
MEDIA RELEASE

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CHILDREN AT RISK WHILE LEGAL SYSTEMS IN DISPUTE

The appeal from the Tasmanian State Government over Justice Benjamin's order to place children in state care is an example of the systematic gaps between Child Protection and Family Law.

"This case highlights the disconnection between the two legal systems in place to protect the safety and wellbeing of children in Australia – the State Based Child Protection System and Commonwealth Family Law System", said Samantha Page, Family Relationship Services Australia (FRSA) Executive Director.

"Increasingly family relationship services are concerned about children's matters proceeding through family law courts when child protection agencies should be involved".

"This highlights the longstanding challenges family services face in trying to protect vulnerable children. There needs to be better integration between these service systems, to ensure that children are protected" said Anne Hollonds, FRSA Chairperson.

The recent Australian Institute of Family Studies Evaluation of the 2006 Family Law changes found that over half of Family Court and Federal Magistrates Court matters involving children contained allegations of family violence.

"The relationships between Family Court registries and Child Protection Agencies vary significantly across the country and even across regions within State or Territory jurisdictions" said Page.

"These issues have been raised consistently in professional forums including the Family Law Council, Family Law System Reference Group and consultations on the National Framework on Protecting Australia's children".

FRSA urges the Federal Government to address this and forge stronger connectivity between the two systems in the interest of those children at greatest risk of abuse or neglect. This could include:

- Improve information sharing across the two systems;
- Grant Family Court jurisdiction to make child welfare orders and Children's Court jurisdiction to make parenting orders;
- Increase resources for risk assessment and family support services working with vulnerable families and children before, during and after court proceedings.

-ENDS-

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