



**Children's Court
Victoria**

PRACTICE DIRECTION

No. 1 of 2021

KOORI¹ FAMILY HEARING DAY

BROADMEADOWS & SHEPPARTON CHILDREN'S COURTS

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). It replaces and revokes Practice Direction No. 4 of 2016.

Preamble

The Children's Court of Victoria established a Koori Family Hearing Day, known as *Marram-Ngala Ganbu*², which commenced sitting at Broadmeadows on 1 July 2016.

Following an independent evaluation of *Marram-Ngala Ganbu* in 2019, the Koori Family Hearing Day is now expanded to the Children's Court sitting at Shepparton, commencing on 4 February 2021.

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;
- 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.

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.

Directions

1. All protection applications filed with the Children's Court sitting at Broadmeadows or Shepparton must be accompanied by a [Protection Application Information Form](#).
2. 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 the protection application will be listed before a judicial officer on the Koori Family Hearing Day.³
3. The Koori Family Hearing Day will continue to be held every Tuesday at Broadmeadows, and, commencing on 4 February 2021, every three weeks on a Thursday at Shepparton.
4. The 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 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. Due to COVID-19 restrictions some or all the parties and service providers may be required to appear by audio visual link.
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 case worker, a Lakidjeka/ACSASS⁴ worker and, where appropriate, the KSC and representatives from service providers utilised by the child or family.
7. Where practicable, child protection applications heard in the Koori Family Hearing Day will be listed before the one judicial officer. This is 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 a Koori convener appointed under s227 of the Act on a Koori Family Hearing Day.

This Practice Direction commences on 1 February 2021.



Judge Jack Vandersteen
President
Children's Court of Victoria

³ First listings of all protection applications by emergency care will remain in the general Family Division list. Subsequent listings will be adjourned to the Marram-Ngala Ganbu hearing list.

⁴ 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.