

SUBMISSION TO LEGAL AND SOCIAL ISSUES COMMITTEE INQUIRY INTO THE CHILDREN, YOUTH AND FAMILIES AMENDMENT (RESTRICTIONS ON THE MAKING OF PROTECTION ORDERS) BILL 2015 FROM GATEHOUSE CENTRE, ROYAL CHILDREN'S HOSPITAL AND THE SOUTH EASTERN CENTRE AGAINST SEXUAL ASSAULT, MONASH HEALTH.

We agree with the underlying intent of the original changes embodied in the Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014 and the recommendations from the Cummins Inquiry into the State's Child Protection System in 2012. We are concerned that

- The Children's Court capacity to oversee Child Protection decisions is diminished.
- A number of the recommendations by the Cummins Inquiry will not be achieved through this legislative change.

Whilst also agreeing with the intent of the past legislative changes and the proposed amendment to improve outcomes for the State's vulnerable children, we think without substantial changes to the service system and increased funding the legislative reform and the proposed amendment will not improve outcomes for these children and young people. There needs to be additional resources for families, residential care, foster care and adoptive families. There needs to be better selection, training, support and ongoing assistance for alternate carers. More of the same will not bring about a different outcome.

Young children require stability to meet their developmental milestones and the opportunity to develop attachments to key adults for their growth and development. Without this these children's lives become very difficult. You need to look no further than several Paul Denyer, Stan Taylor and Bobby Barron, all serial killers, to see the long term effects for individuals and society of an abusive childhood. This is something we need to get right. We need a service system that responds to the special needs of young children and provides them with early identification of difficulties, early intervention, timely services as there is only a 12 month to 24 month window of opportunity for changes in the family system to take place. No amount of legislative change will allow this to take place without additional services.

Children require some form of contact with family members. Forgotten Australians, stolen generation and adopted children searching for birth families tell us denying contact with family members is detrimental to children and young people's mental health. The new amendments need to take this into account. Contact regimes need to be worked out on a case-by-case basis. If the Children's Court is not responsible for this who will be?

The reduction of the Children's Court oversight of Child Protection decision making and care arrangements raises the issue of who will take on this oversight responsibility. These are important decisions which affect children and young people for life. The Children's Court requires additional resources rather than diminishing their involvement in the lives of vulnerable children and leaving decisions to a statutory authority and its bureaucrats. Who would hold the Department of Health and Human Services Child Protection accountable for their decisions.

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