

Interstate Child Protection Protocol

April 2016

Contents

Preamble

1 Introduction

- 1.1 Purpose of the Protocol
- 1.2 General Principles
- 1.3 Legislative Basis
- 1.4 Definitions
- 1.5 Operating Procedures

2 Interstate Liaison Structure

- 2.1 Interstate Liaison Officers
- 2.2 National Interstate Liaison Co-ordinator
- 2.3 Providing Information Regarding Officers
- 2.4 Annual Interstate Liaison Officer Forum

3 Assessments

- 3.1 General Principles
- 3.2 Placement Assessments
- 3.3 Holiday/Respite/Contact/Household Safety Assessments
- 3.4 Requests for Urgent Assessments

4 Request for Casework Assistance

- 4.1 General Principles
- 4.2 Requests for Casework Assistance
- 4.3 Guardianship/ Parental Responsibility Conferred Solely on a Carer
- 4.4 Interstate Placement or Movement of a Child Who is Not Subject to a Child Protection Order

5 Interstate Transfer of Child Protection Orders and Proceedings

- 5.1 General Principles
- 5.2 Costs

6 Interstate Transfer of Child Protection Order

- 6.1 Material to be Provided when Requesting a Transfer of Order
- 6.2 Obtaining Consent to a Transfer from a Receiving State
- 6.3 Declining a Transfer of an Order

7 Transfer of Child Protection Proceedings

- 7.1 Transfer of Proceedings

8 Locating an Interstate Placement for a Child

- 8.1 Assistance with Locating a Long-term Interstate Placement
- 8.2 Assistance with Locating an Interstate Respite Placement

9 Other Interstate Assistance

- 9.1 Interstate Notification of a Child in Need of Protection
- 9.2 General Assistance

10 Information Sharing

- 10.1 Interstate Provision of Information
- 10.2 Confidentiality of Information Received by an Interstate Officer

11 Involvement of Non-Government Organisations

- 11.1 General Principles

12 Dispute Resolution

- 12.1 Dispute Resolution Process

13 Review and Withdrawal

- 13.1 State Amendment of Child Protection Legislation
- 13.2 Review of the Protocol
- 13.3 Withdrawal

14 Official Endorsement Process

Preamble

The Interstate Child Protection Protocol (the Protocol) provides a framework within which States will work together in order to promote the best interests and well-being of children. The States recognize the desirability of working collaboratively within their respective legislations as fundamental to achieving this. The Protocol is therefore based on the principle that all parties to it operate on a basis of mutual respect and co-operation for the benefit of the children to whom it applies.

The principles of the Interstate Protocol reflect the tenets of the United Nations Convention on the Rights of the Child.

1 Introduction

1.1 Purpose of the Protocol

The purpose of this Protocol is to:

- a) Support the provision of care and protection services to children who are subject to child protection intervention.
- b) Provide guidance to enhance the co-ordination and operation of child protection departments to facilitate:
 - i. the protection of children in need of care and
 - ii. the promotion of the best interests of such children.
- c) Provide for cooperation between jurisdictions to facilitate the care and protection of children.

1.2 General Principles

- a) The best interests of the child are paramount.
- b) Delay is contrary to the interests of a child and should where possible be minimised. It is important that information is shared in a timely manner.
- c) All interstate work is to be completed in an environment of cooperation, liaison, consultation and negotiation.
- d) The Interstate Protocol is an agreement among the States, and all requests are initiated on a State-to-State Child Protection Department basis
- e) Where applicable, best practice requires the following chronological sequence of events
 - i. Professional assessment of the carers prior to interstate placement;
 - ii. Timely notice of placement to the receiving State;
 - iii. Prompt request for ongoing casework assistance;
 - iv. Confirmation that the placement is stable and appropriate prior to the transfer of the Order.

- f) Until such time as the Child Protection Order or Proceedings transfer to a receiving State, the sending State is responsible for all case management decisions and financial support of the placement.
- g) The placement of Australian and New Zealand Indigenous children will be in accord with each jurisdiction's respective embodiment of the Indigenous Child Placement Principles.

1.3 Legislative Basis

This Protocol should be read in conjunction with provisions contained within each State's respective legislation and the processes contained therein be adhered to.

1.4 Definitions

For the purposes of this Protocol:

- a) An "appropriately qualified private practitioner" means a worker undertaking a carer and/or placement assessment who:
 - i. holds a tertiary qualification in social work or behavioural sciences
 - ii. satisfies relevant States' screening tests
 - iii. has experience within the child protection context. The private practitioner should outline his/her qualifications/experience as part of the assessment report.
- b) "Appropriate Delegate" means the recognised position within a Child Protection Department that holds responsibility for allocating an assessment request. For example: local office manager, regional unit co-ordinator.
- c) "Chief Executive" means the recognised position within a Child Protection Department that holds parental responsibility/ guardianship or custody of a child, and covers other legislated positions such as Minister or Secretary.
- d) "Child" means children and young people under the age of 18 years or as prescribed in specific child protection legislation.
- e) "Child Welfare Law" means State Child Protection Legislation.
- f) "Child Protection Department" means a State Department, Ministry or agency however described which has responsibility for administering the Child Protection Legislation of the State or has officers with such responsibility.
- g) "Costs" include:
 - i. cost of the out of home care placement
 - ii. carer allowance
 - iii. assessment costs as outlined in section 3

- iv. ancillary costs, including, but not limited to medical and dental, clothing, education and support services.
- h) "Extraordinary costs" are costs incurred because of the placement requirements and level of care needed to meet the exceptional high needs of the child.
- i) "Indigenous Child" means a child identified as being of Aboriginal or Torres Strait Islander ancestry in Australia, and Māori ancestry in New Zealand.
- j) "Interstate Liaison Officer (ILO)" has the meaning given to it in paragraph 2.1, below.
- k) "Interstate Liaison Co-ordinator" has the meaning given to it in paragraph 2.1, below.
- l) "Interstate Warrants Protocol" means the Protocol confirmed by representatives of all State Child Protection, Judiciary and Police Departments in 2003.
- m) "Children who are subject to child protection intervention" means the children may not be subject to an order but are the subject of an open plan or case with a State Child Protection Department.
- n) "National Interstate Liaison Co-ordinator" has the meaning given to it in paragraph 2.2, below.
- o) "NGO" (Non-Government Organisation) means a (usually) government-funded private agency that is contracted to undertake child protection tasks of varying degrees of responsibility for a State Child Protection Department.
- p) "Non-Resident State" means a state where a child is temporarily visiting.
- q) "Resident State" means the state where the child/family habitually lives.
- r) "Receiving State" means the State which receives a request for:
 - i. Assessment
 - ii. casework assistance / co-work
 - iii. transfer of Child Protection Order or Proceeding
 - iv. assistance in locating a placement
 - v. sharing of information and
 - vi. an alert or notification from the sending State.
- s) "Sending State" means the State which sends a request for the above matters.
- t) "Senior Officer" means a very senior officer nominated by each State's Chief Executive Officer (or equivalent) of a Department as the Senior Officer for the purpose of this Protocol.

- u) "State" means New Zealand or any State or Territory of Australia and "interstate" has the corresponding meaning.

1.5 Operating Procedures

The Operating Procedures exist as a separate document to provide support and guidance for implementation of this Protocol. They are guidelines for best practice, agreed to by all States.

The Operating Procedures will be reviewed at least annually at the Interstate Liaison Officer Forum and the update maintained by the National Interstate Liaison Co-ordinator.

2 Interstate Liaison Structure

2.1 Interstate Liaison Officers

Each State must appoint one or more officers who are referred to as "Interstate Liaison Officers". If there are a number of Interstate Liaison Officers in a State, there must be an officer who has the role of Interstate Liaison Co-ordinator.

The Interstate Liaison Co-ordinator or, where appropriate Interstate Liaison Officers are responsible for:-

- a) ensuring that paragraph 2.3 is complied with in relation to his or her State
- b) promoting knowledge of and compliance with this Protocol
- c) engaging in mediation through teleconferencing with the other jurisdiction's ILOs and field staff in order to resolve complex matters
- d) facilitating timely processes.

2.2 National Interstate Liaison Co-ordinator

The National Interstate Liaison Co-ordinator has the role of compiling, maintaining and distributing on a regular basis:

- a) The Interstate Liaison Officer contact register
- b) The Register of Senior Officers
- c) Any other information which may be of assistance to the other Interstate Liaison Officers.

The National Interstate Liaison Co-ordinator will be appointed annually at the Interstate Liaison Officer Forum from the membership of the respective State Liaison Officers/ Co-ordinators.

2.3 Providing Information Regarding Officers

Each State must provide the following information to the National Interstate Liaison Co-ordinator:

- a) the contact details of the Interstate Liaison Officer(s), and, if applicable, Interstate Liaison Co-ordinator.

- b) details of the Senior Officer or officers of each respective State; and
- c) details of any changes to the above, as soon as practicable.

2.4 Annual Interstate Liaison Officer Forum

An Interstate Liaison Forum, hosted by each jurisdiction on a rotational basis will be held annually and each jurisdiction is encouraged to be represented by that State's Interstate Liaison Officer/ Co-ordinator or appropriate operational delegate.

3 Assessments

3.1 General Principles

- a) When a child subject to child protection intervention is to be placed interstate, it is essential that the sending State makes a request (through the respective ILOs) to the receiving State to undertake a carer assessment, prior to the child's placement.
- b) A sending State (unless otherwise negotiated) is responsible for completing all relevant and prescribed child protection and criminal history checks in relation to a proposed caregiver located in the receiving State.
- c) Unless there are exceptional circumstances, or it is otherwise negotiated, the sending State should undertake such checks prior to sending the assessment request to the receiving State, and include the results of such checks with the material forwarded.
- d) The assessment report writer must make a recommendation regarding the suitability of the proposed placement; however, the decision to proceed with the placement rests solely with the sending State.
- e) Any assessor whether a departmental or private practitioner/ agency worker should meet the requirements as defined in Section 1.4.

3.2 Placement Assessments

- a) A placement assessment can include an assessment for the following purposes:
 - i. carer/ kinship carer/ respite carer;
 - ii. reunification; and
 - iii. carer/ kinship carer reapproval.
- b) Provided the receiving State is satisfied that the material provided by the sending State is sufficient to undertake the assessment, the receiving State should complete the assessment within 6-8 weeks of receipt of the request by the ILO. If this not achievable, negotiation should take place between the relevant ILOs. Requests for assessments in remote and/or isolated regions need to be discussed directly with the ILO and time-frames negotiated with the ILO on a case by case basis.
- c) If the receiving State is unable to complete the requested assessment internally within the above timeframe, the receiving State will meet the costs of contracting an appropriately qualified private practitioner/ agency worker to undertake the assessment.

- d) Where a remote and rural isolated area has no available private practitioner to undertake an assessment, requests need to be discussed directly with the ILO and time-frames negotiated with the ILO on a case by case basis.

3.3 Holiday/ Respite/ Contact/ Household Safety Assessments

Provided the receiving State is satisfied that the material provided by the sending State is sufficient to undertake the assessment, the receiving State should complete the assessment report within 4-6 weeks of receipt of the request by the ILO. If this not achievable, negotiation should take place between the ILOs. Requests for assessments in remote and/or isolated regions need to be discussed directly with the ILO and time-frames negotiated with the ILO on a case by case basis.

3.4 Requests for Urgent Assessments

Should the sending State require an urgent assessment to be completed in less than 6 weeks, the ILO in the receiving State will consider the request in consultation with their appropriate delegate to determine if the assessment can be completed within the required time frame. If this is not possible, the ILOs from both States will negotiate as to whether an appropriately qualified private practitioner will be contracted with the costs to be borne by the sending State. Requests for assessments in remote and/or isolated regions need to be discussed directly with the ILO and time-frames negotiated with the ILO on a case by case basis.

On occasion a state may request that another state conduct a household safety check to inform the sending state's carer assessment about the appropriateness of the placement. The timeframe for this request will be negotiated on a case by case basis.

4 Requests for Casework Assistance

4.1 General Principles

- a) The sending State maintains case management and financial responsibility until the Child Protection Order is transferred.
- b) The sending State is expected to maintain contact with the Carer and child to provide as much support as is reasonably practicable. The receiving State's role is to provide local assistance and case work tasks such as face to face contact that are not practical for the sending State to provide. The aspects of case management that can be managed remotely via phone and email should be handled by the sending State.
- c) It is the responsibility of the sending State to provide as much information as possible regarding the child and the placement.

4.2 Requests for Casework Assistance

- a) When a child subject to a child protection intervention is placed interstate, the sending State should request the receiving State to provide casework assistance to the placement as soon as possible after placement.
- b) When requesting casework assistance, the sending State should provide as much information as possible (including a case plan) in relation to the child.
- c) A request for casework assistance must also contain a clear contingency plan in the event the placement breaks down.
- d) The receiving State, to the best of their ability, shall co-operate with the sending State to provide assistance reasonably requested or negotiated with the sending State. The assistance is usually limited to general support and supervision/ monitoring of the placement.
- e) Unless there are extenuating circumstances, the receiving State should accept or decline to the request for casework assistance in writing within 6 weeks of receipt by the ILO. The exceptional and extenuating circumstances must be communicated and negotiated with the other State.
- f) If a response has not been received within 6 weeks from receipt of the request, the ILOs of the sending and receiving States will where possible attempt to resolve the issue(s) causing the delay. If the issue(s) remains unresolved after a further 3 weeks, the sending State may refer the matter in accordance with the dispute resolution process.
- g) In cases where the transfer of the child protection order is not legally possible, the sending State may request the receiving State to provide casework assistance on its behalf. Under these circumstances, point b) above applies. In addition, the capacity of the receiving State to continue to provide the requested assistance, without transfer of the order, should be reviewed every 2 years, by consultation between the two offices involved.

4.3 Guardianship/ Parental Responsibility Conferred Solely on a Carer

Where Guardianship/ Parental Responsibility has been conferred solely upon a carer and the carer is located in the receiving State, the general understanding is that the receiving state would not be involved in providing case work support.

The sending State may, in exceptional circumstances, request a specific time limited casework task of the receiving State subject to discussion with and agreement by the receiving State's Interstate Liaison Officer.

4.4 Interstate Placement or Movement of a Child Who is Not Subject to a Child Protection Order

If a State is aware of a child being placed interstate due to current protective concerns, where there is not a Child Protection Order or Proceedings, the sending State must, prior to the placement being made, inform the receiving State of the placement, via the Interstate notification

or advice process, such that the receiving State can determine whether to take any action under their relevant Child Protection legislation.

5 Interstate Transfer of Child Protection Orders and Proceedings

5.1 General Principles

Decisions regarding the interstate transfer of Child Protection Orders and Proceedings and the interstate placement of children will be made in accordance with each State's interstate transfer legislative provisions and case planning principles and include the following:-

- a) States must respect the nature and duration of another State's Child Protection Orders, and recognise that such Orders are made within the legislative requirements of that State.
- b) Where the Child Protection Order is not transferrable because there is no compatible Order in the receiving State, the sending State should act in the best interests of the child and, where possible, vary the order such that it can be transferred.
- c) A child must be resident in the receiving State and the child's whereabouts known, before a request for the transfer of an Order may be made.
- d) The sending State should request (and the receiving State should be providing) casework assistance (3-6 months as a guide) prior to requesting transfer of the Child Protection Order, unless agreed to by both states. A transfer of a Child Protection Order may occur without delay when agreed to by both the sending and receiving State/Territory on a case by case basis.
- e) It is the responsibility of the sending State to ensure that all legislative requirements necessary for the transfer of Child Protection Orders or Proceedings are complied with for the purpose of the transfer, including required consents and compatibility of the Order.
- f) It is the responsibility of the sending State (in consultation with the receiving State) to provide evidence that the interstate placement is assessed as stable and appropriate at the time of requesting transfer, and remains such to the point of transfer registration.
- g) At the time of the receipt of all relevant material, the Order to be transferred should have not less than 6 months remaining before the expiry of the Order. Special circumstances relevant to State legislation limiting the duration of care orders must however be respected.
- h) It is the responsibility of the receiving State to ensure that registration of the transfer does not proceed until the sending State's legislated appeal period has lapsed.

5.2 Costs

- a) The State which holds the child protection order pertaining to a child is responsible for all costs until the transfer of the child protection order or proceedings is finalised.
- b) Extraordinary costs must be negotiated and agreed in writing prior to acceptance of the transfer of child protection order or proceedings.

- c) In line with the intent of sections 5, 6 and 7 of the Protocol, cost should not in and of itself be a factor for declining a transfer of a child protection order or proceedings. Extraordinary costs can only be accepted as a reason to decline the request, if the matter has been escalated for decision to the Senior Officers in the Dispute Resolution process.

6 Interstate Transfer of Child Protection Order

6.1 Material to be provided when requesting a Transfer of Order

When requesting the transfer of a Child Protection Order, the Interstate Liaison Officer of the sending State must provide to the Interstate Liaison Officer of the receiving State all material as per the Order transfer template, and as outlined in the Operating Procedures

6.2 Obtaining Consent to a Transfer from a Receiving State

- a) When considering an interstate transfer of a Child Protection Order, the Interstate Liaison Officers will communicate as required, including:
 - i. discussing what further information (if any) is required;
 - ii. the Interstate Liaison Officer in the receiving State informing the sending State in writing that the appropriate delegate has consented to the transfer of the Child Protection Order, as soon as practicable;
 - iii. the Interstate Liaison Officer in the receiving State notifying the sending State as soon as practicable after the court in the receiving State registers a transferred Child Protection Order (upon expiry of legislated appeal periods).
- b) Unless there are exceptional circumstances, written advice from the receiving State whether it will consent to a transfer of a Child Protection Order will be provided within 8 weeks of receipt of all required documentation.
- c) If a decision to accept or decline transfer of a Child Protection Order is not made within 12 weeks of the receipt of the request for transfer, the sending State can request the decision proceed to the dispute resolution process.
- d) The receiving State should endeavour to register the transfer of the order as a matter of priority. If, due to the inaction of the Department, the transfer is not registered within 12 weeks of receipt of final paperwork by the Department, the sending State can refer the matter to the dispute resolution process.
- e) Where, because of exceptional circumstances, there is a delay in acceptance of the transfer of a Child Protection Order, the receiving State should continue to provide ongoing casework assistance until such time as formal transfer occurs.
- f) If a Child Protection Order is transferred, the sending State must provide a copy of the Departmental file, including a copy of any electronic files, to the receiving State within 28 days of receipt of advice of finalisation of the transfer.
- g) Until such time as the Child Protection Order is transferred to a receiving State, the sending State is responsible for all case management decisions and financial support of the placement.

6.3 Declining Transfer of an Order

- a) The receiving State must agree to the transfer of the Child Protection Order in writing, unless it:
 - i. would be contrary to the best interests of the child; or
 - ii. is an exceptional case where it is clearly impracticable to accept the transfer, for example, the proximity to the child to exiting care by virtue of age, or
 - iii. is not legally possible.
- b) When the receiving State declines the transfer of a Child Protection Order, the receiving State will provide a written statement outlining the reasons why the transfer cannot be accepted.
- c) If the receiving State declines a proposed transfer, the sending State can refer the matter to the dispute resolution process.

7 Transfer of Child Protection Proceedings

7.1 Transfer of Proceedings

- a) Each State's legislation outlines the conditions that must be taken into consideration before the judge/magistrate makes an Order to transfer Proceedings.
- b) Decisions regarding the interstate transfer of Proceedings are dependent on each State's interstate transfer legislative provisions.
- c) Transfer of proceedings is not to be utilised as a means of forcing the receiving state to undertake child protection work which should be undertaken by the sending state
- d) When requesting the transfer of Child Protection Proceedings, the Interstate Liaison Officer of the sending State must provide to the Interstate Liaison Officer of the receiving State all material as per the Proceedings transfer template, and as outlined in the Operating Procedures

8 Locating an Interstate Placement for a Child

8.1 Assistance with Locating a Long-term Interstate Placement

- a) A sending State may request a receiving State to assist in locating a suitable long term non-relative placement for a child subject to a Custody or Guardianship/ Parental Responsibility Order, when the sending State considers that locating the child in the receiving State is in the long term best interests of the child. Such request may occur and not limited to, when:
 - i. The child had been normally resident in the receiving State and their residence in the sending State was only due to the transience of their parent/carer giver or for example their avoidance of authorities in the receiving State

- ii. The parents/significant relatives are located in an area of the receiving State and the parties are strongly motivated to work towards restoration of the child to their care/maintain longer term positive contact with the child.
 - iii. The child is an Aboriginal or Torres Strait Islander and the receiving State is considered to be their country by the child and their community.
- b) Particulars of the request will be subject to negotiation and agreement between the Interstate Liaison Officers of the respective States, and the sending State must provide comprehensive information to the receiving State to allow identification of an appropriate placement.
 - c) Upon request for an out of home care placement, all costs will be made clear and transparent by the State providing the placement.
 - d) The Protocol acknowledges locating a suitable long term placement for a child can be extremely difficult; however, a request for locating a suitable long term placement should be treated by the receiving State as though it were a request for placement made within the receiving State and reasonable and active efforts should be made to locate a placement.'
 - e) The receiving State shall provide an update on the status of the request within 8 weeks of receipt of the request.
 - f) If the circumstances of the child require extensive support/ therapeutic assistance, the sending State will ensure that any request is for a similar type of placement. The sending State will bear the relevant costs of the placement until such times as the Order is transferred.
 - g) If, 3 months after receipt of the request, a placement has not been located, the Interstate Liaison Officer of the receiving State will advise the sending State in writing that no placement has been located and advise of the attempts that have been made to locate a suitable placement.

8.2 Assistance with Locating an Interstate Respite Placement

- a) If the placement of a child in a receiving State breaks down, a request for short term respite care and/or alternative placement in that State shall be the responsibility of the State holding the Order on the child. Decisions as to the nature of the respite care and/or alternative placement should be negotiated and approved by the sending State in accordance with the sending State's case management responsibilities and financial delegations.
- b) If the receiving State, working in conjunction with the sending State, cannot locate an appropriate placement, the State holding the Order on the child has the responsibility to make immediate arrangements to accommodate the child (even if this means returning the child to the sending State for a period of time) until a planned placement in the best interests of the child can be secured.

9 Other Interstate Assistance

9.1 Interstate Notification of a Child In Need of Protection

- a) When a sending State becomes aware that a child (known to them or about whom they have received a Child Protection report) has moved interstate to a known address, the sending State should provide, on the accepted Template, an outline of these concerns and any other material to the State where the child is now located. The receiving State will take such action as it considers appropriate, and in accordance with its own legislative requirements.
- b) An interstate alert can be made when the Sending State has concerns about the welfare of a child or young person who is suspected to be interstate, but whose exact location is unknown.
 - i. The alert should be raised through the established Interstate systems.
 - ii. The receiving State/s must refer the alert to the relevant areas of their child protection department for the purposes of creating an alert in their respective electronic systems and/or for actioning.
 - iii. It is agreed that all jurisdictions will monitor the Interstate Alert system during business hours.
 - iv. After hours interstate alerts should be referred to the respective after hours services.
- c) Where allegations of quality of care are made against a carer, a teleconference will be held within 24 hours (where possible) to coordinate an investigation. The State where the carer and child reside will undertake the investigation in collaboration with the State which holds the child protection order to ensure legislative requirements are met. Priority must be given to the immediate safety of the child. Where allegations against a care giver are being assessed by a Receiving State, any request for transfer of the Child Protection Order will be deferred until investigation is complete, and both jurisdictions are satisfied that the placement is stable and appropriate.

9.2 General Assistance

- a) In the spirit of co-operation agreed to under this Protocol, a State may at any time request another State to provide specific assistance in regard to a Child Protection matter and, where required, the other State should provide such assistance as is practicable.
- b) In situations where urgent assistance is required for the purposes of undertaking an immediate assessment of possible risk of harm to a child, this will be provided as a priority.
- c) If a child subject to an interstate Child Protection Order is located interstate, the State which holds the order will maintain financial responsibility for the child, and will be responsible for all costs associated with the return of the child to the resident State, including emergency placement costs, whether such return be organised informally between the states or under the Interstate Warrants Protocol.

10 Information Sharing

10.1 Interstate Provision of Information

Subject to confidentiality/ privacy provisions in a State's legislation:

- a) A Child Protection Department will provide information it holds relevant to a particular child if requested to do so by another interstate Child Protection Department for the purpose of enabling the interstate Department to undertake its responsibilities under that State's Child Protection legislation.
- b) Where permitted by legislation, a Department will provide information it holds relevant to the safety, welfare and wellbeing of a child or children to any or all States party to this Protocol as agreed between the Departments of the respective States.
- c) A Department will provide information it holds relevant to assist other interstate Departments to assess the suitability of carers for children in out of home care, subject to the applicants written consent.
- d) These arrangements should not place a requirement on any State to initiate or provide any child protection checks on behalf of a third party that is not a statutory interstate Child Protection Department.

10.2 Confidentiality of Information Received by an Interstate Officer

Any information received from the exchange of information provisions provided by Child Protection Departments in accordance with the provisions of Clause 10.1 above shall be treated as confidential and managed in accordance with the receiving State's legislation and internal policies governing information release.

Such information should not be attached as an exhibit to an affidavit but may be referred to in summary form within the body of the document, unless both States agree in writing.

11 Involvement of Non-Government Organisations

11.1 General Principles

A State may legislate to contract a non-Government Organisation (NGO) to undertake part or all of its child protection casework/management relative to a specific child. In such circumstances and where permissible by legislation, the following principles apply:

- a) Initial negotiation for assessment, casework assistance and order transfer is to be undertaken on an ILO to ILO basis.
- b) Order transfer under this Protocol remains a legal process between two State Government Child Protection Departments.
- c) Where an NGO is providing case work for a child, and until the order is transferred, financial support of the placement by payment of carer allowance remains the responsibility of the Sending State, unless there is an agreed financial arrangement between the two States and the NGO.

12 Dispute Resolution

12.1 Dispute Resolution Process

- a) Any dispute or complaint should be dealt with, in the first instance, between the respective Interstate Liaison Officers/ Co-ordinators from the States which have the dispute.
- b) If the dispute is still unresolved the following process should be adopted:
 - i. The Interstate Liaison Officers involved will refer the matter to their respective line managers for resolution.
 - ii. If the resolution of the problem is not achieved at this level, the matter will be dealt with by the Senior Officers from the respective Departments.

13 Review and Withdrawal

13.1 State Amendment of Child Protection Legislation

If a State amends provisions relating to Child Protection Orders and interstate matters, the Interstate Liaison Officer from that State must, as soon as possible, inform the National Interstate Liaison Co-ordinator when the legislation comes into force. The National Interstate Liaison Co-ordinator will subsequently advise the Interstate Liaison Officer/ Co-ordinator of each State.

13.2 Review of the Protocol



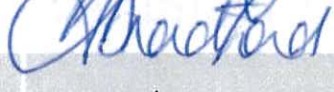
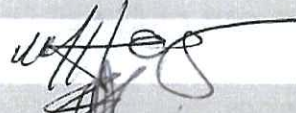




The Children and Families Secretaries (CAFS) group (or equivalent) will provide oversight and endorsement of the Protocol. The Protocol will be reviewed within 4 years of the date of the last endorsed Protocol. Interstate Liaison Officers will be responsible for initiating the review. The review should include multi-jurisdictional meetings with executives from relevant policy areas from each State. States may agree to additional reviews to address systemic issues.

13.3 Withdrawal

A party to this Protocol may withdraw from the Protocol with 12 months notice in writing. If a party withdraws from the Protocol, the Protocol continues to apply to all other parties.

14 Official Endorsement Process


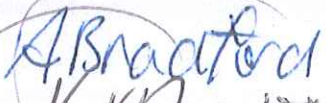


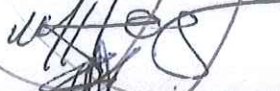



The Department Heads listed in the table below individually signed and endorsed the Protocol.

Amendment (insert month) 2016			
Jurisdiction	Signed off and Endorsed by (Name)	Signature	Date
ACT	SUE CHARMAN		12.4.16
NSW	M. COULTS-PROCTOR		12.4.16
NT	A Bractford		12/6/16
NZ			
QLD	MICHAEL HOGAN		12.4.16
SA	Etienne Sleepers		12/4/16
TAS	Bony Kemp		12/4/16
VIC	JIM PEAKE		30/5/16
WA	Emma White.		12.04.16

14 Official Endorsement Process

The Department Heads listed in the table below individually signed and endorsed the Protocol.

Amendment (insert month) 2016

Jurisdiction	Signed off and Endorsed by (Name)	Signature	Date
ACT	SUE CHAPMAN		12.4.16
NSW			
NT			12/6/16
NZ	Viv Rickard		09/05/16
QLD	MICHAEL HOGAN		12.4.16
SA	Etienne Sleepers		12/4/16.
TAS	Bony Kemp		12/4/16
VIC			
WA	Emma White.		12.04.16