

Child protection permanency for children changes

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Permanency changes

- On 1 March 2016, amendments to the *Children Youth and Families Act 2005* came into effect to support permanency for children who need protection from abuse or neglect.
- Permanency refers to achieving certainty about ongoing care, preferably at home with parents, but if necessary in out-of-home care, preferably with relatives.
- The changes arose from a finding of the Protecting Victoria's Vulnerable Children Inquiry 2012 that it takes, on average, five years until a permanent care order is made for children who need this, and that this delay is harmful to children. It recommended finding about why, and addressing the underlying causes.
- The permanency changes now underway are about more timely decision making for children who have been remaining in care for many years facing an uncertain future.

Legislative platform

- Amendments to the legislation provide a platform for reducing delays. They are designed to:
 - simplify Children's Court protection orders
 - align case plans and court orders to make the intent of intervention to protect children clear
 - assist in removing barriers to permanency.

Changes to court orders

- A simplified suite of Children's Court orders
 - Family preservation order
 - Family reunification order
 - Care by Secretary order
 - Long-term care order
 - Permanent care order
- Timelines for working towards family reunification when a child enters out-of-home care – up to 12 months, and if good progress, potentially two years.
- Providing services parents need in a timely way will be critical.

Changes to case planning

A case plan:

- sets out the permanency objective for the child, and significant decisions about their present and future care and wellbeing
- is developed with family members and professionals - where maternal and child health is involved, your engagement in the process is vital
- will be prepared earlier - at the beginning of child protection intervention
- will be aligned to the order, where there is one
- will be accompanied by an actions table setting out how the case plan is to be implemented through goals, tasks, timelines, and indicators of change.

Changes to cultural planning for Aboriginal children

- Aboriginal children are significantly over represented in child protection
- The legislation now requires cultural planning for all Aboriginal children in out-of-home care (not just those on previous guardianship orders)
- Case plans will address the cultural support needs of the child, and must reflect and be consistent with those needs, having regard to the child's circumstances, to maintain and develop their Aboriginal identity, and encourage their connection to their Aboriginal community and culture.
- Each Aboriginal child in out-of-home care will be provided with their own cultural plan.
- A permanent care order for an Aboriginal will not be made unless an Aboriginal agency supports it being made.

Improved outcomes for children

- These changes are significant and will make a difference to the lives of children in Victoria who have experienced abuse or neglect.
- A review of the changes will be undertaken later this year and you are welcome to contribute.
- Further information about permanency for children can be found on the Department of Health and Human Services website – changes to child protection law.
- Contact the Maternal and Child Health Nurse Coordinator, or Children and Families Manager for details of child protection area managers in your local government area.