



INFORMATION FOR STAFF

Who can be an independent person for an Aboriginal and Torres Strait Islander child and/or family

What is an independent person?

An independent person is someone who can help a child or young person and their family participate in decisions that have a significant impact on the child or young person's life.

An independent person for a child or family must be:

- an individual who is an Aboriginal or Torres Strait Islander person, or
 - a group whose members include Aboriginal or Torres Strait Islander persons
- and must either:
- provide services to Aboriginal or Torres Strait Islander persons
- or
- be a representative of the child's community or language group
- or be a person who:
- is of significance to the child or child's family
 - is a suitable person for associating on a daily basis with the child
 - has appropriate authority to speak about Aboriginal or Torres Strait Islander culture in relation to the child or the child's family
 - is not an officer or employee of Child Safety
- and
- the chief executive must be satisfied that they are suitable to be an independent person.

How will I work out if someone is:

- an Aboriginal or Torres Strait Islander person
- a representative of the child's community or language group
- a person of significance to the child or child's family
- a person with appropriate authority to speak about Aboriginal or Torres Strait Islander culture in relation to the child or the child's family?

Aboriginal or Torres Strait Islander children and families are the best source of information about their family, community and culture. Child Safety will be informed by the information they provide about these matters.

The senior team leader decides if someone is a suitable person by taking into account whether:

- the nominated person or group is someone who can be an independent person
- the person poses a risk to children's safety or to the safety of the particular child
- a conflict of interest exists that adversely impacts on the person's ability to independently facilitate the child or family's participation in decision making.



How is the decision about whether a person poses a risk to children's safety or a child's safety made?

The Senior Team leader does this by considering:

- information provided by the child and family and the person themselves
- any existing information in Child Safety records including child protection information in ICMS.

Can someone with a child protection history be an independent person?

Yes, unless the history relates to a serious matter that is likely to pose a risk of harm to a child in the current circumstances. This will be considered on a case by case basis.