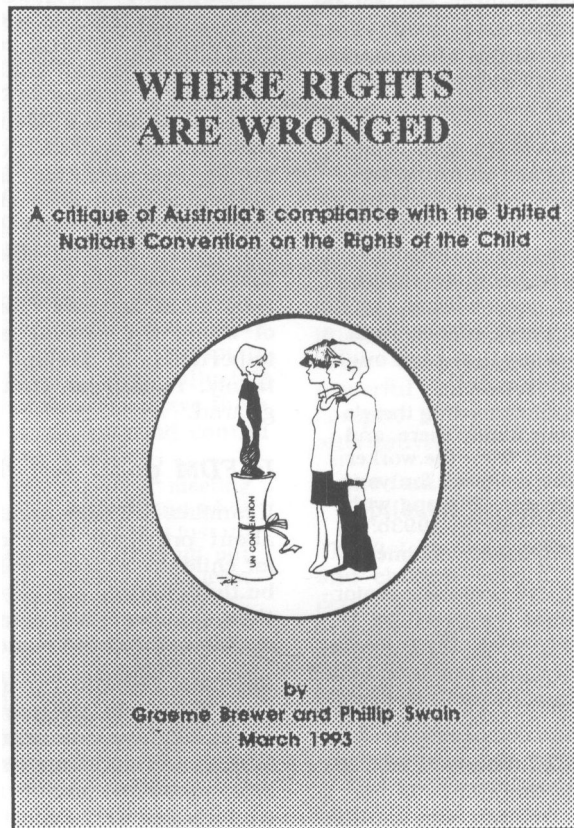


Family decision making sits comfortably with the philosophy of the Victorian child welfare legislation, and also with the United Nations Convention on the Rights of the Child, to which Australia is a signatory. The Convention, in Articles 5 and 7, acknowledges that children should primarily be in parental care unless best interest considerations dictate otherwise (Brewer & Swain 1993:3).

It makes good sense to ask families to take responsibility for deciding how best to care for their children, and for implementing those decisions. Family decision making has the potential to transform case planning as it is usually experienced by families, so that it becomes participatory in reality. If the New Zealand experience is our guide, the approach could significantly alter the shape of our child welfare system. Time, and the willingness of the statutory child welfare system to relinquish control over families' lives, will tell if this potential can be realized. ♦

References

- Brewer G. & Swain P. (1993) *Where Rights are Wronged - a Critique of Australia's Compliance with the United Nations Convention on the Rights of the Child*. Melbourne: National Children's Bureau of Australia, 1992, pp7-8.
- Maxwell G. & Morris A. (1992) The Family Group Conference: A new paradigm for making decision about children and young people, *Children Australia*, 17(4), p11.
- Maxwell G. & Robertson J. (1991) *The First Year of the Children's, Young Persons and the Families Act 1989*, Report from the Office of the Commissioner for Children, New Zealand, May.
- Patterson K. & Harvey M. (1991) *An Evaluation of the Organization and Operation of Care and Protection Family Group Conferences*, Interim Report of the Evaluation unit, Department of Social Welfare, Wellington, New Zealand.
- Scott D. (1993) Introducing Family Preservation in Australia - Issues in transplanting programs from the United States' *Children Australia*, 18(2), p3.
- Swain P. (1993a) *Implementation Report of the Family Decision Making Project*, Melbourne: Mission of St. James & St. John.
- Swain P. (1993b) *Safe in Our Hands The Evaluation Report of the Family Decision Making Project*, Melbourne: Mission of St James & St John.
- Taksas M. (1992) Developing Child Protection Systems with Extended Family Strengths. *Legal Rights Journal*, 13(3).



Where Rights are Wronged:

A critique of Australia's compliance with the United Nations Convention on the Rights of the Child.

Available from:

**Oz Child
Information Service & Publications
PO Box 1310, South Melbourne, 3205
Tel: 03 695 2211**

\$10 + \$3 p&p