



# Signs of Safety Pilot - Dispute Resolution for Child Protection

---

Max Lewington

Julie Jackson

Legal Aid WA

19 March 2010



# Session Outline

---

- Overview of Pilot
- Pilot Stakeholders
- SOS Conference Framework & Model
- Signs of Safety Lawyer Assisted Meetings
- Signs of Safety Pre-hearing Conferences



# Overview of Pilot

---

- 12 month Pilot, commenced November 2009
- 100 Meetings/Conferences
- DCP, LAWA, KEMH, Perth Children's Court
- Combination of lawyer assisted SOS Meetings at KEMH and SOS Pre-Hearing Conferences at LAWA (or other venue)
- Perth Children's Court proceedings
- Evaluation



# Signs of Safety Pilot – Meetings and Conferences

---

- Pilot - All Lawyer assisted
- **SoS Lawyer Assisted Meetings**  
Pre Application:  
Early Agency Intervention
  - Facilitator
- **SoS Pre-Hearing Conferences**  
Post Protection Application: Referrals from  
Perth Children's Court
  - Convenor



# SOS Meeting/Conference Framework – Background

---

- DCP Reform Project - Ford Review
- Experience of Family Law reforms, FDR & Child Related Proceedings
- Sankey Report (FCWA)
- Queensland Program Evaluation
- Signs of Safety Child Protection Assessment Framework (Andrew Turnell and Steve Edwards) implemented by DCP June 2008
- Blend of SOS & ADR – best elements



# SOS Lawyer Assisted Meetings – Early Agency Intervention

---

- Facilitated Signs of Safety Meetings
- Request by any participant for lawyer
- Party application for legal aid
- Location suitable for family- DCP District, KEMH or LAWA
- Facilitator arranged by DCP
- DCP lawyer may be present if requested by District



# SOS Pre-Hearing Conferences – Referrals from Perth Children’s Court

---

- DCP Application lodged
- First Mention Date
- Appointment of Child Representative (school age children)
- Application for Legal Aid
- Second Mention Date, Directions
- Date Set, ADR Admin advised to arrange Convenor



# SOS Model – Domains of Inquiry

---

## **What are we worried about?**

- Past harm, future danger and complicating factors

## **What is working well?**

- Existing strengths & safety

## **What needs to happen?**

- Future safety, DCP/family goals, next steps



# Disciplines of Signs of Safety

---

- A clear and rigorous understanding of the distinction between, past harm and future danger.
- A clear and rigorous distinction made between strengths and protection based on the working definition that 'safety is regarded as strengths demonstrated as protection over time'. (Boffa and Podesta 2004)



# How does it work in practice

---

- Engagement with family
- Use of simple concrete language, no jargon
- Be clear about the danger statements-past harm/future risk
- Understand the position of each family member
- Find exceptions to the maltreatment
- Discover family strengths and resources
- Focus on practical next steps/goals

# SOS Model-Comprehensive Risk Assessment



© 2008 Andrew Turnell aturnell@inet.net.au

# Signs of Safety Model – Diagram

- Welcome & Facilitator/Convenor opening
- Best Hopes/Worst Fears (Goals)
- Information Sharing/Summary of Information
  - Working Well?
  - Worried about? Danger Statements
- Clarify and Explore
- Scaling Question
- What needs to happen?
- Developing an agreed plan including immediate next steps
  - safety plan?
- No agreed plan : next steps
- Closing and safe departure





# SOS Meetings / Conferences - Roles

---

- Facilitator / Convenor
- Parents
- Children
- Other Parties
- DCP – Caseworker & Lawyer
- Lawyers
- Child Representative



# Preparation SoS Pre-Hearing Conference – Parties

---

- Apply for Legal Aid including copies of any DCP documents
- Consider goals for Conference



# Preparation SoS Pre-Hearing Conference – Lawyers

---

- Take instructions, review documents and provide initial advice
- Attend Second Mention date
- Prepare & Exchange Conference Outline
- Prepare client to participate in Conference
- Attend Conference with Client



# Role of Facilitator/Convenor

---

## **Conduct of Conference**

- Opening Statement
- Apply guidelines, manage process
- Follow model & SOS process
- Assess for appropriateness
- Create favorable conditions
- Facilitate development of agreed plan
- Complete Facilitator/Convenor report



# SOS Pilot – After Conference

---

- Convenor Report & SOS Planning Form
- Copies to participants
- Original to Perth Children's Court
- Next Mention Date at Court