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Committee Secretary  
House of Representatives Select Committee on Intergenerational Welfare Dependence  
PO Box 6021  
Parliament House  
Canberra ACT 2600

(by email to [igwd@aph.gov.au](mailto:igwd@aph.gov.au))

30 November 2018

Dear Committee Secretary,

**Re: Supplementary Submission following public hearing 21 November 2018**

I would like to thank the Committee for the opportunity to participate in the public hearing on 21 November 2018. In particular I appreciated being able to join by teleconference, because travelling to Canberra would not have been possible.

Committee Member Mr Andrews asked whether more data about FamilyCare's services was available, including information about service outcomes. I have extracted some high-level data in relation to our child and family services activities, which are relevant to the Inquiry's Terms of Reference and the evidence we have already provided. A summary of that information is attached, although as anticipated it confirms that the State and Commonwealth monitoring systems are different.

FamilyCare's main services are funded by the State of Victoria, through the Department of Health and Human Services. The delivery of child and family services is framed by reference to the Children Youth and Families Act 2005. A critical focus of that legislation is acting in the best interests of children. The Best Interest Principles are set out in section 10 of the Act. A copy of the text of section 10 is also attached for the Committee's convenience.

The application of sanction-backed, compliance-based welfare conditionality is in FamilyCare's submission incompatible with the Best Interest Principles, particularly subsections (2), (3)(a), (3)(b) and (3)(j).

We trust this additional information is useful.

Yours sincerely,

David Tennant  
Chief Executive Officer

## Attachment

### Overview of FamilyCare's Child and Family Service Data 1/7/17 – 30/6/18

Total services delivered: 3390

Services that did not involve ongoing casework (for example, telephone information and support, brief liaison with other professionals, without ongoing activity) 1647

Examples of ongoing casework include:

Parent Child Program 430

Integrated Family Services 244

Families First 45

Other intensive supports with low absolute client numbers but significant time and resource include:

Cradle to Kinder  
Family Violence Case Management  
Refugee Minor Program

Case plans are generally co-designed and planned with service users and other relevant services, with outcomes tracked relevant to those plans.

Examples of outcomes in 2017/18:

612 cases noted the client's plan as having been completed.

Other gradations of partial completion and/or external referral are also recorded.

Only 3 cases noted instances where a child or children were removed and placed in Out of Home Care.

**Extract from the Victorian Children, Youth and Families Act 2005.**

**Division 2—Best Interests Principles**

**10. Best interests principles**

- (1) For the purposes of this Act the best interests of the child must always be paramount.
- (2) When determining whether a decision or action is in the best interests of the child, the need to protect the child from harm, to protect his or her rights and to promote his or her development (taking into account his or her age and stage of development) must always be considered.
- (3) In addition to sub-sections (1) and (2), in determining what decision to make or action to take in the best interests of the child, consideration must be given to the following, where they are relevant to the decision or action—
  - (a) the need to give the widest possible protection and assistance to the parent and child as the fundamental group unit of society and to ensure that intervention into that relationship is limited to that necessary to secure the safety and wellbeing of the child;
  - (b) the need to strengthen, preserve and promote positive relationships between the child and the child's parent, family members and persons significant to the child;
  - (c) the need, in relation to an Aboriginal child, to protect and promote his or her Aboriginal cultural and spiritual identity and development by, wherever possible, maintaining and building their connections to their Aboriginal family and community;
  - (d) the child's views and wishes, if they can be reasonably ascertained, and they should be given such weight as is appropriate in the circumstances;
  - (e) the effects of cumulative patterns of harm on a child's safety and development;
  - (f) the desirability of continuity and stability in the child's care;
  - (g) that a child is only to be removed from the care of his or her parent if there is an unacceptable risk of harm to the child;
  - (h) if the child is to be removed from the care of his or her parent, that consideration is to be given first to the child being placed with an appropriate family member or other appropriate person significant to the child, before any other placement option is considered;
  - (i) the desirability, when a child is removed from the care of his or her parent, to plan the reunification of the child with his or her parent;

- (j) the capacity of each parent or other adult relative or potential care giver to provide for the child's needs and any action taken by the parent to give effect to the goals set out in the case plan relating to the child;
- (k) access arrangements between the child and the child's parents, siblings, family members and other persons significant to the child;
- (l) the child's social, individual and cultural identity and religious faith (if any) and the child's age, maturity, sex and sexual identity;
- (m) where a child with a particular cultural identity is placed in out of home care with a care giver who is not a member of that cultural community, the desirability of the child retaining a connection with their culture;
- (n) the desirability of the child being supported to gain access to appropriate educational services, health services and accommodation and to participate in appropriate social opportunities;
- (o) the desirability of allowing the education, training or employment of the child to continue without interruption or disturbance;
- (p) the possible harmful effect of delay in making the decision or taking the action;
- (q) the desirability of siblings being placed together when they are placed in out of home care;
- (r) any other relevant consideration.