



**Children's Court
Victoria**

PRACTICE DIRECTION

No. 4 of 2016

**KOORI FAMILY HEARING DAY
BROADMEADOWS CHILDREN'S COURT**

***MARRAM-NGALA GANBU*
*(WE ARE ONE)***

This Practice Direction is issued pursuant to section 592 of the *Children, Youth and Families Act 2005* (the Act).

Preamble

The establishment of a pilot Koori¹ list in the Family Division of the Children's Court of Victoria was a recommendation made by the *Protecting Victoria's Vulnerable Children Inquiry* in 2012. This recommendation followed the identification of the need for such an initiative by the Aboriginal Justice Forum (AJF23) in March 2009 given the high rates of removal of Aboriginal children from their families.

The Broadmeadows Children's Court was opened in October 2015 and seeks to trial innovative processes to improve outcomes for children and families involved in child protection proceedings in the Family Division of the Court.

The Broadmeadows Children's Court will establish a pilot Koori Family Hearing Day, to be known as *Marram-Ngala Ganbu*², to operate for a period of 12 months from 1 July 2016.

The Koori Family Hearing Day aims to:

- improve outcomes for Koori children involved in child protection proceedings;
- improve the participation of Koori families and communities in child protection proceedings;
- enable decision-making to be informed by an improved cultural understanding;
- encourage culturally appropriate processes to assist in decision-making reflective of the community to which the Koori child belongs;
- improve adherence to the Aboriginal Child Placement Principles set out in the *Children, Youth and Families Act 2005*;
- promote the provision of cultural support for Koori children (consistent with the cultural plans for children in out of home care) that maintain and develop the child's identity and connection to community and culture;

¹ The term Koori is used throughout this Practice Direction to describe the traditional inhabitants of Victoria, and is intended to be inclusive of all Aboriginal and/or Torres Strait Islander people.

² The Wurundjeri Tribe, Land & Compensation Cultural Heritage Council Inc. has provided the name *Marram-Ngala Ganbu* as an appropriate name for the Koori Family Hearing Day. *Marram-Ngala Ganbu* means **We are One** in Woiwurrung language. The Children's Court acknowledges the Wurrundjeri people for allowing the use of Woiwurrung language.

- provide court processes that enable Koori children, parents and others to participate fully in the proceedings in a manner that respects their cultural identity and needs in accordance with s522 of the Act; and
- provide court processes that promote cooperative relationships in accordance with s215B of the Act.

Directions

1. From 1 July 2016 all protection applications filed with the Broadmeadows Children's Court must be accompanied by a Protection Application Information Form (attached to this Practice Direction).
2. From 1 July 2016 where a Protection Application Information Form identifies a child as Aboriginal and/or Torres Strait Islander or where a child is subsequently identified as Aboriginal and/or Torres Strait Islander then the protection application can be listed before a judicial officer on the Koori Family Hearing Day.
3. The Koori Family Hearing Day will be held every Tuesday at the Broadmeadows Children's Court.
4. The Broadmeadows Koori Services Coordinator (KSC) will be responsible for co-ordination of the Koori Family Hearing Day. The KSC will be the contact point for Koori children and their families at court and will provide information and referrals to relevant services in collaboration with child protection, including culturally appropriate support programs and legal services. The KSC aims to assist Koori children and families to participate fully in culturally appropriate court processes.
5. Subject to the direction of the presiding judicial officer, proceedings in the Koori Family Hearing Day will be conducted at the bar table where all participants are seated.
6. Subject to the direction of the presiding judicial officer, participants in the Koori Family Hearing Day will include the parties and their legal representatives, the DHHS case worker, a Lakidjeka/ACSASS³ worker and where appropriate, the KSC and representatives from service providers utilised by the child or family.
7. Child protection applications heard in the Koori Family Hearing Day will be conducted, to the extent practicable, by the one judicial officer (known as 'case docketing').
8. Where a child protection application is referred for a conciliation conference under s217 of the Act, a conciliation conference will be conducted, where practicable, by at least one Koori convener appointed under s227 of the Act at Broadmeadows Children's Court on a Koori Family Hearing Day.

This Practice Direction commences on 1 July 2016.

Judge Amanda Chambers
 President
 Children's Court of Victoria

³ The Lakidjeka Aboriginal Child Specialist Advice and Support Service (ACSASS) program provides culturally appropriate advice and consultation on decisions that determine the future of at-risk Aboriginal children.

CHILDREN'S COURT OF VICTORIA

PROTECTION APPLICATION INFORMATION FORM

THIS FORM MUST BE COMPLETED AND LODGED WITH THE COURT AT
THE TIME OF FILING A PROTECTION APPLICATION.
A SEPARATE FORM MUST BE COMPLETED FOR EACH CHILD.

DATE OF HEARING: _____ / _____ / _____

CHILD'S NAME: _____

D.O.B.: _____ / _____ / _____

ADDRESS: _____

- Aboriginal but not Torres Strait Islander
- Torres Strait Islander but not Aboriginal
- Both Aboriginal & Torres Strait Islander
- Neither Aboriginal nor Torres Strait Islander
- Decline to Answer
- Under assessment

MOTHER'S NAME: _____

ADDRESS: _____

PHONE NO: _____

FATHER'S NAME: _____

ADDRESS: _____

PHONE NO: _____

STEPMOTHER / STEPFATHER'S NAME: _____

ADDRESS: _____

PHONE NO: _____

SIGNIFICANT OTHER'S NAME: _____

RELATIONSHIP TO CHILD: _____

ADDRESS: _____

PHONE NO: _____

UNDISCLOSED PLACEMENT (IF APPLICABLE):

NAME OF PLACEMENT: _____

ADDRESS OF PLACEMENT: _____

AFTER HOURS APPLICATION (IF APPLICABLE):

AH APPLICANT: _____

REGIONAL OFFICE RESPONSIBLE: _____