

FACTS SHEET

Information Sharing between Community Correctional Services and Child Protection

This fact sheet provides information for Corrections Victoria (CV) & Department of Human Services (DHS) – Child Protection staff on the sharing of information, relevant to a child at risk.

DEFINED ROLES AND RESPONSIBILITIES

Corrections Victoria - Community Correctional Services (CCS)

- Supervise adult offenders (aged 18 years or over) who are sentenced by the Courts to serve community-based orders or who are conditionally released from prison on parole by the Adult Parole Board (APB)
- Referrals initiated to relevant treatment agencies in line with the offender's assessed offence-specific & offence-related needs and Order conditions to assist in the reintegration, reparation and rehabilitation of the offender.
- Monitoring and managing non-compliance
- Initiate breach proceedings with Courts or APB

Department of Human Services (DHS) - Child Protection

- Statutory responsibility under the *Children, Youth and Families Act 2005* to provide child protection services to identified at risk children in Victoria under the age of 17 years or under the age of 18 years where a protection order is in place
- Where a child is assessed as being at risk within the family, Child Protection will, take every reasonable step to enable the child to remain in the care of the family by strengthening the capacity of the family to protect the child from harm.
- Where, even with support, a child is not safe within the family, Child Protection will make an application to the Children's Court for a finding that the child is in need of protection.

COMMUNITY CORRECTIONAL SERVICES

COMMUNITY BASED DISPOSITIONS

An offender subject to a Community Correction Order (CCO) or Parole with a range of conditions such as:

- Community Work
- Supervision
- Drug or Alcohol Counselling
- Programs
- No contact with victims
- Residential restrictions
- Abstinence from alcohol
- Alcohol Exclusion Zones
- Testing
- Avoid particular areas (e.g. Frankston CBD)
- Curfews
- Mental health assessment/treatment

The Orders are not limited to these conditions and can have one or multiple conditions.

DEPARTMENT OF HUMAN SERVICES – CHILD PROTECTION

CHILDREN'S COURT ORDERS

A range of orders can be made by the Children's Court to ensure the safety of the child, from interim orders to permanent care arrangements. These include, Interim Accommodation Orders (IAOs), Supervision Orders, and Custody or Guardianship Orders to the Secretary. Supervision or Custody Orders can also contain conditions to be complied with by the child or a parent or carer.

COLLABORATION

Effective collaboration is integral to the safety of vulnerable children and strong working relationships. If staff from both agencies are working with an adult subject to a CCO, efforts should be made to exchange information to provide assistance to the offender and the child.

Where a child is at risk of harm, it is not necessary to obtain the consent of an offender subject to a CCO to disclose his or her personal information to child protection. In accordance with the *Information Privacy Act 2000*, offenders will be informed at the first meeting with CCS that information bearing upon the safety of a child will be disclosed to DHS child protection.

INFORMATION DISCLOSURE

Staff must only disclose information requested in line with privacy laws - *Information Privacy Act 2000*, the *Corrections Act 1986* and *Children, Youth and Families Act 2005*.

CCS staff are Information Holders under the Children, Youth and Families Act. Information Holders are authorised to share relevant information with Child Protection where a child is subject to a report, Child Protection investigation, further Child Protection intervention or a Children's Court Protection Order. The best interests of the child should always be the paramount consideration.

For CCS staff, please refer to the DOJ Fact Sheet, issued September 2009 "*How do I ... handle information requests from DHS Child Protection*" and Corporate Deputy Commissioner's Instruction (DCI) 9.7 – Information Privacy and Security.

Requests/disclosures should be **specific** to the circumstance to ensure that the relevant information is gathered and released without unnecessary interference with the offender or child's privacy, in accordance with the above legislation.

If a CCS case manager or child protection practitioner receive information that suggests that a child in the care of, or associated with an offender, may be at risk, contact must be made with the respective DHS Regional Office or CCS location to discuss these concerns.

An example of a CCS and DHS disclosure/request:

Child Protection receive a report about a child and concerns relate to exposure to parental drug use. It is identified that the father has a long standing history of substance abuse and engagement in related criminal activity and that the father is subject to a community-based disposition supervised by CCS. The child protection practitioner makes contact with the CCS case manager to discuss the protective concerns for the child. A request is sent to the CCS case manager for information on the offender's substance use and any other relevant information to assist Child Protection's investigation. The CCS case manager provides this information and records the specific information released on the offender file.

CONTACTS

CCS

Contact should be made directly with the respective CCS location that an offender is reporting to. If you are unsure, whether a person is subject to a CCS Order or the reporting CCS office, contact Corrections Victoria Head Office on **8684 6600**.

CHILD PROTECTION

Each region has a regional intake contact number. This information can be obtained at: <http://www.dhs.vic.gov.au/contact-us>

The After-Hours Child Protection Emergency Service (AHPES) operates outside core business hours and is a crisis service that responds to urgent matters that cannot wait until the next day. The AHPES can be contacted on **13 12 78**.