say about the changes you have made and what your child says about where they want to live. The court may also have asked an independent person to complete an assessment.

## Supervision orders

If the court agrees your child should come home, they will likely make a **supervision order**. This means your child lives with you but the caseworker still works with your family and reports your progress to the court.

You will complete a new Family Action Plan for Change with the caseworker. This is crucial at this time and will include requirements set out by the court. You will need to stick to the goals your family and caseworker have made.



## Your child's life after coming home

Your child has been through a lot. It can be exciting for everyone when your child is back with you and the home feels safe and full of hope. But it can be challenging too.

Many children deeply connect with their carer family and new friends. If they have been in care for a while, they may have started social activities and classes. It is important to step into your child's shoes to see changes through their eyes. They may be worried about coming home because the last time they lived with you, home was not as safe as it needed to be.

Ask your child what will make them feel safe and happy now that they are home. Let them know it is okay to have lots of different feelings and miss things about the life they had while they were away from home.

They may want to stay in touch or spend time with their carer family and new friends, or stay on with activities. Try to do this. If the cost, travel or time for activities is a challenge, speak to the caseworker about getting some help.

This change is big for your child. They are coming back to a home that is different because of the changes you have made. It is normal for them to behave differently or test out the new routines or boundaries that you have put in place.

Life changes like coming home from care can impact a child's mental health. If your child is feeling sad, has no interest in doing things, is quick to get angry or upset such as crying a lot and you don't know why, is using alcohol or drugs or is having negative thoughts, speak to the caseworker, a support worker or call the Parent Line on 1300 1300 52.



## SECTION 7

# If your child cannot come back to live with you



Every child deserves to live a happy and stable life with a home and family that makes them feel loved and safe. If DCJ thinks that your child cannot come home to live with you because they could be hurt, they will create a **care plan** with you to give to the Children's Court.

The Children's Court will ultimately make a decision about what sort of safe home will be best for your child to grow up in. This might be guardianship to a relative, open adoption or long-term foster care. When restoration is not possible, guardianship or open adoption are preferred options to foster care. However, if your child is Aboriginal or Torres Strait Islander, open adoption is not preferred.

Each child's circumstance is unique to their needs. This means different decisions may be made for each of your children.

### Long-term foster care and family/kinship care

Your child may already be living with a foster carer or a family/kinship carer. If your child can't come home safely, the Children's Court may decide it is best for your child to stay in their new home. If your child's foster carer or family member can't give your child the love and home they need, the caseworker may need to find new carers who can.

Even if your child is in long-term foster or kinship care, you are still their parent. Your child has a right to have a happy and healthy relationship with you. In most foster or kinship care arrangements, you can spend time with your child and be told about decisions.

If your life changes and home becomes safe for your child, you may be able to begin the journey to bring them home after court has finished. If you want to see if this is possible, you must talk to your lawyer about a **Section 90 application**. Section 90 is the part of the *Children and Young Persons (Care and Protection) Act 1998* that deals with applying to change a care order that has been made by the Children's Court.

### Guardianship

The caseworker may begin looking for a **guardian** for your child. A guardian can be anyone over the age of 18 years old who can give a child a safe and loving home. A guardian must agree to keep your child in contact with you and support their cultural needs and connections.

When someone becomes your child's guardian, they have full legal responsibility for your child and can make decisions about your child's life. This includes decisions about your child's health, education and daily care while also being responsible for what your child needs to feel loved, safe, active, healthy and to continue learning and growing.



Learn more about restoration in **Section 6** on page 39.

Even if your child is taken care of by a guardian, you are still their parent. You can spend time with your child, speak with them and be involved in important days like birthdays. Your child's guardian has parental responsibility of your child until your child turns 18.

DCJ may stop working with you and your child if they are cared for by a guardian. If your child has a guardian and things in your life change and life becomes safe, you may be able to try to bring your child home by making an application to the Children's Court for the order to be changed. If you want to see if this is possible, you must seek legal advice.

## Open adoption

If your child can't come home to live with you, **open adoption** may be an option. Before that happens, DCJ must speak with you about what adoption means and give you information.

The Supreme Court makes decisions about whether a child can be adopted. If an adoption decision is made, the adoptive parents take full legal rights and responsibility for your child forever. This order cannot be changed and is permanent. However, the adoption is open. This means your child will know who their birth family is and have the right to get information about you and the life of your family as they grow up. You may be able to see your child, but you have no parental rights when your child is adopted.

If your child is under 12 years old, both parents are offered the opportunity to provide their consent for adoption to happen. A child over 12 can make the decision themselves. You will be asked if you want counselling from a registered counsellor. This can help you to feel supported to better understand this process to make an informed decision.

Some people choose adoption for their child. This may be to make sure their child is no longer in the child protection system.

When adoption is being considered, parents and a child's extended family make an **adoption plan**. This plan can be registered as part of the adoption order. It is an agreement about family time and telephone, email or social media contact after an adoption. It includes how information will be shared about a child with their birth family.



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**When talking about the adoption plan, everyone needs to think about what is best for the child. This includes what they may need as they grow older.**

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Open adoption is the last placement preference if your child is Aboriginal or Torres Strait Islander. This means that all other options must have been assessed before open adoption can be considered. The **Secretary** of DCJ must give their formal approval of any open adoption of Aboriginal children.

## The pain when your child can't come home

It is heartbreaking to hear your child can't come home to live with you. It is normal to feel sadness and loss. You should get support from a friend or support person to help you cope. If you have negative thoughts or feelings about hurting yourself, talk to someone who can help. Regardless of the time of day or night, you can always find help, such as Lifeline on 13 11 14.

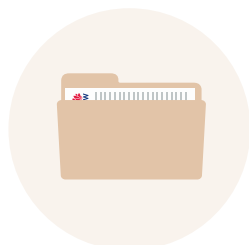
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It is important to acknowledge your feelings but also to think about what your child is going through. Your child needs you in their life and no matter what happens, you will always be their parent. You are important to your child and they will always need you.

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## SECTION 8

# Records DCJ keeps about you



Caseworkers must keep documentation every time DCJ sees a family. The records can be things like reports, safety and family based assessments, Family Action Plans for Change, and notes about visits with your family.

Sometimes people will be named as a **person causing harm** (you might also see this written as PCH) on DCJ records if assessments have given enough information to show a person has harmed a child. Most of the time, if people are recorded as a person causing harm, a caseworker will tell them about it and let them know why. Any comments about it will be noted on records.

All DCJ records are confidential but can be accessed by DCJ staff. It is against the law to delete or destroy records. The Children's Court can also ask to see DCJ records. By law, other courts and some other government agencies can access some of these records.

You can ask the caseworker to see any notes or documents they have written about you. It can also be good to keep your own notes.

### Accessing your records


If you do not feel that you have seen all of the information you are asking for, according to the *Government Information (Public Access) Act 2009* you can apply for copies of records about you.

In addition, under the *Privacy and Personal Information Protection Act 1998* you have **a right** to see the personal and health information DCJ holds about you. You also have **a right** to ask that we change that information if you believe it is incorrect.

For both steps, you can apply online or by post through the DCJ Right to Information Unit. Ask the caseworker if you need some help.

### DCJ Right to Information

Open Government, Information and Privacy

 (02) 9716 2662

 [facsgipa@facs.nsw.gov.au](mailto:facsgipa@facs.nsw.gov.au)

### Your rights

## SECTION 9

# Taking care of yourself



To take care of children, parents need to take care of themselves. You are important to your child. If you are struggling, sad, scared or unsafe, your child may feel the same.

Sometimes, children end up getting hurt because of hard things a parent is trying to overcome such as mental health issues, experiences of trauma and violence, or struggles with drug and alcohol use. The key to safety at home is working with **you** to find **your** strengths to support good parental health, wellbeing and safety. If you as a parent can access the right support, there is a greater opportunity for your child to be safe.

Circumstances in people's lives change over time. Things can be hard because of grief, job loss, relationship issues or health problems. These challenges do not define you or mean things will always be this tough. If there are challenges that you are facing that are getting in the way of you being the parent you want to be, you have **the right** to ask for what you need.

### ✓ Your rights

Some challenges you might be facing:

- ▶ You feel sad, tired or sick to the point where you can't get your kids ready for school or feed or change them
- ▶ Someone is hurting you or your child
- ▶ Your own experiences of trauma and violence are affecting you
- ▶ Someone is controlling what you do, say, who you can see or how you spend money
- ▶ You are having bad thoughts or thinking about dying
- ▶ You are using alcohol or other drugs to help get you through the day, to cope with things that have happened to you or to feel okay
- ▶ You do not have enough money to get food, pay bills or buy your child clothes
- ▶ You have disability or illness that gets in the way of doing things for your child.



See what support services are available to you in **Section 11** on page 52.

When you are ready, speak to the caseworker about how you are feeling and how you would like to be supported. You can ask a support person to do this with you.

There are often parent support groups for people who have been through situations similar to your own.

## SECTION 10

# Words and phrases you may hear and read



This guide and the child protection system use a lot of words and phrases that you might not have seen before. These are highlighted **green** in the text and explained briefly in this section.

**Aboriginal placement principles:** the order in which consideration is given to children and young people placed within their family, community or Aboriginal community to stay connected with their Aboriginal culture.

**Advocate:** an advocate is someone who provides support on behalf of another person or group.

**Affidavit:** a formal written statement setting out what someone believes to be true, in this context for the Children's Court. This becomes evidence in court.

**Alternative dispute resolution (ADR):** a process where a facilitator helps people to work out issues and disagreements before the matter goes to court.

**Adoption plan:** an agreement between those involved in an adoption about contact with a child's birth family, sharing of information and how a child will develop their cultural identity.

**Assessment tools:** these provide a template for caseworkers to collect and understand information about a child's safety and wellbeing. Caseworkers use assessment tools to help make decisions for children.

**Bringing a child into out of home care:** the removal of a child from their family when they cannot stay safely living in their home. This can sometimes be called a 'removal' or 'assumption of care'. Assumption is when a child is removed from their parent's care when they are not at home. They may be in hospital or at school at the time and an 'order for assumption' is provided to the person in charge of the premises.

**Care application:** an application to the Children's Court for a care order to protect the safety, welfare and wellbeing of a child or young person.

**Care plan:** a written plan that sets out how a child's needs will be met in the future. Care plans are made as far as possible with the agreement of the child, parents and carers. This plan is provided to the Children's Court.

**Carer:** Someone who provides care for a child or young person. This may include a relative or household member or someone who is authorised as a foster carer.

**Case plan:** a written plan for a child in care setting out how to meet their care needs. Case plans are developed with the child, family, carers and other people significant to the child. The plan is a record of goals and desired outcomes and the tasks required to meet these.

**Caseworker:** the DCJ person responsible for working with children and their families to keep assessing if a child is safe and to help make plans to achieve this.

**Charter of Rights for Children and Young People:** the list of rights a child or young person has in out of home care.

**Children's Court:** a special court that deals with cases involving children and young people. The court has the power to hear and decide cases related to the care and protection of children and young people aged under 18 years.

**Closing the case:** when DCJ decides that it no longer has to work with a family because their child has been assessed to be safe.

**Community Services Centre (CSC):** locally based DCJ community services offices. There are about 80 CSCs across NSW.



**Contact or family time worker:** a person whose job it is to be at a visit between parents or family members and a child to make sure the visit goes well and the child is safe. They may take notes and share these with the DCJ caseworker.

**Culturally and linguistically diverse (CALD):** in Australia this means people who were born overseas, or have a parent born overseas, speak a language other than English or practice a variety of religious beliefs.

**Cultural service:** a service that may be able to support children and families from an Aboriginal or culturally and linguistically diverse background.

**Cultural support plan:** a plan that documents a child's story of traditions, belonging and connection to family, community and country.

**Danger:** anything placing a child in a situation where they can be seriously hurt.

**DCJ:** the NSW Department of Communities and Justice (formerly FACS - Family and Community Services, formerly DOCS - Department of Community Services).

**Direct representative:** a child or young person's legal representative, who acts for a child or young person who is able to provide their own instructions.

**Eco-map:** a diagram showing the important people for the child and parent. These people can form the family network and support structure.

**Facilitator:** a person that makes an action or process easier. For example, in an alternative dispute resolution (ADR) the facilitator is a person not employed by or connected to DCJ, whose job it is to help everyone reach an agreed family plan.

**Family Action Plan for Change:** a plan that is made when a child has been assessed as needing care and protection. The case plan for the child is supporting them to remain at home safely or to return home. It lists the risks for a child and what the family must do to reduce them.

**Family based assessment:** an assessment completed after the safety assessment for all families. The assessment is used to guide decisions about whether a child is at risk of significant harm and in need of care and protection and whether the child and their family needs ongoing help.

**Family Group Conference (FGC):** a family-focused form of alternative dispute resolution (ADR). Extended family members meet to work on a plan together to keep the child in their lives safe.

**Family Support Worker:** Are professionals who offer and deliver practical and emotional support, guidance and services to children and families in need.

**Filing an affidavit:** when a formal written statement setting out what someone believes to be true is given to the Children's Court.

**Genogram:** a family tree that shows all the people in a family and their relationship to one another.

**Guardian:** someone over the age of 18 years who can give a child a safe and loving home. When a carer becomes your child's guardian, they have full legal responsibility for the child and can make decisions about their life.

**Guardianship:** legal responsibility for a child given to the person who will make decisions about the child's wellbeing and development. This includes decisions about education, health, medical care and much else.

**Harm/Hurt:** harm or hurt to a child that may be caused by physical, sexual, emotional or psychological abuse or neglect.

**Immediate risk of serious harm:** dangers for the child have been identified during the safety assessment and a safety plan cannot be developed to keep the child safely at home. If a child is at immediate risk of serious harm DCJ will remove the child from their parents.

**In need of care and protection:** a decision DCJ makes from available information. If a child is at risk of significant harm and DCJ needs to work with the family to keep their child safe into the future, a child is in need of care and protection.

**Interim (short term) parental responsibility:** a decision made at Children's Court after a child or young person has been removed from their family. The Children's Court will decide who will have temporary powers to make decisions about a child, including where they live.

**Interpreter:** a professional person who speaks English and another language well, communicating information from one language to another. This means that people who do not speak English or who use sign language can communicate and understand what is being said. The role of the interpreter is to make clear exactly what is being said between the worker and the child or family.

**Kinship care:** where a child is cared for by a person who is not a relative but has an established relationship with the child or is the child's family, and they share a cultural, tribal or community connection that is recognised by the child's family and community.

**Legal support:** these are services that can give you information and advice about the law.

**Magistrate:** a person in the Children's Court that makes decisions and orders about a child or young person.

**Mandatory reporter:** people in particular jobs or roles who the law says must report to DCJ about a child they suspect or know is being abused or neglected. Mandatory reporters include teachers, police officers, nurses and doctors.

**Measuring change assessment:** an assessment used to measure parental behaviour change for children's future safety through a Family Action Plan for Change.

**Minister for Families and Communities:** a member of the NSW Government responsible for running the Department of Communities and Justice (DCJ).

**Model litigants:** a litigant is someone or some group that is taking part in a court dispute between individuals or organisations (this is called civil law). A model litigant is one that is committed to behaving ethically, fairly and honestly. Model litigation is a policy designed to provide best practice guidelines for government agencies in civil law matters.

**Neglect:** When a child's basic needs are not met. This may include not being given enough food, not going to school regularly, not being given attention, not being taken to the doctor when sick or not getting support for disability. It can also be when they are often not clean or supervised properly or having a safe home to live.

**Open adoption:** a legal process that transfers all legal rights and responsibilities for a child to the adoptive parents.

**Parent responsibility contract (PRC):** a voluntary agreement which helps parents understand what DCJ needs them to do to keep their child with them safely.

**Parental responsibility:** all the duties, powers, responsibilities and authority which, by law, parents have in relation to their children.

**Parental responsibility of the Minister:** when the NSW Minister for Families and Communities has full legal responsibility for a child and can make decisions about their life.

**Parent capacity order (PCO):** an order made by the Children's Court that requires a parent or carer to attend or participate in a program, service, course or treatment to help them keep the child in their life safe.

**Person causing harm (PCH):** a person who has been identified as hurting a child or young person.

**Placement:** where a child lives when they are in the care of DCJ.

**Restoration:** reuniting a child or young person with their parents when it is safe to do so after they have been in care.

**Restoration assessment:** an assessment DCJ uses to decide if there is still a risk to a child or young person before they start living with their parents again. This assessment also considers a family's progress towards case plan goals and the quality of the time spent between parents and the child.

**Risk of significant harm:** a child may be at risk of significant harm if there are current concerns for their safety, welfare and wellbeing, to a significant enough extent to warrant a response from a statutory authority (Police and/or DCJ).

**Safety assessment:** an assessment to determine whether there are any dangers to a child right now and whether the child can remain safely in the home.

**Safety plan:** a plan made with the caseworker and your network to look at immediate dangers and what tasks need to be completed in order to keep the child safe at home.

**Secretary:** the person who leads DCJ and reports directly to the Minister for Families and Communities.

**Section 90:** when the Magistrate or Judge is asked to reconsider the current order for a child in care it's called a section 90 application. Depending on what is in the best interests of the child, the order may stay the same, be changed, cancelled or a completely new order may be made.

**Separate representative:** an independent person, usually a lawyer, appointed to represent a child at Children's Court.

**Significant harm:** any substantial or serious injury to a child's physical, psychological or emotional wellbeing, demonstrated by the child's presentation, functioning or behaviour.

**Statutory authority:** a government body or approved group which has the power to act on behalf of the government to enforce legislation or laws. DCJ is a statutory authority.

**Step-parent:** a step-parent of a child is someone who is not a biological parent of a child in their care. They are or were married to, or a de facto partner of, one of the child's biological parents.

**Summary of proposed plan for the child or young person:** a plan for the Children's Court that sets out the key points about a child that the court needs to know and what changes need to happen for a child to go home to their parents.

**Supervised visit:** when a parent is only allowed to visit their child under the supervision of someone else, such as a family member, DCJ caseworker or contact worker.

**Supervision order:** an order made by the Children's Court that allows DCJ to supervise a child or young person to help keep them safe with their family.

**Taking a child into care:** removing a parent's legal responsibility for a child and placing the child in the care of the Minister for Family and Community Services.

**Temporary care arrangement (TCA):** a formal arrangement that places a child in the care of the Secretary of DCJ while the parents continue to have parental responsibility and some decision-making power. Under a TCA, parents keep the right to be involved in making decisions about the child.

**UN Declaration on the Rights of Indigenous Peoples (UNDRIP):** the most comprehensive international instrument on the rights of Indigenous peoples. The UNDRIP establishes a universal framework of minimum standards for the survival, dignity and wellbeing of the world's Indigenous peoples. It recognises the right of Indigenous families and communities to retain shared responsibility for the upbringing, training, education and wellbeing of their children, consistent with the rights of the child.

# SECTION 11

## Support services



### Aboriginal support services

#### AbSec

[www.absec.org.au](http://www.absec.org.au) | (02) 9559 5299

#### Aboriginal Legal Service (NSW/ACT)

[www.alsnswact.org.au](http://www.alsnswact.org.au) | 1800 733 233

#### Women's Legal Services NSW

[www.wlsnsw.org.au/legal-services/indigenous-womens-legal-program](http://www.wlsnsw.org.au/legal-services/indigenous-womens-legal-program) | (02) 8745 6900

#### Civil Law Service for Aboriginal Communities

<https://www.legalaid.nsw.gov.au/my-problem-is-about/my-right-as-a/aboriginal-or-torres-strait-islander/civil-law-service-for-aboriginal-communities> | 1800 793 017

#### Aboriginal Housing

[www.facs.nsw.gov.au/housing/aboriginal-housing](http://www.facs.nsw.gov.au/housing/aboriginal-housing)

#### Aboriginal Maternal and Infant Health Services Directory

[www.health.nsw.gov.au/kidsfamilies/MCFhealth/programs/Pages/amihs-bsf-map.aspx](http://www.health.nsw.gov.au/kidsfamilies/MCFhealth/programs/Pages/amihs-bsf-map.aspx)

#### Your Room | Reducing harm caused by drugs and alcohol

[www.yourroom.health.nsw.gov.au/aboriginal-info/pages/aboriginal-info.aspx](http://www.yourroom.health.nsw.gov.au/aboriginal-info/pages/aboriginal-info.aspx)

#### Brother to brother | 24hour crisis line for Aboriginal men

[www.dardimunwurro.com.au](http://www.dardimunwurro.com.au) | 1800 435 799



### Emergency support services

#### Lifeline

[www.lifeline.org.au](http://www.lifeline.org.au) | 13 11 14

#### Beyond Blue

[www.beyondblue.org.au](http://www.beyondblue.org.au) | 1300 22 4636

#### Suicide Call Back Service

[www.suicidecallbackservice.org.au](http://www.suicidecallbackservice.org.au) | 1300 659 467

#### MensLine Australia

[www.mensline.org.au](http://www.mensline.org.au) | 1300 78 99 78



### Parenting support services

#### Parent Line NSW

[www.parentline.org.au](http://www.parentline.org.au) | 1300 1300 52

#### Tresillian Parent's Help Line

[www.tresillian.org.au](http://www.tresillian.org.au) | 1300 272 736

#### Australian Breastfeeding Association

[www.breastfeeding.asn.au](http://www.breastfeeding.asn.au) | 1800 686 268

#### Child and Family Health Services Directory

[www.health.nsw.gov.au/kidsfamilies/MCFhealth/programs/Pages/health-services-map.aspx](http://www.health.nsw.gov.au/kidsfamilies/MCFhealth/programs/Pages/health-services-map.aspx)

**FISH | Parent peer support and advocacy services**

[www.finclusionh.org/peer-services](http://www.finclusionh.org/peer-services) | 1300 942 598

**Domestic Violence NSW**

[www.dvnsw.org.au](http://www.dvnsw.org.au)

**Mission Australia | Family and domestic violence support**

[www.missionaustralia.com.au/servicedirectory/189-family-domestic-violence](http://www.missionaustralia.com.au/servicedirectory/189-family-domestic-violence)

**No to Violence | Advice for men**

[www.ntv.org.au/mrs/getting-support](http://www.ntv.org.au/mrs/getting-support) | 1300 766 491

**Family Drug Support Line**

[www.fds.org.au](http://www.fds.org.au) | 1300 368 186

**Your Room – Reducing harm caused by drugs and alcohol**

[www.yourroom.health.nsw.gov.au](http://www.yourroom.health.nsw.gov.au)



**Carer support services**

**Carers Australia**

[www.carersaustralia.com.au](http://www.carersaustralia.com.au) | 1800 422 737

**My Forever Family NSW**

[www.myforeverfamily.org.au](http://www.myforeverfamily.org.au) | 1300 782 975

**Caring for Children**

[www.caring.childstory.nsw.gov.au](http://www.caring.childstory.nsw.gov.au)



**Support services for children and young people**

**Kids Helpline**

[www.kidshelpline.com.au](http://www.kidshelpline.com.au) | 1800 55 1800

**Headspace**

[www.headspace.org.au](http://www.headspace.org.au)

**ReachOut Australia**

[www.au.reachout.com](http://www.au.reachout.com)



**Disability support services**

**NSW Disability Advocacy Services**

[www.dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/disability-advocacy-futures-program.html](http://www.dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/disability-advocacy-futures-program.html)

**Service NSW**

[www.service.nsw.gov.au/services/disability-assistance](http://www.service.nsw.gov.au/services/disability-assistance)

**Disability Gateway**

[www.disabilitygateway.gov.au](http://www.disabilitygateway.gov.au)

**National Disability Insurance Scheme**

[www.ndis.gov.au](http://www.ndis.gov.au)

**Services Australia**

[www.servicesaustralia.gov.au/living-with-disability](http://www.servicesaustralia.gov.au/living-with-disability)



## Support services for culturally and linguistically diverse people

**Multicultural NSW | Promotes community harmony and social cohesion**

[multicultural.nsw.gov.au](http://multicultural.nsw.gov.au)

**NSW Refugee Health Services | Clinical services for recently arrived refugees and asylum seekers**

[www.swslhd.health.nsw.gov.au/refugee/#](http://www.swslhd.health.nsw.gov.au/refugee/#)

**Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS) |**

**Assists people to heal from scars of torture and trauma**

[www.startts.org.au](http://www.startts.org.au)

**Transcultural Mental Health Centre | a telephone service that supports people who are from a culturally and linguistically diverse community**

[www.dhi.health.nsw.gov.au/transcultural-mental-health-centre-tmhc/transcultural-mental-health-line](http://www.dhi.health.nsw.gov.au/transcultural-mental-health-centre-tmhc/transcultural-mental-health-line)

**Immigration Advice & Rights Centre | Free legal advice and assistance to vulnerable people needing support**

[iarc.org.au](http://iarc.org.au)

**Ethnic Communities Council NSW | Peak service representing multicultural communities**

[eccnsw.org.au](http://eccnsw.org.au)

**Multicultural Disability Advocacy Association (MDAA) | Advocating for the rights of people with disability from CALD backgrounds**

[mdaa.org.au](http://mdaa.org.au)

**TIS: Translation and Interpreter services | Interpreting service for people who do not speak English**

[www.tisnational.gov.au/en](http://www.tisnational.gov.au/en) | 131 450



## Support services for LGBTQIA+ parents and children

**Rainbow Families | Advocacy group**

[www.rainbowfamilies.com.au](http://www.rainbowfamilies.com.au)

**The Gender Centre | Gender identity support**

[www.gendercentre.org.au/services](http://www.gendercentre.org.au/services)

**Q Life | Peer support service**

[www.qlife.org.au](http://www qlife.org.au) | 1800 184 527

**Say it Out Loud | encouraging healthy relationship**

[www.sayitoutloud.org.au/?state=NSW](http://www.sayitoutloud.org.au/?state=NSW)



## Worries, feedback or complaints

**Legal Aid NSW**

[www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au)

**Inner City Legal Centre | General legal advice**

[www.iclc.org.au/our-services/general-legal-advice](http://www.iclc.org.au/our-services/general-legal-advice) | (02) 9332 1966

**DCJ Community Service Centres**

[www.dcj.nsw.gov.au/contact-us/csc.html](http://www.dcj.nsw.gov.au/contact-us/csc.html)

**DCJ Enquiries, Feedback and Complaints**

[dcj.nsw.gov.au/contact-us/complaints-and-feedback.html](http://dcj.nsw.gov.au/contact-us/complaints-and-feedback.html)

**DCJ Right to Information Request**

[www.dcj.nsw.gov.au/about-us/gipa/apply-online-to-access-information.html](http://www.dcj.nsw.gov.au/about-us/gipa/apply-online-to-access-information.html)

**NSW Ombudsman**

[www.service.nsw.gov.au/nswgovdirectory/ombudsman-nsw](http://www.service.nsw.gov.au/nswgovdirectory/ombudsman-nsw) | 1800 451 524



