

Referral form for a legal audit when a child or young person may be eligible for victims support or other legal claims

This form should be used to refer a child or young person who is in statutory OOHC and is case managed by FACS to Legal Services for an audit examining whether or not they are legally eligible to apply for victim's support or other legal claims. **The child or young person must be the subject of final care orders allocating parental responsibility to the Minister.**

You should complete this form if the child or young person is subject to a final order of parental responsibility to the Minister of at least 2 years duration and:

- 1) is aged 15 years or older: or
- 2) will leave care in less than 3 years (for example, adoption or section 90 application).

Please provide a copy of final care orders with this form.

Section 1 – Details of subject child/young person		
Name		
Date of birth		
Child Story number		
Legal Status		
Name of parents and respective dates of birth		
CSC/ CFDU with case management		
Caseworker		Phone:
Manager Casework		Phone:
Name of NGO		
Phone number and street address of NGO		

Section 2 – Details of sibling(s) who are also:

Subject to a final order of parental responsibility to the Minister of at least 2 years duration and:

- 1) aged 15 years or older: or
- 2) will leave care in less than 3 years (for example, adoption or section 90 application).

Details of sibling	
Name	
Date of birth	
Child Story number	
Legal Status	
Name of parents and respective dates of birth	

CSC/ CFDU with case management		
Caseworker		Phone:
Manager Casework		Phone:
Name of NGO		
Phone number and street address of NGO		

Details of sibling		
Name		
Date of birth		
Child Story number		
Legal Status		
Name of parents and respective dates of birth		
CSC/ CFDU with case management		
Caseworker		Phone:
Manager Casework		Phone:
Name of NGO		
Phone number and street address of NGO		

Details of sibling		
Name		
Date of birth		
Child Story number		
Legal Status		
Name of parents and respective dates of birth		
CSC/ CFDU with case management		
Caseworker		Phone:
Manager Casework		Phone:
Name of NGO		
Phone number and street address of NGO		

Section 3: File audit information

Please consider the subject child/young person and any siblings listed in Section 2 when answering the following questions.

- (i) **Why are you referring the child or young person's files for legal audit?**
- (ii) **Are any aspects of parental responsibility for the child(ren)/young person(s) allocated to a person other than the Minister or held jointly with the Minister?**
- (iii) **Are there any factors influencing the urgency of the audit? For example young person aged 17 plus, imminent expiration of care order, interstate transfer of care order.**
- (iv) **Are you aware of any incidents which may give rise to a claim? For example, death of a parent, motor vehicle accident, medical negligence.**
- (v) **Have the files for the child(ren)/young person(s) been audited previously?**
- (vi) **How many file volumes does FACS have for the child or young person and each eligible sibling?**
 - Name:**
 - Number of volumes:**
 - Name:**
 - Number of volumes:**
 - Name:**
 - Number of volumes:**
 - Name:**
 - Number of volumes:**
 - Any family volumes?**
 - Number:**
- (vii) **How many file volumes does the NGO have in total for the child or young person and each eligible sibling?**
- (viii) **Are the files up to date and ready to be couriered to a Legal Practitioner for auditing?**

All files must be sent together and within 10 working days of the confirmation of the audit from the Child Law team. Copy all Child Story files, KiDS files and CIS records onto a data storage device and

forward to the allocated legal practitioner OR update files and send all volumes of files (including JIRT and RCU records) by courier.

The files must contain all records held by FACS **including the documents relating to events prior to the child/young person entering statutory OOHC, JIRT records and RCU outcomes reports.** A sealed copy of final care orders allocating parental responsibility must be on the file. Audits will not commence until all volumes have been received by the legal practitioner, including the records held by the NGO.

Section 4: Approval

- Referral form to be forwarded to the Audits/Claim Mailbox operated by your Child Law Team:
Audit/Claims – AuditsClaims.CareLegalSupportNorthWest@facs.nsw.gov.au or
AuditClaimsCareLegalSupportMS@facs.nsw.gov.au
- Referral form to be placed on file and a copy of the referral form should be attached to the Child Story records with a note that it has been referred to the Child Law Team.

	Name	Signature	Date
Caseworker			
Manager Casework			