



Family &
Community
Services

Supporting Victims of Crime

Summary: These guidelines are designed to provide assistance to NGO OOHC service providers in meeting their responsibilities to victims of crime.



Document approval

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1. Purpose

This document outlines guidance for Out-of-Home Care (OOHC) service providers in supporting victims of crime. It includes information on how to identify victims of crime and how to make appropriate referrals and applications for support, in line with the Charter of Victims Rights.

The document is intended as a tool to assist OOHC service providers in navigating victim support, and to ensure that all victims of crime who are in contact with OOHC service providers are given access to support to assist in their recovery.

1.1. Background and policy links

The *Victims Rights and Support Act 2013* (the Act) sets out the rights and entitlements of victims of crime in NSW. The Act provides for counselling and financial assistance for eligible victims of serious personal violence offences, and also sets out 18 rights for all victims of crime in NSW under the Charter of Victims Rights (the Charter). Under the Act, all NSW Government departments, non-government organisations (NGOs) and individual service providers contracted by the State to provide services to victims of crime must act in accordance with the Charter.

It is the responsibility of the Commissioner of Victims Rights (within Victims Services, Department of Justice) to oversee the implementation of the Charter across NSW. In order to guide the implementation, Victims Services has developed a Code of Practice for the Charter (the Code). The Code sets out clear expectations of how each agency will respond to victims of crime, and is accompanied by a reporting framework, under which agencies must report on their compliance.

The FACS Victims Support Policy outlines how FACS will fulfill its obligations under the Charter, the Code, and the Reporting Framework.

As non-government agencies, or agencies contracted by the state, OOHC service providers must adhere to the Charter of Victims Rights. OOHC service providers also have additional opportunities to assist children and young people in their care to access their rights and entitlements, as outlined in the sections below.

2. Definitions

The table below is a list terms, keywords and/or abbreviations used throughout this document.

Term	Definition
Aboriginal Contact Line	A confidential helpline providing advice and assistance to Aboriginal victims of crime, which is staffed by Aboriginal

Term	Definition
	workers (1800 019 123).
Approved Counselling Service	Free counselling through Victims Services, provided to victims of crime by counsellors who specialise in working with victims of crime and trauma.
CFDU	Child and Family District Unit within FACS.
Charter of Victims Rights	List of 18 rights for victims of crime set out by the Victims Rights and Support Act 2013.
FACS	Department of Family and Community Services.
OOHC Service Providers	Organisations providing out-of-home care services.
Victims Access Line	A confidential helpline providing advice and assistance to victims of crime (1800 633 063).
Victims Support Scheme	Scheme established by the <i>Victims Rights and Support Act 2013</i> providing support, counselling and financial assistance to victims of crime.

3. Scope and application

This document applies to staff working in agencies that provide out-of-home care services (OOHC service providers).

It is to be used to inform casework with children and young people in out-of-home care who have been victims of crime.

This document should be read in conjunction with the *Victims Rights and Support Act 2013*.

4. Roles and Responsibilities

4.1. Responsibilities of OOHC Service Providers

When working with victims of crime, OOHC service providers must comply with the NSW Charter of Victims Rights. Under the Charter, OOHC service providers' responsibilities towards victims of crime include:

- Treating victims with courtesy, respect and cultural sensitivity
- Providing information about services and remedies
- Protecting the victim's identity and not disclosing the victim's address or phone number

- Providing information about financial assistance under the Victims Support scheme
- Providing the victim with information about how to make a complaint about a breach of the Charter

For the full list of rights see the Charter of Victims Rights (Appendix A).

OOHC service providers have a responsibility to ensure that children and young people under their care who have been victims of crime receive appropriate services to meet their needs. This may include making an application to Victims Services under the Victims Support Scheme for counselling and/or financial support.

In addition to the specific supports provided to children and young people in out-of-home care, the Charter of Victims Rights requires that government and non-government agencies provide appropriate support and referral to assist any person who is identified as a victim of a crime. This requirement gives OOHC service providers a further responsibility to ensure that any victim of crime that comes into contact with the agency (e.g. a family member of a child in care) is treated in accordance with the Charter.

4.2. Responsibilities of FACS

As a government agency working with victims of crime, FACS also has obligations to comply with the Charter of Victims Rights, and has policies in place to support these obligations. Further to this, FACS has responsibilities to children and young people under the parental responsibility of the Minister to ensure that they have access to all of their rights and entitlements.

FACS will seek to identify children and young people who are eligible for victim support at the earliest possible opportunity and enter applications for victims support on their behalf.

FACS will retain responsibility for reviews and appeals relating to victims support, and legal audits for children and young people leaving care (refer to sections 5.2.5 and 5.2.6).

4.3. Role of Victims Services

[Victims Services](#) within the Department of Justice, provides support and information for victims of crime. The support available from Victims Services includes the confidential Victims Access Line and Aboriginal Contact Line, Approved Counselling Service, financial assistance, the promotion of victim's rights and information about the criminal justice system and other services.

5. Guidelines

These guidelines are intended as a tool to assist OOHC service providers in providing support to victims of crime. If local arrangements already exist between an OOHC service provider and a child and family district unit (CFDU) within FACS, the

OOHC service provider should contact their CFDU to discuss these guidelines and the existing arrangements, and come to an agreement on the processes to be followed.

FACS will seek to identify eligible children and young people prior to transferring case management to a non-government service provider. However, there may be circumstances under which this is not possible (e.g. for an act of violence that was not previously disclosed, or for acts of violence that occur after case management transfer).

These guidelines seek to assist OOHC service providers to meet their obligations under the Charter, and to provide guidance in instances in which an application for support has not previously been entered for an eligible child or young person.

5.1. Identifying a victim of crime and assessing eligibility for support

The *Victims Rights and Support Act 2013* defines a victim of a crime as:

A person who suffers harm as a direct result of an act committed, or apparently committed, by another person in the course of a criminal offence in New South Wales.

A person suffers harm if, as a result of such an act:

1. the person suffers actual physical bodily harm or psychological or psychiatric harm, or
2. the person's property is deliberately taken, destroyed or damaged.

If the person dies as a result of the act concerned, a member of the person's immediate family is also a victim of crime for the purposes of the Act.

The Charter applies to all victims of crime, however some rights and entitlements only apply to victims of serious personal violence offences. A list of these offences is included as an appendix to the Code of Practice for the Charter of Victims Rights, which can be found on the [Victims Services](#) website.

Assistance available from Victims Services includes:

- **All victims of crime:** Information about court and other processes that affect victims, information about and referral to other relevant agencies, support in dealing with the impact of crime.
- **Victims of serious personal violence:** Counselling through its Approved Counselling Service. Up to 22 hours of free counselling is available, with 10 hours granted initially and an additional 12 hours which may be available where the victim and the counsellor decide that further hours would be beneficial.
- **Victims of serious personal violence who sustained a physical or psychological injury:**

- Financial assistance for immediate needs. This includes payment or reimbursement of expenses that are urgently needed to secure the victim's safety, health and wellbeing. Including: relocation expenses, accommodation costs and urgent medical and dental treatment.
- Financial assistance for economic loss. This includes payment or reimbursement for loss of earnings, damage to clothing and medical and dental expenses not covered under immediate needs.
- Recognition payment. This is a lump sum payment to a primary victim to acknowledge the trauma suffered as a result of the offence.

Further information about services and eligibility can be found on the [Victims Services](#) website.

Many of the people in contact with OOHC service providers are vulnerable and have been, or will be, victims of crime. This can include children and young people or members of their families who have experienced harm through physical, sexual, and/or family violence, neglect, the homicide of a family member, or the destroying or damaging of their property.

Victims may come to the attention of an OOHC service provider in various ways. Some children and young people may come into the care of the provider by virtue of their victimisation, others may be victimised while in care, and other victims may come into contact with the provider for reasons not directly related to their experience of crime. All of these people must be treated in accordance with the Charter of Victims Rights.

Children and young people who are victims of crime may be identified by FACS prior to transferring case management to an OOHC service provider. In this instance, applications for victims support will be made by FACS at this stage and information about those applications will be included in the case management transfer.

If FACS were not aware that the child or young person was a victim of crime prior to case management transfer, or they become a victim after the transfer, the OOHC service provider should take any actions that are necessary for the support of the child or young person, in consultation with the CFDU. This includes applications to Victims Services for counseling or financial support.

5.2. Procedures for children and young people under parental responsibility of the minister who are identified as victims of crime

Where a child or young person who is a victim of crime is under the parental responsibility of the Minister, and is case managed by an OOHC service provider,

that OOHC service provider should ensure that the child or young person has access to their rights and entitlements.

Once it becomes apparent that a child or young person is a victim of crime (refer to the definition in section 5.1), the steps below should be undertaken.

It is also important that you keep the child or young person, their family and/or carers up to date with the progress of any of the processes undertaken. Make sure you feed back to them regularly on what you have done, and what they can expect to happen next.

5.2.1. Initial tasks

If a person is identified as a victim of crime, undertake relevant casework tasks, including (where appropriate):

- Reporting the matter to police
- Reporting to the Child Protection Helpline
- Responding to the issue as part of case management

5.2.2. Assess needs

Determine what support the child or young person requires to meet their needs by speaking with the child or young person and their carer/s. As part of standard casework, consider any referrals that may be appropriate to support them (for Aboriginal or Torres Strait Islander children, ensure that they are referred to culturally appropriate services). At this point, it is also important to assess their potential eligibility for the various services available under the Victims Support Scheme (refer to section 5.1).

5.2.3. Support for victims of non-violent crime

If the child or young person is a victim of a non-violent crime and therefore is not entitled to counselling or financial assistance from Victims Services:

1. Provide them and/or their carer/s with information about their rights as a victim (which can be found on the [Victims Services](#) website)
2. Provide them and/or their carer/s with the contact number for the Victims Access Line (1800 633 063) or Aboriginal Contact Line (1800 019 123) to seek further support, information and referrals if necessary.

5.2.4. Support for serious personal violence offences

Where it becomes clear that a child or young person was the victim of a serious personal violence offence and an application for counselling and/or financial assistance is to be made, the following steps should be undertaken:

1. Check whether an application has already been submitted by FACS. Contact the Child and Family District Unit (CFDU) to check whether FACS has lodged an application on behalf of the child or young person before transferring to the OOHC service provider.

2. Prepare the evidence required to support the application to Victims Services, noting that:
 - a) Financial assistance for immediate needs requires a medical or police report sufficient to support the applicant's claim to be a victim of an act of violence
 - b) Financial assistance for economic loss requires a police report or report of a government agency and a medical, dental or counselling report verifying that the applicant or child who is the primary victim concerned has actually been injured as a result of an act of violence. Full particulars of any economic loss for which the assistance is sought is also required. In the case of actual expenses: receipts, invoices or other approved forms of substantiation of the expenditure incurred or to be incurred. In the case of actual loss of earnings: the name and address of the employer, the period of absence from work and a statement from the employer substantiating those particulars.
 - c) Recognition payment requires a police report or report of a government agency (e.g. ROSH report) and a medical, dental or counselling report verifying that the person has been injured as a result of an act of violence.
3. If there is not sufficient information on the child or young person's file to support the application, contact the CFDU to discuss.
4. Ensure any material which shows the identity of other parties (e.g. a reporter on a ROSH report) has been redacted from the evidence.
5. Complete an [application form](#) for counselling and/or financial support.
6. After entering the child or young person's details, there is a question on the form that asks: "Is there a person representing the victim or completing the application on the victim's behalf?". Select "Yes". From the options that appear next, select "Friend/Family Member/Social Worker". The next question is the reason for applying, select "Parental Responsibility - DOCS" from the drop down list.
7. The next section asks for details of the person applying on behalf of the CYP. Enter your name, organisation and contact details in the appropriate fields.
8. When all of the details on the form are completed, tick the box in the last section to agree to the terms and conditions, and then press "**SAVE**". This will allow you to send the application in an email and attach the required evidence as outlined above, as well as a copy of the care order.
9. Email the application form, the documents to be used as evidence, and the care order to vs@agd.nsw.gov.au. If there is an issue with scanning or emailing the documents, you can print and post them to: The Commissioner of Victims Rights, Victims Services, Locked Bag 5118, Parramatta NSW 2124
10. If there are any special needs that may need consideration when determining an appropriate counsellor, contact the Victims Access Line (1800 633 063).
11. Advise the CFDU that an application has been lodged and forward them a copy of the completed application form and evidence submitted.
12. Upon receiving the Notice of Determination (this is the document which sets out whether or not an application has been approved) from Victim Services, provide age appropriate information to the child or young person and their carer regarding the outcome of the application.

13. Ensure that the CFDU has also received a copy of the Notice of Determination.
14. Discuss the outcome with the CFDU to determine whether the award is of an expected/acceptable category. If so, the CFDU will sign and send the 'Acceptance of Payment' form to Victims Services to release funds to the NSW Trustee and Guardian.
15. If the award is not of an acceptable category, an internal review can be requested by FACS (refer to section 5.2.5).
16. If counselling has been approved by Victims Services, contact the nominated Approved Counsellor (contact details will be sent via a letter from Victims Services) and arrange an initial appointment. Support the child or young person to attend counselling appointments if appropriate, and:
 - a) In the event a counsellor-client relationship is not effective contact the Victims Access Line to make alternative arrangements with a new counsellor.
 - b) Following the initial 10 hours of counselling, if the child or young person and the counsellor decide further counselling would be beneficial, the approved counsellor can recommend up to an additional 12 hours. To apply for further hours of counselling, complete and lodge the Request for Further Hours of Approved Counselling form on the [Victims Services](#) website.

5.2.5. Review of decision

If an application is dismissed, or the amount awarded is not considered appropriate, FACS can request an internal review by Victims Services. A request for internal review must be made within 28 days of the date on the notice of determination.

In the case that a review is considered appropriate, the following steps should be undertaken:

1. Within 3 days of receiving the Notice of Determination, the OOHC service provider should discuss the outcome with the CFDU which in turn will provide instructions to the Care Legal Support Officer, stating the grounds on which an internal review is being requested.
2. The Care Legal Support Officer will lodge a written request for an internal review with Victims Services. The Care Legal Support Officer will provide CFDU with a copy of the written request, and the CFDU will notify the OOHC Service Provider.
3. Once the outcome of the review is communicated to the OOHC Service Provider, give age appropriate information to the child or young person and their carer regarding the outcome.
4. If the internal review was successful, FACS will facilitate the transfer of approved payment to the NSW Trustee & Guardian.
5. If the internal review was unsuccessful and FACS Legal Services decide to appeal to NSW Civil and Administrative Tribunal (NCAT), the OOHC service provider must provide any documentation requested by CFDU and/or CS Legal to assist in the lodging of the application.

The internal review may take up to 42 days to process. Victims Services will communicate directly with FACS Legal Services regarding the outcome of the internal review. FACS Legal Services will then advise the CFDU of the outcome of the internal review, who will communicate this information to the OOHC service provider. FACS Legal Services will advise the outcome of an appeal to NCAT in the same way.

5.2.6. Leaving care audit

Children or young people under the Parental Responsibility of the Minister who are aged 15 years or older or will leave care in less than 3 years must be referred to FACS Legal Services for legal audit. If the child or young person falls into either of these categories, the following process should be followed:

1. Complete the NGO referral form for a legal audit (Appendix B) and email the completed form to the CFDU. Include any information known about siblings so that sibling groups are audited at the same time.
2. On receiving confirmation of the audit, forward all files and relevant information to FACS Legal Services within 10 working days of the confirmation of the audit. (Note: the legal practitioner will return any files/data storage device by courier to the OOHC service provider within 10 working days of the completion of the audit).
3. In the event further evidence is required, advice will be provided to the OOHC Service Provider within 15 working days of actions to be taken to obtain further evidence. If further evidence is required from the OOHC service provider, this should be forwarded to FACS Legal Services within 10 working days of the request.
4. Await advice from FACS Legal Services regarding whether an application for victims support or any other legal claim has been lodged. (Note: FACS Legal Services will prepare and lodge the relevant applications and claims, relevant documents and submissions).
5. Await receipt of the Notice of Determination which will be forwarded to the OOHC Service Provider.
6. Once receiving the notice of determination, discuss with the CFDU whether the outcome was acceptable and whether FACS Legal Services will be requesting a review (refer to section 5.2.5).
7. If the payment is acceptable, the CFDU will sign the 'Acceptance of Payment' form and forward it to Victims Services to release funds to NSW Trustee and Guardian.
8. Provide age appropriate information to the child or young person and their carer regarding the outcome.

5.2.7. Victims Registers

Victims of some crimes are eligible to have their name placed on a Victims Register. Victims Registers provide information to victims of certain crimes where the offender has been sentenced to imprisonment. There are three registers, which are managed

by Corrective Services NSW, Juvenile Justice and the Forensic Division of the Mental Health Review Tribunal.

The information that is provided by the Victims Registers includes notification when leave or release is being considered for the offender, or the opportunity to make submissions at certain hearings, such as parole hearings.

Before applying to have a child or young person placed on a register, contact your CFDU to discuss. For more information on the registers, how they work, and who is eligible, contact [Victims Services](#).

5.2.8. Victim Impact Statements

A Victim Impact Statement (VIS) is a written statement about the impact that a crime has had on a victim of crime. It can be provided to the court for certain offences after an offender has been convicted of the crime relating to the victim, and before they are sentenced. It can provide the victim with an opportunity to participate in the criminal justice process by informing the court about the effects of the crime on them.

The eligibility requirements and processes for making a VIS are laid out in the *Crimes (Sentencing Procedure) Act 1999*. If you are not sure if a child or young person would be eligible to provide a VIS, or you would like more information about what is involved, contact [Victims Services](#).

If a child or young person is eligible and wants to make a VIS, liaise with the CFDU, Victims Services and/or other agencies involved, such as Police, to make sure that the child or young person is appropriately supported to prepare the statement and provide it to the court.

5.2.9. Complaints

If a victim of crime (or their carer) believes that any government or non-government agency (including the OOHC service provider, FACS, or NSW Police) has breached the Charter of Victims Rights, the person should be provided with information on how to make a complaint.

If the complaint is in relation to the OOHC service provider, the person should be given details of the agency's standard complaints process. Inform the person that if the complaint is unable to be resolved internally, a complaint can be made to [Victims Services](#).

If the complaint relates to a different agency, inform the victim that they can contact Victims Services for assistance in making a complaint against the relevant agency.

5.3. Procedures for victims of crime who are not under parental responsibility of the Minister

If any person is identified as a victim of crime who is not under the parental responsibility of the Minister (e.g. a family member of a child or young person in OOHC):

1. Advise the victim (or their non-offending parent/carer) that they may be eligible for support from [Victims Services](#).
2. Provide the victim (or their parent/carer) with a copy of the Charter of Victims Rights and provide the details of the Victims Access Line (1800 633 063) and/or Aboriginal Contact Line (1800 019 123).
3. If the person has been a victim of an act of violence, also provide information about the support available from Victims Services including counselling and financial support.
4. If the victim of crime (or their parent/carer) believes that any government or non-government agency (including the OOHC service provider, FACS, or NSW Police) has breached the Charter of Victims Rights, the person should be provided with information on how to make a complaint (as outlined in section 5.2.9 above).

6. Appendices

6.1. **Appendix A - Charter of Victims Rights (*Victims Rights and Support Act 2013*)**

1. Courtesy, compassion and respect

A victim will be treated with courtesy, compassion, cultural sensitivity and respect for the victim's rights and dignity.

2. Information about services and remedies

A victim will be informed at the earliest practical opportunity, by relevant agencies and officials, of the services and remedies available to the victim.

3. Access to services

A victim will have access where necessary to available welfare, health, counselling and legal assistance responsive to the victim's needs.

4. Information about investigation of the crime

A victim will, on request, be informed of the progress of the investigation of the crime, unless the disclosure might jeopardise the investigation. In that case, the victim will be informed accordingly.

5. Information about prosecution of accused

(1) A victim will be informed in a timely manner of the following:

- a) The charges laid against the accused or the reasons for not laying charges
- b) Any decision of the prosecution to modify or not to proceed with charges laid against the accused, including any decision to accept a plea of guilty by the accused to a less serious charge in return for a full discharge with respect to the other charges
- c) the date and place of hearing of any charge lay against the accused
- d) the outcome of the criminal proceedings against the accused (including proceedings on appeal) and the sentence (if any) imposed.

(2) A victim will be consulted before a decision referred to in paragraph (b) above is taken if the accused has been charged with a serious crime that involves sexual violence or that results in actual bodily harm or psychological or psychiatric harm to the victim, unless:

- a) the victim has indicated that he or she does not wish to be so consulted, or
- b) the whereabouts of the victim cannot be ascertained after reasonable inquiry.

6. Information about trial process and role as witness

A victim who is a witness in the trial for the crime will be informed about the trial process and the role of the victim as a witness in the prosecution of the accused.

7. Protection from contact with accused

A victim will be protected from unnecessary contact with the accused and defence witnesses during the course of court proceeding.

8. Protection of identity of victim

A victim's residential address and telephone number will not be disclosed unless a court otherwise directs.

9. Attendance at preliminary hearings

A victim will be relieved from appearing at preliminary hearings or committal hearings unless the Court otherwise directs.

10. Return of property of victim held by State

If any property of a victim is held by the State for the purpose of investigation or evidence, the inconvenience to the victim will be minimised and the property returned promptly.

11. Protection from accused

A victim's need or perceived need for protection will be put before a bail authority by the prosecutor in any bail application by the accused.

12. Information about special bail conditions

A victim will be informed about any special bail conditions imposed on the accused that are designed to protect the victim or the victim's family.

13. Information about the outcome of bail application

A victim will be informed of the outcome of a bail application if the accused has been charged with sexual assault or other serious personal violence.

14. Victim impact statement

A relevant victim will have access to information and assistance for the preparation of any victim impact statement authorised by law to ensure that the full effect of the crime on the victim is placed before the court.

15. Information about impending release, escape or eligibility for absence from custody

A victim will, on request, be kept informed of the offender's impending release or escape from custody or of any change in security classification that result in the offender being eligible for unescorted absence from custody.

16. Submissions on parole and eligibility for absence from custody of serious offenders

A victim will, on request, be provided with the opportunity to make submissions concerning the granting of parole to a serious offender or any change in security classification that would result in a serious offender being eligible for unescorted absence from custody.

17. Financial Assistance

A victim of a crime involving sexual or other serious personal violence is entitled to make a claim under the victims support scheme.

18. Information about complaint procedure where Charter is breached

A victim may make a complaint about a breach of the Charter and will, on request, be provided with information on the procedure for making such a complaint.

6.2. Appendix B – NGO referral for legal audit



Non-government organisation referral form for a legal audit

This form should be used by an NGO OOHC service provider to refer a child or young person who is in statutory OOHC to FACS Legal Services via the Child and Family District Unit (CFDU), for an audit examining whether they are legally eligible to apply for victim’s support payments or other legal claims. The NGO OOHC service provider is to complete this form based on the period they have had case management responsibility for the children and young people. The CFDU is to complete the sections applicable to FACS. **The child or young person must be the subject of final care orders allocating parental responsibility to the Minister.**

An NGO OOHC service provider should complete this form if they identify a child or young person aged 15 years or over and/or whose care order will expire within 3 years, and is subject to leaving care planning.

Section 1 – Details of NGO OOHC service provider		
Name of agency		
Address/Phone no.		
Caseworker		Phone:
Manager		Phone:
How was referral identified? (check)	<input type="checkbox"/> Annual review <input type="checkbox"/> Critical incident/Disclosure <input type="checkbox"/> Leaving care planning	<input type="checkbox"/> Other:

Section 2 – Details of child or young person – to be completed by NGO OOHC service provider	
Name	
Date of birth	
Legal status	

CFDU contact		Phone:
Number of NGO OOHC service provider files		

Section 2 – Details of child or young person – to be completed by CFDU

KiDS number		
CSCs where files are held		
Number of volumes held at CSCs		
Number of volumes held at Archives		

Section 3 – Details of sibling(s) – to be completed by NGOOHC service provider

Name		
Date of birth		
Legal status		
CSC or NGO with case management		
Caseworker		Phone:
Manager casework		Phone:

Name		
Date of birth		
Legal status		

CSC or NGO with case management		
Caseworker		Phone:
Manager Casework		Phone:

Name		
Date of birth		
Legal status		
CSC or NGO with case management		
Caseworker		Phone:
Manager Casework		Phone:

Section 3 – Details of sibling(s) – to be completed by CFDU

	Name	KIDS number	CSC/Archives where files are held	Total number of volumes
Sibling 1				
Sibling 2				
Sibling 3				

Section 4: File audit information – to be completed by NGO OOHC service provider

Please consider the subject child or young person and any siblings listed in Section 2 when answering the following questions.

- i) **Why are you referring the child or young person's files for legal audit?**
Details:
- ii) **Are any aspects of parental responsibility for the child(ren) or young person(s) allocated to a person other than the Minister or held jointly with the Minister? Details:**

- iii) **Are there any factors influencing the urgency of the audit? For example young person aged 17 plus, imminent expiration of care order, interstate transfer of care order, adoption**
Details:

Section 4: File audit information – to be completed by CFDU

- i) **Have the files for the child(ren) or young person(s) been audited previously?**
Details:
- ii) **How many file volumes does FACS have in total for the child(ren) or young person(s)?**
 Include all individual and family files held by FACS at CSCs and Archives and files held by NGO OOHC service provider.
- iii) **Are the files up to date and ready to be couriered to a Legal Practitioner for auditing?**

All files must be sent together and within 10 working days of the confirmation of the audit from the Care Legal Support Team or CFDU. The files must contain all records held by FACS **including the documents relating to events prior to the child or young person entering statutory OOHC and all records held by the NGO OOHC service provider.** An NGO OOHC service provider may provide copies of the files held by the agency however each file must be adequately identified and information on the file should be placed in chronological order. A sealed copy of final care orders allocating parental responsibility must be on the file. Audits will not commence until all volumes have been received by the legal practitioner.

Section 5: Approval – to be completed by CFDU

- Referral form to be forwarded to the Audits/Claim Mailbox operated by your Care Legal Support Team.
Audit/Claims – CareLegalSupportM&S@facs.nsw.gov.au or
Audits/Claims – CareLegalSupportN&W@facs.nsw.gov.au*
- Referral form to be placed on file and attached on KiDS in a ‘Victims Support Application’ Record.

	Name	Signature	Date
Caseworker			
Manager casework			

Section 6: Referral outcome

To be completed by Care Legal Support only.

- Referral Declined
- Referral Accepted

* M&S refers to Metro & South Care Legal Support Team and N&W refers to North and West Care Legal Support Team. Check with your Care Legal Support Officer if you are unsure which team services your CSC.

- Manager casework to be notified of referral outcome in writing.

	Name	Signature	Date
Care Legal Support officer			