

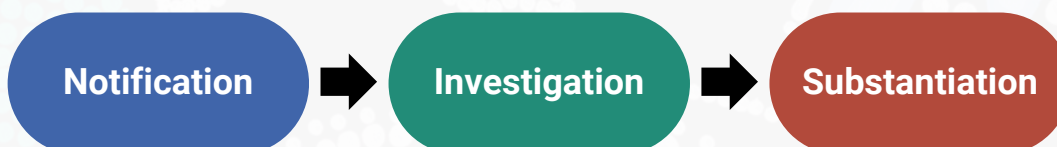


Child Protection Process

The child protection system is confusing.
But knowledge is power.

In this tip sheet, we:

- Give you tips for things you can do
- Talk about 3 key things child protection does called:



Notification

A notification is when child protection is told that a child is 'at risk' of harm.

Who can make a notification to child protection?

Anyone can call child protection to make a 'notification' about a bub. But some people are mandatory reporters like:

Police Nurses Midwives Teachers

Mandatory reporters are made by the law to tell child protection when they think a child is 'at risk' of harm.

Child protection might start looking around because of:

- Family violence
- Drinking too much, smoking yarndi (weed) or doing other drugs
- Mental health worries
- Someone has been to jail or got in trouble with the law in the home
- Older kids being taken away
- Poverty stuff like not enough food or housing worries

TIP!

*In most states, child protection can't tell you who made a notification. The law keeps that person's name a secret. Even though it is hard, one parent who went through child protection said: **"Show no hostility at a worker or the system. This will make things worse for you."** - Sisters for Change*

Disclaimer: This resource is part of a research project and is subject to change. Updated 17/03/2025. V1.2.

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If you have worries



Getting help as soon as you can is important.

If you want help but are worried about child protection, you might think staying away from places like hospitals is best.

But staying away or missing appointments is one of the reasons child protection gets worried sometimes.

The best thing to do is to talk to a **trusted** person like a:

- ⦿ Advocate or trusted family member
- ⦿ Elder or trusted community member
- ⦿ Lawyer
- ⦿ Aboriginal Health Worker
- ⦿ Worker at an Aboriginal Organisation
- ⦿ Aboriginal midwife



“ ‘Not engaging’ is bad. So take up all supports and opportunities offered.” – Sisters for Change

Investigation

An investigation is when child protection workers look into the notification made about a bub.

During an investigation, child protection might:

- ⦿ Visit your home. They may let you know they are coming (planned visit) OR not (unplanned visit).
- ⦿ Talk with workers - like midwives, police and teachers - to hear what they say and think about your kids' safety at home.
- ⦿ Talk to you, your kids and family.

At the end of an investigation, child protection will substantiate or not substantiate.



Child protection should talk to you and listen to your side of the story. But this doesn't always happen.
Know your rights and take notes because they might be needed later.

Substantiation

This is when child protection makes a decision about whether they think bub has been, or will be, harmed.

In pregnancy and after birth:

- ⦿ **Substantiate** means that child protection decides that a baby has been 'harmed' or is 'at risk' of harm after birth. Further action is taken.
- ⦿ **Not substantiate** means that child protection decides that a baby is at no risk or low risk of harm now, or in the future. No further action is taken.

Keeping your own notes can be helpful.

TIP!

Child protection just has to say that child harm has happened for it to be substantiated ('true').

This is why it is important to keep your own notes with your side of the story. You can show this to a lawyer or the magistrate later on.

Your notes can become 'evidence'.

In some places in Australia, **child protection might come along before bub is born** (notification, investigation or substantiation).



See our tip sheet '**Child Protection during Pregnancy**'.

Each Australian state and territory has its own child protection laws.

TIP!

When child protection steps in, legal action (like a court order) may happen quick. You might find out when you get served with a court order.

Getting a lawyer early is important.



"Get legal help straight up" – Sisters for Change

