

Child Protection 2012

Improving outcomes to make a difference

8 November 2012, Stamford Plaza Brisbane

Program highlights

- Understand the current system's challenges of the child protection framework in Queensland
- Hear an evaluation on child protection proceedings in the Childrens Court of Queensland
- Listen to recommendations on the legal representation of children and youth
- Ascertain the relationship between child protection and family law
- Be updated on domestic violence amendments and its impact on child protection
- Discern the challenges in independent social assessment reports and mapping family resilience and risk
- Pay heed to the impacts of the removal of Aboriginal and Torres Strait Islander children
- Hear about the QCAT experience in child protection decisions

Speakers

- **Lisa O'Neill**, Special Counsel, **Murdoch Lawyers**, Chairperson, **Child Protection Practitioners Association of Queensland**
- **Belinda Mayfield**, Director, Child Protection Development, Communities, Child Safety, Youth and Families, **Department of Communities, Child Safety and Disability Services**
- **Dr Clare Tilbury**, Professor, School of Human Services and Social Work, **Griffith University**
- **Nigel Miller**, Principal Lawyer, Child Protection Unit, **Legal Aid Queensland**
- **Dr Jan Connors**, Director, Child Protection Unit, **Mater Children's Hospital**
- **Kevin Parrott**, Principal Lawyer, **Advocacy Mackenzie Chambers, Crown Law**
- **Grant Thomson**, Mental Health Social Worker & Report Writer, **The Philos Group**
- **Shirley Finn**, Chairperson, **Aboriginal & Torres Strait Islander Women's Legal & Advocacy Service**

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Thursday, 8 November 2012

- 8:30 **Registration**
- 9:00 **Opening from the Chair**
- Lisa O'Neill**, *Special Counsel, Murdoch Lawyers*,
Chairperson, Child Protection Practitioners Association of Queensland
- 9:10 **An overview of the child protection system in Queensland – the legislative and practice framework**
- Overview of the *Child Protection Act 1999* – the principles of legislative framework
 - Key stakeholders in the child protection system
 - Overview of the Child Safety practice framework and phases of child protection work
 - Current trends and challenges, including interstate and national comparisons
- Belinda Mayfield**, *Director, Child Protection Development, Communities, Child Safety, Youth and Families, Department of Communities, Child Safety and Disability Services*
Megan Giles, *Director, Child Safety Strategic policy and intergovernmental relations, Department of Communities, Child Safety and Disability Services*
- 0.75 CPD point in Professional Skills
- 9:55 **Child protection proceedings in the Childrens Court in Queensland: Where to from here?**
- The Childrens Court in Queensland has been shaped by a range of legislative changes and policy shifts since its inception in 1907. Significant modernisation occurred in the 1990s, with major changes to youth justice legislation in 1992, followed by new child protection laws in 1999. Public inquiries into aspects of the child welfare system in 1999 and 2003-2004 led to further changes in legislation and services, with implications for the court. A national study of childrens courts was conducted in 2010-2011 which examined current challenges and opportunities for reform in both child protection and juvenile justice divisions of the court. This presentation reports on findings from the Queensland study, in relation to child protection proceedings. With another Inquiry underway, it is timely to consider future directions and possibilities for the court, to maximise its capacity to have a positive impact upon the children and families whose lives are touched by its decisions.
- Dr Clare Tilbury**, *Professor, School of Human Services and Social Work, Griffith University*
- 0.75 CPD point in Professional Skills
- 10:45 **Morning tea**
- 11:00 **The child protection application process**
- The definition of child in harm
 - Applications for Temporary Assessment orders
 - Applications for Court Assessment orders
 - Applications for Child Protection orders
 - The powers available to Childrens Court magistrates on adjournments and final orders
 - Appeals from child protection orders
- Kevin Parrott**, *Principal Lawyer, Advocacy Mackenzie Chambers, Crown Law*
- 0.75 CPD point in Professional Skills
- 11:45 **Legal representation for children and young people**
- Jointly presented by Nigel Miller and Jen Glover from the Child Protection Unit of Legal Aid Queensland, this session will outline the legal representation of children and young people in Queensland in the child protection jurisdiction, from both separate representation (best interests) and direct representation (instructions) perspectives.
- Nigel Miller**, *Principal Lawyer, Child Protection Unit, Legal Aid Queensland*
Jen Glover, *Senior Lawyer, Child Protection Unit, Legal Aid Queensland*
- 0.75 CPD point in Professional Skills
- 12:30 **Networking lunch for speakers and delegates**
- 1:30 **Family law and child protection**
- The chasm between Child Protection Agencies and the Family Court
 - Serious safety issues facing children from separated families
 - How the *Family Law Act* Amendments can be effectively used to protect children
 - The benefits of collaboration between all professionals engaged with the child
 - The hazards of 'impartiality' and 'confidentiality'
 - Where to from here?
- Denise Sullivan**, *Nationally Accredited Mediator, Registered Family Dispute Resolution Practitioner, Mental Health Practitioner, ResolutionQld*
- 0.75 CPD point in Professional Skills
- 2:15 **Domestic violence amendments and its impact on child protection**
- When a Childrens Court can make or vary a protection order in child protection proceedings
 - Children exposed to domestic violence – the provisions in the *Domestic and Family Violence Protection Act 2012*
 - The role of the new legislation in the delivery of effective child protection services
 - When a Childrens Court may make or vary a protection order
- Margie Kruger**, *Partner, Ryan Kruger Lawyers*
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2:45 Self-determination and the removal of Aboriginal and Torres Strait Islander children

Shirley Finn and Aimee McVeigh will use examples from case work done by the Aboriginal & Torres Strait Islander Women's Legal & Advocacy Service, to illustrate how the child protection system is failing Aboriginal and Torres Strait Islander children in Queensland. Using the current child protection system as an example, we will demonstrate that programs and policies that are developed to benefit Aboriginal and Torres Strait Islander people, but not determined by them, will fail. We will discuss the concept of self-determination and how it has been used to develop strategies for the protection of indigenous children in other jurisdictions.

Shirley Finn, *Chairperson, Aboriginal & Torres Strait Islander Women's Legal & Advocacy Service*
Aimee McVeigh, *Principal Legal Officer, Aboriginal & Torres Strait Islander Women's Legal & Advocacy Service*

■ 0.75 CPD point in Professional Skills

3:30 Afternoon tea

3:45 Independent social assessment reports: Mapping family resilience and risk

- Trauma, loss and grief and Attachment Theory in child protection matters
- Structuring the interview and assessment processes for independent, expert reports
- Engaging adult family members and foster carers in the assessment interviews
- Interviewing children and young people – determining their 'views and wishes'
- Mapping family resilience and risk – the challenge of providing relevant, detailed, independent observations and recommendations to the Courts, Child Safety Officers, Separate Representatives and parents
- Social assessment reports for child protection matters – child focused or court focused?

Grant Thomson, *Mental Health Social Worker & Report Writer, The Philos Group*

■ 0.75 CPD point in Professional Skills

4:30 The role of Paediatric forensic assessment in child protection

- Inflicted or accidental injury – can we tell?
- Medical assessment in alleged sexual abuse
- Who should give Paediatric forensic opinion?
- What to look for in a Paediatric forensic report

Dr Jan Connors, *Director, Child Protection Unit, Mater Children's Hospital*

■ 0.75 CPD point in Professional Skills

5:15 Administrative review of child protection decisions – the QCAT experience

- The challenges and the opportunities of the jurisdiction
- The problem solving approach and use of ADR
- Balancing the best interests of the child and the rights of the applicant

Jennifer Felton, *Nationally Accredited Mediator, Registered Family Dispute Resolution Practitioner, Undergraduate Course Coordinator, Social Work and Human Services, Queensland University of Technology*

■ 0.75 CPD point in Professional Skills

6:00 Close of conference



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All practitioners involved in child protection

- Child protection lawyers
- Child protection social workers
- Counsellors
- Judicial officers of the Childrens and Family Courts
- Mediators
- Psychiatrists
- Psychologists
- Policy makers
- Researchers

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