

**NSW Government response
to the Committee on Children and
Young People's Report 6/57, Child
protection and social services
system, dated December 2022**

February 2025

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Introduction

The NSW Government welcomes [Report 6/57 of the Committee on Children and Young People into child protection and social services system](#) (the Report), dated December 2022, which focused on the cross-jurisdictional issues concerning the NSW child protection system and the Federal Circuit and Family Court of Australia (FCFCOA).

The NSW child protection system is a specialised, state-based system, which is separate from the Federal family law system. When responding to risk of significant harm (ROSH) reports, child protection practice delivered by the NSW Department of Communities and Justice (DCJ, or the Department) is governed by statutory responsibilities set out in the *Children and Young Persons (Care and Protection) Act 1998* (NSW) (Care Act). DCJ's core business is to ensure that children and young people receive such care and protection as is necessary for their safety, welfare and well-being; in exercising that function, DCJ is guided by the principles that the best interests of the child are paramount, and that the least intrusive intervention possible should be adopted to ensure the safety, welfare and well-being of the child.

There are several ways that DCJ can support the safety, welfare and well-being of children and young people in NSW who are also the subject of Federal family law parenting matters. The Department can:

- provide detailed child protection information to the relevant family court
- seek information from the family court
- petition to intervene as a party to a family law proceeding, and
- where necessary, take action through the child protection system following a family parenting determination to keep a child safe.

A summary of key work being undertaken in NSW relevant to the Inquiry is provided below. It is in this context that the NSW Government provides a response to each of the Committee's 15 recommendations. Of these recommendations, the Government supports three recommendations, supports in principle three recommendations, and notes nine recommendations. Where recommendations are noted or supported in principle, this is principally due to the Government undertaking work to meet the recommendations' objectives, though with some deviation from the specific course a recommendation may suggest.

National Information Sharing Framework

The *National Strategic Framework for the Information Sharing between the Family Law and Family Violence and Child Protection Systems* (National Framework) was endorsed by all Australian jurisdictions' Attorneys-General on 12 November 2021. It provides the foundation for the appropriate and timely two-way information exchange between the FCFCOA and the Family Court of Western Australia (the 'family law courts') on the one hand, and State and Territory courts, child protection, policing, and firearms agencies on the other. As relevant to Report 6/57, one of its core aims is to ensure a nationally consistent process for information sharing between the family law courts and state and territory child protection agencies in circumstances where there is, or may be, a risk of family violence or child abuse.

The National Framework facilitates a shift away from party-driven subpoena processes towards targeted requests for information and court-initiated orders. This will help to ensure that the FCFCOA receives full, accurate, timely and up-to-date information regarding family

safety and child abuse, which will support the FCFCOA to make decisions safeguarding against family violence and abuse.

NSW agencies are working with the Australian Government Attorney-General's Department, the family law courts and other jurisdictions to implement the National Framework.

This work links to recommendations 6 and 9.

Interjurisdictional working groups

The Commonwealth coordinates a Family Violence Working Group under the Standing Council of Attorneys-General (SCAG), which aims to improve the interaction between the Federal family law system, and state and territory child protection and family violence systems.

The Family Violence Working Group has been working to develop an interjurisdictional information-sharing regime so that family violence, child protection and family law orders, judgments, transcripts and other relevant documentation are accessible to each of the relevant state, territory and Commonwealth courts, and other agencies as necessary.

This work links to recommendations 6, 12 and 14.

Commonwealth-funded caseworkers at court registries

DCJ has been able to share information earlier and more consistently since a successful Commonwealth Government pilot that co-locates specialist staff at family court registries in NSW.

In mid-2020, the Commonwealth funded a national pilot program at select family court registries across Australia with the aim of facilitating safer outcomes for parties to proceedings while mitigating against further risk, reducing trauma, and supporting recovery of victim-survivors.

With this Commonwealth funding, NSW formed a specialised team that includes members of the NSW Police Force and DCJ caseworkers to provide timely responses to court information requests to help courts make decisions that are safer for children. In NSW, co-located staff support court registries in Newcastle, Parramatta, Sydney and Wollongong, and also support requests from registries in other areas.

This program links to recommendation 15.

Government domestic violence services

The *NSW Domestic and Family Violence Plan 2022-2027* (NSW Plan) was released in December 2022 and provides strategic direction to prevent and respond to domestic and family violence in NSW over five years from 2022 to 2027. The NSW Plan responds to and aligns with the *National Plan to end Violence against Women and Children 2022-2032* (National Plan), which sets out the national policy agenda to end violence against women and their children in one generation.

The five pillars of the NSW Plan are: primary prevention; early intervention; response; recovery and healing; and system enablers.

- The **prevention** pillar is centred on activity that aims to prevent domestic, family and sexual violence through changes to attitudes, social norms, practices and structures that underpin gender-based violence.
- The **early intervention** pillar is focused on activity that identifies and then effectively supports people early who are at risk of experiencing or perpetrating domestic, family and sexual violence.

- The **response** pillar promotes responses to domestic, family and sexual violence that are integrated, trauma and violence informed, culturally safe and prioritise victim-survivor's safety and needs. It also promotes responses that hold perpetrators to account and stops the use of violence.
- The **recovery and healing** pillar is focused on activities that supports healing and the long-term recovery of people who have experienced domestic, family and sexual violence. These activities include trauma-informed services.
- The **system enablers** pillar seeks to ensure that domestic, family and sexual violence prevention and response is coordinated, evidenced-based, informed by people with expertise and lived experience, and delivered by a supported and competent workforce.

Other information-sharing initiatives

Under the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030* (National Strategy), the Commonwealth, state and territory governments are working together to enhance arrangements for sharing child safety and well-being information. An interjurisdictional working group co-chaired by the National Office for Child Safety and NSW (DCJ and the Office of the Children's Guardian (OCG)) is progressing work on options for a national information sharing website and a workforce capability building project to help support and enhance intra- and inter-jurisdictional information sharing arrangements. At a Ministerial Forum on Child Safety in November 2023, hosted by the Commonwealth Attorney-General, the NSW Minister for Families and Communities led discussions on work to establish a national information sharing scheme (Scheme), as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission). At the Ministerial Forum, all jurisdictions reaffirmed their commitment to consider possible legislative and administrative arrangements for establishing the Scheme. A separate information sharing sub-working group, which NSW and Victoria co-chair, has been established under the National Strategy to progress this work.

This work is separate to the National Framework.

NSW Government response

Recommendation	NSW position	Rationale / comments
<p>Recommendation 1</p> <p>That the NSW Government identify and respond to any outstanding recommendations from recent reviews and inquiries of the child protection and social services system.</p>	<p>Noted</p>	<p>The Government welcomes parliamentary inquiries as an opportunity for the independent examination of the effectiveness of the child protection and social services systems at specific points in time. The Government has already provided considered responses to previous inquiries identified in the <i>Child protection and social services system</i> Inquiry's report.</p> <p>The Government is committed to continuous improvement of the child protection system through keeping families safely together where possible, and providing children and young people with safe and permanent homes where it is not possible for a child or young person to remain safely at home.</p> <p>We are focused on meeting the Government's key policy commitments: under the <i>National Agreement on Closing the Gap</i>; under the <i>NSW Investment Plan for Human Services</i>; and in response to the <i>Family is Culture: Independent Review of Aboriginal Children and Young People in Out-of-home Care in NSW</i> (Family is Culture) report . The Government has also made commitments under national initiatives to keep children safe including <i>Safe and Supported: the National Framework for Protecting Australia's Children 2021- 2031</i> (Safe and Supported) and associated Action Plans, and the <i>National Strategy to Prevent and Respond to Child Sexual Abuse 2021 – 2030</i> (National Strategy).</p> <p>Directed by the Minister for Families and Community Services, the Department of Communities and Justice (DCJ) is embarking on a large program of reform work, which will seek to address many challenges with the child protection system, including those identified by recent inquiries and reviews such as that of the Committee on Children and Young People. Some of the work already underway, and further work in development includes:</p> <ul style="list-style-type: none"> • overhauling the structure decision making (SDM) tools through a co-operative effort with AbSec and the Aboriginal Legal Service (NSW/ACT) Ltd (ALS); • development of a robust and objective outcomes framework to measure the wellbeing of children engaged with the statutory child protection system, including their health and education outcomes;

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		<ul style="list-style-type: none"> • development of a long-term, whole-of-government reform plan to improve early intervention, and recommissioning of targeted early intervention programs; • strengthening and streamlining data collection and use; • co-design of initiatives to address over-representation of Aboriginal children in the child protection system, including through a Ministerial Aboriginal Partnership Group (MAP Group) and national working groups and committees established to progress Actions under Safe and Supported; and • exploring opportunities to increase restoration of children to families, including the commitment to stand up a restoration taskforce. <p>Other work underway in NSW includes the development and implementation of <i>Children First 2022 – 2031</i> (Children First), the NSW multiagency public health framework for preventing and responding to problematic and harmful sexual behaviours (PHSB) by children and young people. It sets the vision and priorities for how NSW agencies will work together to support children and young people who have displayed, or have been affected by, PHSB. Children First is supported by <i>Talking About It</i>, the NSW prevention action strategy. Children First and Talking About It deliver on a key commitment made by the Government in response to the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission).</p> <p>These strategies are driving Government initiatives to improve the child protection system via stronger prevention and early intervention, transforming the way we provide services to Aboriginal families, reducing the rates of children in out-of-home care (OOHC), and finding more permanent and safe homes for children in care.</p>
<p>Recommendation 2</p> <p>That the NSW Government publish an update on its response to recommendations</p>	<p>Noted</p>	<p>The four-year <i>Their Futures Matter</i> (TFM) reform concluded in 2020, and the Audit Office of NSW (Audit Office) reported on outcomes achieved in July 2020. Recommendations made by the Audit Office focused on the need for stronger cross-agency governance and collaboration to build the evidence base of what programs and interventions work best to improve outcomes for vulnerable</p>

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made by the Auditor-General in the audit of the Their Futures Matter program.		<p>members of the community to inform decisions on reprioritising existing Government expenditure for social services.</p> <p>In February 2021, then Government Ministers responsible for child protection, social housing, homelessness, domestic violence, courts, health, mental health and education portfolios and the Attorney General, endorsed governance arrangements for the continued post-TFM implementation of an investment approach.</p> <p>DCJ is working with government and non-government partners to implement the Investment Approach for Human Services in NSW (Investment Approach) to achieve a strong and sustainable system for supporting vulnerable children, young people and their families.</p> <p>The <i>Investment plan for Human Services in NSW</i> (Investment Plan) was released in February 2023, and is the first significant milestone in the implementation of the Investment Approach. It sets out the strategy, governance and high-level principles for implementing an evidence-informed, interagency approach to providing targeted support for vulnerable children, young people and their families.</p> <p>Significant work has also progressed under the Investment Approach towards the development of a world-class, whole-of-government dataset and data capability. This includes developing a comparative analysis of program evaluations to enhance the Human Services Dataset. This project will deliver a data-informed, whole-of-government investment approach to the design, commissioning, delivery and evaluation of human services in NSW.</p>
<p>Recommendation 3</p> <p>That the NSW Government publish an annual, comprehensive update on its response to the <i>Family is Culture</i> recommendations.</p>	<p>Supported in principle</p>	<p>The Government is committed to regular, meaningful public reporting on progress in implementing responses to recommendations of the Family is Culture review.</p> <p>DCJ has already published several reports, including a detailed report on legislative reform. The Government will consider how often public reporting against specific Family is Culture recommendations is needed going forward, noting its significant reform agenda for the child protection system includes a number of elements that will address key objectives of the Family is Culture review.</p>
<p>Recommendation 4</p> <p>That the NSW Department of Communities and Justice</p>	<p>Noted</p>	<p>DCJ's targeted early intervention and statutory child protection system, alongside broader supports provided by the NSW Ministry of Health (NSW Health), offer a range of specialist mental health</p>

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<p>develop mental health and other support services (including social workers as support persons) for children and protective parents who have experienced abuse by a parent and have matters in the family law system.</p>		<p>support for families who have experienced domestic and family violence and may have matters in the family law system.</p> <p>DCJ is the NSW Government agency with statutory responsibility for receiving and assessing reports about children and young people (persons under 18 years of age) being at risk of significant harm (ROSH). Children and young people who have been assessed and determined to be at ROSH receive a range of services from DCJ child protection caseworkers who make assessments about their safety and needs, and work in partnership with families to reduce risks to those children and young people. DCJ child protection caseworkers work with families to support changes required to keep children and young people safe, and to improve their social, emotional, health and educational outcomes.</p> <p>Once a case plan has been developed, families are referred to services across NSW that are delivered at differing intensities according to the needs of particular family members. For example, family preservation services aim to provide supports to promote parenting skills, family functioning and child development. For families where there are more complex and significant mental health needs, departmental Psychological and Specialist Services and Intensive Support Services provide specialist support for children, young people and adults, including where there has been domestic violence and where there are matters in the FCFCOA.</p> <p>For families with identified health needs, including mental health and domestic violence support needs, DCJ funds targeted early intervention programs to support safety and well-being in the home. DCJ funds Family Connect and Support, which is a voluntary, statewide service that offers supports and services to families as early as possible to keep children and young people safe and well. Family Connect and Support may also refer families to NSW Health services.</p> <p>NSW Health provides a range of services to address the mental health and emotional well-being of children, young people and parents. NSW Health is committed to preventing and responding to violence, abuse and neglect, and delivers a variety of responses for children, young people and their protective parents. These includes psychosocial and medical responses to victim-survivors of domestic and family violence, including the statewide Domestic Violence Routine Screening Program, Social Work Services, Emergency Departments, the Aboriginal Family Wellbeing and</p>

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		<p>Violence Prevention Program, and specialist Violence, Abuse and Neglect services, including targeted domestic violence counselling services. NSW Health also delivers the statewide Child Protection Counselling Services program, which works towards the recovery and ongoing safety and well-being of children and young people who have experienced abuse or neglect.</p> <p>NSW Health's state-wide New Street program provides therapeutic services for children and young people aged 10 to 17 years who have engaged in harmful sexual behaviours towards others, as well as for their families and caregivers. New Street Services works with the child or young person to assist them to understand, acknowledge, take responsibility for and cease their harmful sexual behaviour. NSW Health's Safe Wayz program supports children under 10 across NSW who have displayed PHSB, including supporting their families and carers. In addition, NSW Health's Whole Family Team clinical service delivers specialist in-home and community-based interventions for children and families with complex mental health and drug and alcohol issues, where one or more children has a substantiated ROSH report. These services are based in seven local health districts (LHDs) across NSW and work with the whole family, many of which have also experienced domestic and family violence. Collaborative partnerships and joint working between DCJ and NSW Health are essential to the success of this model.</p> <p>DCJ continues to work with NSW Health at a state level to develop appropriate service responses to children and young people with mental health needs who have experienced domestic and family violence.</p>
<p>Recommendation 5</p> <p>That the NSW Government provide specific financial support for protective parents engaged with the family law system, and/or increase funding for legal services that support these parents.</p>	<p>Noted</p>	<p>Family law falls within the remit of the Federal Government, and, as such, funding for family law legal assistance remains a Federal responsibility. The <i>National Legal Assistance Partnership 2020-2025</i> (NLAP) provides states and territories with Commonwealth funding for provision of legal assistance services to their residents, including in family law matters.</p> <p>In 2023, an independent review of the NLAP was commenced. The review's terms of reference were developed by all jurisdictions' Attorneys-General, and required consideration of the adequacy and prioritisation of current funding arrangements. The report was finalised in March 2024, makes 39 recommendations to inform development of a new NLAP from 2025. Attorneys-General will consider the report in the design of a new NLAP.</p> <p>There are a range of services provided by Legal Aid NSW for parents with matters before the FCFCOA, including legal advice, minor assistance, family dispute resolution, and case</p>

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		<p>representation. In addition, Legal Aid NSW's Early Intervention Unit, Domestic Violence Unit, Family Law Service for Aboriginal Communities, and Family Law Division advise, and represent many protective parents who raise concerns about their children's safety due to the behaviour of the other parent.</p> <p>Legal Aid NSW is resourced with both NSW and Commonwealth Government funding.</p> <p>DCJ and Legal Aid NSW have developed letters to support protective parents and carers in family law matters when obtaining legal support and for lodging FCFCOA applications.</p>
<p>Recommendation 6</p> <p>That the NSW Attorney General conducts a review of the Memorandum of Understanding between the NSW Department of Communities and Justice and the Federal Circuit and Family Court of Australia, with the aim of better realising its purpose of aligning the jurisdictions in order to meet the care and protection needs of children.</p>	<p>Supported in principle</p>	<p>The existing memorandum of understanding (MoU) was executed by the agency heads of the then Family Court of Australia (FCA) and the then NSW Department of Community Services (DoCS), to provide practical guidance on the operation of relevant information sharing provisions of the <i>Family Court of Australia Act 1975</i> (Cth) (now repealed) and the <i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW) (Care Act). The Care Act falls under the administrative responsibilities of the Minister for Families and Communities. The then head of DoCS executed the MoU in light of DoCS' capacity as the NSW Government agency with lead responsibility in this state for child protection matters. This agency is now DCJ.</p> <p>The MoU acknowledges the overlap between the state and Federal jurisdictions in matters involving children and young people, and outlines the scope of two-way information exchange between the lead state child protection agency and the Family Court.</p> <p>DCJ will approach the FCFCOA to seek its agreement to review the MoU in cooperation, noting the recent passage (on 19 October 2023) and commencement (on 6 May 2024) of the <i>Family Law Amendment (Information Sharing) Act 2023</i> (Cth) (Cth Act).</p> <p>The Cth Act amended the <i>Family Law Act 1975</i> (Cth) to operationalise key aspects of the <i>National Strategic Framework for the Information Sharing between the Family Law and Family Violence and Child Protection Systems</i> (National Framework) developed by the Standing Council of Attorneys-</p>

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		<p>General (SCAG) and its predecessor Councils, of which the NSW Attorney General is a member, and endorsed by all Australian jurisdictions' Attorneys-General on 12 November 2021.</p> <p>The Cth Act operationalises key features of the National Framework to establish an enhanced court-led information sharing framework for information relating to family violence, and child abuse and neglect risks in parenting proceedings before the FCFCOA and the Family Court of Western Australia (family law courts), and state and territory courts, child protection, policing, and firearms agencies.</p> <p>As the National Framework is fully implemented, NSW expects to see improvements in cooperative efforts between DCJ and the FCFCOA to keep children safe.</p>
<p>Recommendation 7</p> <p>That the NSW Government commission an independent evaluation of the Magellan Program.</p>	<p>Noted</p>	<p>Family law court matters involving allegations of serious physical or sexual abuse of a child or young person can be assigned by the FCFCOA for progression under a specialised case management system known as the Magellan Program. DCJ responds to all Magellan matters via:</p> <ul style="list-style-type: none"> • Magellan reports – about DCJ's involvement with the family, including notifications, investigations and assessments; and • Magellan orders – a DCJ child protection intervention (casework intervention, Children's Court of NSW care proceedings, etc.). <p>As the Magellan Program is a Federal program, evaluations of the program are commissioned by the FCFCOA.</p> <p>The NSW Government remains committed to inter-jurisdictional discussions and will offer input on any proposed Commonwealth reviews of the Magellan Program via National Framework mechanisms.</p>

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<p>Recommendation 8</p> <p>That the NSW Department of Communities and Justice conduct a thorough review of its protocols for supporting children who have experienced or are experiencing abuse and are the subject of proceedings in the family court, including the mechanisms by which it engages with the Federal Circuit and Family Court of Australia.</p>	<p>Supported</p>	<p>DCJ has established a number of internal practice guidance documents that give DCJ caseworkers detailed advice on how to support families that engage with the FCFCOA. DCJ reviews internal practice guidance documents regularly to ensure they remain current, and reflect extant legislation, policy and practice.</p> <p>When DCJ identifies child protection concerns, staff work closely with families to address any risks that could prevent the child remaining safely at home, including in situations where there may also be family law proceedings on foot. DCJ has developed significant training and guidance about domestic and family violence and child sexual abuse issues to assist child protection practitioners as they work with families.</p> <p>DCJ relies on a structured case management approach to assess the safety and risk of domestic and family violence, and to support child protection staff to develop meaningful safety plans that keep children with non-offending parents. DCJ is now undertaking a quality service review to consider how best to capture and assess concerns about domestic and family violence in existing decision-making tools. This will support robust assessments of domestic and family violence risks for all family members.</p>
<p>Recommendation 9</p> <p>That the NSW Department of Communities and Justice initiate a review of the information sharing agreement between DCJ and Legal Aid NSW, with the aim of ensuring that it remains fit for purpose.</p>	<p>Supported in principle</p>	<p>In family law proceedings, where issues are raised about the safety, welfare and well-being of a child or children, the FCFCOA can appoint an independent children's lawyer (ICL) (in NSW, via Legal Aid NSW) to represent the best interests of the child. DCJ and Legal Aid NSW have an information sharing agreement (<i>Information Sharing Agreement about Independent Children's Lawyers in Proceedings Under the Family Law Act 1975; (Agreement)</i>) where DCJ can provide an ICL with relevant information about any child abuse concerns for a child.</p> <p>The Agreement ensures that information is free-flowing between the two organisations so that the best available evidence is accessible when important decisions affecting children are being made. It sets out the ways that both DCJ and Legal Aid NSW can and should communicate during family law proceedings, what information should be shared, and the way that information is to be requested and provided.</p>

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		<p>Now that the <i>Family Law Amendment (Information Sharing) Act 2023</i> (Cth) has been passed and commenced, the NSW Government will consider reviewing the existing Agreement between DCJ and Legal Aid NSW as part of NSW's implementation of the National Framework, noting that the review must be based on the latest legislative framework.</p> <p>DCJ and Legal Aid NSW both welcome the opportunity to review the Agreement to ensure it remains up to date and fit for purpose.</p>
<p>Recommendation 10</p> <p>That the NSW Department of Communities and Justice work with the NSW Police Force to develop training and guidance for officers working with families with child protection and family violence issues that are subject to proceedings in the family law system.</p>	<p>Noted</p>	<p>The NSW Police Force (NSWPF) delivers comprehensive training courses to assist Police officers working with families with child protection and domestic and family violence issues subject to proceedings in the family law system. Current NSWPF training that has content relating to this subject matter includes the following:</p> <ul style="list-style-type: none"> • The <u>DFV fundamentals course</u>, which includes a curriculum relating to domestic and family violence fundamentals for recruits with Charles Sturt University at the NSWPF Academy. The course is a core module of the Constable Development Program (CDP), a requirement for all newly confirmed Constables to complete prior to appointment as a Senior Constable. • A <u>Mandatory Continuing Police Education</u> module focusing on support for victims of domestic and family violence and sexual offences. A new module on coercive control has also been designed. • A <u>Domestic Violence Officer Course</u> currently being piloted with Domestic and Family Violence Officers. • The <u>Adult Sexual Violence Investigation Course</u>, which focuses on trauma-informed responses to victim support and includes information on sexual assaults that occur within the context of domestic relationships. • <u>Domestic and Family Violence Registry</u> training to deliver face-to-face training for over 12,000 operational officers concerning <u>Coercive Control</u>. • A one-day workshop on <u>Forensic Child Interviews</u>, delivered by the Detective Training Unit to officers in the Child Abuse Squad. <p>Training delivered to Joint Child Protection Response Program</p>

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		<p>The NSWPF Child Abuse Squad works with DCJ and NSW Health under the Joint Child Protection Response Program (JCPRP). All new recruits to the Child Abuse Squad are required to complete the JCPRP Joint Training Course, which runs four times per year. The training includes participants from all three agencies and each learning module has been developed by a joint training working group to meet Royal Commission and Ombudsman report recommendations, and support the principles and objectives of the JCPRP.</p> <p><i>Joint training for JCPRP</i></p> <ul style="list-style-type: none"> • This course is four days long with pre-requisite modules, additional learning modules and face-to-face training sessions. • Day Four is a simulated operation which involves learners from each agency together in groups. They assess numerous different referrals, discuss priorities and what each agency's response will be at each step of the local and planning response process. Some of the case referrals involve family law issues which also include allegations of child abuse offences. • One of the training sessions on this course is a case study regarding PHSB involving sibling sexual abuse. There are a high number of cases involving this type of abuse, and this is often an element in family law issues. Each agency discusses what avenues are available to assist the children and families involved on both legal and therapeutic options. • Throughout the course, there are numerous occasions where questions regarding family law matters are discussed and issues around Family Law Court (FLC) Orders and Apprehended Violence Orders (AVO) are addressed. These include discussing the circumstances in which Provisional AVOs will override FLC Orders, and when FLC Orders override AVOs. <p>The process for which all cases are managed under the JCPRP ensures all issues involving children and their families are addressed by each agency and documented in briefing and de-briefing forms within the ChildStory database.</p>

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		Further training includes the Forensic Child Interview Course (FCIC) for officers commencing in a position within State Crime Command, Child Abuse Squad. A further one-day workshop on Forensic Child Interviews is delivered by the Detective Training Unit.
<p>Recommendation 11</p> <p>That Legal Aid NSW review the training provided to independent children's lawyers working in NSW, with the aim of improving outcomes for children who are involved in the family law system and who have experienced child abuse or family violence.</p>	Noted	<p>National Legal Aid is responsible for updating the nation-wide training program for ICLs. The last major updates were rolled out in 2018. The national training covers:</p> <ul style="list-style-type: none"> • the nature of family violence and coercive control of both adults and children • trauma-informed care for protective parents and children, and • child trauma and the impact on child development. <p>Legal Aid NSW provides oversight and additional training for all NSW ICLs. Legal Aid NSW also offers regular webinars, additional training and conferences which deal with domestic and family violence for ICLs.</p> <p>The national training and the NSW state training are regularly reviewed by National Legal Aid and Legal Aid NSW, respectively and in consultation, to ensure alignment with best practice. In 2022, the Family Law Council of Australia also reviewed the national training package.</p>
<p>Recommendation 12</p> <p>That the NSW Government consult with the Commonwealth Attorney-General's Department and advocate for improvements to the mandated training for legal professionals working with children in the Federal Circuit and Family Court of Australia, including mandatory and comprehensive training in child abuse and family violence and managing family</p>	Supported	<p>The SCAG is looking at the issue of improved family violence training for legal professionals via the Family Violence Working Group (a group of senior officials supporting the SCAG). NSW is represented on the Working Group and on SCAG, and will engage with these bodies to progress this recommendation.</p> <p>The NSW Government has identified actions to improve training and other capacity-building of legal professionals in family violence in the <i>NSW Domestic and Family Violence Plan 2022-2027</i> and the <i>NSW Legal Assistance Strategy and Action Plan 2022-2025</i>.</p> <p>The NSW Government will also continue work with the Commonwealth, and state and territory governments, to implement the <i>National Plan to End Violence against Women and Children 2022-2032</i>, which includes a focus on increasing specialist and targeted training for the legal profession on family, domestic and sexual violence.</p>

Recommendation	NSW position	Rationale / comments
law matters that involve child abuse and family violence.		
<p>Recommendation 13</p> <p>That the NSW Department of Communities and Justice introduce new tools for children to record their own experiences in a form that can be presented in both state children's and federal family law courts, or that it update ChildStory so it can be used for this purpose.</p>	Noted	<p>A range of casework tools are provided by DCJ to support caseworkers to understand, hear and include children's voices in legal matters. Guidance is available to caseworkers about how to obtain children's views throughout their involvement with DCJ, including when children attend court. DCJ caseworkers can present the children's voice to the court when DCJ is joined as a party to family law proceedings.</p> <p>DCJ will liaise with the Advocate for Children and Young People on the adequacy of existing tools to support the presentation of children's voices in court proceedings. DCJ will also provide input on the Advocate's proposal for a communication platform to help young people provide feedback and make complaints, including exploring the expertise of universities or experiences of other jurisdictions that have been looking at this area.</p> <p>DCJ will also consult with the Children's Court of NSW on the adequacy of current tools to support hearing children's perspectives through court proceedings.</p>
<p>Recommendation 14</p> <p>That the NSW Government closely monitor reforms that are underway at a federal level, in particular the implementation of the <i>National Strategic Framework for Information Sharing between the Family Law and Family Violence and Child Protection Systems</i>, with the aim of promptly utilising any new</p>	Supported	<p>The NSW Government influences improvements in the intersection between family law, child protection and family violence systems through intergovernmental forums such as the SCAG and associated sub-committees, including the Family, Domestic and Sexual Violence Steering Group and the Information Sharing Advisory Group. The NSW Government will continue to work with the Commonwealth and other states and territories to implement the National Framework via these inter-jurisdictional mechanisms.</p>

Recommendation	NSW position	Rationale / comments
mechanisms, programs and resources that could facilitate better interactions between the state child protection system and the Federal Circuit and Family Court of Australia.		
<p>Recommendation 15</p> <p>That the NSW Government provide the Department of Communities and Justice with additional funding for recruiting more staff to work as co-located child protection and police officers based in NSW-based registries of the Federal Circuit and Family Court of Australia, where funding is not available through the Commonwealth and where positive results from the Commonwealth-funded pilot have been reported.</p>	<p>Noted</p>	<p>DCJ continues to work closely with the Commonwealth on improving information-sharing with the FCFCOA, and with the Commonwealth and other state and territory jurisdictions on child protection information sharing more generally.</p> <p>The NSW Government is supportive of the trial initiative that co-locates DCJ liaison officers at family court registries in NSW. These officers are able to produce information held by them about their interactions with a family to the court at short notice, which helps to ensure judicial officers have relevant information about safety risks within a particular family.</p> <p>The Commonwealth currently funds and leads these trial co-location programs, as they fall within the Federal family law jurisdiction. Commonwealth funding has been extended to 2025. DCJ has been able to share information earlier and more consistently since the pilot commenced.</p> <p>The NSW Government provides supplementary funding related to the <i>Family, Domestic and Sexual Violence National Partnership Agreement</i> to support implementation of the National Framework.</p> <p>The NSW Government will assess future funding requirements and opportunities as they arise.</p>