NSW Out-Of-Home Care Provisions of 1998 Act Proclaimed

At last, there is a clear and definite schedule for the proclamation of the remaining sections of the *New South Wales Children & Young Persons (Care & Protection) Act 1998* **relating to out-of-home care.**

This is to be a staged process but this time the 3-stage schedule is part of the proclamation instrument. The basic framework and definition of out-of-home care is now in place and the NSW Office of the Children's Guardian now has the legislative base to do part of its job – to act as an accreditation agency. Other aspects of out-of-home care concerning the rights of children, carers, and parents rights to information come into effect on 12 December 2003, and the crucial monitoring and review aspects and the provisions for young people leaving care will begin on 31 March next year.

There are, however, two very significant areas of out-of-home care that remain unresolved. These concern the functions of the Children's Guardian and the status of voluntary care. The two functions of the Children's Guardian involved in s181(a) and (d) that remain unproclaimed and unresolved concern the capacity and role of the Children's Guardian as a guardian for children – as the name implies - rather than as a guardian for the system.

The role of the NSW Department and the Children's Guardian in relation to children in voluntary care especially in relation to monitoring and review also remains unresolved. Sections 155 and 156 were included in the Act to prevent children and young people 'drifting in care' without proper planning or review of their circumstances. There are three groups of children involved:

children with a disability, children in SAAP services, and the broader group of children placed in voluntary care without a care order. While there may be better ways than those currently included in the Act to deal with these issues, it is important not to jettison these protections without putting something better and workable in their place. Several consultation processes are under way or planned to work out some solutions for children with disabilities, and in SAAP services. Any changes around the provisions for all children in voluntary care need careful consideration and consultation before any decisions to change the legislation are made.

Resources, Publications and Useful Websites

"Orphans and other children made vulnerable by HIV/AIDS - Principles and operational guidelines for programming" -
http://www.ifrc.org/what/health/tools/orphans.asp

Fozzard S. (2002) Surviving Violence, A Recovery Programme for Children and Families,
BICE. This training manual consists of an intervention strategy in three parts: sensitization, work in existing institutions, and work in the villages. For more information, contact BICE, Tel: +41-22-731-32-48,
Email: bice.geneva@bice.org,
Website: www.bice.org.

Driskell D. (2002) Creating Better Cities with Children and Youth: A Manual for Participation.

UNESCO Publishing/ EARTHSCAN Publications
This book is a practical manual on how to conceptualize, structure and facilitate the participation of young people in the community development process. Case studies from project sites help to demonstrate the methods in action and show how they can be customized to meet local needs. For more information, contact EARTHCAN,
Email: earthinfo@earsthcan.co.uk,
Tel: +44(0) 20 72 78 0433, or UNESCO Publishing,
Email: publishing.promotion@unesco.org,
Tel: +33(0)1 45 68 49 30.

Grimsrud B. (2002) The Next Steps: Experiences and Analysis of How to Eradicate Child Labour,
FAFO.
This anthology takes stock of the experiences and analyses, with a focus not so much on individual activities or projects as on the underlying causes and the long-terms solutions to fight child labour. For more information, contact FAFO,
Website: www.fafo.no/engelsk.

ILO-IPEC (2002) Unbearable to the Human Heart: Child Trafficking and Action to Eliminate it.
Child Trafficking is a highly complex phenomenon with no simple answers. Yet, as demonstrated in this report, tackling this problem is possible. Available in French, English, and Spanish. For more information, contact ILO, Nepal,
Tel: +977 1 550 691,
Email: ilo@iloktm.org.np,
Website: www.ilo.org/kathmandu.

Regional Working Group on Child Labour (2002) Handbook for Action-

Oriented Research on Child Labour and Trafficking.
This handbook is particularly useful for the implementation of research exercises to generate accurate data/information, for national-level training and capacity building and, in the promotion of child-centred action-oriented research in the worst forms of child labour. For more information, contact Regional Working Group on Child Labour, Dominique P. Plateau,
Tel: +66 2 243 22 66,
Email: rwg@loxinfo.co.th.

Save the Children UK (2003) Finding the Right Tools for the Job: Lessons Learned on the Application of ILO Convention 182 on the Worst Forms of Child Labour.
This paper describes lessons learned during three evaluation missions to Honduras, Bangladesh and Burkina Faso. It is aimed at key decision makers and activists involved in the application of ILO Convention 182. For more information, contact Save the Children UK,
Tel: +44 20 7703 5400,
Email: enquiries@scfuk.org.uk,
Website: www.savethechildren.org.uk.

World Vision International (2003) Faces of Violence in Latin America and the Caribbean.
This book examines 12 countries that are confronted with soaring levels of violence. Recommendations are presented for confronting and curtailing cultures of violence and the structures, behaviours and perceptions that sustain them. For more information, contact World Vision International,
Tel: +41 22 798 4183,
Email: Geneva@wvi.org,
Website: www.wvi.org/home.shtml/