



Standing Committee on Health and Community Wellbeing

Inquiry into Annual and Financial Reports 2021-2022 **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by **MR JAMES MILLIGAN** on 9 November 2022: MS SILVIA LAPIC took on notice the following question(s):

Reference: Hansard uncorrected proof transcript 9 November 2022, Page 151

In relation to: Eligibility for families in therapeutic court care:

MR MILLIGAN: Can they provide feedback or influence the decisions of CYPS make?

MS STEPHEN-SMITH: Yes. So I think it probably needs to be clear that they—and maybe Silvia it might be useful to, sort of, talk through how the court process considers the plans, the sort of care plans that CYPS puts forward because there is often a, you know, it is often talked about publicly that X, Y and Z was a CYPS decision where, in fact, it was a court decision or CYPS is acting on an order of the court.

And so, there are some decisions that are made by child and youth protection services, there are some decisions that are made by our partners in act together and there are some decisions made by the court. And often, those things become conflated. So the role of the therapeutic court would be to support decision making in the same realm that the children's court currently has.

But that does sometimes go into the decisions that would sit normally with CYPS. So we were talking earlier about contact, for example, so it may be that a care plan involves a plan for contact with birth parents and that the court will consider that as part of its overall consideration in making orders. So do you just want to quickly talk through like how CYPS provides that information to the court and how that might be taken into consideration and even adjusted through that process?

MS LAPIC: So given the very small number that have proceeded through this, I am happy to take it on notice to give some real concrete information about the court. It is really through our legal services branch where we are briefed, and we do provide the information that is required. But I will take it on notice just to give some more concrete information for you.

MINISTER STEPHEN-SMITH: The answer to the Member's question is as follows:—

The Care and Protection Intensive List (CPIL) is as an alternative process to the usual care and protection proceedings. This process runs parallel to the Childrens Court proceedings and is commenced through applications brought forward to the court by the parents. While this program is being undertaken, interim care orders will be in effect and care of the children or young people will be in accordance with those orders.

The CPIL provides intensive intervention and therapeutic support to parents, allowing them to address challenges in their lives, including substance misuse, parenting capacity, family violence or other issues which affect their ability to parent their child safely.

The aim of CPIL is to provide support to increase the safety and care of at-risk children and young people; reduce the frequency and length of time children and young people are in out of home care; increase the likelihood of restoration; and improve parental/child interactions and family bonding.

Further information about the DPIL, including its eligibility criteria, can be found in Practice Direction 1/2021 available on the ACT Magistrates Court website at <https://www.courts.act.gov.au/magistrates/about-the-courts/areas-in-the-act-magistrates-court/childrens-court/care-and-protection-intensive-list>

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:



Date: 16/11/23

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA