



# An Introduction to the South Australian child protection system

## Purpose and learning outcomes

### Purpose

The purpose of this training is to support staff to better understand the nature of child protection work, how that work is undertaken, where key tasks occur and where their specific job role fits within the broader context of child protection work in South Australia.

This training is part of the induction process for new staff. The information provided in this training is also intended to build a foundation of understanding for working collaboratively with the Department for Child Protection (DCP).

### Learning Outcomes

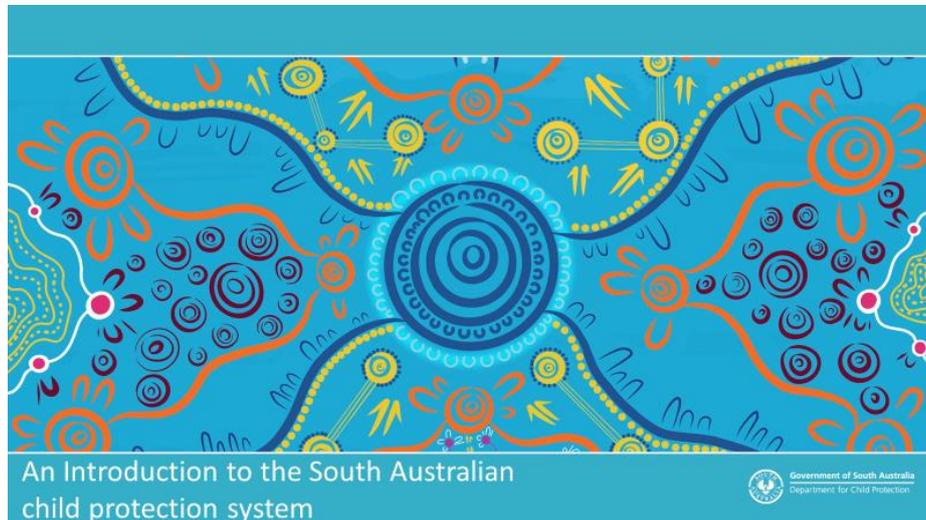
This training aims to support staff in learning about their roles in child protection work including understanding of DCP's child protection services and processes when working with children, families and communities.

The training covers:

- a brief history of child protection
- child protection in South Australia
- Department for Child Protection services
- child protection reviews, enquiries and relevant legislation
- working in child protection
- different perspectives of children, young people, families and communities
- the importance of your wellbeing
- useful resources



## Session Plan and Facilitator Guide



This artwork depicts **'The Journey'**. The Journey that DCP takes alongside its partners, alongside the children, parents, grandparents and caregivers. The meeting place in the middle is surrounded by children to show that they are the centre and light of everything, that they are what everyone is working so hard for and the meeting place is their destination and where the Journey lines meet.



Surrounded by the inner meeting place are smaller meeting places/waterholes representing the individual Journeys of the children, families and workers alike connected through more Journey lines. The smaller waterholes represent the many different places and areas the children are from.

Throughout this piece there are many Kangaroo and Emu footprints representing DCP in their Journey moving forward and never backward. The bottom of the piece has the symbol for rainbow which represents Hope. The Vibrant colours are used to represent each individual's story and that everyone's story matters and is always seen.



## Session Presentation and Key Points

### Slide 3: Acknowledgement

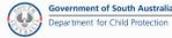


### Acknowledgement

We acknowledge and respect Aboriginal people as the state's first people and Nations, and recognise Aboriginal people as the traditional custodians of the South Australian land and waters.

We recognise that Aboriginal children and young people have the right to grow up in a safe and nurturing environment where their connections to family, community, language, culture and country are supported, respected and celebrated.

DCP's Aboriginal and Torres Strait Islander Child Placement Principle artwork by Pitjantjatjara and Yankunytjatjara artist Elizabeth Cook, in collaboration with Dohve Dawin Creative Industries.



## Facilitation Notes

Facilitator may present modified Acknowledgement as desired – examples below

- We acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country
- We also acknowledge the Kurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today
- We also pay respects to the cultural authority of Aboriginal carers attending the program today and those attending from other areas of South Australia

## Session Presentation and Key Points

### Slide 4: Introductions and overview of session - purpose and learning outcomes



### Purpose and learning outcomes

By the end of today's session, our aim is for you to develop an understanding of:

- a brief history of child protection
- child protection in South Australia
- Department for Child Protection services
- child protection reviews, enquiries and relevant legislation
- working in child protection
- different perspectives of children, young people, families and communities
- the importance of your wellbeing

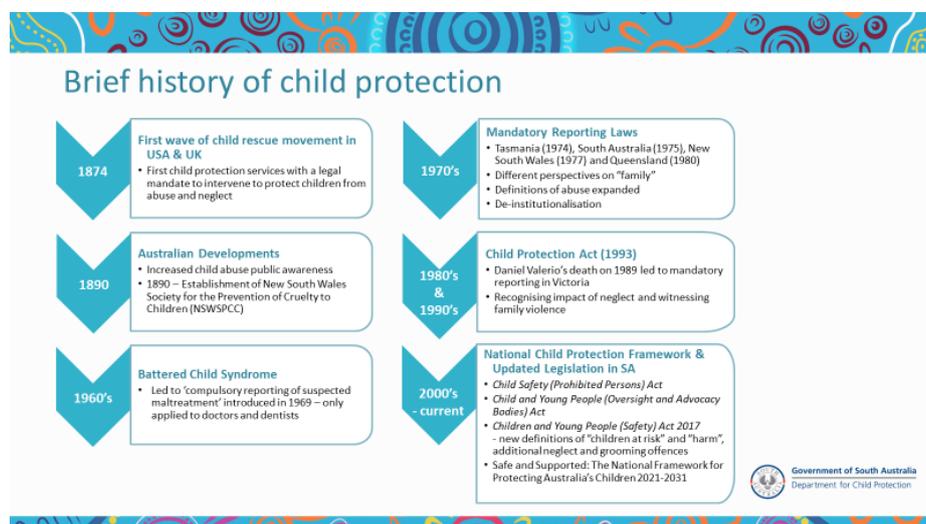


### Facilitation Notes

- Opportunity for setting the scene for the session
- General introductions of attendees
- Facilities, housekeeping and breaks etc.
- Safe and respectful adult learning space
- Followed by a brief overview of what the session involves

### Session Presentation and Key Points

#### Slide 5: Brief history of child protection



### Facilitation Notes

Since the early colonial days in Australia, there have been some forms of protection for children. However, provisions of care throughout most of the 19th century were established solely for the needs of abandoned or "illegitimate" children whose parents were seen as socially inadequate. Abused and abandoned children were either boarded out to approved families or placed in orphanages run by voluntary organisations (Tomison, 2001).

The concept of providing protection of children from their parents or caregivers did not exist (Liddell, 1993). Governments took the position that children were the property of parents who had the right to treat their child any way they saw fit. Western society showed little interest in, and had no specific policies for, protecting children from their parents or caregivers (Fogarty, 2008).

Although child maltreatment has been occurring since before there were laws to protect children from abuse and neglect, the 19th century was particularly characterised by brutal attitudes towards children, a fact immortalised by authors of the time such as Charles Dickens.

#### The "first wave" of the child rescue movement

- USA & UK saw the first manifestations of child protection services with a legal mandate to intervene to protect children from abuse and neglect emerged in the late 19th century.



- Mary Ellen was 10-year-old girl (in New York) who experienced ongoing physical abuse by her adoptive mother. She was placed in care and her 'mother' imprisoned under the 'Prevention of cruelty to animals' law. This led to the establishment of the NY Society of the Prevention of Cruelty to Children – the first CP agency.
- In 1889, the UK passed the first Prevention of Cruelty to Children Act, commonly known as the "Children's Charter" and parental rights were challenged

#### **1890's - Developments in Australia in the late 19th century**

- Increased public awareness of child abuse issues
- 1890 – The New South Wales Society for the Prevention of Cruelty to Children (NSWSPCC) was first established in mirror of the USA and UK models.
- By the end of 19<sup>th</sup> Century most states in Australia had also established Children's Courts and developed legislation to protect children from the more "obvious" forms of child maltreatment.

#### **1960's – The "second wave" of the child rescue movement**

- Movement caused by health professionals which saw the term "battered-child syndrome" developed – this diagnosis described evidence of untreated physical injuries caused by physical abuse by caregivers
- Term developed by Kempe, Silverman, Steele, Droegemueller, and Silver in 1962
- This led to 'compulsory reporting of suspected maltreatment' introduced in 1969 – however it only applied to doctors and dentists

#### **1970's**

- Mandatory Reporting Laws - Tasmania first introduced mandatory laws in 1974, followed by South Australia in 1975, New South Wales in 1977 and Queensland in 1980. Today all states in Australia have some form of mandatory reporting laws (Higgins, Bromfield, Richardson, Holzer, & Berlyn, 2009).
- Social changes meant we viewed "family" differently
- Definitions of abuse expanded.
- De-institutionalisation.

#### **1980's & 1990's**

- Daniel Valerio died in Victoria – 1989

Side Note: The death of Daniel Valerio was the original case study example used in the Mandatory Reporting training in South Australia.

Daniel Valerio (21 April 1988 - 8 September 1990) was an Australian boy who was beaten to death by his mother's boyfriend at the time, Paul Aiton, on September 8, 1990. His death caused outrage amongst the public.

Reference: [Murder of Daniel Valerio - Wikipedia](#)

- Research recognising neglect as prominent form of maltreatment that could severely impact child development
- Increasing support for recognition of witnessing family violence as a separate and distinct maltreatment sub-type.
- *Children's protection Act (1993)*

### 2000's to current:

Safe and Supported: The National Framework for Protecting Australia's Children 2021-2031

- Developed by the Australian Government, state and territory governments, with Aboriginal and Torres Strait Islander representatives and the non-government sector.
- The best interests of the child are at the centre. Commitment for ongoing and meaningful engagement with children, young people, parents, carers and communities.
- Listening to the voices of the child. They have the right to grow up safe, supported in their family community and culture, they have the right to grow up in an environment that enables them to reach their full potential.
- This is a 10-year national framework agreed by governments.

### **Children and Young People (Safety) Act 2017**

- An Act to protect children and young people from harm and to provide for children and young people who are in care
- Examples of Sections within the Act include: provisions for Approved carers, Foster care agencies, licensed children's facilities, safe environments for children and young people, Aboriginal and Torres Strait Islander Child Placement Principle, Charter of Rights for Children and Young people, reporting of suspicion that a child or young person may be at risk
- Includes definitions of Meaning of Harm and Meaning if Risk

### References:

*National Child Protection Clearinghouse - Lamont & Bromfield "History of Child Protection Services" – October 2010.*

<https://aifs.gov.au/cfca/publications/history-child-protection-services>

[www.dss.gov.au](http://www.dss.gov.au) – national-framework-protecting-children

[www.legislation.sa.gov.au](http://www.legislation.sa.gov.au) – Children and Young People (Safety) Act 2017

## Session Presentation and Key Points

### Slide 6: Safe and Supported: National Framework for Protecting Australia's Children 2021 – 2031



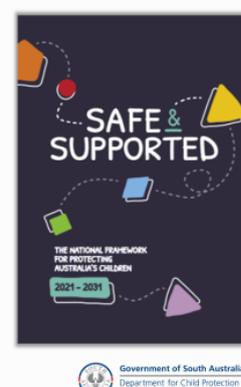
## Safe and Supported: National Framework for Protecting Australia's Children 2021 – 2031

The Department for Child Protection co-led the development of the new National Framework and associated action plans

Ten year national framework agreed by governments.

Four priority groups:

- Aboriginal and Torres Strait Islander children and young people experiencing disadvantage
- children and families with multiple and complex needs
- children and young people with disability and/or parents/carers with disability experiencing disadvantage of who are vulnerable
- children and young people who have experienced abuse and/or neglect, including those in out-of-home care or leaving care



### Facilitation Notes

- The Department for Child Protection co-led the development of the new National Framework which was released in December 2021 and development of the associated action plans.
- It represents a 10-year commitment to a national approach to early intervention and targeted support for children and families experiencing vulnerability or disadvantage, including children and young people in care.
- The national framework prioritises action with four priority groups:
  - Aboriginal and Torres Strait Islander children and young people experiencing disadvantage or who are vulnerable.
  - children and families with multiple and complex needs.
  - children and young people and their parents with disability experiencing disadvantage or who are vulnerable.
  - children and young people who have experienced abuse or neglect, including children in out-of-home care and young people leaving care.

### Session Presentation and Key Points

#### Slide 7: Safe and Supported: National Framework for Protecting Australia's Children 2021 – 2031



**Safe and Supported: National Framework for Protecting Australia's Children 2021 – 2031**

- Four focus areas:
  - Early intervention and targeted support
  - Addressing the over-representation of Aboriginal and Torres Strait Islander children in child protection systems
  - Information sharing, data and analysis
  - Strengthening the sector and workforce.
- Strong alignment with Closing the Gap commitments, particularly Target 12.



Government of South Australia  
Department for Child Protection



### Facilitation Notes

- Outcomes for these groups will be improved through actions in four key focus areas:
1. A national approach to early intervention and targeted support for children and families experiencing vulnerability or disadvantage
  2. Addressing the over-representation of Aboriginal and Torres Strait Islander children in child protection systems
  3. Improving information sharing, data development and analysis
  4. Strengthening the child and family sector and workforce capability.

### Alignment with Closing the Gap

- The National Agreement on Closing the Gap has been developed in partnership between Australian governments and the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (the Coalition of Peaks), comprising over 50 Aboriginal and Torres Strait Islander community-controlled peak organisations.
- Closing the Gap is a shared commitment that aims to enable and empower Aboriginal and Torres Strait Islander people to live healthy and prosperous lives. It aims to achieve transformative change in education, employment, health, wellbeing, safety, languages, land and waters for Aboriginal and Torres Strait Islander people.
- The National Framework will support achieving Target 12 under Closing the Gap, which aims to reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45% by 2031.

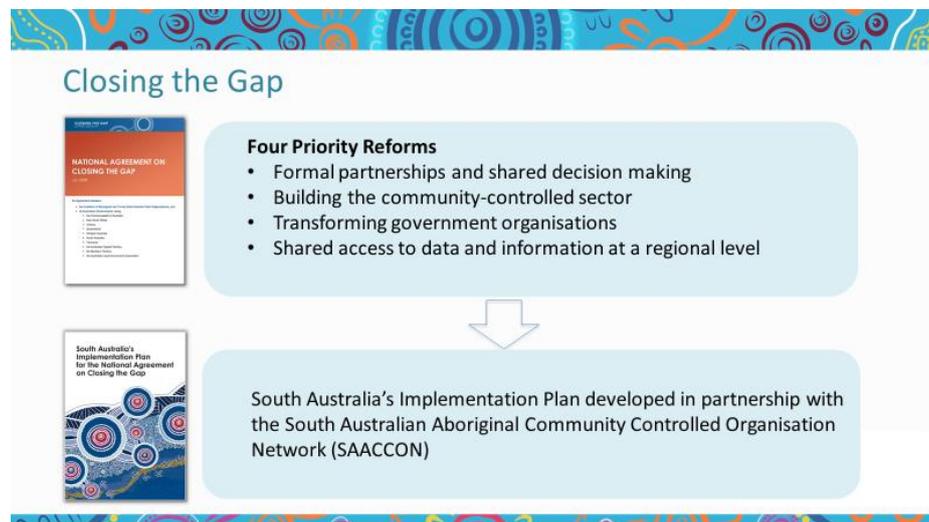
#### References:

[www.dss.gov.au](http://www.dss.gov.au) – national-framework-protecting-children

<https://www.closingthegap.gov.au>

### Session Presentation and Key Points

#### Slide 8: Closing the Gap



#### Facilitation Notes

Closing the Gap is a shared commitment that aims to enable and empower Aboriginal and Torres Strait Islander people to live healthy and prosperous lives. It aims to achieve transformative change in education, employment, health, wellbeing, safety, languages, land and waters for Aboriginal and Torres Strait Islander people.

The National Framework will support achieving Target 12 under Closing the Gap, which aims to reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45% by 2031.

## Session Presentation and Key Points

### Slide 9 to 16: Child protection in South Australia



## Child protection in South Australia



Image source: [https://www.freepik.com/free-photo/group-kids-stands-with-around-sitting-together\\_2123584.htm](https://www.freepik.com/free-photo/group-kids-stands-with-around-sitting-together_2123584.htm)



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### Slide 10: South Australia's historical background



## South Australia's historical background

In South Australia the earliest form of 'care' for children who were deemed destitute or neglected was the government-run Destitute Asylum which also took in adults.

- 1860s children began to be accommodated separately in a number of government-run and/or church run institutions.
- From as early as the 1860s-1870s, boarding out (an early term for foster care) was favoured by the government.
- South Australia was the first state to introduce boarding out as an alternative to institutional care.



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Department for Child Protection



## Facilitation Notes

### South Australia – historical background of child welfare

In South Australia the earliest form of 'care' for children was the Destitute Asylum which also took in adults.

Children without parents or guardians; who were deemed "destitute or neglected"; who could not be accommodated in an orphanage were placed in generic government-run Destitute Asylums along with destitute adults, or committed to prison under vagrancy laws.



Reference: <https://www.childabuseroyalcommission.gov.au>

From the 1860s child welfare legislation was designed to remove children from such environments which, as romantic and sentimentalised understandings of children and childhood spread across class barriers, came to be seen as potentially 'polluting'. This legislation began to accommodate children separately in a number of government-run institutions, but with a provision for religious organisations to cater for children of their own denominations.

The primary purpose of this initial raft of legislation was to protect the state from the danger believed to be posed by destitute children. They were to be brought before magistrates, charged with being neglected and committed to an institution, in some cases for seven years but more usually until the age of 18, with the state as their legal guardian.

- From as early as the 1860s-1870s, boarding out (an early term for [foster care](#)) was favoured by the government.
- South Australia was the first state to broach legislative refinements at this time sought to formalise the extent to which responsible governments should supervise the institutions in which they had placed their wards (1872).
- South Australia was also the first state to introduce boarding out as an alternative to institutional care. This was advocated by Emily Clark, who was most influential in South Australia where the initial child welfare legislation (1866) included a clause allowing for boarding-out alongside the establishment of other institutions.

The [State Children's Council](#) was established in 1886, and was responsible for matters relating to State Children. Children committed to the care of the state by a magistrate were referred to as State Children or Wards of the State. Following committal, State Children would be sent to the Industrial School at [Magill](#), and later [Edwardstown](#). While some stayed there long term, the majority of children were boarded out. Others were transferred to other government institutions, such as [Reformatories](#), or into the care of religious bodies.

By the early twentieth century the Catholic Church, Salvation Army, Methodist Church, Church of England and other religious organisations ran their own institutions, often with assistance from the government. Some organisations recognised the value of smaller group care as opposed to large institutions, and established cottage homes as early as the 1920s.

After the passing of the [Community Welfare Act 1972](#), the government began to close large institutions and set up cottage homes, hostels and family group homes. (During the 1970s-1980s cottages were renamed [Admission](#) or [Assessment Units](#) depending on their purpose.) The outsourcing of care to non-government organisations became increasingly common.

#### **Finding records from SA**

When a child was committed to [State Care](#), government files and other government records were created about them. These may include files, admission register records and State Ward Index Cards (from 1900-1992). These are government records so they are held by [State Records of South Australia](#). Records of State Care are restricted for 100 years, so if you go to State Records you will only be able to see very early records.

In order to see any records less than 100 years old, you will need to apply for access through the Department for Child Protection. Care leavers (and their family members) are entitled to access,



free of charge, original and copy documents relating to them, under Section 153 of the *Children and Young People (Safety) Act 2017*.

The “[Provision of Information Request Form](#)” application can be downloaded here. You can submit that form by email, postal mail or in person.

As in other states, not all children were State children. Some children were placed by parents, relatives or others in religious-run institutions. Records created by these organisations are not held at State Records and are not controlled by the government. They are held by the religious or charitable organisations that succeeded these institutions. For example, if the person whose records you’re searching for was placed in a Catholic Home, the records are held by the [Professional Standards Record Service of the Catholic Church](#) and you will need to apply for access to them through that body. Each organisation has its own access rules and restrictions.

Reference:

<https://www.findandconnect.gov.au/resources/historical-background-about-child-welfare/#5>

## Session Presentation and Key Points

### Slide 11: South Australia’s historical background



South Australia’s historical background

1844	Aboriginal Orphans Act
1866	Destitute Persons Relief Act
1895	State Children Act
1911	Aborigines Act
1925	Adoption of Children Act
1936	Children’s Protection Act
1962	Aboriginal Affairs Act



## Facilitation Notes

### History of South Australian Legislation

**1844: Aboriginal Orphans** (An Ordinance to Provide for the Protection, Maintenance and Upbringing of Orphans and Other Destitute Children of the Aborigines)

- Allowed the Protector of Aborigines to apprentice out orphan Aboriginal children and, with the consent of either parent, other Aboriginal children until the age of 21
- Gave the Protector of Aborigines the right to visit children
- Imposed penalties on employers who mistreated the apprentices



#### **1848: Children's Apprenticeship Act**

- Allowed the governor to establish the Children Apprenticeship Board to apprentice out orphan emigrant children sent to the province, at public expense or at the expense of charitable institutions, when the children arrived at a suitable age.

#### **1866: Destitute Persons Relief Act**

- Gave the Destitute Board control over asylums, schools and other places
- Established government and approved private industrial schools and reformatories
- Defined a child as being under 16 years of age
- Defined neglect (Appendix 2: a, f, g, h, i, j)
- Directed that two or more justices could direct children to industrial school for no less than six months and no more than seven years
- Children convicted of a crime, in addition to serving their penalty, could be directed to a reformatory school for no less than one year
- Children in industrial schools could be boarded out or apprenticed out.
- Deserting husbands/fathers were required to pay maintenance for their children

#### **1881 - Destitute Persons Act**

- Defined a child as a boy under 16 years of age or a girl under 18
- Defined a neglected child
- Allowed for destitute and neglected children to be placed into industrial schools until the ages of 16 and 18 respectively
- Introduced boarding-out to mothers, other relatives or foster parents
- Allowed for any police officer to bring, without warrant, a neglected or destitute child to the court to be dealt with
- Convicted children only were to be sent to reformatory schools
- Amendments Act 1886

#### **1895 – State Children Act**

- Allowed for both state-established or privately established institutions. Privately-established institutions would be 'proclaimed' by the Governor – Councils were given the responsibility to supervise children in these institutions, with requirements to visit the children and inspect the institutions. There were penalties for non-compliance.
- Stipulated that every state child over seven placed out should attend school until the age of 13 or until passing the compulsory standard required by the Education Act (foster parents were liable for a penalty)
- If foster parents complained that a child had misbehaved, the justices could investigate whether the foster parent had ill-treated the child and bring a charge against them. The justices could also order the child to be punished

#### **1899 – Children's Protection Act**

- Raised the age of consent from 16 to 17
- Stipulated that anyone, including parents, who ill-treated, neglected, abandoned or exposed a child would be liable to one year's imprisonment
- Magistrates could authorise the police or a State Children's Council officer to enter any premises and remove a child
- It was an offence for a child under 13 years of age to sell in a public place



- Anyone who sold, or permitted a child to sell or exhibit, obscene publications was liable to imprisonment.

#### **1911 – Aborigines Act**

- Stipulated that the Aborigines Department was to provide for the ‘custody, maintenance and education of the children of Aborigines’ and to ‘exercise a general supervision and care over all matters affecting the well-being of Aborigines’. The Chief Protector was the legal guardian of ‘every Aboriginal and half-caste child, notwithstanding that any such child has a parent or other relative living’ until the age of 21 years, except while the child was a ‘State child’ within the meaning of the State. Each regional Protector was the local guardian of every child within his district
- Allowed a medical practitioner to order the removal of an ‘Aboriginal or half-caste’ child to any ‘lock-hospital’. Regulations could be made for the ‘care, custody and education of the children of Aborigines and half-castes’; ‘enabling any Aboriginal or half-caste child to be sent to and detained in an Aboriginal institution or industrial school’; and prescribing the conditions on which ‘Aboriginal or half-caste children’ could be apprenticed.

#### **1918 - Children’s Protection Act Amendment Act**

- Stipulated that no child under the age of six was to take part in any public entertainment or be employed in connection with any public entertainment. There were penalties for both parent and promoter

#### **1923 - Aborigines (Training of Children) Act**

- Provided for the removal of an ‘Aboriginal child’ to an institution under the control of the State Children’s Council. Applied to legitimate ‘Aboriginal’ children who had obtained a qualifying certificate under the Education Act 1915 or who were at least 14 years old and all illegitimate children irrespective of age who in the opinion of the Chief Protector and the State Children’s Council were neglected

#### **1925 – Adoption of Children Act**

- Introduced legal adoption

#### **1926 – Maintenance Act**

- Constituted the Children’s Welfare and Public Relief Board as a body corporate, with a chair and eight members, appointed by the Governor. At least four members were to be women and the chair would be appointed under the Public Service Act.
- The Board would have power over the care, management and control of all state children; supervision of all children nursed by foster mothers; the power to apprentice and place out state children; and supervision of all illegitimate children under seven years of age and their homes. It also had the power to license foster mothers of children under seven; the responsibility to appoint institutions for the reception, detention, education, training and reformation of state children; and control and supervision of institutions and asylums
- Married women could apply to the courts for summary protection if their husbands were cruel to them or any of her children, if they behaved indecently in front of the children, were adulterous, deserted the family, willfully neglected to provide maintenance for her or her children, or was so intemperate that he could not manage his own affairs
- Those who assaulted, ill-treated or injures a state child were liable for a fine of up to £20 or imprisonment of six months



#### **1934 – Aborigines Act**

- Allowed the Chief Protector to commit any 'Aboriginal child to any institution within the meaning of the Maintenance Act 1926 ... to be there detained or otherwise dealt with under the said Act until such child attains the age of 18 years'. The child may then be dealt with as a neglected child under the Maintenance Act. These provisions only apply to legitimate 'Aboriginal' children who have either obtained a qualifying certificate within the meaning of the Education Act 1915 or attained the age of 14 years; and illegitimate 'Aboriginal' children who, in the opinion of the Chief Protector and the Children's Welfare and Public Relief Board are neglected or otherwise proper persons to be dealt with under this Act'.

#### **1936 – Children's Protection Act**

- Defined a child as being under the age of 16
- Added definitions of neglect (see Appendix 2: n, r)
- Noted penalties for people who employed children under the age of 13 in circuses or acrobatics or who sold or gave tobacco to children under 16
- The court still had the power to order that males under the age of 16 who were offensive, threw stones, or were convicted as a 'rogue and vagabond' be whipped

#### **1962 – Aboriginal Affairs Act**

- 'To provide, in cases of need, when possible, for the maintenance and education of the children of Aborigines and persons of Aboriginal blood'; and 'to promote the social, economic and political development of Aborigines and persons of Aboriginal blood until their integration into the general community'

#### **1965a – Social Welfare Act**

- Replaced the Children's Welfare and Public Relief Department with the Department of Social Welfare. The head of this department, the Director of Social Welfare, was responsible to a new Minister of Social Welfare
- Under the terms of the Social Welfare Act, the Minister became the 'legal guardian of each State child to the exclusion of his parents or other guardians, until the child ceased to be a State child'.

#### **1965b – Juvenile Courts Act**

- A Juvenile Court could commit a child to an institution or to the care of the Minister if it proved a child neglected or uncontrollable.

Reference:

Research Report – History of child protection legislation:

<https://www.childabuseroyalcommission.gov.au>

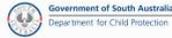
## Session Presentation and Key Points

### Slide 12: South Australia's historical background



South Australia's historical background

1972	Family and Community Services Act
1988	Adoption Act
1993	Children's Protection Act
2016	Child Safety ( <i>Prohibited Persons</i> ) Act
2016	Children and Young People ( <i>Oversight and Advocacy Bodies</i> ) Act
2017	Children and Young People ( <i>Safety</i> ) Act



## Facilitation Notes

### History of South Australian Legislation

#### 1972 - Community Welfare Act (later called Family and Community Services Act)

- A child committed to care could be placed with his/her parents, approved foster parents, a 'house', hospital or mental hospital or another place as the case may require. In the placement of children, the interests of the child were the paramount consideration. Assistance could be granted to families and persons in need
- Changed definitions around Aboriginal child welfare.

#### 1979 - Children's Protection and Young Offenders Act

- Where the Minister was of the opinion that a child was in need of care due to maltreatment or neglect, or where the child's guardians were unwilling or unable to exercise supervision or to maintain the child, or the child's guardians had abandoned the child or could not be located, the Minister could apply to the Children's Court for a declaration that the child was in need of care.

#### 1988 – Adoption Act

- Introduced the Aboriginal child placement principle to adoption

#### 1993 – Children's Protection Act

- Introduced the Aboriginal Child Placement Principle.

#### 2016- Child Safety (*Prohibited Persons*) Act

- Introduction of working with children checks and creation of a central assessment unit.
- An Act to minimise the risk to children posed by persons who work or volunteer with them, provide for the screening of persons who want to work or volunteer with children, provide a system of accountability and prohibit those who pose an unacceptable risk to children from



working or volunteering with children, provide a central assessment unit to undertake screening of persons who want to work or volunteer with children.

**2016 - Children and Young People (*Oversight and Advocacy Bodies*) Act**

- An Act to establish the Commissioner for Children and Young People, the Commissioner for Aboriginal Children and Young People, continue the Guardian for Children and Young People, the Child Death and Serious Injury Review Committee; to establish the Child Development Council; and for other purposes

**2017 - Children and Young People (*Safety*) Act**

- The *Children and Young People Safety Act 2017* replaces the *Children's Protection Act 1993* and ensures that keeping children and young people safe from harm is paramount.
- An Act to protect children and young people from harm and to provide for children and young people who are in care
- Examples of Sections within the Act include: provisions for Approved carers, Foster care agencies, licensed children's facilities, safe environments for children and young people, Aboriginal and Torres Strait Islander Child Placement Principle, Charter of Rights for Children and Young people, reporting of suspicion that a child or young person may be at risk
- Includes definitions of Meaning of Harm and Meaning of Risk
- It was implemented in two phases, the first phase commenced 26 February 2016 and the remaining sections of the Act commenced on 22 October 2018.

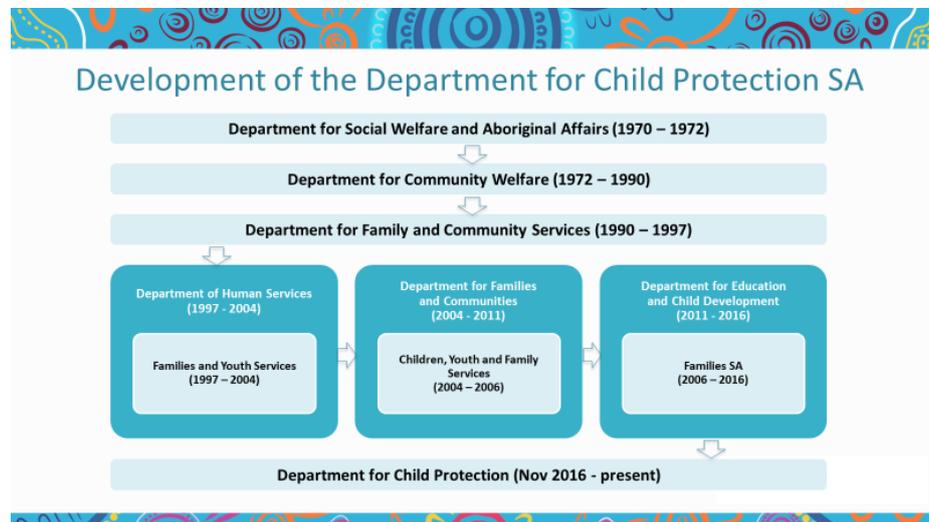
Note: The *Children and Young People Safety Act 2017* should be read in conjunction with the *Children and Young People (Safety) Regulations 2017*

Reference:

[www.legislation.sa.gov.au](http://www.legislation.sa.gov.au)

## Session Presentation and Key Points

### Slide 13: Development of the Department for Child Protection SA



## Facilitation Notes

The Department for Child Protection (DCP) was formed in November 2016 in response to recommendations from the [Child Protection Systems Royal Commission](#), led by the Honourable Margaret Nyland AM.

The Department works in partnership with families, government and non-government organisations, carers and the community to care for and protect vulnerable children and young people by addressing harm and keeping them safe.

Where children and young people cannot stay safely in the family home DCP will find a place for them to live, preferably with members of their family and kinship networks, or with foster carers. DCP aims to give young South Australians in our care every opportunity to reach their full potential. DCP values children and young people's voices and consider their views. DCP uses a child centred, trauma-informed practice approach that focuses on cultural safety, strengthening families, supporting carers, and working in partnership to meet children and young people's need for safety.

The Department is responsible for:

- responding to concerns about children and young people who have experienced harm or are at risk of harm
- placing children and young people in care when they are unable to live safely with their families
- providing case management and support for children and young people under the custody or guardianship of the Chief Executive
- supporting the reunification of children and young people with their families where it is safe to do so
- managing the adoption process



- supporting children and young people from a refugee background through the Commonwealth Guardianship team.

Note: Information/diagram supplied by the DCP Records Management Team on 8/06/2021

Reference:

<https://www.childprotection.sa.gov.au/department/about-us/our-story>

### Session Presentation and Key Points

#### Slide 14: Department for Child Protection services

**Department for Child Protection services**

The department :

- protects, cares for and empowers children and young people at risk and in care
- recognises Aboriginal people as Traditional Owners and occupants of Land and Waters in South Australia
- works with key partners to respond to abuse and neglect, keep children and young people safe from further harm
- works with service partners and alongside the community to improve outcomes for children, young people, carers and families
- commissions and delivers services to meet the needs of children and young people in care to help them heal from trauma and reach their full potential
- respects and values carers as vital partners in keeping children and young people safe and well

For further information view DCP organisational chart: [DCP organisational chart \(childprotection.sa.gov.au\)](https://www.childprotection.sa.gov.au)

### Facilitation Notes

No notes available

## Session Presentation and Key Points

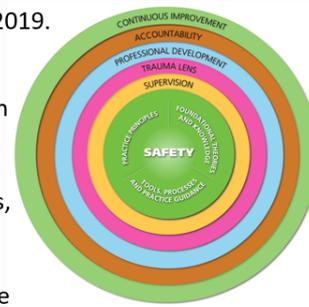
### Slide 15: DCP Practice Approach

## The DCP Practice Approach

The DCP Practice Approach became operational on 1 December 2019.

The DCP Practice Approach:

- is an integrated and contemporary approach to child protection practice
- is unique to South Australia's legislative and cultural context
- was developed in partnership with staff, young people, families, carers and service providers
- supports DCP staff and other stakeholders to work together to ensure safety and best outcomes for children and young people



The DCP Practice Approach includes:

- Practice Principles
- Foundational theories and knowledge

- Tools, processes and practice guidance
- Elements that support best practice

## Facilitation Notes

The DCP Practice Approach became operational on 1 December 2019 and replaced Solution Based Casework.

The Practice Approach was based on the Australian Centre for Child Protection's report (2018) and is unique to South Australia's legislative and cultural context. It was developed in partnership with staff, young people, families, carers and service providers. Many Aboriginal people generously shared their experience and knowledge to collaboratively build an approach that strives to be culturally safe.

The aim of the Practice Approach is to support DCP staff and other stakeholders to work together to ensure safety and best outcomes for children and young people. The Practice Approach includes:

- Elements that support best practice, which are the contextual factors that support and enable best practice (outlined on the slide graphic)
- Practice Elements, which shape, inform and guide practice on a day to day basis. These are the:

Practice Principles

Foundational theories and knowledge

Tools, processes and practice guidance

The DCP Practice Approach Summary Guide and The Practice Principles document are a really good starting point to gain a deeper understanding of the Practice Approach. A link to these documents is provided at the end of the presentation.

## Session Presentation and Key Points

### Slide 16: Supporting Best Practice



## Supporting best practice

Key components of the Practice Approach that support best practice and requirements of the Children and Young People (Safety) Act 2017:

- Manual of Practice ([MoP](#))
- Assessment Framework
- Practice Papers
- Workplace learning sessions



Aboriginal Child Placement Principle (ACPP)

- Embedding the elements and precursor in DCP's practice is crucial to achieve meaningful change and improved outcomes
- Active effort prompts are included in the [MoP](#)
- Key ACPP element identified for workplace learning



## Facilitation Notes

The DCP Manual of Practice, sometimes referred to as the MoP, is a critical tool that supports staff to implement the requirements of the DCP Practice Approach as well as the Children and Young People (Safety) Act 2017.

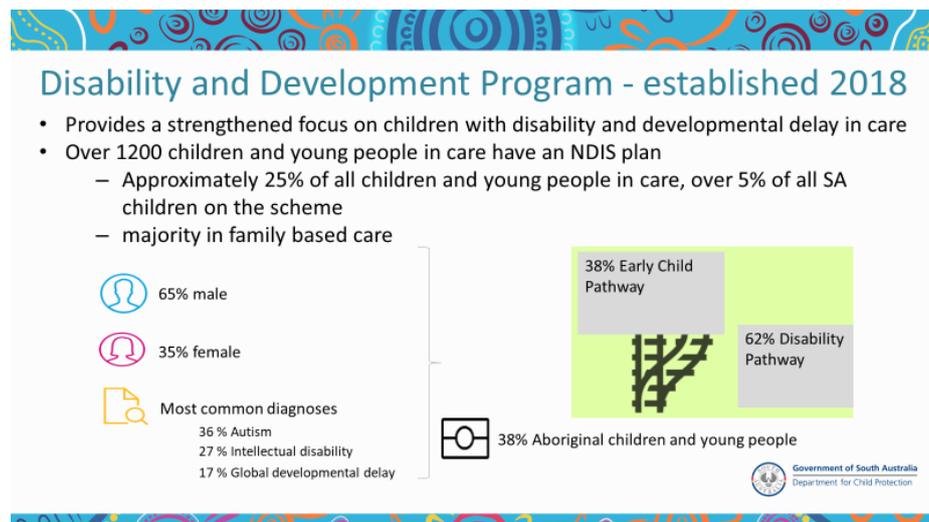
The Manual consists of chapters that cover all areas of practice. Throughout the Manual there are links to practice papers which provide best practice advice, principles for intervention and considerations for topics that are relevant across different phases of DCP intervention. Workplace learning sessions are held each month on a specific Practice Approach topic for DCP staff and relevant stakeholders which supports professional development across the department, with over 300 staff attending each month.

As assessment is an essential element of child protection practice, another integral tool for staff is the Assessment Framework. The Assessment Framework provides practitioners with detailed guidance to ensure that all domains of the child or young person and family's life and other key factors are considered. This guidance is complemented by foundational theories and knowledge and other tools, process and practice guidance, including case consultation, supervision and reflective practice.

The Aboriginal Child Placement Principle, which will be discussed in greater detail a bit later, is crucial to DCP's practice to achieve meaningful change and improved outcomes for Aboriginal children, young people, their families and communities. To support embedding the ACPP into practice, active effort prompts are included in the MoP and identified for workplace learning sessions to ensure that this continues to be a central consideration in practice, assessments and interventions.

## Session Presentation and Key Points

### Slide 17: Disability and Development Program - established 2018



## Facilitation Notes

The establishment of the Disability and Development Program in DCP in 2018 facilitated a greater focus on the disability and development needs of children in care and led to a greater number of children and young people being identified as having a disability or developmental delay.

Now over 25% of children and young people have been diagnosed with disability or significant developmental delay and are being supported by NDIS plans. This percentage is much higher than the general population.

Approximately 37% of children and young people in care are Aboriginal and this corresponds with the percentage who have an NDIS plan.

It is interesting to note that the diagnostic profile for the children and young people with disability in care is similar to the general population – with higher percentages having a diagnosis of Autism Spectrum Disorder or Intellectual Disability and lower numbers with physical and sensory impairments.

However there are some significant differences in the developmental profiles for children in care compared with the general population – with the impacts of developmental trauma causing uneven development across developmental domains, and this can be present for children and young people with and without disabilities.



## Session Presentation and Key Points

### Slide 18: Number of children in care - 30 June 2017 to 30 June 2022



#### Number of children in care - 30 June 2017 to 30 June 2022

Trend data	30 June 2022	30 June 2021	30 June 2020	30 June 2019	30 June 2018	30 June 2017
Total children under 18 years in care	4740	4646	4370	3988	3695	3484



## Facilitation Notes

Data shows 30 June 2022 point in time data for previous 5 years regarding the total number of children placed in care ranging from:

- Foster care
- Kinship Care
- Family day care
- Residential care
- Independent living
- Commercial care

Reference:

<https://www.childprotection.sa.gov.au/department/reporting-and-statistics>

## Session Presentation and Key Points

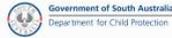
### Slide 19 to 28: Child protection reviews, enquiries and relevant legislation



Child protection reviews, enquiries  
and relevant legislation



Image source: [https://www.freepik.com/free-photo/court-hammer-baobab-judgment-law-concept\\_8750285.htm](https://www.freepik.com/free-photo/court-hammer-baobab-judgment-law-concept_8750285.htm)



Government of South Australia  
Department for Child Protection



### Slide 20: Events impacting the child protection system



Events impacting the child protection system

Significant and catastrophic events can trigger enquiries, reviews and coronial inquests leading to changes in systems, policy, procedure and legislation.

**Discussion**

Can you identify some of high profile Commissions and Inquiries within the last 20 years?



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## Facilitation Notes

Significant events have seen a high level of public scrutiny of the child protection system:

- High profile coronial inquest 2014/2015
- Child Protection Systems Royal Commission (State) (Nyland) (2016)
- Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse (McClellan – 2013 – 2017 (estimated))
- Combined review of multiple Government agencies regarding deaths of two children – Mal Hyde review (2022)



Also the last 10 years have seen significant changes in the child protection system

- Mullighan Enquiry (2004 – Inquiry into children in State Care)
- Layton Review (2002 – Keeping them safe)
- Independent Education Enquiry (2012) – Supreme Court Justice (Hon Bruce DeBelle - asked to conduct an independent enquiry into and Adelaide school)

**Key Points:**

- Commissions, Enquiries and reviews continue to shape our business and as a result of these we can see change occurring in systems, policy, procedure and legislation
- We need to be mindful and aware of these events, and be able to connect this in with changes we see in our approach to work

**Session Presentation and Key Points**

**Slide 21: Child protection and relevant legislation**



Child protection and relevant legislation

- Legislation is one of the most important instruments of government in organising society and protecting citizens
- It determines the rights and responsibilities of individuals, organisations and authorities
- It sets rules, standards and consequences

**Discussion**  
What legislation is relevant to your role?



**Facilitation Notes**

The next slide provides an opportunity to discuss with the group how the CYPs Act relates to their role

## Session Presentation and Key Points

### Slide 22: *Children and Young People (Safety) Act 2017*



#### *Children and Young People (Safety) Act 2017*

- The *Children and Young People (Safety) Act 2017* is the governing child protection legislation in South Australia, this underpins our business, policies and procedures.
- It shapes the work that we do – and provides the authority (or mandate) for our role in the lives of families.
- It includes a range of provisions to share information with a broad range of people and agencies where there is a legitimate reason to do so.
- It states the general placement principles of children and young people with specific considerations for those from culturally and linguistically diverse (CALD) and Aboriginal and Torres Strait Islander background.



## Facilitation Notes

Discuss with the group how the CYPS Act relates to their role.

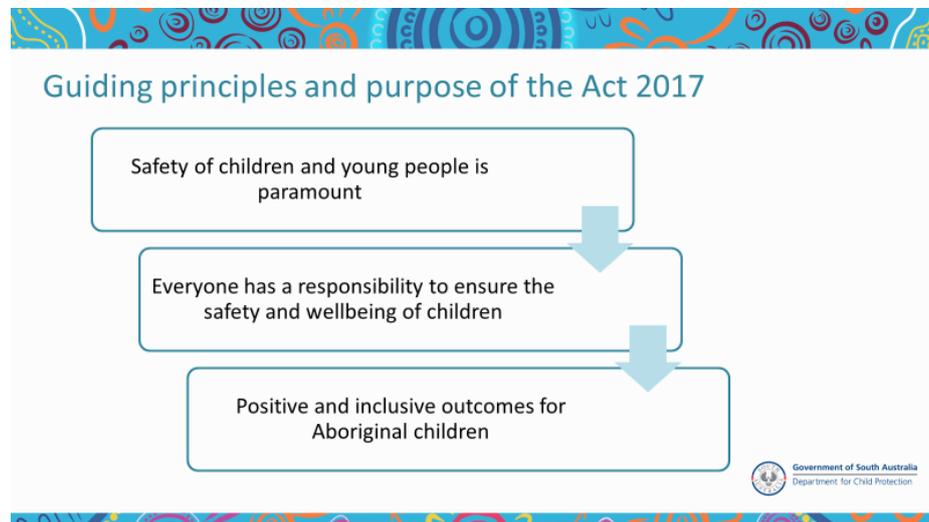
Reminder of statutory context of work – application of legislation and the importance of this in shaping our policies and procedures – it affects everyone in the organisation as it sets the tone, ethos and culture for our work – it does not just apply to those roles that work to administer certain functions as part of their day to day work

### Setting the scene

- The *Children and Young People (Safety) Act 2017* is a result of the Nyland Royal Commission and the government's commitment to improving practice to improve outcomes for children and young people in our community and involved in the child protection system.
- This will involve our workforce culture to be reflective, professional, empowered, accountable and respectful in the work that we do.
- It is intended that the administration and operation of the Act will be done in collaboration with, and with the cooperation of, children and young people and their families rather than simply being done to or for them.

## Session Presentation and Key Points

### Slide 23: Guiding principles and purpose of the Act 2017



## Facilitation Notes

### Guiding principles and purpose of the Act

The Act contains a Parliamentary declaration which sets out the tone and principles for the remainder of the Act

#### Chapter 2, Part 1, s4 (1) – (4) –

It is recommended to direct people to this section of the Act and highlight key aspects – i.e. children are valued, have the right to be safe and do well, that Parliament commits to promoting positive and inclusive outcomes, that outcomes for Aboriginal and Torres Strait Islander children in care has been poor and this needs to be improved and that the Act will encourage partnership (working with and in cooperation rather than doing to children and families)

- Safety of children and young people are paramount – the administration, operation and enforcement of this Act must always be to ensure that children and young people are protected from harm.
- Not all aspects of the Act signify new practice, it re-established and reaffirms what we know to be good practice.
- The changes in the Act will work to bring everyone together on the same page around ensuring safety for children and good outcomes.
- The Act and intent is about cultural shift – allowing DCP and the wider community to focus on what is in the best interest of children and their safety have the best possible outcomes.
- This is not a new way of working – provisions in the Act will assist with clarity of purpose, communication and most importantly, focus on what is in the best interest of the child.
- Acknowledgement that outcomes for Aboriginal children and young people in care have been poor and need to improve

**Discuss Part 3, Section 12 – Aboriginal and Torres Strait Islander Child Placement Principle 12(2)**

- (a) Maintaining connection with family and culture
- (b) Enabling ATSI people to participate in the care and protection of their children and young people
- (c) For State authorities to act in partnership with ATSI children and young people, families and communities in regards to the placement of ATSI children as well as reducing the incidence of removal.

**Session Presentation and Key Points**

**Slide 24: Child placement principles**



**Child placement principles**

[\*Children and Young People \(Safety\) Act 2017:\*](#)

**Part 3 (11) (1) on general placement principles**

- all children and young people who have been removed from the care of a person under this Act should be placed in a safe, nurturing, stable and secure environment
- the preferred option in relation to such placement of a child or young person is to place the child or young person with a person with whom they have an existing relationship
- approved carers are entitled to be, and should be, involved in decision-making relating to children and young people in their care.



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Department for Child Protection



**Facilitation Notes**

- One of the reasons that foster or kinship care is a preferred option for children and young people, is that it fulfils the general placement principle of placing a child or young person with someone they have an existing relationship with.
- The placement principles also describe the right of approved carers to be involved in decision making about children and young people in their care. Examples of decisions that carers can make are things like taking a child to the doctor or attending a school excursion.
- The Act talks specifically about carers being approved. There are other sections of the Act that are relevant to carers and other important legislations to know about.

## Session Presentation and Key Points

### Slide 25: Aboriginal and Torres Strait Islander Child Placement Principle



#### Aboriginal and Torres Strait Islander Child Placement Principle

[Children and Young People \(Safety\) Act 2017:](#)

##### Part 3 (12) (2) on Aboriginal and Torres Strait Islander Child Placement Principle

- (a) maintaining connection with family and culture
- (b) enabling Aboriginal and Torres Strait Islander people to participate in the care and protection of their children and young people
- (c) for State authorities to act in partnership with Aboriginal and Torres Strait Islander children and young people, families and communities in regards to the placement of Aboriginal and Torres Strait Islander children as well as reducing the incidence of removal.

For further information, refer to SNAICC – National Voice of our Children:

[SNAICC - National Voice for our Children](#)

## Facilitation Notes

- The Aboriginal and Torres Strait Islander Child Placement Principle (ACPP) was developed to reduce the over-representation of Aboriginal children and young people in care by recognising the importance of keeping them connected to their families, communities and culture
- The ACPP recognises that Aboriginal families and communities have the knowledge and experience to make the best decisions about the safety and wellbeing of their children and young peoples
- The ACPP aims to ensure an understanding of the importance of culture and that it is central to the safety and wellbeing of Aboriginal children
- The Aboriginal and Torres Strait Islander Child Placement Principle is as follows:
  - (a) if an Aboriginal or Torres Strait Islander child or young person is to be placed in care under this Act, the child or young person should, if reasonably practicable, be placed with 1 of the following persons (in order of priority):
    - (i) a member of the child or young person's family;
    - (ii) a member of the child or young person's community who has a relationship of responsibility for the child or young person;
    - (iii) a member of the child or young person's community;
    - (iv) a person of Aboriginal or Torres Strait Islander cultural background (as the case requires), (determined in accordance with Aboriginal or Torres Strait Islander traditional practice or custom);
  - (b) if an Aboriginal or Torres Strait Islander child or young person is unable to be placed with a person referred to in paragraph (a), or it is not in the best interests of the child or young person to do so, the child or young person should be given the opportunity for continuing contact with their family, community or communities and culture (determined in accordance with Aboriginal or Torres Strait Islander traditional practice or custom);

- (c) before placing an Aboriginal or Torres Strait Islander child or young person under this Act, the Chief Executive or the Court (as the case requires) must, where reasonably practicable, consult with, and have regard to any submissions of, a recognised Aboriginal or Torres Strait Islander organisation.

### Session Presentation and Key Points

#### Slide 26: Aboriginal Child Placement Principle: Five core elements and precursor



**Aboriginal Child Placement Principle**  
Five core elements and precursor

- Identification:** Ensuring that Aboriginal children are identified at the earliest possible point of child protection involvement – a precursor and prerequisite to the application of the Principle
- Prevention:** Aboriginal families are actively supported to access culturally responsive supports to mitigate the need for statutory intervention
- Partnership:** Aboriginal people, communities and organisations lead the delivery of child protection services and practice for Aboriginal children and families
- Placement:** Prioritising placement in care in accordance with the placement hierarchy
- Participation:** Ensuring the participation of Aboriginal children and families in child protection decision making
- Connection:** Maintaining and supporting connections to family, community, culture and country

### Facilitation Notes

When we discuss about the placement principle being more than a hierarchy of placement, there are five core elements that can work to protect the rights of Aboriginal children involved in the child protection system– you will note that placement is only one of the elements.

The precursor, **Identification**, is a pre-requisite to applying the Principle that ensures Aboriginal children are identified early.

#### The Five Core Elements:

**Prevention** - While we talk about the Principle ensuring that children being placed in out of home care remain connected to their culture, family and Community, as well as maintaining their identity, one of the primary aims of the Principle is to reduce the disproportionate representation of Aboriginal children in the child protection system. The principle respects and protects the rights of children to be raised within their own family and community.

**Partnership** - The Principle recognises that Aboriginal people have the knowledge and experience to make the best decisions regarding their children. Involvement by community representatives also influences the care and protection decisions of the dept. regarding Aboriginal and Torres Strait Islander children.



**Participation** - Family involvement is a significant factor to ensure they are involved in decision making and that family scoping is reviewed. The Principle supports the self-determination of Aboriginal children, young people, families and Communities in decision making regarding the care of a child. While Aboriginal and Torres Strait Islander people living in urban settings may have adapted and taken on some aspects of Western society they still retain many elements of traditional culture including, a strong connection to their land or sea and active responsibilities to family and Community. This includes their active involvement in decisions making and who in their family has these responsibilities, which may not just be mum and or dad but cultural grandmother, aunties uncles, and other respected Community members.

**Connection** - The Principle also works to confirm the rights of Aboriginal children to identify as Aboriginal, as well as supporting the connection to culture. Aboriginal and Torres Strait Islander people, both individually and collectively, define themselves by their culture, not the colour of their skin. It is inappropriate to comment on the colour of a person's skin in reference to their cultural identity as skin colour and physical characteristics have nothing to do with cultural identity. Cultural Identity is also about connection, knowing where you come from, and knowing where you fit within your family and wider community.

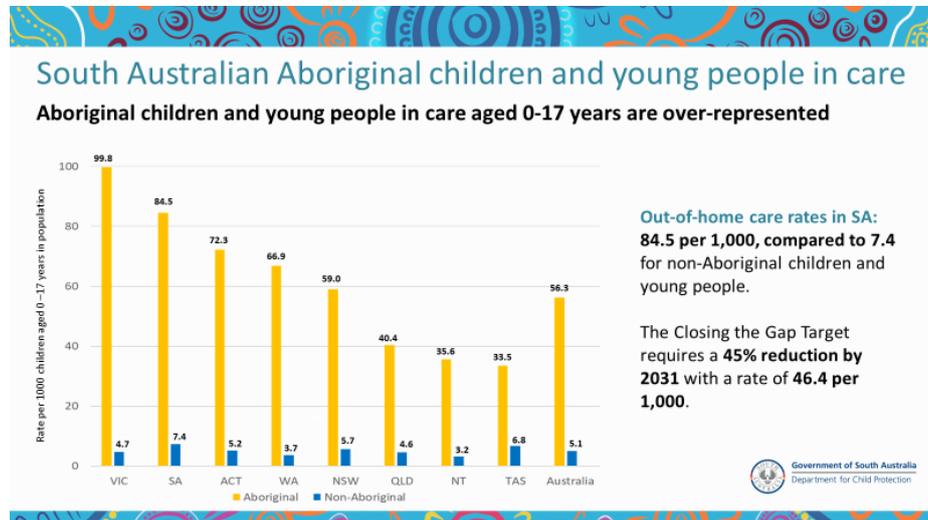
**Section 12 of *Children and Young People (Safety) Act 2017* – Aboriginal and Torres Strait Islander Child Placement Principle**

12(2)

- (a) Maintaining connection with family and culture
- (b) Enabling ATSI people to participate in the care and protection of their children and young people
- (c) For State authorities to act in partnership with ATSI children and young people, families and communities in regards to the placement of ATSI children as well as reducing the incidence of removal.

Session Presentation and Key Points

Slide 27: South Australian Aboriginal children and young people in care



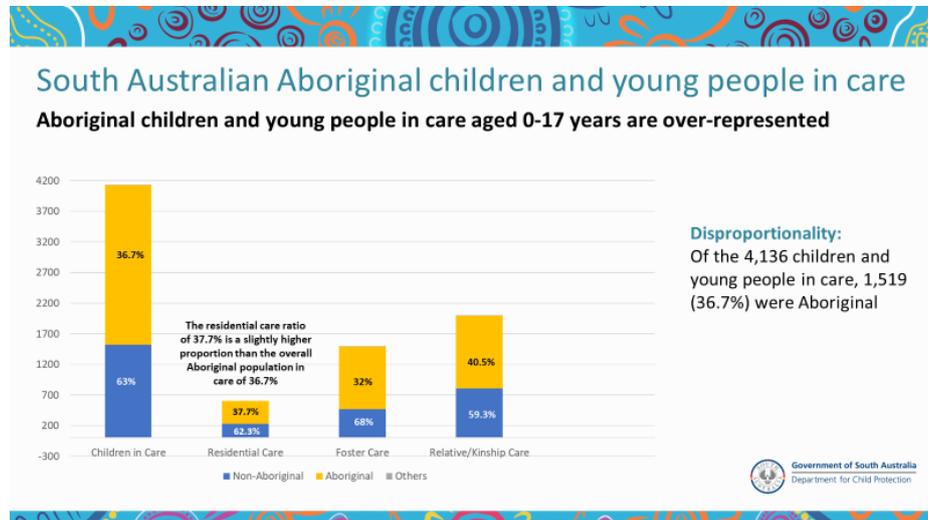
Facilitation Notes

Snapshot of South Australian Aboriginal Children and Young People in Care and/or Detention from the Report on Government Services 2021, May 2021, Guardian for Children and Young People [ROGS-Report-Aboriginal-CYP-in-Care-and-YJ-Detention-2021.pdf](https://www.gcyp.sa.gov.au/ROGS-Report-Aboriginal-CYP-in-Care-and-YJ-Detention-2021.pdf) ([gcyp.sa.gov.au](https://gcyp.sa.gov.au))

The Parliament of South Australia acknowledges that outcomes for Aboriginal and Torres Strait Islander children and young people in care have historically been poor and that it is unacceptable for outcomes for those children and young people to be any different to those for children and young people in care generally. This is a significant statement, and a commitment by our Parliament that we need to do better. It is critical that as an organisation, we become more culturally competent in terms of how we work with and engage with Aboriginal families and the community to ensure better outcomes for children.

**Session Presentation and Key Points**

**Slide 28: South Australian Aboriginal children and young people in care**



**Facilitation Notes**

Snapshot of South Australian Aboriginal Children and Young People in Care and/or Detention from the Report on Government Services 2021, May 2021, Guardian for Children and Young People [ROGS-Report-Aboriginal-CYP-in-Care-and-YJ-Detention-2021.pdf](https://www.gcyp.sa.gov.au/ROGS-Report-Aboriginal-CYP-in-Care-and-YJ-Detention-2021.pdf) ([gcyp.sa.gov.au](https://www.gcyp.sa.gov.au))

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## Session Presentation and Key Points

### Slide 29 to 36: Working in child protection



### Working in child protection



### Slide 30: Roles and responsibilities



### Roles and responsibilities

Both in your individual role, and the function of your team, start thinking about and discuss the following in relation to child protection:

**Discussion**

- What informs our work?
- Who are we working with or for?
- What is expected of us?



## Facilitation Notes

### What informs our work?

- National Frameworks
- Legislation

### Who are we working with and for?

- Client group and key considerations
- Cultural factors
  - Aboriginal and Torres Strait Islander families

- Culturally and Linguistically Diverse families

**Is there a typical client of our organisation?**

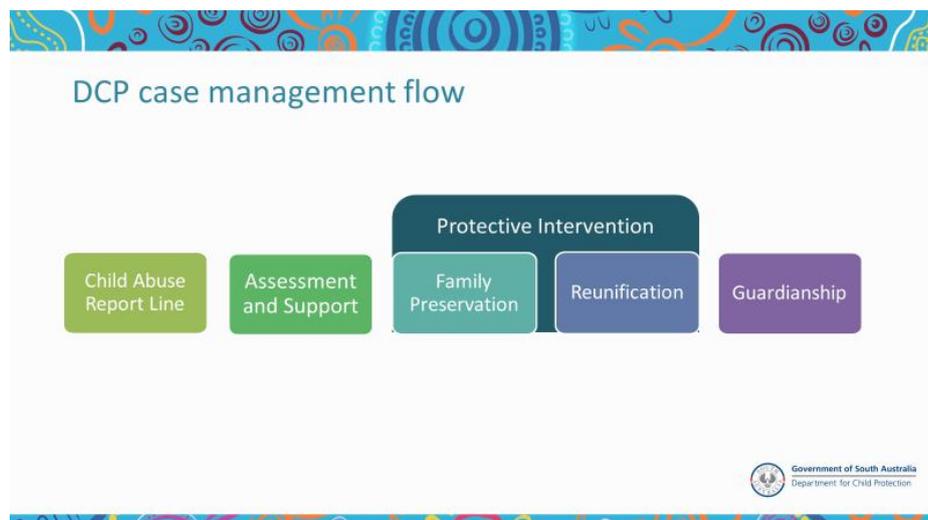
**What might be some of the characteristics of our client group?**

**What does the organisation expect from you as a worker?**

- Highlight what the organisation expects from the workforce
- Skills for role
- Interpersonal skills
- Resilience
- Recognition of need for ongoing skill and knowledge development
- Skills and Behaviours
- Resilience
- Approach to professional development

### Session Presentation and Key Points

**Slide 31: DCP case management flow**



### Facilitation Notes

All of the DCP service phases are concerned with and make decisions about the safety of children. Children/families will move through the service phases depending on the issues and outcome of the processes.

In each phase of intervention, children/families will (and should) exit the system, with support and links to the community and better able to keep their children safe. Not all families will move through the service phases in sequential order, some children/families will move from assessment and support to guardianship depending on the nature of the issues and seriousness of safety concerns.

**Child Abuse Report Line:**

To ensure DCP accurately assesses and records child protection notifications, and provides essential after-hours child protection services.

**Assessment and support:**

To ensure the DCP accurately records child protection concerns and determines and implements the most appropriate course of action in response to screened in child protection notifications.

**Protective intervention:**

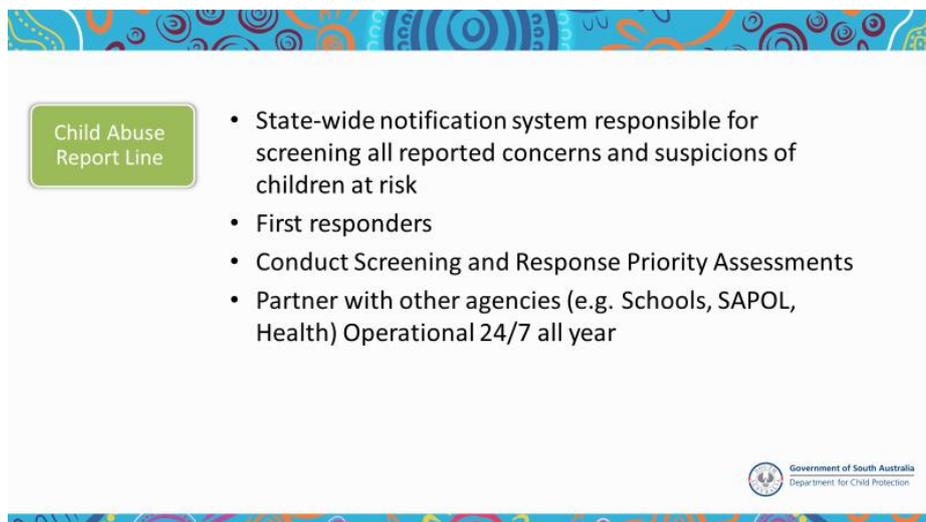
Working with family and supports to address issues that have compromised safety of the child to either ensure they remain at home, or get them back home if they have not been able to remain with parents (Family preservation: keeping children at home; Reunification: returning children to the home)

**Guardianship:**

Supporting the child in their placement when they have not been able to remain in the family home, working with a care team to ensure the child's needs are being met, ensure the child's safety and that they are in the best placement. Supporting and enabling best connection with birth family and to develop their sense of self and identity. Consideration of young person's cultural, disability or special needs.

**Session Presentation and Key Points**

**Slide 32: DCP case management flow**



- State-wide notification system responsible for screening all reported concerns and suspicions of children at risk
- First responders
- Conduct Screening and Response Priority Assessments
- Partner with other agencies (e.g. Schools, SAPOL, Health) Operational 24/7 all year

**Facilitation Notes**

When a telephone notification is made to the DCP Call Centre, the DCP Call Centre worker engages with the notifier to collect detailed information about the concerns for the safety and wellbeing of children and young people. Notifications are made through telephone calls or electronically through eCARL.



Notifications may be received from the general public, mandated notifiers, government agencies who are involved with child protection such as South Australian Police, SA Health or school staff.

The role of the Call Centre is to assess safety, harm and risk (pursuant to sections 17 and 18 of the CYPs Act) and gather detailed information from the notifier about family, including cultural factors, protective factors and resources as well as concerns that will assist DCP to undertake a holistic assessment of the immediate safety and vulnerability of the child or young person.

A Structured Decision Making and Screening and Response Priority Assessment Tool assists DCP Call Centre staff in making assessments. Once a notification has been assessed as requiring a response, the case is allocated to the DCP office responsible for the suburb where the child or young person and their family reside.

Some notifications will exit CARL/Call Centre with no further involvement or no grounds for intervention where the information reported does not give reasonable grounds to suspect harm or that the child or young person is at risk of harm.

Concerns about children and young people must be acknowledged regardless of whether or not the concerns meet the screening threshold.

**DCP after-hours operations:**

DCP After-Hours operations includes the CARL, after-hours child protection investigation, urgent care concern investigations, and out of home care.

## Session Presentation and Key Points

### Slide 33: DCP case management flow



#### Assessment and Support

- Investigating concerns
- Safety and risk assessment
- Identifying needs
- Working with families
- Partnership and support
- Court applications and orders
- Case planning



## Facilitation Notes

### **Investigating concerns:**

DCP has a legislative responsibility under the CYPS Act to respond to notifications where a child or young person is, or may be, at risk of harm. DCP's Assessment and Support teams, within the relevant DCP office, make a decision regarding the most appropriate response.

In some cases the matter may be referred to a state authority (SA Police, local council, SA government department). Consideration must be given to the child or young person's cultural background – such as referral pathways for families from culturally and linguistically diverse (CALD) backgrounds and culturally preferred referral pathways for Aboriginal children, young people and families.

### **Safety and risk assessment:**

Establishes whether the child or young person has been harmed or is at risk of harm and identifies the actions that are required to keep the child or young person safe, what interventions are required to support the child, young person and their family, whether statutory powers need to be exercised or an interagency response required.

### **Identify needs:**

The primary focus is on the child or young person's safety, their needs, parents or caregivers capacity to meet their needs, and how these needs may be supported by the family and environmental context.

### **Working with families, partnership and support:**

Working in partnership with families is important for gathering information to inform the assessment of safety and risk to children and young people and will assist the DCP case worker to consider whether the parents or caregivers have an understanding of the needs of their child or young person, the difficulties the family is facing and their willingness to work cooperatively with DCP or other support services.

### **Court applications:**

In some cases there may be family law orders or current proceedings in place that will need to be considered with support from DCP's Court Services and Liaison Team and liaison with the Family Law Courts.

### **Case planning:**

The case plan captures critical parts of the story and experiences of the children and young people, their families and carers and documents a plan to work in partnership with them. Case planning ensures coordination of actions toward a specific goal so that intervention is purposeful, transparent, culturally safe, and outcome-oriented. It clarifies the roles and responsibilities of all participants in addressing the child or young person's needs. Case planning is also a requirement under section 28 of the *Children and Young People (Safety) Act 2017*.

## **Session Presentation and Key Points**

### **Slide 34: DCP case management flow**



## **Facilitation Notes**

### **Family preservation – working with families with the child remaining in the home:**

The child or young person is assessed to be at risk but it is safe or conditionally safe to remain in the care of their parents/family whilst they work towards addressing the child protection concerns in a timely manner. The DCP case worker conducts home visits and maintains regular contact and communication with parents and key family members. This provides opportunity to: identify whether the child or young person's safety and care needs are being met in accordance with the case plan.

### **Reunification: - child or young person not living at home:**

The child or young person is placed under the custody or guardianship of the Chief Executive and it has been assessed that a short-term care and protection order is necessary to work towards reunification with family. The DCP case worker works with families so the child may safely return



to living in the home. Regular home visits by DCP case worker is undertaken to monitor progress and ensure child protection concerns are being addressed and provides an opportunity for parents to demonstrate or improve parenting capacity.

**Working with parents, carers and extended family:**

Family group conferences are a pathway to support family led decision making. The model provides children and young people, families and community members, and DCP with an opportunity to engage in family to make decisions about arrangements for the care of the child or young person. For children and young people in family-based placements, the DCP case worker works in partnership with the kinship carer or placement support worker.

**Engaging other agencies:**

There may be multiple services working with the child or young person and their parents and/or carers. The DCP case worker is responsible for coordinating and maintaining regular communication with the service providers and professionals working with children and young people and their families and/or carer and monitoring progress to ensure the services provided are meeting the needs of the child or young person.

**Case Planning:**

Case planning ensures coordination of actions toward a specific goal so that intervention is purposeful, transparent, culturally safe, and outcome-oriented. It clarifies the roles and responsibilities of all participants in addressing the child or young person's needs.

**Child's needs and placement:**

It is important to ensure that children and young people in care have access to information about their rights, expressing their opinion about things that affect them and that these are considered, involved in decision making, practice own culture and spirituality, know where to go if they have a problem or want to make a complaint.

**Court applications:**

In some cases there may be family law orders or current proceedings in place that will need to be considered with support from DCP's Court Services and Liaison Team and liaison with the Family Law Courts.

## Session Presentation and Key Points

### Slide 35: DCP case management flow



#### Guardianship

- Case planning and reviews
- Supporting identity and connection to family, community, culture, land, people, stories and history
- Transition to long-term guardianship
- Reviewable decisions
- Transition to adulthood
- Transition from care plan
- Care concerns

## Facilitation Notes

### Case planning and reviews:

The case plan captures critical parts of the story and experiences of the children and young people, their families, carers and documents the plan to work in partnership with them. Case plans are reviewed when circumstances change that impact on the child or young person's safety. Annual reviews occur when a child or young person is placed under a long-term care and protection order to consider whether the existing arrangements continue to be in their best interests.

To place a child or young person in an out of home care placement, they must be under the custody or guardianship of the Chief Executive pursuant to the Children and Young People (Safety) Act 2017 (CYPS Act). Children and/or young people must be placed in a safe, nurturing, stable and secure environment, with the preferred option to be placed with a person with whom they have an existing relationship such as Kinship care.

### Supporting identity, connection with family, community and culture:

Kinship care supports children and young people to remain connected to family and culture, and can contribute to the child or young person's sense of belonging and stability within their care arrangement. Specific Child Only (SCO) care offers an alternative option for children and young people to be cared for by an individual with whom they have an existing relationship and who is not a family member. This supports the child or young person to maintain connection with their community and, where applicable, culture.

### Transition to long term guardianship:

A Long-term Guardianship (Specified Person) (LTGSP) order transfers guardianship powers with respect to a child or young person from the Chief Executive to one or two approved carers. It provides long-term care to vulnerable children and young people where it is unsafe for them to live at home with their parents.



**Reviewable decisions:**

A carer, child or young person, birth parent or other person aggrieved by a decision made by DCP regarding long-term-guardianship arrangements can contact DCP to seek a review of these decisions.

**Transition to adulthood:**

A young person's transition to adulthood is a process beginning from the age of 15 years. The DCP case workers engage in proactive transition planning with young people leaving care to ensure young people are supported and have the best chance of experiencing stability, continuity of relationships, connections with services and are able to access necessary supports into adult life. Engagement with the young person, their carer, and any other significant people in the young person's life to identify what supports young people need to develop independent living skills. Supporting young people to develop strong connections to their culture, a healthy sense of self and a positive identity is a key element of transition planning.

Young people residing in residential care may have more complex needs therefore it is important to ensure that planning focuses on both immediate needs and forward planning to meet the young person's needs after they turn 18 years of age. Consultation occurs with the residential care staff, youth workers and other support workers involved.

**Transition from care plan:**

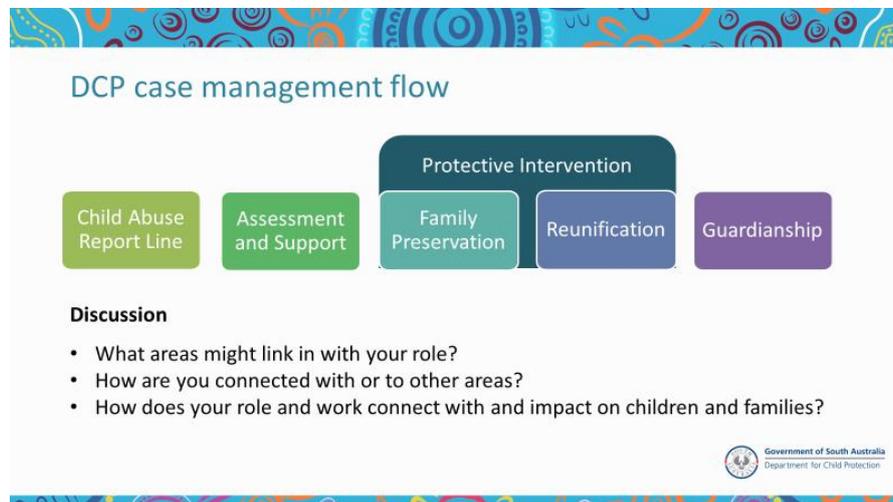
A transition from care plan is developed by working in partnership with, the young person's carers or residential care staff, youth workers, family, kinship networks, or other significant members in the young person's community. In circumstances where the young person needs additional support to develop independent living skills, the young person can be referred to Post Care Support Services (operated by Relationships Australia South Australia).

**Care concerns:**

Children and young people in care have the right to feel safe and to receive adequate care. Where allegations of harm, risk of harm or inadequate care by a carer, staff member or volunteer are raised, it is important that these concerns are responded to in a timely way to ensure the child or young person's safety and wellbeing. As mandated notifiers, it is a requirement that all DCP staff report to the Child Abuse Report Line any new suspicion that a child or young person in care is, or may be, at risk of harm and/or there has been a suspected deficit in care and/or breach in the standards of out of home care which has resulted in harm or a risk that they will suffer harm.

### Session Presentation and Key Points

#### Slide 36: DCP case management flow



### Facilitation Notes

Opportunity to reflect and discuss how work roles influence outcomes for families and children.

### Session Presentation and Key Points

#### Slide 37: Residential Care



**Department for Child Protection**

**DCP Residential Care**

Provides 24/7 specialised accommodation, care and support for some of the most vulnerable, at-risk children and young people in South Australia.

Aims to deliver a safe, responsive and nurturing residential care service that adapts to the individual complex needs of vulnerable children through a skilled and resilient workforce

Supports children and young people living in houses located throughout metropolitan and regional South Australia.

Government of South Australia  
Department for Child Protection

### Facilitation Notes

No notes available

### Slide 38: The Sanctuary Model



Department for Child Protection

#### The Sanctuary Model

- DCP is currently implementing the Sanctuary Model of care across its residential care service in partnership with [MacKillop Family Services](#)
- It is a trauma-informed therapeutic model of care which embeds a consistent practice approach that is responsive to the needs of children and young people who have a history of trauma and adversity.
- Acknowledges the unique experiences of Aboriginal people, and supports culturally-responsive and culturally-safe practice and care.



#### Facilitation Notes

No notes available

### Session Presentation and Key Points

#### Slide 39: Understanding the perspective of children and young people, families and communities



Understanding the perspectives of children and young people, families and communities

#### Discussion

- What is their experience?
- What do they see?
- What do they feel?
- What do they think?



#### Facilitation Notes

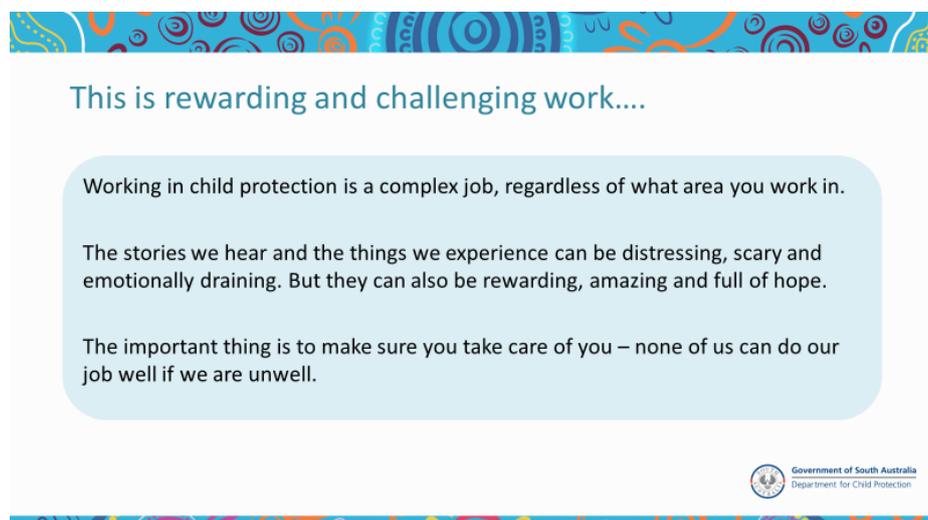
Explore and discuss different perspectives to encourage reflection and improve practice.

### Session Presentation and Key Points

#### Slide 40 to 42: Taking care of your wellbeing



#### Slide 41: This is rewarding and challenging work



### Facilitation Notes

Discuss what support options are available for staff to maintain their wellbeing.

## Session Presentation and Key Points

### Slide 42: Toolkit for self-care



#### Toolkit for self-care

- Peer-support (build your network)
- Supervisors and Managers
- Work life balance
- Ask for what you need
- Formal support
- Incident debriefing
- Work, Health and Safety



## Facilitation Notes

Each organisation may have their own toolkit for self-care – these are examples for discussion.

## Session Presentation and Key Points

### Slide 43: Useful resources



#### Useful resources

**History of Child Protection and Legislation**

- [A history of child protection- Back to the future?](#)
- [History of child protection legislation](#)
- [Children and Young People \(Safety\) Act 2017](#)

**Child Protection Statistics**

- [Reporting and statistics | Department for Child Protection](#)
- [ROGS-Report-Aboriginal-CYP-in-Care-and-YJ-Detention-2021.pdf \(gcyp.sa.gov.au\)](#)
- [Australia's health 2022 - Australian Institute of Health and Welfare \(aihw.gov.au\)](#)

**Aboriginal and Torres Strait Islander**

- [Aboriginal children and young people | Department for Child Protection](#)
- [SNAICC - National Voice for our Children](#)



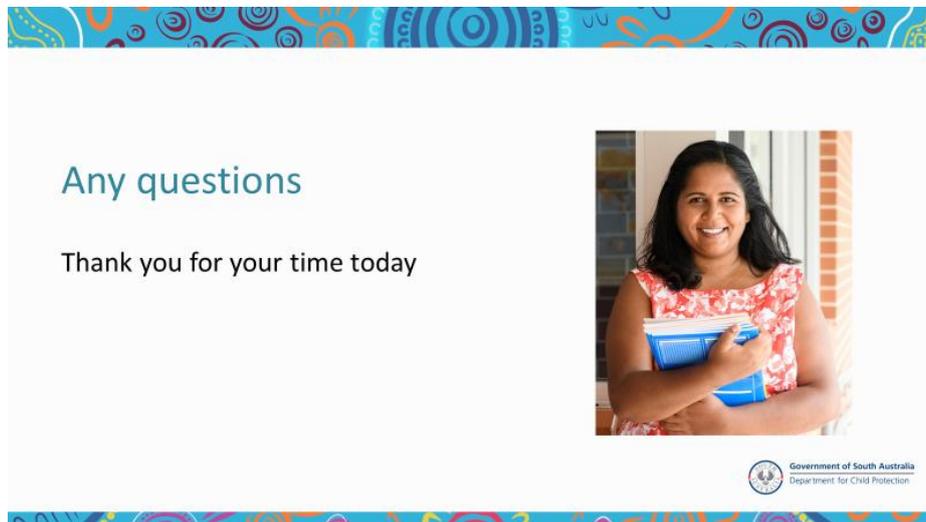
## Facilitation Notes

No notes available



### Session Presentation and Key Points

#### Slide 44: Any questions



### Facilitation Notes

No notes available