

2020

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**Government Response to Standing Committee on Health, Ageing and Community Services
Report 11: Report on Child and Youth Protection Services (Part 1 & 2)**

**Presented by
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INTRODUCTION

The ACT Government is continuously working to improve the Territory's child protection system to help families care for their children and make the ACT a safe place for every child.

Most children and young people are best protected and cared for within their own family. In situations where children and young people are at risk of abuse and neglect within their families, or families are not able to protect them, child protection services have a role in ensuring their safety and wellbeing. Child and Youth Protection Services (CYPS) within the Community Services Directorate provides statutory child protection in the ACT.

The Government would like to thank members of the community and organisations who provided submissions or evidence to the Committee.

The Government notes that responses to recommendations that are either noted or agreed in principle are subject to future Government funding decisions and/or further consultation and policy development.

Legislation reform

The *Children and Young People Act 2008* (CYP Act) has undergone several changes since it was first introduced. However, far-reaching legislative reform is required to respond to all recommendations. The Government notes that a comprehensive review of the CYP Act will be important to address the discreet elements of legislative reform required and progress the Government's legislative reform agenda. This is subject to future Government funding decisions as effective legislation change requires resourcing for implementation across CYPS and community providers.

Work to scope priority legislation changes will commence in early 2021. Priority reforms identified include:

- enshrining the Aboriginal and Torres Strait Islander Child Placement Principle in legislation;
- developing a model for internal and external merits review of child protection decision-making in the ACT;
- providing legislative weight for a Charter of rights for children and young people and for parents and families; and
- extending and improving access to out of home care supports for young people aged 18 to 21.

The Government will engage with stakeholders to consider the implications of making incremental amendments to the current CYP Act in light of clear feedback that the Act as a whole is out-of-date from both a practical and human rights perspective.

Information sharing

A central focus of the Committee's recommendations is the need to make changes to the legislative framework, practice and culture that guides information sharing across the ACT's child protection system.

The Government recognises that more can be done to simplify and improve information sharing. Decision-making within child protection happens in a dynamic context that includes a combination of shared decisions made by consensus and other decisions made through legal processes.

The Government will consider these recommendations in the context of ensuring that the safety and wellbeing of children and young people is paramount. The Government recognises that other jurisdictions provide more capacity to share information with the consent of the person or people involved. Decisions to share information must consider privacy, human rights obligations and the best interests of the child or young person and ensure that any limitation of a right is reasonable and justifiable. This means that the rights of parents, carers, and family also need to be considered in the context of the rights of the child or young person.

Model for merits review of child protection decision-making

Several recommendations focus on the need to develop internal and external merits review processes for child protection decision-making in the ACT. The ACT Government is committed to establishing an external merits review mechanism and to improving internal review processes to make them more accessible and transparent. Feedback from other jurisdictions indicates that the ACT has an opportunity to improve on their models by integrating restorative child protection practice, policy and processes into CYPs decision-making alongside best practice internal and external decision review mechanisms. The ongoing work to determine what decisions made by CYPs should be subject to internal or external merits review and how these review mechanisms will be implemented is underpinned by the best interests of children.

CYPs has undertaken significant consultation with key stakeholders about how to improve internal review processes. Feedback will be incorporated into revised policies and procedures. Once finalised, CYPs staff will undertake training to ensure the new processes for the internal review of decisions are properly implemented.

The Community Services Directorate and the ACT Human Rights Commission jointly hosted two roundtables on 22 July and 17 September 2020 to inform the development of an external merits review model for the ACT, including consideration of how internal and external merits review processes need to be established as a unified system with clear governance arrangements, decision-making points and timeframes.

These discussions provided a valuable foundation for the next stage of work to develop a unified model that appropriately positions both internal and external merits review of child protection decision-making in the ACT. Next steps will include consideration for how the right to seek review will be exercised, and an examination of the way an external merits review mechanism will work with internal review processes and the Courts. It will also include consideration of how to ensure the participation of children and young people in decisions that affect them, including how a young person may initiate a review.

Reform context

The Government is progressing reforms to better support children, young people and their families. Critically, this includes implementing recommendations from the *Our Booris, Our Way* review, including work to:

- enshrine and embed the Aboriginal and Torres Strait Islander Child Placement Principle in legislation, policy and practice;
- support the establishment of an Aboriginal Community Controlled Organisation to undertake work with children and families as envisaged in the review; and
- provide early support to families to prevent engagement with the child protection system.

The Royal Commission into Institutional Responses to Child Sexual Abuse also provides a comprehensive reform plan for delivering contemporary child protection services and making all institutions child safe. Work to implement recommendations of the Inquiry must align with work to implement the Child Safe Standards in the ACT and to develop next steps for the ACT's out of home care strategy, *A Step Up for Our Kids*.

The Government continues to explore and progress initiatives towards Canberra becoming a Restorative City. This includes better articulating the links between initiatives that are seeking to strengthen existing practice and integrating restorative approaches into policies and practices.

FINAL REPORT ON CHILD AND YOUTH PROTECTION SERVICES (PART 1)

STANDING COMMITTEE ON HEALTH, AGEING AND COMMUNITY SERVICES

INTRODUCTION AND CONDUCT OF INQUIRY

On Thursday, 16 May 2019 the ACT Legislative Assembly (the Assembly) asked the Standing Committee on Health, Ageing and Community Services (the Committee) to inquire into Child and Youth Protection Services.

INQUIRY REFERRAL AND TERMS OF REFERENCE

The Assembly asked the Committee to inquire into and report on two matters. As the matters have different reporting dates and coverage, the Inquiry and respective reports have been divided into two separate reports—Part 1 and Part 2. This report—is concerned with the inquiry into the first matter (Part 1).

Recommendations – Report on Child and Youth Protection Services (Part 1)

Recommendation no. and summary	Government Response
<p>RECOMMENDATION 1</p> <p>The Committee recommends that the ACT Government action the recommendations made by the 9th ACT Legislative Assembly Standing Committee on Health, Ageing and Community Services in its Interim Report on Child and Youth Protection Services (Part 1).</p>	<p>Noted</p> <p>The Government is committed to progressing reform and recognises that legislation and practice change is a key priority. The Government notes that a comprehensive review of the <i>Children and Young People Act 2008</i> (CYP Act) will be important to address the discreet elements of legislative reform required and progress the Government’s legislative reform agenda. This is subject to future Government funding decisions as effective legislation change requires resourcing for implementation across CYPs and community providers.</p>
<p>RECOMMENDATION 2</p> <p>The Committee recommends that where the Director-General pursuant to the <i>Children and Young People Act 2008</i> may consider launching fresh proceedings in the ACT Childrens Court that any such decision must always be on the grounds of presenting new evidence.</p>	<p>Noted</p> <p>The Government will remain consistent with the Attorney-General’s responsibility for the maintenance of proper standards in litigation and will act in accordance with model litigant guidelines. The Territory and its agencies will continue to act honestly and fairly in handling claims and litigation brought by or against the Territory or an agency.</p>
<p>RECOMMENDATION 3</p> <p>The Committee recommends that the Public Advocate of the ACT advise the 10th ACT Legislative Assembly (via the Speaker) by mid-March 2021 on the effectiveness of the Community Services Directorate’s Communications Protocol in assisting the Public Advocate to: (i) adequately monitor notification reporting (pursuant to section 507 of the <i>Children and Young People Act 2008</i>) and annual review reporting (pursuant to sections 495 and 497 of the <i>Children and Young People Act 2008</i>); and (ii) to provide timely provision of individual advocacy for children and young people where required.</p>	<p>Noted</p> <p>The Government notes that responsibility for this recommendation sits within the portfolio of the Public Advocate of the ACT.</p> <p>The Public Advocate of the ACT agrees with the recommendation and advises that the Communications Protocol is scheduled for review in late 2020.</p>

Recommendation no. and summary	Government Response
<p>RECOMMENDATION 4</p> <p>The Committee recommends that, in the event that the Public Advocate of the ACT considers that the operation of the Communications Protocol and/or its compliance with the notification reporting (pursuant to section 507 of the <i>Children and Young People Act 2008</i>) and annual review reporting (pursuant to sections 495 and 497 of the <i>Children and Young People Act 2008</i>) require improvement, these considerations be advanced as part of a review of the <i>Children and Young People Act 2008</i> in the 10th ACT Legislative Assembly.</p>	<p>Agreed in Principle</p> <p>The Government is committed to progressing reform and recognises that legislative change is a priority. Further consideration of resourcing options is required to progress comprehensive reform and is subject to future Government funding decisions.</p>
<p>RECOMMENDATION 5</p> <p>The Committee recommends that the ACT Government action the recommendations made by the 9th ACT Legislative Assembly Standing Committee on Health, Ageing and Community Services in its Report on Child and Youth Protection Services (Part 2).</p>	<p>Noted</p> <p>See responses to recommendations made in Part 2 below.</p>
<p>RECOMMENDATION 6</p> <p>The Committee recommends that the ACT Executive Government strengthen its understanding of: (i) the procedures available to the ACT Legislative Assembly for obtaining information as required to carry out its constitutional obligations to scrutinise Government policy and/or the operation of its agencies; and (ii) the powers and privileges from which the authority for these procedures are sourced.</p>	<p>Noted</p> <p>The Government notes that there was a difference of view between the Executive and the Committee regarding the provision of sensitive and protected information, which the Executive consistently sought to resolve in a constructive manner. The Government notes that the Committee appropriately used the powers available to it to access the relevant information.</p>

REPORT ON CHILD AND YOUTH PROTECTION SERVICES (PART 2)

STANDING COMMITTEE ON HEALTH, AGEING AND COMMUNITY SERVICES

INTRODUCTION AND CONDUCT OF INQUIRY

On Thursday, 16 May 2019 the ACT Legislative Assembly (the Assembly) asked the Standing Committee on Health, Ageing and Community Services (the Committee) to inquire into Child and Youth Protection Services.

INQUIRY REFERRAL AND TERMS OF REFERENCE

The Assembly asked the Committee to inquire into and report on two matters. As the matters have different reporting dates and coverage, the inquiry and respective reports have been divided into two separate reports—Part 1 and Part 2. This report—is concerned with the inquiry into the second matter (Part 2).

Recommendations – Report on Child and Youth Protection Services (Part 2)

Recommendation no. and summary	Government Response
<p>RECOMMENDATION 1</p> <p>The Committee recommends that the ACT Government review and amend the <i>Children and Young People Act 2008</i> to ensure its compatibility with the Human Rights Act 2004 and overriding international conventions that enshrine human rights to which Australia is a signatory. This should include: section 11—the rights of the child and the family; section 21—the right to a fair trial; section 27(2)—cultural rights; and section 8—equality and non-discrimination.</p>	<p>Noted</p> <p>The Government is committed to progressing reform and recognises that legislative change is a key priority. The Government notes that a comprehensive review of the <i>Children and Young People Act 2008</i> (CYP Act) will be important to address the discreet elements of legislative reform required and progress the Government’s legislative reform agenda. This is subject to future Government funding decisions as effective legislation change requires resourcing for implementation across CYPS and community providers.</p> <p>Work to scope legislation reform within resource capacity will commence in early 2021. Priority areas identified for implementation include:</p> <ul style="list-style-type: none"> • enshrining the Aboriginal and Torres Strait Islander Child Placement Principle in the CYP Act; • developing a model for internal and external merits review of child protection decision-making in the ACT; • providing legislative weight for a Charter of rights for children and young people and for parents and families; and • extending and improving access to out of home care supports for young people aged 18 to 21. <p>The CYP Act has undergone several changes since it was first introduced. The Government notes that human rights remain integral to the application of the CYP Act and that any reform to the CYP Act will be subject to human rights scrutiny to ensure it is compatible with the <i>Human Rights Act 2004</i>. Any legislative reform work would include careful consideration of the sections identified in this recommendation.</p>
<p>RECOMMENDATION 2</p> <p>The Committee recommends that the ACT Government review and amend section 349(1) of the <i>Children and Young People Act 2008</i> to ensure that the ‘best interests test’ reflects the seven provisions set out in Article 3 of the <i>United Nations Convention on the Rights of the Child</i>.</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p> <p>Any legislative reform work would include careful consideration of how to give effect to ‘the best interests test’.</p> <p>The Government notes that there is scope to apply a broader interpretation of best interests in the CYP Act to better reflect the standards contained in Article 3 of the CRC. The best interests test could be enhanced by including more detail on relevant factors to be considered when determining the best interests of the child or young person. Providing more detail about the best interests of the child or young person could better support informed child protection decisions.</p>

Recommendation no. and summary	Government Response
<p>RECOMMENDATION 3</p> <p>The Committee recommends that the ACT Government amend the <i>Children and Young People Act 2008</i> to specify an express requirement for the court to be satisfied that all reasonable steps have been taken to provide the services necessary to support family unity prior to making an actual care and protection order [as per section 276(1)(b) of the <i>Victorian Children, Youth and Families Act 2005</i>].</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p> <p>The Government recognises that more can be done to improve family-led decision making for families engaged with the child protection system. The Government is currently supporting families to engage with the services they need to reduce the likelihood of statutory intervention, including restorative practices, through services including family group conferencing and functional family therapy.</p> <p>The Government recognises that while restorative, family-led decision making is important, ensuring families have access to early support through education, disability and health services also form part of the Government’s role in helping families stay together. By building family supports across the services system, concerns about the safety and welfare of children and young people are more likely to be addressed earlier, avoiding involvement in the child protection system.</p>
<p>RECOMMENDATION 4</p> <p>The Committee recommends that the ACT Government reframe the underlying principles in the <i>Children and Young People Act 2008</i> to embed the construct of the ‘best interests test’ to be defined in terms of the relationships a child and young person has and needs for healthy development.</p>	<p>Noted</p> <p>See responses to recommendations 1 and 2 (Part 2).</p> <p>The Government will consider this recommendation in the context of addressing those recommendations.</p>
<p>RECOMMENDATION 5</p> <p>The Committee recommends that the ACT Government strengthen and support the development and maintenance of skills (including reflection and supervision) of care and protection case workers—with regard to an amended ‘best interests test’.</p>	<p>Noted</p> <p>The ACT Government is committed to ensuring the principle of best interests is applied and will continue to strengthen and support the skills of case managers to understand and apply best interests. CYPS staff will receive training and support should any changes occur to legislation. While CYPS staff receive ongoing training and professional development, consideration of further training may require future Government funding.</p>
<p>RECOMMENDATION 6</p> <p>The Committee recommends that the ACT Government in the planning, design and delivery of care and protection services in the ACT adopt the <i>Charter of rights and responsibilities for parents and family members with children in the care of child protection services in Australia</i>.</p>	<p>Agreed in Principle</p> <p>The Government will develop a Charter of rights and responsibilities for parents and families involved with child protection in the ACT. The <i>Charter of rights and responsibilities for parents and family members with children in the care of child protection services in Australia</i>, developed in 2014, provides a starting point for this work but engagement with families and their</p>

Recommendation no. and summary	Government Response
	<p>advocates will also be important. Further work will be needed to embed the agreed Charter in the CYP Act.</p> <p>The new charter will sit alongside the existing <i>Charter of Rights for Children in Out of Home Care, ACT Out of Home Care Standards</i>, which is applied in the ACT. The Charter of Rights sets out what children and young people can expect from people who are caring for them or working with them while they are in out of home care. The Charter of Rights is child-centred and aligns with obligations in the United Nations Convention on the Rights of the Child.</p>
<p>RECOMMENDATION 7</p> <p>The Committee recommends that the ACT Government explore the feasibility of codifying in the <i>Children and Young People Act 2008</i> that all families have a legal entitlement to family group conferencing before Child and Youth Protection Services can intervene and before a matter is referred to the ACT Childrens Court in care and protection matters.</p>	<p>Agreed in Principle</p> <p>The Government supports families to engage with the services they need to reduce the likelihood of statutory intervention, including restorative practices and intensive supports such as family group conferencing and functional family therapy.</p> <p>Family group conferences are currently available to Aboriginal and Torres Strait Islander families who agree to participate in this process, in recognition of the over-representation of Aboriginal and Torres Strait Islander children and families reported to and involved in the child protection system. Any decision to extend this service to all families is subject to future Government funding decisions and resourcing.</p> <p>The Government notes that family group conferencing is one of several service models to enable families to contribute to solutions that support the safety and wellbeing of their children. Other models may also be an appropriate option for families.</p> <p>The Government will continue to make child protection decisions to ensure the safety and wellbeing of children and young people in the ACT. This will, at times, require an immediate response where a child or young person is at risk of abuse and neglect.</p> <p>Where family-led processes are not possible or families choose not to engage with them prior to a matter going to court, the Government has also funded the establishment of a Therapeutic Care Court for care and protection matters in the Childrens Court. This will provide for a restorative approach to court-led interventions for parents whose children have been removed from their care or are at risk of being removed from their care. The Therapeutic Care Court will seek to deliver the best outcomes for children and their families by addressing parental substance abuse issues, parenting capacity issues, family violence and mental health issues.</p>

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<p>RECOMMENDATION 8</p> <p>The Committee recommends that the ACT Government—in the context of the ACT as a human rights jurisdiction and Canberra becoming a restorative city— bring together under a cohesive and integrated program the significant restorative work that is already taking place in Canberra to not only strengthen the presence and value of this work but also for it to be a resource to inform and support similar work in the care and protection space and other policy and service delivery areas.</p>	<p>Agreed in Principle</p> <p>The Government is committed to making the ACT a safe and connected community where relationships are valued, problems are solved jointly, and every person is treated with respect, care and dignity.</p> <p>The Government continues to explore and progress initiatives towards Canberra becoming a Restorative City. This includes articulating the links between various initiatives that are seeking to strengthen existing practice and integrating restorative approaches into policies and practices.</p> <p>Efforts to apply a restorative approach in child protection include the use of family group conferencing as a targeted response. This acknowledges that an effective restorative system for child protection supports parents and family to develop their capacity to care for their child or children.</p>
<p>RECOMMENDATION 9</p> <p>The Committee recommends that the ACT Government amend the <i>Children and Young People Act 2008</i> to allow the sharing of sensitive information that would be in the best interests of the child or young person—from a child concern report, a care and protection report, a pre-natal report, provided interstate care and protection information, a contravention report or family group conference information—where respective notifiers consent to the information being shared.</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p> <p>The Government recognises that more can be done to simplify and improve information sharing in the child protection system. The Government will consider this recommendation in the context of ensuring the safety and wellbeing of children and young people is paramount, recognising that other jurisdictions provide more capacity to share information with the consent of the person or people involved. Any legislative reform would include consideration of information sharing provisions.</p>
<p>RECOMMENDATION 10</p> <p>The Committee recommends that the ACT Government amend the <i>Children and Young People Act 2008</i> to specify when certain parties, such as parents or lawyers, must be provided with particular information.</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p> <p>The Government recognises that more can be done to simplify and improve information sharing in the child protection system. The Government will consider this recommendation in the context of ensuring the safety and wellbeing of children and young people is paramount, including whether to amend relevant legislation to specify the information that should be provided to parties in a care and protection matter. The Government notes that lawyers and parents receive information (with the exception of the names of reporters and information that might identify the reporter) through court proceedings.</p>
<p>RECOMMENDATION 11</p>	<p>Agreed in Principle</p> <p>See response to recommendation 1 (Part 2).</p>

Recommendation no. and summary	Government Response
<p>The Committee recommends that the ACT Government amend the <i>Children and Young People Act 2008</i> to enable a person who has left out-of-home care to access their own records.</p>	<p>The Government agrees that individuals who have left out of home care should be able to access their own information. Assistance to young people leaving care was strengthened with the introduction of <i>A Step Up for Our Kids</i> by extending the age to receive support. The CYP Act provides access to assistance to a young person after leaving out of home care (s529I).</p> <p>Life Story work seeks to preserve a child’s records in a way that supports them to form a secure sense of identity. This process recognises that statutory records often have a negative focus or are hard to make sense of in their raw form, due to the volume of files and/or restrictions on sharing information.</p> <p>Life Story work may be offered when a person seeks detailed information about their own care experience, including through freedom of information (FOI). Where appropriate, the FOI team provides a warm referral for Life Story work, where this is likely to provide a more suitable response than statutory records.</p> <p>The Government recognises that more can be done to ensure young people leaving care know their story and can access their own information, and that this should always form part of the transition from care process. However, young people should not need to wait until they leave care to access this information. Ongoing Life Story work is part of best practice in supporting children and young people during their time in care.</p>
<p>RECOMMENDATION 12</p> <p>The Committee recommends that the ACT Government amend the <i>Children and Young People Act 2008</i> to expressly provide for review rights of a decision to refuse the provision of sensitive information on the basis of it not being in the best interests of the child or young person.</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p> <p>The Government is working with the ACT Human Rights Commission to develop a model of external merits review including consideration of what decisions should be reviewable.</p> <p>In 2020, the ACT Human Rights Commission and Community Services Directorate jointly facilitated two online roundtable discussions about child protection decision-making with interjurisdictional and ACT stakeholders, to inform the development of an external merits review model for the ACT. These discussions provided a valuable foundation for the next stage of work to map a model for external merits review of child protection decisions in the ACT.</p>
<p>RECOMMENDATION 13</p> <p>The Committee recommends the ACT Government develop and publish guidelines on when and how the Director-General’s discretion</p>	<p>Agreed</p> <p>The Government recognises that more can be done to improve the understanding of information sharing in child protection. The Government will develop and</p>

Recommendation no. and summary	Government Response
<p>to share sensitive information under section 851 of the <i>Children and Young People Act 2008</i> will be exercised.</p>	<p>publish guidance on the Community Services Directorate website about how child protection system shares information, including the director-general's discretion to share under section 851. The guidance will be developed and published in a way that is accessible and easy to understand.</p>
<p>RECOMMENDATION 14</p> <p>The Committee recommends that until such time as improvements for individuals to access information about themselves relating to matters under the <i>Children and Young People Act 2008</i> (the CYP Act) are available under the CYP Act, the ACT Government should restore the pathway for access under section 17 of the <i>Freedom of Information Act 2016</i>.</p>	<p>Not Agreed</p> <p>The Government amended the <i>Freedom of Information Act 2016</i> (FOI Act) in 2019 to resolve a legislative inconsistency between the obligations of the CYP Act to not disclose protected and sensitive information and the way in which this information was excluded from release under the FOI Act.¹ Specifically, the construction of the exclusion under the FOI Act was problematic, as it allowed an inference to be drawn that a person could receive information under the FOI Act that they would not in fact be able to receive due to the concurrent operation of the CYP Act. The sole impact of the amendment was to improve the clarity and transparency of the FOI Act.</p> <p>As this amendment did not remove a pathway for individuals to access information about themselves, there is nothing to restore. This was made clear during the debate on the legislation.</p> <p>Any future work to reform the CYP Act will, however, help to address issues that have led to the underlying concern about access to information.</p>
<p>RECOMMENDATION 15</p> <p>The Committee recommends that the ACT Attorney-General should remind all ACT Government Directorates that any amendment(s) to legislation that removes a fundamental right should not be brought forward to the ACT Legislative Assembly in the form of an omnibus bill.</p>	<p>Noted</p> <p>The Government notes the view of the Committee and maintains that the legislation that has prompted this recommendation did not remove a right, as claimed (see response to Recommendation 14).</p> <p>The <i>Human Rights Act 2004</i> notes that few rights are absolute and that they may be subject only to the reasonable limits in law that can be demonstrably justified in a free and democratic society. The explanatory statement to each Bill details how human rights are engaged by the Bill and provides justification for permissible limitations on human rights.</p>
<p>RECOMMENDATION 16</p> <p>The Committee recommends the ACT Government, as a priority, implement an internal review mechanism for review of decisions under</p>	<p>Agreed in Principle</p> <p>See response to recommendation 1 (Part 2).</p>

¹ Freedom of Information Act 2016 (ACT) Sch 1, s 1.3.

Recommendation no. and summary	Government Response
<p>the <i>Children and Young People Act 2008</i>. The mechanism should reflect the general underlying principles for an internal review process as outlined by the ACT Law Society’s Family Violence and Children Committee.</p>	<p>The unified model of internal and external merits review will integrate restorative child protection practice, policy and process into CYPS decision-making.</p> <p>The ACT Human Rights Commission and Community Services Directorate jointly facilitated two online roundtable discussions about child protection decision-making with interjurisdictional and ACT stakeholders, to inform the development of an external merits review model for the ACT.</p> <p>Over the course of 2020, the Community Services Directorate has been consulting with key stakeholders about how to improve internal decision review processes. The Community Services Directorate is currently consolidating this feedback and developing policies, guidance and training for staff to deliver a more transparent and restorative internal review process.</p>
<p>RECOMMENDATION 17</p> <p>The Committee recommends that the ACT Government codify the internal review mechanism for decision-making under the <i>Children and Young People Act 2008</i>.</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p> <p>The Government is developing a unified model of internal and external merits review for child protection decision-making. This work and ongoing consultation with stakeholders will guide any decision about whether to codify the internal review mechanism for decision-making under the CYP Act.</p>
<p>RECOMMENDATION 18</p> <p>The Committee recommends that the ACT Government revise the Community Services Directorate’s <i>Guide 4—Feedback and raising concerns: How can I let others know what I think?</i> to address satisfactorily the issues raised by the ACT Law Society’s Family Violence and Children Committee regarding its wording, structure and drafting.</p>	<p>Agreed</p> <p>Following the implementation of new internal review processes, the Government will revise the Community Services Directorate’s <i>Guide 4—Feedback and raising concerns: How can I let others know what I think?</i> The Government will consider feedback received by the ACT Law Society and will ensure the revised guide is easy to understand and accessible. The Community Services Directorate will also engage with the Red Cross Birth Family Advocacy Service and with families, children and young people in undertaking this revision.</p>
<p>RECOMMENDATION 19</p> <p>The Committee recommends that the ACT Government amend the <i>Children and Young People Act 2008</i> to provide for an external review mechanism.</p>	<p>Agreed</p> <p>See response to recommendation 1 (Part 2).</p> <p>The Government is developing a unified model of internal and external merits review for child protection decision-making. The ACT Human Rights Commission and Community Services Directorate jointly facilitated two online roundtable discussions about child protection decision-making with jurisdictional and ACT stakeholders, to inform the development of an external merits review</p>

Recommendation no. and summary	Government Response
	model for the ACT. Implementation of an external review mechanism will require amendment to the CYP Act.
<p>RECOMMENDATION 20</p> <p>The Committee recommends that the ACT Government ensure that the external review mechanism for review of decisions made under the <i>Children and Young People Act 2008</i> comply with the right to a fair hearing (pursuant to section 21 of the <i>Human Rights Act 2004</i>) and be empowered to examine both the merits and any alleged procedural irregularities of the following categories of decision-making:</p> <p>(i) decisions that significantly alter the relationship between parents and their children or between the children and siblings or other people significant in the children’s lives; and</p> <p>(ii) decisions (including the imposition of conditions) that amount to limitations on a person’s human rights.</p>	<p>Agreed in Principle</p> <p>See response to recommendation 1 (Part 2).</p> <p>The Government is currently developing a unified model of internal and external merits review for child protection decision-making. Any reform to the CYP Act, including a model of external merits review, will be subject to human rights scrutiny to ensure it is compatible with the <i>Human Rights Act 2004</i>.</p>
<p>RECOMMENDATION 21</p> <p>The Committee recommends that the ACT Government model the amendments to the <i>Children and Young People Act 2008</i> on the external review provisions in the comparable <i>Victorian Children, Youth and Families Act 2005</i>.</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p> <p>Any reform to the CYP Act will be informed by best practice. Feedback from other jurisdictions, including Victoria, indicates that the ACT has an opportunity to improve on their models by integrating restorative child protection practice, policy and processes into CYP decision-making alongside internal and external decision review mechanisms.</p>
<p>RECOMMENDATION 22</p> <p>The Committee recommends that the ACT Government:</p> <p>(a) review the processes by which ACT health professionals are required to make a pre-natal report to ACT child protection authorities to ensure parents are provided with referrals, advocacy, support and information appropriate to their circumstances; and</p> <p>(b) fund targeted early intervention programs for pre-natal women who are identified as at risk of abuse or neglect after birth.</p>	<p>Agreed in Principle</p> <p>(a) The Government periodically reviews its current service response across government and community agencies to implement integrated and holistic support services for families subject to child protection. The Government is also committed to increasing government and community education about mandatory and voluntary child protection reporting and responses.</p> <p>The <i>Canberra Health Services Child Protection and Prenatal Child Concern Report Guidelines</i> encourage Canberra Health Services (CHS) staff to make a Prenatal report under section 362 of the CYP Act if they suspect that the unborn child may be in need of care and protection once it is born. Prenatal Reports are voluntary under the CYP Act and CHS policy.</p>

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	<p>If there are other children in the family who are subject to the same concerns held for the unborn baby (e.g. as a result of family violence, mental health issues or drug and alcohol use), then a Child Concern Report must be made for the siblings of the unborn child.</p> <p>Making the Prenatal Report to CYPS does not replace or diminish the important role played by health services already involved with a pregnant woman. The engagement of staff with the pregnant woman is a vital component of working towards reduced risk for a child once born. CHS child protection training stresses the importance of CHS maintaining engagement and linking the woman with other supports and services alongside making the prenatal report.</p> <p>Implementation of the Health Justice Partnership has provided staff at Canberra and Calvary public hospitals with a greater awareness of legal issues and options and with a confidential source of advice and support in working with women who may be at risk of engagement with the child protection system.</p> <p>(b) CHS and the Calvary Public Hospital deliver Pregnancy Enhancement Midwifery programs, which provide more intensive care for women with identified vulnerabilities or safety concerns. These programs aim to maintain pregnancy engagement with women and assist them to engage with community supports before the baby is born.</p> <p>In addition, the Health Justice Partnership provides free legal support to vulnerable individuals who are at risk of experiencing or are experiencing domestic and family violence, along with child protection concerns. Lawyers are embedded in hospitals as part of the trusted health team helping to provide integrated and comprehensive care. When legal and other support services are provided early, it can significantly improve both legal and health outcomes for the vulnerable person and child.</p> <p>CYPS is working towards embedding a restorative approach to early support for at-risk pre-natal women. CYPS currently works with pre-natal women to develop a Prenatal Action Plan. The Plan includes services and supports for families and may involve a</p>

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	<p>voluntary Family Group Conference. For Aboriginal and Torres Strait Islander women, the plan includes support from the Aboriginal and Torres Strait Islander Cultural Services Team.</p> <p>Further opportunities will be explored to expand a restorative approach, including developing a tailored model of family conferencing to promote early engagement and interagency planning with pregnant women and families at risk of their newborns entering out of home care at birth.</p>
<p>RECOMMENDATION 23</p> <p>The Committee recommends that the ACT Government ensure that all ACT Child and Youth Protection Services' staff working with children, parents and families should be required to undertake regular training to ensure that practice is kept up to date. This should include ongoing training on culture and unconscious bias.</p>	<p>Agreed</p> <p>The Government acknowledges the importance of a highly trained and competent workforce on delivering outcomes for children, parents and families.</p> <p>The Government ensures CYPS staff engage in regular training activities across a range of subject areas including Working with Families affected by Sexual Abuse, Working with Families affected by Domestic and Family Violence, Forensic Interviewing, Working with Young People Subject to Youth Justice Orders and Working with Aboriginal and Torres Strait Islander Families.</p> <p>Face-to-face training is supported by practice guidelines, policy, procedures, e-learning tools and an induction program. CYPS is reviewing the current training offer to ensure it supports continuous learning, including refresher training for CYPS staff.</p>
<p>RECOMMENDATION 24</p> <p>The Committee recommends that the ACT Government ensure that appropriate quality control and assurance processes are implemented to reduce unintended bias in decision-making under the <i>Children and Young People Act 2008</i>.</p>	<p>Agreed</p> <p>Current mechanisms for ensuring quality control and assurance processes for decisions made under the CYP Act include the roles of the Case Analysis, Operational Policy and Audit, and Practice Development teams. These teams provide ongoing quality assurance through regular analysis of the appropriate exercise of powers under the CYP Act, develop practice guidance to support good decision-making, and deliver a range of training and development opportunities that support improved decision-making.</p> <p>The Government notes the need for further work to ensure appropriate assurance processes. As part of this work, the Government will review existing arrangements to ensure that assurance processes provide independent oversight and limit unintended bias in decision-making.</p> <p>The Community Services Directorate has also been undertaking significant whole-of-directorate work and</p>

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	implementing specific training for CYPS staff in cultural awareness, integrity and safety.
<p>RECOMMENDATION 25</p> <p>The Committee recommends that the ACT Government should acknowledge the importance of child protection and support work for children, parents and families and value, appraise and develop staff that do this important work.</p>	<p>Agreed</p> <p>The Government acknowledges the importance of child protection and support work for children, parents and families. Kinship and foster carers play a very important role in helping Canberra children grow up safe, strong and connected. Carers, families, support organisations and child protection staff are critical to the child protection system.</p> <p>The Government recognises the commitment and dedication of child protection workers who do some of the most complex work in government. In the most recent ACT Public Service enterprise bargaining round, a new classification structure was created for Child and Youth Protection Professionals, recognising the specialist nature of the work and the expertise of practitioners. The Government remains committed to valuing and supporting these vital members of the child protection system.</p>
<p>RECOMMENDATION 26</p> <p>The Committee recommends that the ACT Government should provide funding in the 2020–21 Budget and across the budget out-years for the ACT Disability Aged and Carer Advocacy Service and Advocacy for Inclusion to deliver their specific Disability awareness-type training to all ACT Child and Youth Protection Services’ staff working with children, parents and families.</p>	<p>Agreed in Principle</p> <p>The First Action Plan under the Government’s Disability Justice Strategy (2019-29) contains actions that will support increased disability awareness for CYPS staff.</p> <p>These actions include:</p> <ul style="list-style-type: none"> • through a Community of Practice, providing a Disability Liaison Officer whose role will include supporting cultural change by offering disability expertise and supporting training; • developing a best practice guide for Child and Youth Protection staff, which will give guidance on how to better support people with disability; and • developing an agency Disability Action and Inclusion Plan which will improve access for, and the inclusion of, people with disability.
<p>RECOMMENDATION 27</p> <p>The Committee recommends that the ACT Government revise ACT Child and Youth Protection Services (CYPS) policy and practices to ensure that that the Aboriginal and Torres Strait Islander Child Placement Principle is explicit in the policy and the practice of child protection in the ACT.</p>	<p>Agreed</p> <p>The Government continues to work towards stronger implementation of all five elements of the Aboriginal and Torres Strait Islander Principle (CPP): prevention, participation, partnership, placement and connection.</p> <p>As part of its response to fully implement recommendations from the <i>Our Booris, Our Way</i> review, the Government engaged SNAICC to provide staff training on applying the CPP across the child protection system.</p>

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	<p>SNAICC delivered 10 sessions involving 162 participants during 2019, supporting improvements in staff knowledge and understanding of the context, history and foundations of the CPP. The Government is negotiating the delivery of further training in 2020-21.</p> <p>In September 2019, CYPS launched the <i>Working with Aboriginal and Torres Strait Islander Families: Providing Culturally Responsive Practice</i> guide, which provides direction in applying ‘active efforts’ to ensure the safety and wellbeing of Aboriginal and Torres Strait Islander children.</p> <p>In June 2020, CYPS also introduced a new procedure, <i>Placing a child in accordance with the Aboriginal and Torres Strait Islander Child Placement Principle</i>. Importantly, this procedure presupposes active efforts by case managers to prevent child removal, through mechanisms that support family preservation. The <i>Family Matters Report 2019</i> notes that the ACT demonstrated improvements in placement, with Aboriginal and Torres Strait Islander carers increasing from 38.6% of placements in 2018, to 41.2% in 2019.</p> <p>The Government acknowledges a need for focused future effort, particularly in the ‘prevention’ and ‘partnership’ elements. The <i>Family Matters Report 2019</i> notes the promising early results yielded from the Functional Family Therapy – Child Welfare program. However, the Report also indicates that the ACT needs to improve its efforts in ‘prevention’, through stronger investment in family support and intensive family support services.</p> <p>While the Government plans to increase the number of identified First Nations staff positions in CYPS and provide further funding for Family Group Conferencing, more could be done to engage an Aboriginal Child Care Association to partner with CYPS, to improve practice and service delivery for Aboriginal and Torres Strait Islander Families.</p>
<p>RECOMMENDATION 28</p> <p>The Committee recommends that the ACT Government develop child and youth protection service specific litigation guidelines that build on existing obligations (as per the model litigant guidelines and alternative dispute resolution requirements). The Guidelines should recognise the Territory’s obligations, parents’ responsibilities and rights, and the need to always consider the child’s best interests.</p>	<p>Noted</p> <p>The Government will remain consistent with the Attorney-General’s responsibility for the maintenance of proper standards in litigation and will act in accordance with model litigant guidelines. The Territory and its agencies will continue to act honestly and fairly in handling claims and litigation brought by or against the Territory or an agency. In child and youth protection matters, the Director-General will continue to consider the child or young person’s best interests as paramount.</p>

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	Through the implementation of the Therapeutic Care Court for child and youth protection matters in the Childrens Court, the Government will consider lessons that can be learned about court processes more broadly.
<p>RECOMMENDATION 29</p> <p>The Committee recommends that the ACT Government—in conjunction with the ACT Childrens Court, legal representatives and other interested stakeholders in the care and protection space—review and, if necessary, revise statutory time frames for taking matters to the Childrens Court, in particular following emergency action, to ensure that these timeframes do not adversely impact on the ability to share information with parents, their lawyers and children’s lawyers in a sufficiently timely way.</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p> <p>The Government recognises that more can be done to simplify and improve information sharing in the child protection system, including reviewing statutory timeframes and their impact on information sharing. The Government is committed to ensuring that statutory timeframes do not adversely impact on the ability to share information with parents, their lawyers and children’s lawyers in a sufficiently timely way.</p>
<p>RECOMMENDATION 30</p> <p>The Committee recommends that the ACT Government amend the <i>Children and Young People Act 2008</i> (CYP Act) to provide for disclosure of any information obtained in connection with the administration or execution of the CYP Act for the purposes of any legal proceedings arising out of the CYP Act.</p>	<p>Noted</p> <p>See response to recommendation 1 (Part 2).</p>
<p>RECOMMENDATION 31</p> <p>The Committee recommends that the ACT Government review and revise the Director-General’s emergency action notification form provided to Children’s representatives to ensure that it discloses as much information about the family and their circumstances from the first point of contact. This should include: (a) the child’s date of birth; (b) age of parents; (c) Aboriginal or Torres Strait Islander background or other cultural background; (d) nil content provided; (e) disability background; (f) if there has been previous involvement with Child and Youth Protection Services; and (g) requiring the Director-General to provide any previous final orders that have been made and the current care plan.</p>	<p>Agreed</p> <p>The Government will review and, if necessary, revise the Director-General’s emergency action notification form to ensure Children’s representatives are provided as much information about the family and their circumstances as is practicable and known at the time of emergency action.</p>
<p>RECOMMENDATION 32</p> <p>The Committee recommends that the ACT Government review the relevant sections of the</p>	<p>Agreed in Principle</p> <p>The <i>Court Procedures Act 2004</i> provides several pathways to ensure children and young people are heard, including</p>

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<p><i>Court Procedures Act 2004</i> (the CP Act) to examine how the CP Act may better facilitate the participation of children and young people in proceedings—in particular, to ensure that their instructions, views and wishes are properly taken into account.</p>	<p>that they be represented by a lawyer or litigation guardian in any proceeding. This representative must also ensure that the views and wishes of the child or young person are put to the Court and must inform the court whether they are acting on the instructions of the child or young person.</p> <p>The Government will review current arrangements to ensure the participation of children and young people in proceedings in a manner suitable to their maturity and level of understanding, and ensure their views and wishes are properly taken into account.</p>
<p>RECOMMENDATION 33</p> <p>The Committee recommends that the ACT Attorney-General update the ACT Legislative Assembly by the last sitting day in August 2020 on the identification of specified proposals as to how a therapeutic justice approach in the care and protection jurisdiction would work in the Australian Capital Territory.</p>	<p>Agreed in Principle</p> <p>The Government has provided funding to deliver a pilot of a Therapeutic Care Court. The aim of a Therapeutic Care Court is to address issues through a coordinated service provision response led by the Court. The approach is collaborative between the Court, service providers, parents and CYPS.</p> <p>The model differs from the current court model in a number of ways. The Court currently has no role in engaging with parents to address the factors that bring children into care. The Court is responsible for case managing the proceedings, which are often only resolved by a contested hearing before the Childrens Court Magistrate.</p> <p>A draft proposal for the ACT model has been developed, which includes entry points, referral protocols and proposed flows through the system. The draft proposal also looks at information sharing and confidentiality and explores a range of other issues, such as mandatory reporting.</p> <p>Consultation on the proposal has commenced with stakeholders. The Therapeutic Care Court is expected to commence in early 2021.</p>
<p>RECOMMENDATION 34</p> <p>The Committee recommends that the ACT Government—in conjunction with the ACT Childrens Court and key stakeholders in the care and protection and domestic violence space—explore the feasibility of the merits, or otherwise, of measures to safeguard personal information required in court documents from being disclosed that may place parents and children at risk.</p>	<p>Agreed in Principle</p> <p>Safeguarding personal information from being disclosed in court documents where parents and children may be placed at risk is a focus of ongoing work. Work is underway to progress an integrated model for addressing domestic and family violence in the ACT. This project aims to identify opportunities for change across the domestic and family violence system – from prevention and early intervention to post-recovery for survivors and to improve safety of people who experience domestic and family violence.</p>

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<p>RECOMMENDATION 35</p> <p>The Committee recommends that the ACT Government ensure that Child Youth and Protection Services facilitate the engagement of advocacy and support services working with children, parents and families in the care and protection system.</p>	<p>Agreed</p> <p>In establishing <i>A Step Up for Our Kids – Out of Home Care Strategy 2015-2020</i>, the Government funded specific advocacy and support services for parents, families and carers for the first time. Funding for the Red Cross Birth Family Advocacy Service has since been increased in response to demand for the service.</p> <p>In June 2020, CYPS implemented a Practice Guide: <i>Advocacy and support for Aboriginal and Torres Strait Islander families involved with child protection</i>. This practice guide provides information about engaging advocacy services and/or support people or organisations when working with Aboriginal and Torres Strait Islander families.</p> <p>The Government notes that an area of future focus could be to build on this practice guide, to ensure that all families are proactively provided with information and encouraged to engage with advocacy and support services.</p> <p>A key focus in the development of a unified model of internal and external merits review for child protection decision-making is to ensure affected individuals have choice and access to advocacy and support services. Written information will be provided to children, parents, families and carers involved in the child protection system about the supports available to them, as well as to CYPS staff.</p>
<p>RECOMMENDATION 36</p> <p>The Committee recommends that the ACT Government, in partnership with the ACT Disability, Aged and Carer Advocacy Service (ADACAS), conduct a targeted advocacy 12-month pilot program providing specialised dedicated support to individuals with disability and mental ill-health who might come to the attention of Child and Youth Protection Services. The pilot program should be accompanied by a process, impact and outcome evaluation.</p>	<p>Noted</p> <p>The Government is committed to progressing reform and recognises that pilot programs are critical to ensuring best practice. The Government will consider resourcing options available to progress reform and any decisions will be subject to future Government funding decisions. The Government acknowledges that the delivery of a pilot program should be accompanied by a process, impact and outcome evaluation.</p>
<p>RECOMMENDATION 37</p> <p>The Committee recommends that the ACT Government report to the ACT Legislative Assembly by the last sitting day in August 2020 on the progress of its implementation of the recommendations of the <i>Report of the Inquiry: Review into the system level responses to family violence in the ACT</i>. This should include:</p>	<p>Agreed in Principle</p> <p>Detailed reporting on the progress of recommendations of the <i>Report of the Inquiry: Review into the system level responses to family violence in the ACT</i> is provided in existing reporting mechanisms, specifically the annual Safer Families Statement and Budget Paper 3.</p>

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<p>(i) a summary of action to date, either completed or in progress (including milestones completed); and</p> <p>(ii) the proposed action (including timetable) for implementing recommendations (or parts thereof), where action has not yet commenced.</p>	
<p>RECOMMENDATION 38</p> <p>The Committee recommends that the ACT Government prioritise addressing the concerns raised by carers about information sharing arrangements between agencies regarding medical information in general and hospital discharge summaries in particular for children and young people in care.</p>	<p>Agreed</p> <p>The Government acknowledges the complexity surrounding sharing of relevant and appropriate personal information with relevant parties under the <i>Information Privacy Act 2014</i> and the <i>Health Records Act 2001</i>, particularly between agencies regarding hospital discharge summaries for children and young people in care.</p> <p>Child Protection Liaison Officers who work with CYPS and CHS continue to provide information between agencies and build staff capacity to share information where it is appropriate and permissible under the Health Records Act.</p> <p>The Carers Health Working Group has been established to ensure appropriate information sharing and identify ways to address the concerns raised by carers regarding the sharing of information between CHS and carers.</p> <p>The work of the group has been disrupted by the COVID-19 public health emergency. However, it is anticipated that work will resume before the end of 2020, to ensure that foster and kinship carers receive medical information in a timely manner.</p>
<p>RECOMMENDATION 39</p> <p>The Committee recommends that—where the case management of a child or young person in short-term foster care is held by ACT Together—the ACT Government ensure, as a formal practice, that the outcomes of kinship findings are appropriately shared with service providers within ACT Together.</p>	<p>Agreed in Principle</p> <p>There are several mechanisms that exist to share information with ACT Together. Information is shared through Care Team Meetings, case conferences, through usual case management interactions including formal panels such as the Application Review Committee and Restoration Panel, and finally at the point of transfer to ACT Together.</p> <p>When transferring case management responsibility to ACT Together, CYPS must complete a case transfer summary document. This includes information about efforts to explore and consider kinship options and the outcomes of these considerations.</p> <p>The case transfer summary is a required element when transferring a case to ACT Together. It forms part of a comprehensive information package for which CYPS and</p>

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	ACT Together are jointly responsible in terms of quality assurance and completion.
<p>RECOMMENDATION 40</p> <p>The Committee recommends that—where the Director-General of the Community Services Directorate has declined to approve a family member as a kinship carer for a child or young person—the ACT Government ensure that either the Kinship Assessment Report (de-identified as required) or a statement of reasons is provided to the potential kinship carer.</p>	<p>Agreed</p> <p>When a prospective kinship carer is found not to be a suitable carer – and is therefore not granted carer approval – CYPS must communicate this decision in writing to the person. This statement of reasons must outline the findings and rationale for the decision made during an initial and/or a comprehensive kinship carer assessment. Further, CYPS staff are expected to meet with the person to discuss the assessment and explain the reasons for the decision. The refusal to approve an individual as a suitable entity is a reviewable decision under the CYP Act (s839).</p>
<p>RECOMMENDATION 41</p> <p>The Committee recommends that—where a child or young person is referred for an out-of-home care placement—the ACT Government ensure that ACT Together is provided with information that will assist with the identification of suitable placement matches. This should include information as to: (a) the reason for removal; (b) details of the involvement of the family and child with Child and Youth Protection Services prior to removal; and (c) the child’s emotional and behavioural presentation and their specific needs.</p>	<p>Agreed in Principle</p> <p>The Government continues to work with ACT Together to ensure appropriate information is shared between agencies. Several policies and procedures govern the identification, assessment, and information sharing arrangements associated with carer and placement matching. CYPS will continue to work with ACT Together to improve information sharing documents.</p>
<p>RECOMMENDATION 42</p> <p>The Committee recommends that—where the case management of a child or young person is held by ACT Together and a Child Protection Assessment Report (CPAR) has been prepared—the ACT Government ensure, as a formal practice, that a copy of the CPAR (de-identified as required) be provided to ACT Together as soon as practicable.</p>	<p>Agreed in Principle</p> <p>The Government continues to work with ACT Together to ensure appropriate information is shared between agencies. ACT Together receives a comprehensive information sharing package when case management responsibility is transferred. A Family Assessment (previously known as the Child Protection Assessment Report) is provided to ACT Together as part of this package. Information is de-identified and/or redacted as required, in line with the information sharing provisions of the CYP Act.</p>
<p>RECOMMENDATION 43</p> <p>The Committee recommends that—where the case management of a child or young person is held by ACT Together—the ACT Government should ensure that all Child Concern Reports</p>	<p>Agreed in Principle</p> <p>The Government continues to work with ACT Together to ensure appropriate information is shared between agencies. A Family Assessment (previously known as the Child Protection Assessment Report) is provided to ACT</p>

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<p>Report (de-identified as required) relating to the child or young person are routinely shared with ACT Together.</p>	<p>Together when case management responsibility is transferred. This document includes a de-identified chronology of reports and the outcome. When a Child Concern Report (CCR) is received in relation to a child under the case management of ACT Together, the CCR is processed by CYPS and the recommendations and outcome are provided to ACT Together.</p>
<p>RECOMMENDATION 44</p> <p>The Committee recommends that the Minister with portfolio responsibility for child, youth and protection services in the 10th ACT Legislative Assembly appoint by the end of 2020 a Children and Youth Services Council in accordance with Part 2.2 of the <i>Children and Young People Act 2008</i>. The Council to be tasked with overseeing the implementation of the recommendations of the 9th Assembly Standing Committee on Health, Ageing and Community Services' reports into Part 1 and Part 2 of its inquiry into child and youth protection services.</p>	<p>Noted</p> <p>The Government notes the view of the Committee. While the Minister intends to appoint a new Council under the Act, further consideration of its terms of reference is required in light of the Government's child and youth protection reform priorities.</p>