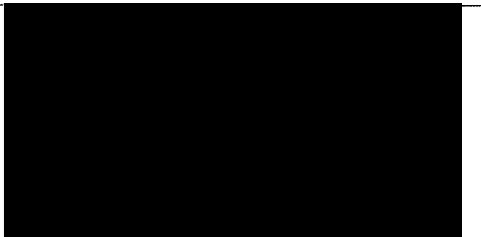


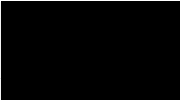
**IN THE MATTER OF THE ROYAL COMMISSION
INTO FAMILY VIOLENCE**

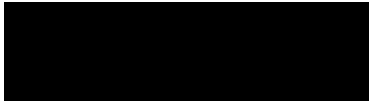
ATTACHMENT BA-11 TO STATEMENT OF BETH ALLEN

Date of document: 13 July 2015
Filed on behalf of: State of Victoria
Prepared by:
Victorian Government Solicitor's Office
Level 33
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Melbourne VIC 3000



This is the attachment marked '**BA-11**' produced and shown to **BETH ALLEN** at the time of signing her Statement on 13 July 2015.

Before me: 



**An Australian Legal Practitioner within
the meaning of the Legal Profession Uniform Law (Victoria)**

Attachment BA-11

Threats to kill a child, parent or carer

Date of Advice: **17 April 2014**

Advice no: **1047**

This advice is endorsed by the: Assistant Director, Child Protection, Statutory and Forensic Services Design

This Advice is current **only** if the date of Advice in this document matches the date of Advice in the online version. Check the date of Advice on line before relying on this printed copy.

Introduction and purpose

This Advice provides information for Child Protection practitioners and managers when they become aware that a threat has been made against the life of a child, parent or carer, whether the threat is included in a report or made during any phase of Child Protection involvement.

Policy

The policy regarding the practice response where threats to the life of a Child Protection client, parent or carer has its origins in a New South Wales report into the 'Fatal assaults of children and young people' (reported in Child Protection and Care Practice Bulletin 2003/2). Fatal assaults are also discussed in the annual reports of the Victorian Child Death Review Committee, which highlight parental assault as the cause of a significant proportion of all child deaths. This is particularly true of very young children.

Although such deaths cannot be reliably predicted, the NSW report indicates that a proportion of victims were known to Child Protection. It is especially important for practitioners and managers to take notice of explicit or implicit threats to a child, parent or carer's safety, which are made by a parent or caregiver, to consult with a supervisor and to take appropriate immediate and longer term action as required by this Advice

Legislation

Note: Use the Legislation link on toolbar to access full text versions of the legislation.

Any sections of an Act noted in this Advice are partial references only and should not be relied on. Practitioners should refer to the Act for full details.

Children, Youth and Families Act

Children, Youth and Families Act 2005 (CYFA)

- s. 162 When is a child in need of protection
- s. 205 Investigation by a protective intervener

Threats to kill a child

Practice requirements

In all cases where a threat has been made against the life of a child or young person, parent or carer, whether the threat is included in a report to Child Protection, or identified during the course of Child Protection involvement, a team manager should be consulted immediately regarding an assessment of the risks and the most appropriate course of action. The team manager must determine if there is a need to report the threat to the police following consideration of the context and overall circumstances and the assessed significance of the threat to harm the child, parent or carer. A rationale must be recorded in CRIS if a decision is made not to report to police. Where a report is made to police, the outcome is recorded in CRIS.

An alert should be placed in CRIS if the alleged threat is substantiated and the person making the threat is known.

The decision to close a case following a death threat may only be made by a team manager or above and recorded by them in CRIS accompanied by a rationale for the decision.

Practice guidance

The identified risk indicators for fatal injuries in children and young people include:

- abuse or use of illicit drugs by one or both parents
- abuse of alcohol by one or both parents
- financial stress or difficulties
- family violence
- parental relationship breakdown
- parents criminal history
- low birth weight of the child.

Considerations for good practice

For this Advice, there are no specific considerations for good practice.

Contact for further procedural advice

- Supervisor
- Team Manager

Related content and external links

Note: Advice, Protocols and Policy Documents directly related to this Advice are listed below. To access the full range of Protocols and Policy documents use the Protocol and Policy links on the Home Page.

Related Content:

1014 - High risk youth (HRY) - practice requirements

1044 - Duty of care

1046 - Incident reporting system in Department of Human Services

1048 - Death of a current or former Child Protection client

1485 - Missing Children

External Links:

Critical client incident management instruction 2011,

Protocol between Child Protection and Victoria Police [PDF, 402.6 KB]

Duty of Care Policy - see Legal Services Branch (intranet users only)

Checklist of required standards

For this Advice, there are no required standards