

**Legislative Assembly’s Legal and Social Issues Committee**  
**Inquiry into the recruitment methods and impacts of cults and**  
**organised fringe groups**

**Response to Questions on Notice by Child Protection, Department of**  
**Families, Fairness and Housing**

**Overview of Child Protection System**

1. The following information is provided to aid the Legal and Social Issues Committee’s understanding of the Children and Families services sector and to provide the foundation for responses to the Questions on Notice.

***Legislative context***

2. The *Children, Youth and Families Act 2005* (Vic) (**CYFA**) provides the legislative framework for protecting Victorian children and young people and providing community services for children and families. The CYFA establishes the best interests principles (section 10), specifying that the best interests of the child are paramount in making any decision or taking any action in relation to a child. Under section 8 all decision makers under the CYFA, including the Children’s Court, Child Protection, Community Service Organisations (CSO) and Aboriginal Community Controlled Organisations (ACCO) must comply with the best interests principles and must give consideration to the decision-making principles in section 11 of the CYFA.
3. Under s 10(2) of the CYFA, when determining whether a decision or action is in the child’s best interests, decision makers must consider matters including:
  - The need to protect the child from harm.
  - The need to protect the child’s rights.
  - The need to promote the child’s development (considering their age, stage of development, culture and gender).
4. For Aboriginal children and young people, section 10(3)(c) of the CYFA requires consideration to be given to promote and protect their Aboriginal cultural and spiritual identity and development. In addition, sections 12 and 14 of the CYFA set out additional decision-making principles in recognition of the principle of Aboriginal self-management and self-determination for Aboriginal children. Further, the Aboriginal Child Placement Principle as set out in section 13 of the CYFA requires

consideration to be given and criteria to be applied when making any decision regarding the placement of an Aboriginal child in care.

5. In addition to the CYFA, when working with children and young people, Child Protection must consider, and act in a way that is compatible with, a child's human rights as provided for in the *Charter of Human Rights and Responsibilities Act 2006* (Vic) (**the Charter**).

### ***The children and families service system***

6. The Victorian Children and Families Service System comprises a broad range of agencies and providers, including statutory and non-statutory services that work to promote the safety and wellbeing of children and families with varying degrees of complexity and need.
7. The key entry points into the Children and Families System include:
  - Direct engagement by children and families with parenting and family services.<sup>1</sup>
  - Direct engagement by children and families with, or referral to, The Orange Door.<sup>2</sup>
  - A report to Child Protection.
8. The Children and Families Service System includes:
  - Targeted voluntary (or secondary) services that include parenting and family services and those that respond to specific needs including family violence, socioeconomic disadvantage, housing, disability, alcohol and other drugs, mental health, employment, social exclusion, and involvement with the justice system.
  - Statutory (or tertiary) Child Protection and care services.
9. In addition to the above, there are universal services offered through other platforms such as maternal and child health, early childhood education and care, schooling and health. Importantly, the interaction that children and their families have across these

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<sup>1</sup> Family services aim to promote the safety, stability and development of vulnerable children, young people and their families from birth to 17 years of age. They aim to build family capacity to keep children safe and thriving and focus on early intervention to manage issues affecting families before they escalate, to prevent more intensive or statutory intervention.

<sup>2</sup> The Orange Door established in response to a key recommendation of the Royal Commission into Family Violence, provides an accessible statewide entry point for information and support for people of all ages, including children and young people, experiencing family violence, and families seeking parenting and wellbeing support. It brings together partner organisations from Family Violence, Child and Family Services and Aboriginal Community Controlled Organisations to provide an integrated intake and assessment point.

systems of support is not linear, and children and families can and do move across and between entry points and may access multiple supports at one time or in episodes.

10. Within the Children portfolio, the Department of Families, Fairness and Housing (**department**) is responsible for providing advice on and implementing system and service design, reform and funding, delivery and oversight of the targeted and statutory children and family services. This includes parenting, early help and family services, statutory Child Protection and care services, permanent and leaving care services.

### ***Child Protection***

11. The Victorian Child Protection program operates in accordance with principles, powers and functions set out in the CYFA to provide for the support and protection of children and young people at risk of harm within their families. The main functions of Child Protection are to:

- Receive, register and assess reports to Child Protection.
- Investigate reports to determine if a child has suffered, or is likely to suffer, significant harm, and whether the parents can protect the child.
- Refer children and families to services that assist in providing the ongoing safety and wellbeing of children.
- Make applications to the Children's Court if a child is in need of protection.
- Administer protection orders made by the Children's Court.
- Case planning and management for children and young people subject to protection orders, working in partnership with families, community sector and Aboriginal Community Controlled Organisation partners, and other organisations and professionals providing services and support to the child or young person.

12. The Child Protection Intake service (**Intake**) is responsible for receiving, assessing and responding to reports of concern for a child's wellbeing or safety. Reports can be received from any member of the community, predominantly by phone; however, some reports are received via email or in writing. In addition to information provided by the reporter, Intake practitioners may seek information from professionals involved with a child or family to inform the risk assessment and determine the appropriate response. Intake practitioners must also consult the Sexual Offences and Child Investigation Teams within Victoria Police where concerns received may constitute a criminal offence.

13. Using all information available relating to the child and family, Intake practitioners complete a risk assessment applying the SAFER children framework. SAFER is a

guided professional judgement model that enhances the completion, recording and review of risk assessment throughout all phases of Child Protection involvement. The SAFER children framework incorporates the Multi-Agency Risk Assessment and Management (**MARAM**) evidence-based factors. This enables child protection practitioners to assess risks related to family violence within an overall comprehensive assessment of risk. MARAM is a family violence risk framework legislated under Part 11 of the *Family Violence Protection Act 2008 (Vic)*. Child Protection has legislated responsibilities to screen, assess and manage family violence risk using the MARAM framework.

14. These risk assessments inform the decision regarding whether the report should be closed at intake, referred to support services, or should move to investigation. Reports assessed as urgent are to be responded to within two days and other matters within fourteen days of the report.
15. Where it has been determined that a report requires investigation, Child Protection Practitioners will exercise their legal mandate to directly engage with the child and parents/carers to assess if the child or young person has, or is likely to be, at risk of significant harm, and if the parent/s is able to protect them from that harm. Following an investigation, a Child Protection Practitioner will determine whether they are satisfied on reasonable grounds that the child is in need of protection. This is called the substantiation decision. This assessment considers whether the alleged harm to the child has occurred, or if there is a likelihood of harm occurring, whether the consequence of that harm is concerning, significant or severe and the impact on the child's safety or development.
16. Where harm is substantiated, Child Protection works with families to address the risk to enable children and young people to remain in parental care in accordance with the child's case plan. Section 168(1) of the CYFA requires that a case plan be developed for a child where protective concerns have been substantiated. Section 166 of the CYFA requires every case plan to include a permanency objective. The permanency objectives are listed in s167 of the CYFA, in order of preference as determined to be appropriate in the best interests of the child, with family preservation being prioritised.
17. Where it has been assessed that the child needs protection from significant harm, and the child's parents have not, or are unlikely, to protect the child from harm of that type, Child Protection will make a Protection Application under s162 of the CYFA to the Children's Court. The CYFA enables the court to make a range of orders and court ordered conditions with respect to children. There are court orders which allow a child to remain in parental care, for example, with conditions imposed upon them to

engage with services to address the risks. Court orders may place the child outside of parental care. This can include kinship care, foster care, or residential care. Child protection will make recommendations to the court about appropriate orders and conditions, informed by their assessments.

18. Only a small proportion of reports to Child Protection result in a court order being required. For most children who come to the attention of Child Protection, their involvement ceases with the closure of a report at intake or the conclusion of an investigation or protective intervention, often with referrals being made to other services as appropriate to support the family's needs.
19. Victoria's Child Protection policies and procedures are documented in the Department's electronic Child Protection Manual which includes advice on various topics and gives contextual information and guidance to assist staff to implement procedures. The manual has been publicly available since November 2014.

### **Response to Questions**

- 1. Is the Child Protection aware of any disclosures from children or young people relating to conduct within a high-control or cultic setting? If so, where were the disclosures made (e.g., at school, in community support, or through a youth organisation)?**

The department is unable to comment on specific cases relating to individuals.

- 2. When practitioners encounter families whose decision-making is heavily influenced by a central leader, belief system, or closed community, how is that incorporated into case planning?**

Child Protection develops each case plan in accordance with the child's best interests and in compliance with legislative and policy settings. As case planning is responsive to individual circumstances, the department cannot comment further on how a case plan would be developed for specific cases.

- 3. The Committee has heard that many children/young people in cult-like or isolated groups don't come into contact with service systems able to identify risk indicators (i.e., health, education, community). What tools or approaches does Child Protection use to identify children who have minimal engagement with health, education or community services?**

When Child Protection receives a report about a child, practitioners conduct a risk assessment using the SAFER children framework. During an initial risk assessment or an investigation, a Child Protection practitioner may consider

factors such as patterns of non-attendance at school, missed health appointments or absence from community supports, which are analysed as indicators of vulnerability and potential cumulative harm, rather than isolated issues. This would then be weighed alongside factors of strengths, protection and safety to determine the consequence and probability of harm.

Child Protection practitioners can access Child Link to identify children with minimal engagement with services. Child Link is a database that displays information about a child to authorised key professionals who have responsibility for child wellbeing and safety. Child Link shows limited but critical information, such as a child's participation in key early childhood and education services. Child Link was established under Part 7A of the Child, Wellbeing and Safety Act 2005 (Vic) and operationalised on 31 December 2021. The Child Link project is implemented by the Department of Education. Shared data from child protection comes from the Child Protection Client Relationship Information System (CRIS) to the Department of Education for Child Link, alongside critical data from health providers and education.

Professionals who use Child Link are a small subset of the Information Sharing Entities (ISEs) for the Child Information Sharing Scheme (**CISS**) and include Child Protection Practitioners; Principals; Teachers; Maternal and Child Health Nurses (MCHN); Aboriginal Children in Aboriginal Care (ACAC) providers, and some contracted case managers in CSOs and ACCOs.

Additionally, Child Protection and service providers can share information through the Child Information Sharing Scheme and Family Violence Information Sharing Scheme to assist in identifying risks.

Finally, it is noted that there are existing legislative mechanisms under the *Education and Training Reform Act 2006* (Vic) to respond to school non-attendance. The department refers the Committee to the response to Questions on Notice provided by Department of Education.

**a. How does Child Protection assess developmental progress for children who are largely educated/socialised within the family unit or a small community group?**

If a report is made regarding a child that raises concerns regarding that child's emotional, intellectual or physical development, Child Protection undertakes a risk assessment using the SAFER children framework.

**b. What steps does Child Protection or other government agencies take when they become aware that a child has no regular touchpoints with mandated reporters (i.e., teachers, doctors, childcare providers)?**

Not every disengaged child would meet the threshold for statutory intervention by Child Protection as disengagement alone is not considered a ground for protective intervention in the legislation. However, if a child is disengaged, this may be indicative of other issues that the child may require additional support. When undertaking an investigation, Child Protection can seek information from a wide range of sources, including family members and members of the community.

Child Protection or other prescribed information sharing entities may request or disclose information under either the information sharing provisions in the CYFA or the CISS and where applicable, the Family Violence Information Sharing Scheme (FVISS), which includes individuals that are not mandatory reporters. These schemes allow prescribed entities to identify gaps in service engagement. Child Protection may also make a referral to The Orange Door for child and family services.

**c. What approaches does Child Protection use to hear directly from children in situations where parents or caregivers restrict external contact or closely supervise interactions with authorities?**

When undertaking an investigation Child Protection will engage directly with a child. This includes talking with children and young people directly (with or without consent from their parents or caregivers) to inform the assessment and making a determination as to whether a child has suffered, or is likely to suffer significant harm, and whether the parents can protect the child. Child Protection can interview a child without parental consent only if this is in the child's best interests.

Where a parent is limiting access to a child and the threshold of immediate and significant risk is not met, it is open to Child Protection to bring an application for a Temporary Assessment Order (TAO). This application may be brought under section 232 of the CYFA where Child Protection has a reasonable suspicion that a child is, or is likely to be, in need of protection and further investigation and assessment is warranted. TAOs have historically been sought where there are concerns about a child, however the family are refusing to engage sufficiently with Child Protection for a proper assessment to be made and have been used to gain assessments of children that are not engaged with any health or education services. A

temporary assessment order can be considered at any time in the course of an investigation, or following substantiation until the point where a protection application is issued, if required to enable completion of an assessment of protective concerns.

**d. What escalation pathways exist when Child Protection is unable to obtain sufficient information to complete a risk assessment?**

Information gathering is an integrated and essential part of the risk assessment process. The SAFER children framework includes the seeking, sharing and sourcing of information and evidence, and the analysis of that information, along with professional judgement, to determine the consequence and probability of harm to a child. Child Protection practitioners utilise the guidance provided under the SAFER children framework when assessing risk to a child, informed by the information and evidence available in each case.

**4. How does Child Protection determine what constitutes ‘sufficient information’ to make a risk assessment when traditional sources (i.e., schools, health practitioners, community programs) are not available?**

Child Protection practitioners utilise the guidance provided under the SAFER children framework when assessing risk to a child.

**5. Stakeholders raised that children in cultic settings may experience nonphysical forms of harm that are difficult to detect. Are there guidelines or training modules for recognising signs of coercive control, ideological indoctrination, or psychological isolation, physical forms of harm that are difficult to detect. Are there guidelines or training modules for recognising signs of coercive control, ideological indoctrination, or psychological isolation?**

Child Protection practitioners are provided guidance under the SAFER children framework, which incorporates MARAM responsibilities when assessing risk to a child. Child Protection practitioners are also able to access the Child Protection Manual.

As set out above Child Protection also rely on the assessments by child experts such as counsellors, psychologists and medical practitioners.

The Child Protection professional development program provides access to a comprehensive suite of contemporary and evidence-based learning and development opportunities that enable practitioners and managers to undertake mandatory training and to maintain their own professional development.

- 6. Evidence to the Committee suggests that families involved with coercive high-control groups may present well externally, making risk difficult to assess. How does Child Protection support practitioners in distinguishing between concealed harm and genuinely low-risk situations?**

As above.

- 7. The Committee received evidence that home-schooled children in high-control groups may fall entirely outside visibility of the state. How does Child Protection maintain oversight of children who are withdrawn from mainstream education?**

The Department refers the Committee to the response to Questions on Notice provided by Department of Education.

- a. What information-sharing arrangements exist between Child Protection and the Victorian Registration and Qualifications Authority to identify potential patterns of concern?**

Child Protection and the Victorian Registration and Qualification Authority are both prescribed as information sharing entities under the CISS and FVISS and share information both proactively, and upon request.

- b. Has Child Protection identified correlations between home-schooling and heightened child safety and wellbeing risks, particularly in high-control or cult-like settings?**

The department is unable to respond to this question.

- 8. How does Child Protection respond when families reject assessments or deny entry, and what legal or policy barriers exist in these situations?**

Child Protection can make unannounced visits and can undertake joint visits with Victoria Police or other agencies the family may be engaged with (including ACCOs for Aboriginal children). The Child Protection practitioner must consider and prepare an investigation plan to deal with any unexpected safety issues, and actions to take should parents not engage or co-operate with the investigation or may not allow access to the child.

The Child Protection Manual provides guidance to practitioners including consideration of whether a TAO (see response to question 3c) may be required. Child Protection can apply for a warrant to authorise Victoria Police to execute a TAO.

Where sufficient assessment has occurred to indicate significant risk and access to the child is being prevented, the CYFA allows Child Protection to apply for a variety of Children's Court search warrants, enabling the police to enter and search premises and to take the child into emergency care. In these situations, Child Protection work very closely with Victoria Police to secure access to and retrieve children from unsafe situations and placing them into a suitable care arrangement.

**9. Stakeholders have described challenges in interagency coordination, particularly where families refuse all state contact. How does Child Protection work with Victoria Police, the Department of Education and other agencies to share information or manage risk for such children?**

As set out above, all of these services utilise information sharing powers, such as those set out in the CYFA, the CISS, FVISS, and Child Link to share timely information about children.

Further to the information set out about Child Link in the answer to question 3, the Governing Council for the Victorian Social Investment Integrated Data Resource (VSIIDR) has approved MARAM risk assessment data from the Tools for Risk Assessment and Management (TRAM) platform to be added to the linked dataset. TRAM is used by The Orange Door and a range of community agencies, including services for victim survivors, adults using family violence, and child and family services, to undertake risk assessment and risk management.

Child Protection, Victoria Police and ACAC providers have also established a Protecting Children protocol to enable effective and collaborative responses to child abuse and children who have suffered or are likely to suffer significant harm due to physical, sexual, emotional or psychological abuse or neglect.

In practice when Child Protection has an open report for a child, their family, care team meetings, professionals' meetings and case conferences are frequently utilised with other service providers and departments. Representatives from education, health services and Victoria Police can be, and are, invited to these meetings where relevant for the purpose of sharing information under the relevant schemes, and to enable and plan an appropriate response.

**10. Evidence to the Committee highlights that some families/communities hold strong views about government or institutional involvement and may be reluctant to engage with state services. Can Child Protection outline how it identifies and assesses risk in situations where families have limited engagement with government agencies or prefer to minimise contact?**

See response to question 8.

**a. What approaches does Child Protection use to initiate or maintain engagement with families who may be hesitant to interact with government services?**

Child Protection uses a variety of approaches when initiating contact with families including direct contact (such as phone calls, text messages, house visits, letters) or via third party supports who may already have been involved with the family

**b. What information does Child Protection collect or monitor on cases where low engagement with government services is considered a relevant risk factor? And, what are the factors contributing to families limiting their engagement?**

The department is unable to comment on specific cases.

**11. The Committee heard that Child Protection is often viewed as a purely reactive service, making initial engagement difficult in communities with low institutional trust. What proactive or preventative engagement does Child Protection undertake with communities?**

Child Protection's legislated powers to investigate can only be acted upon once a report has been made to Child Protection. The outcomes of an intake assessment will determine the pathways available to families under the CYFA.

Child Protection works with community-based organisations and The Orange Door to provide support and services to children and families. See response to Question 13 below on the role of Community-Based Child Protection and the interface with voluntary service providers.

**12. Stakeholders have reported that to improve the effectiveness of interventions that relationships should be built before a child protection issue arises, especially in high-control or closed environments. Does Child Protection have dedicated roles, programs, or partnerships aimed at establishing early rapport with hard-to-reach communities?**

Child Protection works with community-based organisations and The Orange Door to provide support and services to children and families.

The Child Protection program is delivered through DFFH Areas where proactive and preventative activities are led by local Area Executive Directors who work closely with communities, community service organisations and other government agencies (Education, Police, Health, Justice) to build proactive, community led initiatives that identify early, and respond to issues including radicalisation and extremism. These relationships are built over time, and rely heavily on trust.

While child protection responds to individual reports specifically relating to child abuse and neglect, the Area-based model means the Child Protection program can connect to this work as relevant to inform investigations and case planning.

**13. Stakeholders have indicated that community groups often lack a clear point of contact for early advice or intelligence-sharing before risks escalate. What mechanisms currently exist for community organisations to raise early concerns or seek guidance from Child Protection?**

Community organisations can either make a report to Child Protection or make a referral to the Orange Door raising a concern about the welfare of a child.

The Orange Door has a suite of information sharing powers, including access via section 38 of the CYFA which enables a registered community and family service to consult with the department's Community Based Child Protection practitioners. This is to allow for opportunities to offer effective earlier intervention and prevention services before there is a need for Child Protection intervention and supports the earlier identification of cumulative harm to children, helping to ensure that families receive services to improve outcomes for vulnerable children and their families. The consultations also provide a mechanism under which the Community Based Child Protection practitioner can advise the service to make a protective intervention child protection report, where it is evident that the statutory threshold has been met. As set out previously both Child Protection and Orange Door services are information sharing entities under both the CISS and the FVISS and can utilise these schemes to gather further information.

The Child Protection reporter hub has recently been published online to support professionals to identify the appropriate report and referral pathways for different risk thresholds or concerns.

**14. The Committee has heard that Victoria lacks a consistent definition or risk category for “high-control” or “cult-like” groups in child welfare assessments. Does Child Protection recognise these environments within its current risk frameworks, and are any reforms being considered?**

The evidence-based factors which inform Victoria’s risk assessment framework (SAFER children framework) were revised in 2025 following an updated review of the literature, resulting in updates to the associated practice tools developed for the workforce. To enable the SAFER children framework’s wide applicability across a range of individualised circumstances, specific risk factors related to high control or cult-like groups are not embedded in the framework. Associated risks of this nature are more likely to be identified through risk factors related to the child as they align to grounds under section 162 of the CYFA.

**a. Does Child Protection have specialist practitioners, or plans to develop capability in this area?**

The Victorian Child Protection operating model has a range of practitioner classifications, including specialist practitioners embedded within the system. Practice Leaders and Principal Practitioners are available to consult, mentor and be directly involved where necessary for complex matters in every operational area. There are also Statewide Principal Practitioners and the Chief Practitioner who provide strategic and case consultation and support to operational areas.

**b. What reforms, if any, would enhance Child Protection’s ability to identify and respond to children in high-control or cult-like environments?**

The current legislative framework is designed to consider all forms of harm to a child, including emotional abuse. There are no current plans to reform the legislative basis for intervention in Victoria and there are no current plans to develop specialist practitioners to manage these matters.

**15. Does Child Protection, or the Department of Families, Fairness and Housing (DFFH) more broadly, have data-matching capability (e.g., with health, education, Centrelink, Victorian Registration and Qualifications Authority (VRQA)) to identify children with unusually low engagement across multiple systems?**

See response to question 9.

**16. How adequate are current legislative thresholds (e.g., significant harm, access powers) for enabling Child Protection to respond to risks in closed communities where visibility is limited?**

The department is unable to provide a subjective assessment of current legislative thresholds. The legislation is currently structured to enable varying forms of harm to children, including emotional abuse, to be investigated and responded to, when Child Protection is notified of suspected harm.

**17. What supports are available to children and young people after they exit a high-control or cult-like environment, either through statutory intervention or voluntary disengagement?**

As set out above, once a child has been assessed as in need of protection Child Protection develops an individual case plan to set out the supports a child requires. The specific supports that will be provided to a child will depend on their age, individual needs and their geographical location. Support services that work for one child may not be appropriate for another child and an assessment must be made on a case-by-case basis.

**18. How does Child Protection approach transition planning for older adolescents (16–18 years) who may remain vulnerable to high-control dynamics but fall near or outside service boundaries?**

Child Protection has a variety of programs and supports for young adults transitioning from the child protection system as set out below.

Leaving care planning

A Leaving Care Plan is part of the leaving care program in which the purpose of the program is to develop a transition plan. The transition plan records what the care team members have agreed to do for the young person in out-of-home care to provide good day-to-day care for the young person as they grow and mature, and transition out of care.

Transition to Independent Living Allowance (TILA)

TILA is a Commonwealth allowance for young people aged 15 to 25 years who are leaving or who have already left care services. TILA is a payment of up to \$1500 to cover basic costs such as education, counselling, medical costs, fridge, driver's licence or any other agreed items. Melbourne City Mission administers the TILA program in Victoria.

Better Futures

Better Futures supports young people who are making the transition from care to adulthood until they reach the age of 21. The program enables young people to

have an active voice in their transition planning and provides individualised supports both in-care and post-care across a range of life areas including housing, health and wellbeing, education, employment, and community and cultural connections. Better Futures includes case work support, information and advice and access to flexible funding.

#### Home Stretch

Home Stretch is delivered under the Better Futures model and provides young person in care with support to transition to adulthood to adulthood and a place to call home until their 21st birthday. The program provides an accommodation allowance, case work support and flexible funding to facilitate the young person's access to education, employment and health and wellbeing supports. The accommodation allowance supports young people and carers to continue kinship care, foster care and permanent care living arrangements, or help young people transition to other housing options.

#### Lead Tenant

Lead Tenant is the provision of semi-independent support and accommodation for young people aged 15-18 years who are unable to live with their family due to issues of abuse or neglect and who are in transition to independent living. A volunteer lead tenant lives in a residential unit with a small group of young people and provides them with support and guidance in developing their independent living skills.