



Easy Read guide

NSW Department of  
Communities and Justice

**If your child needs to go  
into out of home care**



## How to use this guide



The NSW Government Department of Communities and Justice wrote this guide.

When you see the word 'we', it means the NSW Government Department of Communities and Justice.



We wrote this guide in an easy to read way.

We use pictures to explain some ideas.

**Bold**  
Not bold

We wrote some important words in **bold**.

This means the letters are thicker and darker.



We explain what these words mean.

There is a list of these words on page 43.



This Easy Read guide is a summary of a booklet.

This means it only includes the most important ideas.



You can find the booklet on our website.

[www.dcj.nsw.gov.au/children-and-families/nsw-child-protection-guide-for-families/if-your-child-needs-to-come-into-care.html](http://www.dcj.nsw.gov.au/children-and-families/nsw-child-protection-guide-for-families/if-your-child-needs-to-come-into-care.html)



You can ask for help to read this guide.

A friend, family member or support person might be able to help you.



This guide includes photos of Aboriginal and Torres Strait Islander people.

It might contain photos of people who have passed away.



We recognise Aboriginal and Torres Strait Islander peoples as the traditional owners of the land we live on – Australia.

They were the first people to live on and use the:

- land
- waters.



This guide is quite long.

It includes a lot of information.



You don't need to read it all at once.

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# What is this guide about?



We deliver **child protection services**.



This means we work with families and communities to make sure children are safe.

We can decide if a child is not safe in their home.

We always aim to:



- keep your child safely at home with you



- treat families and communities with respect



- work with you and your community to build skills and knowledge.

We also aim to:



- be honest



- listen to your ideas and respond when you ask for help



- connect you to supports.



This guide is about what happens when it isn't safe for your child to stay at home.

We explain:



- what you can do



- what happens at court



- who can look after your child



- how you can still be part of your child's life.



# What happens if your child isn't safe?

Our **caseworkers** can support you to:



- care for your child



- live safely.



They will check your home to learn about your children and your family.



And they will work with you to make changes to keep your child safe at home.



If the caseworkers are worried about your child, they will talk with you about how to make your child safe.

## Ways to make your child safe



If caseworkers decide your child isn't safe, they won't be able to stay with you.



We will need to find somewhere else for your child to live.

We call this 'out of home care'.



This means a different person will make decisions about your child.



Your caseworker will think about other things that could happen before your child goes into out of home care.



These include:

- Parent Responsibility Contracts
- Temporary Care Agreements
- Parenting Capacity Orders.

You can ask your caseworker about these things.



You can also read more information about them on our website.

[www.dcj.nsw.gov.au/children-and-families/nsw-child-protection-guide-for-families/if-your-child-needs-to-come-into-care.html](http://www.dcj.nsw.gov.au/children-and-families/nsw-child-protection-guide-for-families/if-your-child-needs-to-come-into-care.html)



It can be a good idea to talk to a **lawyer**.

A lawyer is someone who knows the law.

We have a list of legal services on page 37.

They can help you find a lawyer.



Your caseworker can also give you a list of lawyers that can help you.

## Alternate Dispute Resolution meetings



Your caseworker should also ask if you and your family would like to take part in a meeting to tell us what you think.

We call them ‘Alternate Dispute Resolution (ADR) meetings’.



You can decide who comes to ADR meetings.

It’s a chance for the important people in your child’s life to help make decisions about them.



People who don’t work for us will run the ADR meetings.

They are there to help but they won’t make any decisions.

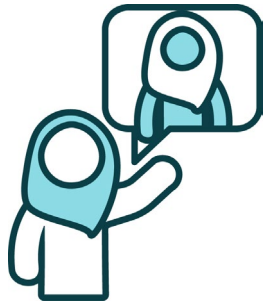


ADR meetings can be helpful when you’re working with us.

They can help you create a plan to:



- keep your child safe at home
- return your child home to you.



You can let us know if you want a person from your **culture** to run these meetings.



Your culture is:

- your way of life
- how you think or act now because of how you grew up
- your beliefs
- what is important to you.

## If your child must go into out of home care



If we decide your child must go into out of home care, you will have to go to the **Children's Court**.



The Children's Court makes legal decisions about children.

They don't work for us.

This means they make their own decisions.



In this guide, we call them the Court.



You should get legal advice straight away.

We have a list of legal services on page 37.



Your caseworker will give you a document that explains why we need to place your child into out of home care.



Keep this document.

You'll need to give it to your lawyer.



Your caseworker will also explain to your child why they need to stay with someone else.

You can choose to be part of this conversation.



Your caseworker's goal is to return your child to you.

To reach this goal they will work with you to make your home safe.



## How can you get ready to go to Court?



The Court will decide if we have made the right decision to put your child into out of home care.



If they agree with our decision, they will decide who can make decisions about your child.



You will be able to work with a lawyer to share your story in Court.



After we place your child in out of home care, we will tell the Court where we think your child should live.





Your lawyer will also tell the Court where you think your child should live.



We talk more about these places on page 31.

## Documents we will give you and the Court



Your caseworker will give a document to the Court within 3 working days after we place your child into out of home care.

We call this document a 'care application'.



Your caseworker must also give you a copy of this document.



It has information about your first day in Court, including:

- where the Court is
- when you must be there.



It's very important to go to Court on this day.



The care application also explains why we think your child needs to go into out of home care.

It will include information about you and your family.

It might be hard to read.

You can ask someone to read it with you, for example:



- a lawyer
- your caseworker
- someone you trust, like a family member.

## Finding a lawyer



Each parent will have their own lawyer in Court.



You might already have your own lawyer.

If you don't, Legal Aid will give you a lawyer for your first day in Court.



After this, you'll need to get your own lawyer.



We have a list of legal services on page 37.

They can help you find a lawyer.



Your caseworker can also give you a list of lawyers that work in the Court.



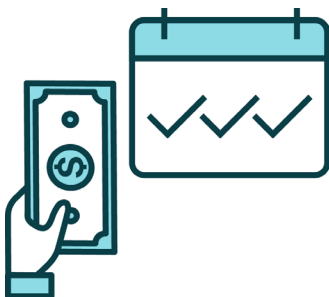
You can also get a private lawyer.

This means you must pay them.



Some lawyers work:

- for free
- at a lower price.



You might be able to use a payment plan.

This is when you pay the lawyer back over time.

## Your child's lawyer



Your child will also have a lawyer.

The lawyer will think about what's best for your child.



They will listen to what your child wants to happen.

And they'll share this with the Court.



If your child is under 12 years old, their lawyer will tell the Court what they think would be best for your child.

# What will happen in Court?



You can have someone you trust to be there with you when you go to Court.

For example, a family member or friend.



Make sure you arrive on time.

Tell your caseworker if you can't get there so they can help.



On your first day in Court, everyone will explain who they think should be able to make decisions about your child.

This includes:



- you



- us



- the lawyers.

Our lawyer will tell the Court why they think your child:



- is unsafe



- should live with someone else.



The Court might disagree.

And they might return your child to you.



Or the Court might agree with us.



The Court might ask us for more information.

If this happens, your child will stay in out of home care until the judge decides it's safe for them to return home.

We call this an 'Interim Order'.



This means a caseworker will make decisions for your child for a short time.



If there's an Interim Order, you will need to come back to Court on another day.

The Court will set a time and date.



## Telling your story



We must be honest in Court.

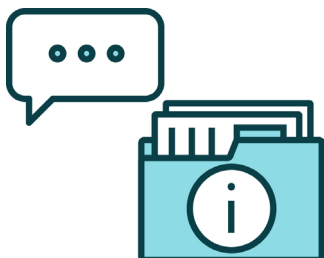
We'll be honest about:

- what we're worried about
- your family's strengths.



You have the chance to be honest as well.

You should talk to your lawyer after your first day in Court.



You'll be able to give the Court more information about:

- your story
- your child
- how your home is safe.



You can write this information in a document and give it to your lawyer.

We call this document an 'affidavit'.

Your lawyer will show it in Court the next time you come.

## How can you make your home safe?



There are things you can do to make your home safe so your child can return.



You should talk to your caseworker about what you need to do.



They can also help you get support and advice.



We wrote some information about bringing your child home.

You can find it on our website.

[www.dcj.nsw.gov.au/resources/easy-read-hub.html](http://www.dcj.nsw.gov.au/resources/easy-read-hub.html)

## Summary of Proposed Plan



Your caseworker will write a report explaining what you need to do so your child can return home.

They will give you a copy.

We call it the 'Summary of Proposed Plan'.



Your caseworker will also give this report to the Court so they know what you need to do to make your home safe.



You can talk to your lawyer about this report.

Or anyone you trust.

For example, a family member or support person.

## Creating a Family Action Plan for Change



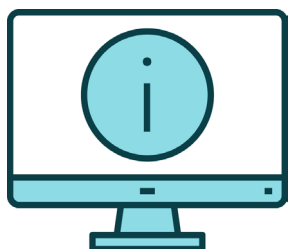
If your child needs to go into out of home care, we'll work with you to create a plan.

This plan is a 'Family Action Plan for Change'.



It includes:

- what you need to change to make your home safe
- how you will do this
- how people will support you.



We wrote some information about the Family Action Plan for Change.

You can find it on our website.

[www.dcj.nsw.gov.au/resources/easy-read-hub.html](http://www.dcj.nsw.gov.au/resources/easy-read-hub.html)

## What happens to your child while the Court decides?



Your child might need to stay in out of home care while the Court gets more information.



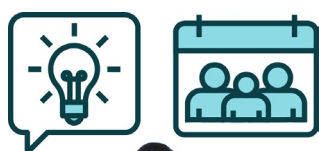
We'll create a plan that explains what needs to happen to make your home safe for your child.

We call it a 'Care Plan'.



It includes:

- tasks you can do to make your home safe
- how long you have to make your home safe.



Your caseworker will ask for your ideas while they write the Care Plan.

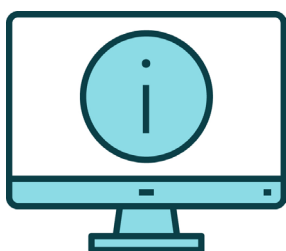


They might also ask to have a meeting with your family.



If you feel like you're meeting the goals in your Care Plan but your caseworker doesn't agree, you can talk to:

- a lawyer
- someone who can speak up for you.



We wrote some information about Care Plans.

You can find it on our website.

[www.dcj.nsw.gov.au/children-and-families/nsw-child-protection-guide-for-families/if-your-child-needs-to-come-into-care/what-happens-while-the-court-decides.html](http://www.dcj.nsw.gov.au/children-and-families/nsw-child-protection-guide-for-families/if-your-child-needs-to-come-into-care/what-happens-while-the-court-decides.html)

## Where will your child live?

Depending on what the Court decides, your child might:



- return to your home



- live with a **kinship carer** – who is a family member who we believe can care for your child.

If there's no one in your family or community, your caseworker will look for a **foster carer**.



A foster carer is someone who:

- has trained to care for children
- we believe will care for your child in the right way.



If the Court decides your child must go into out of home care, we'll work to find someone to look after them.

We'll work with:

- you
- your family.



We'll always try to find someone in your family or community that your child will be safe with.



# What can you know about your child?



You have the right to know about important events in your child's life.

It doesn't matter how long they've been in out of home care.



Your caseworker must tell you if:

- your child's carer changes
- your child moves house or school.

They also must share:



- any information about their health



- school reports and awards.



Your caseworker can't share any information that your child says they don't want you to know.

They also can't share information if:



- it makes your child or the carer unsafe



- the Court decides you shouldn't know.

## When can you see your child?



It's important that your child stays connected to you.

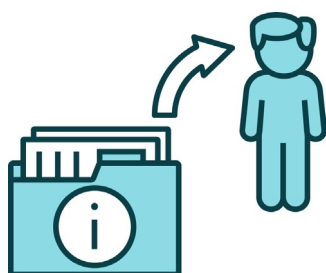


Your caseworker will tell you about how your child is going.

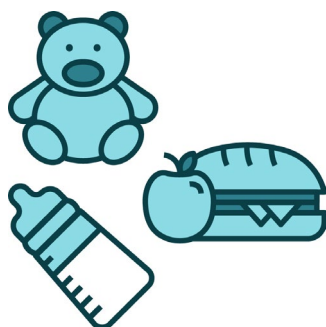
They'll also make a time for you to see each other.



While your child is away, you can work on your Family Action Plan for Change so your child can return home.

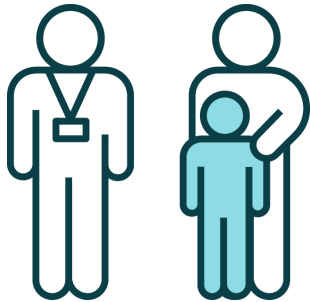


You can tell your caseworker information about your child that they'll share with their carer.



For example, what your child's favourite toys or meals are.

Or how to settle your child when they're upset or going to sleep.



You might need to have someone to stay with you during visits to make sure your child is safe.

We call this a **supervised visit**.

For example:



- your caseworker
- the child's carer
- someone from an organisation that helps with family visits.



We wrote some information about staying connected to your child while they're in out of home care.

You can find it on our website.

[www.dcj.nsw.gov.au/resources/easy-read-hub.html](http://www.dcj.nsw.gov.au/resources/easy-read-hub.html)

# Legal services

## Aboriginal Legal Service



You can contact the Aboriginal Legal Service for legal advice.



You can call them.

**1800 733 233**



You can visit their website.

[www.alsnswact.org.au](http://www.alsnswact.org.au)

## Legal Aid NSW



You can contact Legal Aid NSW for legal advice.



You can call them.

**1300 888 529**



You can visit their website.

[www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au)

## Women's Legal Service



You can contact the Women's Legal Service for legal advice.



You can call them.

**1800 801 501**



You can visit their website.

[www.wlsnsw.org.au](http://www.wlsnsw.org.au)

## Disability Advocacy NSW



You can contact Disability Advocacy NSW for support to speak up for yourself.



You can call them.

**1300 365 085**



You can visit their website.

[www.da.org.au](http://www.da.org.au)

## Intellectual Disability Rights Service



You can contact the Intellectual Disability Rights Service for support:

- to speak up for yourself
- if you have an **intellectual disability**.



An intellectual disability affects how you:

- learn new things
- solve problems
- communicate
- do things on your own.



You can call them.

**02 9265 6300**



You can visit their website.

[www.idrs.org.au](http://www.idrs.org.au)

## Contact us

Asking for help can show that you:



- are a strong parent



- want your child to be safe.



If you want support, you can visit our website.

[www.dcj.nsw.gov.au](http://www.dcj.nsw.gov.au)

## Your caseworker



You can also contact your caseworker for information about how to get support.

You can write their contact details below.



Your caseworker's name:

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Your caseworker's phone number:

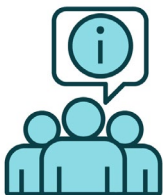
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Your caseworker's email address:

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## Your local Community Services Centre



You can contact your local Community Services Centre for information about how to get support.

You can write their phone number below.

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## Make a complaint about our services



When you make a **complaint**, you tell someone that something:

- has gone wrong
- isn't working well.



If you want to make a complaint about our services, you can contact the Enquiry, Feedback and Complaints Unit.



You can call them.

**1800 000 164**



You can also send them an email.

**[complaints@facs.nsw.gov.au](mailto:complaints@facs.nsw.gov.au)**

## Word list

This list explains what the **bold** words in this guide mean.



### **Caseworkers**

Our caseworkers can support you to:

- care for your child
- live safely.



### **Child protection services**

Child protection services work with families and communities to make sure children are safe.

They can decide if a child is not safe in their home.



### **Children's Court**

The Children's Court makes legal decisions about children.

They don't work for us.

This means they make their own decisions.



### **Complaint**

When you make a complaint, you tell someone that something:

- has gone wrong
- isn't working well.

## Culture

Your culture is:



- your way of life
- how you think or act now because of how you grew up
- your beliefs
- what is important to you.

## Foster carer



A foster carer is someone who:

- has trained to care for children
- we believe will care for your child in the right way.



## Intellectual disability

An intellectual disability affects how you:

- learn new things
- solve problems
- communicate
- do things on your own.



### **Kinship carer**

A kinship carer is a family member who we believe can care for your child.



### **Lawyer**

A lawyer is someone who knows the law.



### **Supervised visits**

Supervised visits are when someone needs to stay with you during visits to make sure your child is safe.



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