



Troubling proposals in new child protection legislation

Have you heard about the *Child Protection Legislation Amendment Bill*?

The NSW Government has introduced proposed changes to the child protection system that the Premier himself labelled as “radical”. These changes were initially outlined in a discussion paper released in late 2012 and have caused concern among many stakeholders.

- Read the Bill: <http://bit.ly/1czplUw>

What are the key changes in the Bill?

- New agreements and court orders for early interventions that aim to improve parenting capacity in at-risk families, including before a child is born. [Sections 38A-38E]
- Fixed timeframes to make a decision about whether children who have been removed from their family have a realistic chance of being restored. [Section 83]
- A hierarchy of preferred ‘permanency’ options which considers adoption whenever a non-Aboriginal child cannot be in the care of a family member. [Section 10A and related sections]

What should you be concerned about if these proposals become law?

- Although some additional funding has been promised for **early intervention services**, a much greater focus on investment in targeted supports for vulnerable families is required. Agreements and orders put requirements and risk of removal onto parents without any guarantee that appropriate services and assistance will be available.
- The **timeframes** are unrealistic and don’t reflect the time needed to help people change their lives. As Minister Goward herself said, “*You can't say to somebody with drug and alcohol addiction, ‘Right, you've got three months to sort yourself out’, because you are setting them up to fail.*”¹
- **Adoption** is not a solution to the high number of children in out-of-home care, does not guarantee more stability or better outcomes compared to well-managed and supported foster care. Adoption severs the existing family connections and although it is called “open adoption”, parents have no input and limited capacity for contact with their children once the process has been finalised.
- Although the Government states that the **Aboriginal placement principles** remain in place, the other amendments to promote adoption risk weakening these principles and could result in culturally inappropriate orders for adoption of Aboriginal children.

Where can you find out more?

- NSW Government Child Protection Discussion Paper: <http://bit.ly/1cPFoRR>
- The Greens NSW submission on the Discussion Paper: <http://bit.ly/J3HOkg>
- Government report on the consultation: <http://bit.ly/1dLARlf>
- Community Legal Centres have called for the Bill to be changed: <http://bit.ly/1b7ilvT>
- View my Parliamentary speech on child protection: <http://bit.ly/1j9nBb6>

What can you do about these proposals?

- ✉ **Write to Minister Goward** about your concerns and ask her to reconsider. Write to **your local MP** and the **members of the Legislative Council** raising your concerns and asking them to ensure any legislation supports families with early action. Send copies to my office.

¹ “Public housing system broke, says Goward”, *The Australian*, 7 October 2013, <http://bit.ly/1cznS0y>