

**This guide is intended to assist Foster and Kinship carers (Carers) to understand the process of the Reunification Court and identify how Carers can be part of the process.**

#### **What is Reunification?**

Reunification in the context of child protection, is when the child involved is being or has been reunited with a primary care giver, which is usually the birth parent/s.

#### **Why Reunification?**

The first objective of the child protection system when children and young people enter care is for them to be restored safely to the care of their birth families. Many children and young people who enter care are returned to their parents within a short space of time. Unfortunately, many of the children and young people who return to the care of their birth families subsequently re-enter the child protection system. When there is careful planning and support, reunification is more likely to succeed.

#### **What is the Reunification Court?**

The Reunification Court is effectively a diversion Court where hearings are conducted within the Youth Court about how the reunification goals in the case plan are being met.

A matter can be referred to the Reunification Court if, on an application the Department for Child Protection identify in the case plan that reunification might be viable, there is consent by the parent/s and the Judicial Officer agrees that an interim order should be made, and the matter should be adjourned to the Reunification Court.

Reunification Court tries to work with parents to make decisions quickly in relation to children and young people who may be considered for reunification. Reunification hearings are less formal than regular Care and Protection hearings, with the parents being invited to sit and speak directly to the judicial officer to discuss how the reunification goals in the case plan are being met.

The Reunification Court is a supportive and encouraging process where clear expectations are set. It is focused on what is being done by the parent/s to address the child protection concerns and meet the case plan goals.

#### **About the Hearing**

Hearings are held approximately every 6 to 8 weeks. Hearings occur for approximately 15 to 30 minutes. No legal matters are considered. It is a closed Court which means that only the people involved in the matter are allowed to attend. During the hearing, discussions are had regarding the progress of the case.

Whilst the Judge and Child Representative may discuss the progress of the case and provide recommendations and feedback, case direction is a decision vested with the Department for Child Protection pursuant to the Act.

If a matter is not viable for reunification the matter is referred out of the Reunification Court and back into the general Care and Protection list.

If reunification is successful interim orders can be revoked or allowed to lapse upon expiry. If reunification is viable, a transition plan will be developed to support the child to return to the parent's full time care.

#### **Who can attend a hearing at the Reunification Court?**

The only parties involved in the reunification hearings are the birth parent or parents being considered for reunification, the child's lawyer, the DCP and the judicial officer.

#### **What is the role of the child's lawyer?**

The role of the child's lawyer is to clearly state the child or young person's views and wishes. If the child or young person is not capable of properly instructing the lawyer, then the lawyer must act, and make representations to the court, according to her or his own view of the best interests of the child or young person.

#### **Carers roles in the reunification hearings**

Carers have a right to make representations to the Court in any relevant proceedings. Representations can be made in the form of a written statement to the Court.

Carers can provide a statement from their unique perspective of caring for the child. This statement should be child focused and provide an insight into the child's needs and current emotional and physical well-being.

A statement could include but is not limited to the following aspects of your child's life; their routines, activities and therapies. You can reflect on their strengths and weaknesses and how they are developing. This should reflect the many aspects to caring for your child and how you support them to ensure their needs are met.

Ultimately this will give the Court and DCP a clear indication of what is required to care for your child.

It is important to remember that the Reunification Court does not determine case direction or issues relating to placement. These decisions are made by the Department who make the final determination whether to proceed with reunification or not.

#### **Can A Carer Appear in Person at the Reunification Court**

Carers can ask to appear at a hearing to give their statement. Permission must be granted by the Judge. Carers can make a request to appear by emailing the Youth Court Registry [youthcourt@courts.sa.gov.au](mailto:youthcourt@courts.sa.gov.au).

If a Carer is granted permission to appear at the hearing in person to provide a statement, the biological parent/s will be absent.

#### **Who will have access to your statement ?**

All parties involved in the reunification court will receive a copy of your statement. This includes the Judge, DCP, parent/s and child lawyer.

The Youth Court can be contacted via email at [youthcourt@courts.sa.gov.au](mailto:youthcourt@courts.sa.gov.au)

The email addressed to the court should clearly identify the Carer, identify the child in question, outline the relationship between the two (e.g. that Carer has had care of the child for X years).

#### **Carer support**

For more information, or to discuss your personal circumstances, please contact CF&KC-SA to speak with our team:

Email: [support@cfc-sa.org.au](mailto:support@cfc-sa.org.au)

Freecall: 1800 732 272

Further resources about the Reunification Court can be found on the Youth Court website at [Care and Protection Unit - CAA \(courts.sa.gov.au\)](http://Care and Protection Unit - CAA (courts.sa.gov.au)).

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