

**IN THE CHILDREN'S COURT
OF NEW SOUTH WALES
AT**

CASE NUMBER

Application initiating care proceedings

Section 61(2) Children and Young Persons (Care and Protection) Act 1998

[NOTE: This form is to be used for care applications made under Part 2, Chapter 5 and applications for Emergency Care and Protection Orders]

Date of application

Date filed

Notice of court date

This application is listed at

Children's Court

Date

Time

Signature of Registrar

Applicant

Applicant Secretary, Department of Communities and Justice

Caseworker

Manager casework

Address of DCJ Caseworker

Children or young persons

	Child 1	Child 2	Child 3
Given name			
Family name			
Date of birth & current age			
Cultural background	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other..... (specify) <input type="checkbox"/> Not known	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other.....(specify) <input type="checkbox"/> Not known	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other.....(specify) <input type="checkbox"/> Not known
Gender			

KiDS number
[DCJ identifier]

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Child 4
Child 5
Child 6
Given name
Family name
Date of birth & current age
Cultural background

Child 4	Child 5	Child 6
<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other..... (specify) <input type="checkbox"/> Not known	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other..... (specify) <input type="checkbox"/> Not known	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other..... (specify) <input type="checkbox"/> Not known

Gender
KiDS number
[DCJ identifier]

Parents/carers

Mother 1
Father 1
Carer 1
Family name
Given name
Date of birth
Address
Cultural background

Mother 1	Father 1	Carer 1
<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other..... (specify) <input type="checkbox"/> Not known	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other.....(specify) <input type="checkbox"/> Not known	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other.....(specify) <input type="checkbox"/> Not known

Mother 2
Father 2
Carer 2
Family name
Given name
Date of birth
Address
Cultural background

Mother 2	Father 2	Carer 2
<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other..... (specify) <input type="checkbox"/> Not known	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other.....(specify) <input type="checkbox"/> Not known	<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other.....(specify) <input type="checkbox"/> Not known

[NOTE: Include carer details where the carer is a guardian or otherwise providing care for the child under an arrangement with the parents. Do not include carer details where the carer is an authorised carer arranged by the Department of Communities and Justice or a Designated Agency unless the carer is a member of the extended family or kinship group and consents to disclosure of their details]

Application details

Final Orders sought

[List general heading and section under which each order is sought – **Delete** orders that are not applicable.]

An order accepting undertaking (from person's name) [section 73]

- An order placing (child or young person) under the supervision of the Secretary for a period of (insert period, no more than 12 months) [section 76]
- An order allocating parental responsibility of (child or young person) to one parent to the exclusion of the other parent [section 79(1)(a)]
- An order allocating parental responsibility of (child or young person) to a relative, kin or other suitable person in accordance with a guardianship order [section 79A]
- An order allocating parental responsibility of (child or young person) to another suitable person or persons [section 79(1)(f)]
- An order allocating parental responsibility of (child or young person) to the Minister or another person jointly [section 79(1)(e)]
- An order allocating parental responsibility of (child or young person) to one or both parents and to the Minister or another person jointly [section 79(1)(c) or (d)]
- An order allocating parental responsibility of (child or young person) to the Minister [section 79(1)(b)]
- An order for the removal of (child or young person) [section 48]
- An Emergency Care and Protection Order [section 46]
- A prohibition order [section 90A]

Interim Orders sought

Are interim orders sought in relation to this application? Yes/No

If yes, why are interim orders necessary? [see s70A]

- 1.
- 2.

If yes, what interim orders are sought?

- An interim order allocating interim parental responsibility of (child or young person) to the Minister.
- Other [please specify eg. the allocation of interim parental responsibility to another suitable person, contact or supervision orders]

Grounds of application

[What are the grounds for making the application? Select each relevant ground under section 71 and **delete** any grounds that are not relevant.]

- There is no parent available to care for the child or young person as a result of death or incapacity or for any other reason [section 71(a)].
- The parents acknowledge that they have serious difficulties in caring for the child or young person and, as a consequence, the child or young person is in need of care and protection [section 71(b)].

- The child or young person has been, or is likely to be, physically or sexually abused or ill-treated [section 71(c)].
- The child's or young person's basic physical, psychological or educational needs are not being met, or are likely not to be met, by his or her parents or primary care-givers [section 71(1)(d) and section 71(2)].
- The child or young person is suffering or is likely to suffer serious developmental impairment or serious psychological harm as a consequence of the domestic environment in which he or she is living [section 71(1)(e)].
- A child who is under the age of 14 years has exhibited sexually abusive behaviours and an order of the Children's Court is necessary to ensure his or her access to, attendance at, an appropriate therapeutic service [section 71(1)(f)].
- The child or young person is subject to a care and protection order of another State or Territory that is not being complied with [section 71(1)(g)].
- The Secretary has requested the removal of a child or young person from statutory or supported out-of-home care and the child or young person has not been removed immediately [section 71(1)(h)].
- Other (please specify)

Signature

Signature

Capacity

Date

Report in support of Application for a care order

[NOTE: The purpose of this report is to briefly **summarise** the information available to the Department of Communities and Justice (the Department) as at the date the application. The information should support a determination that a child is in need of care and protection and the making of any interim orders sought]

A: Current Care and Protection Concerns

The events or incidents that raise a concern that the children or young persons are currently in need of care and protection are:

[NOTE: Include here a **summary** of the events that preceded the making of this application.

- 1.
- 2.

B: Active Efforts

The Department of Communities and Justice has made the following active efforts to support the safety, welfare and well-being of the child or young person and the parents before the application was made:

[NOTE: Refer to relevant efforts taken to prevent the child or young person from entering out-of-home care including alternatives to a care order that were considered and the reasons the alternatives were not appropriate or unsuccessful eg. any alternative dispute resolution processes, referrals for independent legal advice, temporary care arrangements, parent responsibility contracts, applications for a parent capacity order or an application for an Apprehended Violence Order.]

C: Details of removal (if applicable)

Child or young person

Date of removal or assumption

From whom child was removed or assumed

Place of removal or assumption

Why was the child or young person removed or assumed into care?

[NOTE: In no more than 2 paragraphs detail the circumstances that led to the removal or assumption of care. Do not repeat information provided in A]

- 1.
- 2.

D: Sibling Relationships

Child	Date of birth	Mother	Father	Child lives with

E: Significant persons in child or young person's life

[NOTE: Include details of persons who have a significant role in the child or young person's life (for example: stepfamily, half siblings)]

Person	Relationship	Placement and residency details

F: Current Educational needs

Child	Name of school	Class/ Year	Length of time at current school

If child has learning difficulties, please briefly indicate the nature of learning difficulties. Advise whether written reports are held and include the date of reports:

- 1.
- 2.

G: Current Health needs

[NOTE: List any significant medical conditions or developmental or behavioural needs of the children or young persons (for example: any physical or intellectual impairment, physical or mental health condition). Provide details of NDIS status or any written reports including date of any such reports.]

Child	Challenges and needs	Medical practitioner or Therapist

[NOTE: List interim arrangements the Department intends to put in place or continue for the children or young person to have contact with parents and other significant person (for example: grandparents, extended family, kin, siblings)]

- 1.
- 2.

Signature of
Child Protection Caseworker
Date

Signature of
Manager Casework
Date