

Magellan Program

The Magellan Program is a case management program of the Family Court for cases that involve serious allegations of physical and sexual child abuse. These cases will often involve matters where recent allegations of risk of significant harm have been made to the Department of Communities and Justice (DCJ) Helpline which may or may not have been investigated.

The Magellan program involves:

- Rigorous judicial management
- The appointment of an Independent Children's Lawyer (ICL) for every child early in the Court proceedings
- The early appointment of a family consultant to provide expert reports relating to the child
- Provision of information from relevant State or Territory welfare authorities early in the trial process.

Matters usually enter the Magellan program because

- A *Notice of Child Abuse, Family Violence, or Risk of Family Violence* alleging serious physical and or sexual abuse of a child is filed in proceedings and the Magellan Registrar assesses the application as being suitable for listing in the Magellan program, or
- The Federal Circuit Court makes orders referring the case to the Family Court for listing in the Magellan program after allegations are raised in the proceedings of serious physical and or sexual abuse of a child.

Magellan Report

Where a matter is placed in the Magellan List, the Court will make an order for DCJ to provide a Magellan Report. The Court may make a general order for a Report or the Court might include specific matters that they ask be addressed.

The Magellan report should include the following:

- A summary of the child protection history including DCJ's involvement with the child, children and the family and details of all reports and assessments (including any investigations by the JCPR)
- The sources of, and conclusions reached from any reports or assessments that assisted case planning and decision making
- DCJ responses to matters raised in the Magellan Order which requested the report
- DCJ's assessment as to whether the child or children are at risk of significant harm.

The Magellan report should also set out any current or proposed action by DCJ.

The Magellan report should not include:

- Caseworkers views about where the child or children should live in the future
- Caseworkers views about what orders are in the child or children's best interests
- Caseworkers views about what the parties have said in their affidavits
- Copies of risk of significant harm reports
- Details that would identify someone who has made a risk of harm report.
- Overly detailed information and/or information that is not relevant to the child protection issues.

The report, once completed by the caseworker, needs to be approved by the Manager and then provided to the Child Law Legal Officer for settling. Once settled the report is filed with the Family Court.

A copy of the Orders made by the Family Court and the Magellan Report should be attached to ChildStory.

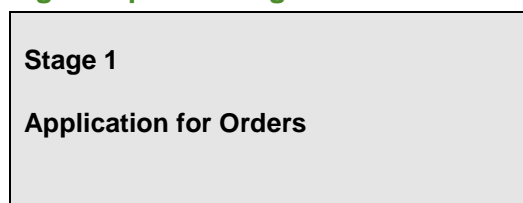
More information about how to respond to an Order requesting a Magellan Report can also be found on the casework practice site:

<https://caseworkpractice.intranet.facs.nsw.gov.au/mandates/legal-options/magellan-orders-and-family-law-court-reports-and-actions#section-368000>

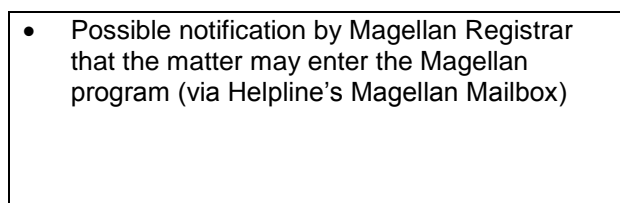
Overview of the stages in the Magellan Program

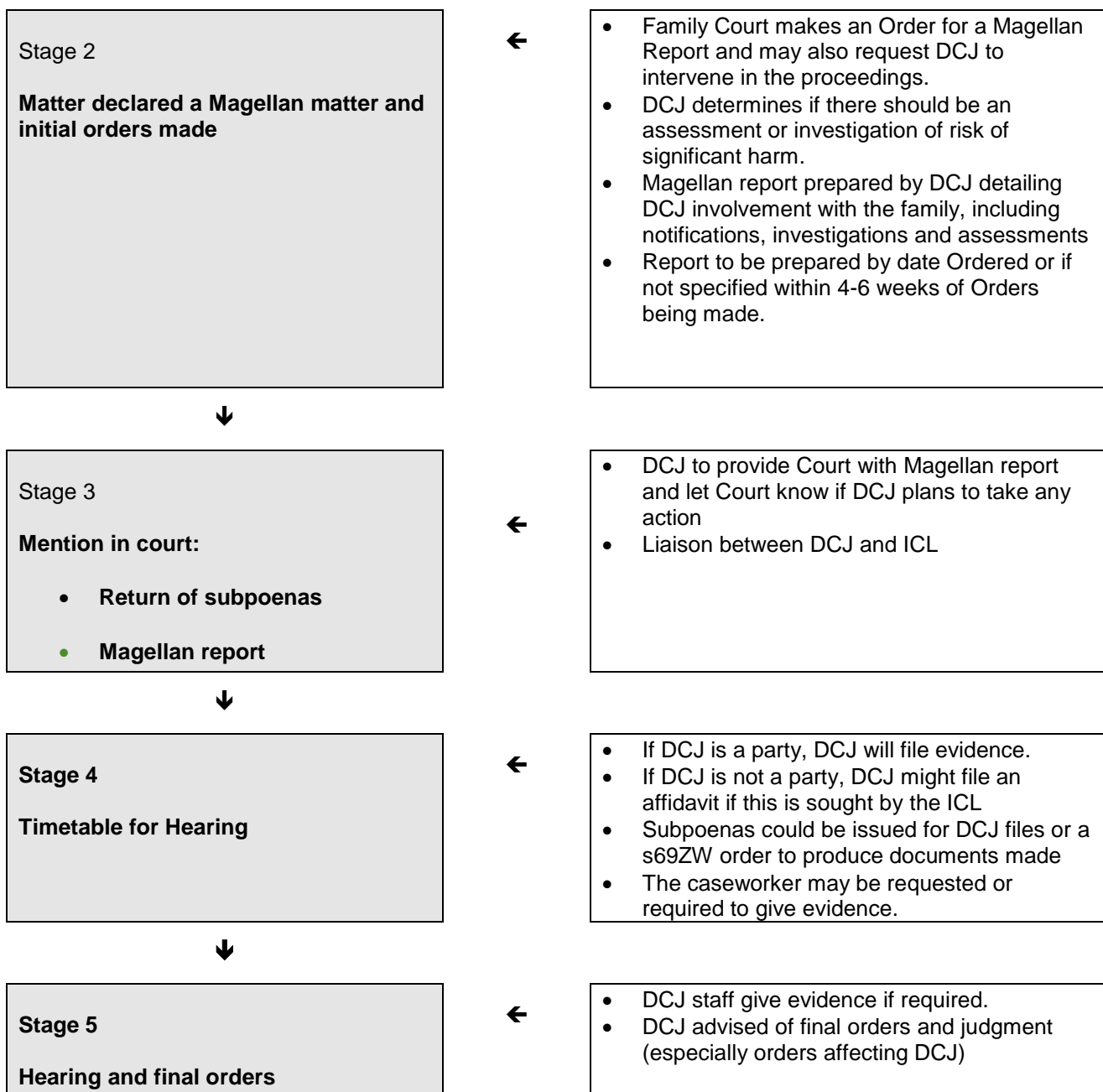
The Magellan Program generally follows five stages.

Magellan proceedings



DCJ Process





More information

If you have any further questions about what you are required to do in response to this request, please contact your usual Child Law Legal Officer.