

# Child Safety &#8211; overview

Anyone can talk to a lawyer for free at Tasmania Legal Aid.

To get free legal information call 1300 366 611, drop into our Hobart or Launceston office (no appointment necessary) or use the Legal Talk chat function on our website. We are open Monday to Friday, 9am to 5pm.

A lawyer can listen to your story and help identify the next steps you can take.

The role of Child Safety Service is to protect children who are at risk of abuse or neglect. Child Safety is a government agency and a part of the Department for Education, Children and Young People.

## How does Child Safety know a kid may not be safe?

Anyone can contact Child Safety to let them know they are concerned about a kid's safety. Someone can do this by contacting the Strong Families, Safe Kids advice and referral line by phone or on the internet using an online form. You, family members, friends, neighbours, teachers, doctors, the police and health workers, even kids themselves can do this.

Some workplaces have a rule that if someone has concerns about a kid's safety they must contact Strong Families, Safe Kids.

## What happens when Child Safety are told a kid is not safe?

Child Safety needs to understand what they have been told and whether the kid needs some protection to make them safe.

If Child Safety thinks that a kid is not safe they will try to find out why what needs to happen to make the kid safe again.

Child Safety are not obligated to act on a report.

## Will Child Safety contact the kid's parents / carers?

Yes. Child Safety workers will come and talk to the parents, carers or guardians of a kid if they think that the kid is not safe. The workers will explain their job and tell you what concerns they have been told.

Sometimes Child Safety workers want to talk to kids without family or others being there. The law says that they can do this in some cases.

## What can Child Safety do if they think a kid needs protection?

Child Safety might decide that:

- A kid is safe
- A family or the kid's carers/guardians need help to make a kid safe
- The kid is not safe to stay living where they have been living.

Child Safety may say that it is safe for the kid to stay living at their home. Child Safety workers may check up on the kid and help find services or people who can help keep them safe.

If Child Safety thinks the kid is not safe or has been hurt in a big way, Child Safety workers will take the kid from their home until it is safe again for the kid to return. The law says that Child Safety can do this if a court has allowed them. If Child Safety workers take a kid away from their home the law says that they must give the kid to another family member if they are a safe person, or else go to court and work out what is best for the kid.

## Will parents/carers have a say about their kid's needing protection?

In meetings with Child Safety and at the court you can say:

- What you want to happen
- What you think is good for your kids

The magistrate has the final say about whether a kid needs protection and where they should live.

## When does a court get involved?

When Child Safety decided that a kid is not safe, Child Safety workers need to get a magistrate at court to decide the next steps.

Court matters about kids safety happen at the Magistrates Court. These court matters help families fix things up to make it safe for kids. This is a helping court and not a punishing court.

## Can kids talk at court?

If a court is needed to help work out what is best to keep a kid safe, the court is focused on what is best for the kid.

The court will want to hear from a kid who is old enough to talk for themselves. The magistrate understands that kids aren't used to talking at court and it is okay if a kid is unsure of what to say or how to say it. It is OK for a kid to say "I don't know" to any questions that they are unsure about.

This is written for people who live in or who are affected by the laws of Tasmania, Australia. The law changes all the time – this information is not legal advice. If you have a legal problem, you should talk to a lawyer before making a decision about what to do.