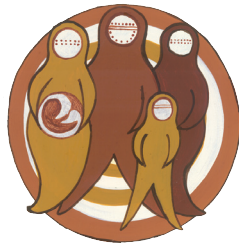


# Aboriginal Family Violence Prevention & Legal Service Victoria

## FVPLS Victoria



1800 105 303

### QUICK GUIDE ABOUT CHILD PROTECTION FOR KOORI FAMILIES

This information does not replace legal advice. The information was current at the time of publishing in 2009 but may change.

- DHS Child Protection has the right to apprehend and remove children it believes are urgently in need of protection. In other situations DHS may give you a written notice to attend the Children's Court on a later date or start by talking to you and other people about your child and link you to support services. Get legal advice as soon as you are contacted by DHS Child Protection.
- Try to get some personal supports in place either through trusted family or other support services.
- It helps to show DHS Child Protection that you can and will protect your child. DHS must investigate reports but cannot say who made the report.
- Where there is family violence police can assist with urgent safety notices/intervention orders to protect you from the violent person. Children affected by family violence should be included on intervention orders.
- The law sets out principles and processes which must be followed for Aboriginal and Torres Strait Islander children in child protection cases. Ask about these and make sure DHS Child Protection is following them.

- The Victorian Aboriginal Child Care Agency (VACCA) through its Aboriginal Child Specialist Advice and Support Service (ACSASS), run by Lakidjeka and by the Mildura Aboriginal Corporation, will be involved with all cases involving Aboriginal children. You still need a lawyer to represent you as that is not VACCA's role. You can object to VACCA/ACSASS being involved but they will continue to advise DHS.
- An Aboriginal Family Decision Making (AFDM) meeting may be held to discuss your case. VACCA/ACSASS and DHS Child Protection will be involved. Always take a support person or if possible your lawyer with you to a case plan or AFDM meeting to make sure your views are taken into account.
- Don't sign a voluntary agreement about your children without getting some legal advice first.
- Try to get legal advice in good time before you go to court or if you can't ask for the Victoria Legal Aid duty lawyer. Always let your lawyer know about any meetings you are asked to attend with DHS Child Protection.
- Other family members including grandparents can request permission from the Children's Court to be involved in the case.
- After a court order is made make sure you understand what you have to do to meet the conditions on the order and who is responsible for making the arrangements. If you follow through and do what is asked a good outcome is more likely.
- A case plan meeting will happen within six weeks of most Court protection orders being made. If you are not happy with the case plan that is made for you and your child you can ask for an internal review by DHS and then if necessary see a lawyer about an appeal within 28 days of the final DHS Child Protection decision. For example, you may believe that DHS is not doing enough to assist you in returning your child to your care.
- If you can't meet any of the conditions of your court order or case plan at any time make sure you let your lawyer or your DHS Child Protection caseworker know. DHS can take you to Court again for breaching the conditions on your court order.
- You can apply to cancel or change a Children's Court child protection order but you should seek legal advice first.
- Permanent Care Orders can now be made where a child is out of their parents' care for six months. This means obtaining legal representation as early as possible is very important.
- You can complain about DHS Child Protection to a DHS Child Protection Manager, the Victorian Ombudsman (03 9613 6222/1800 806 314) or to the Child Safety Commissioner about children in out of home care (1300 78 29 78 or 03 8601 5884).

## Useful contacts

Aboriginal Family Violence Prevention and Legal Service Victoria  
1800 105 303 (not free from mobile)

Women's Domestic Violence Crisis Service of Victoria  
Crisis telephone support, safety plans and emergency accommodation  
(24-hour crisis support) Ph: 03 9322 3555, or country toll free 1800 015 188

Elizabeth Hoffman House  
Aboriginal Women's Refuge  
Indigenous Outreach Worker (9am – 5pm Monday – Friday) Ph: 0407 937 202 or 9482 5744

Centre Against Sexual Assault (CASA)  
Crisis support, counselling and information for adults and children  
(24-hour crisis support) Ph: 1800 806 292

Royal Children's Hospital Gatehouse Centre  
Specialist service for children  
Ph: 03 9345 6391 (9am – 5pm Monday – Friday) Ph: 03 9345 5522 (after hours emergency only)

Victorian Aboriginal Health Service (VAHS)  
Ph: 03 9419 3000 / Family counselling service Ph: 03 9403 3300

Victorian Aboriginal Child Care Agency (VACCA) incorporating Aboriginal Child Specialist Advice and Support Service (Lakidjeka)  
Ph: 03 8388 1855 (ask for regional numbers)  
For ACSASS Mildura (Mildura Aboriginal Corporation) Ph: 03 5023 6641

Victorian Aboriginal Legal Service  
Ph: 1800 064 865 or 03 9419 3888

Victoria Legal Aid  
Ph: 03 9269 0234 (or ask for the number of your closest regional office)

Federation of Community Legal Centres Victoria  
(for your local Community Legal Centre) Ph: 03 9652 1500

Department of Human Services  
Ph: 1300 650 172 (general enquiries and phone numbers for Child Protection Offices)  
Child Protection (after hours) Ph: 131 278 Complaints Ph: 1300 884 706

Police/Ambulance  
Ph: 000

Lifeline  
(24-hour crisis support) Ph: 131 114

Victorian Ombudsman  
Ph: 03 9613 6222 or 1800 806 314

The Office of the Child Safety Commissioner (about children in out of home care)  
Ph: 1300 78 29 78 Ph: 03 8601 5884

FVPLS Victoria has published a booklet giving more extensive information about child protection laws in Victoria for Koori families.  
Copies available on request – 1800 105 303.