

Children need safe families. There are laws that protect children to keep them safe.

You want to see your children grow up healthy and safe. You want to do what is best for your children.



If you have a case at court, the law says the Children's Court and the Family Court must make decisions about what is best for your children. The Department of Communities (often called Child Protection) and the magistrates at the Children's Court and the Family Court want to see strong families so children can grow up healthy and safe.

What will the magistrate in the Children's Court think about when making a decision about your children?



The law about keeping children safe in WA is called the *Children and Community Services Act 2004*.

This sets out what the magistrate in the Children's Court and Child Protection must think about when they decide what is best for your children.

This law is called 'making a decision in the best interests of the child.' You should also think about these things.

The law says to look at things like:

- » Protecting your children from harm. This means protecting your children from anything that harms how they grow up in their body and mind.
- » Are you able to protect your children from harm?
- » Are you able to meet your children's needs?
- » How do your children get on with you, their brothers and sisters, other members of their family and other people who are important to them?
- » What your attitude to your children and looking after them has been.
- » Your children's wishes or views taking into account your children's ages and how much your children understand.



- » Your children keeping in contact with you, their brothers and sisters, family members and other important people in their life.
- » Your children's ages, maturity, sex, sexuality, background and language.
- » Keeping things that are going well the same – like where your children live and who they live with.
- » Your children's cultural, religious and ethnic identity. This includes the need for cultural support to develop and maintain a connection with the culture and traditions of your children's family or community.
- » All of your children's needs – physical, educational, emotional, spiritual, intellectual and developmental.



What does the Family Court do for children?

There are laws in the Family Court to help families grow children up safe. These laws set out what the magistrate or judge must think about when deciding what is best for your children.

The Family Court magistrate or judge has the power to decide about things like:

- » Where your children will live.
- » Who must look after your children.
- » When your children will live or spend time with mum, when your children will live or spend time with dad.
- » When your children will live with another carer.
- » Who must pay for the things your children need.



You can go to the Family Court when:

- » You, or the other parent, or another carer, like a grandparent, can't agree on who should make the big decisions for your children, like who your children should live with, or how often they spend time with the parent or family member they do not live with. You can ask the magistrate or judge to decide.
- » Everyone agrees on what is good for your children. You can ask the magistrate or judge to make orders (called consent orders). These are court orders that set out the rules about your children that everyone agrees to follow.

