



CHILDREN'S COURT OF WESTERN AUSTRALIA

PRACTICE DIRECTION 1 of 2018

USE OF CHILDREN'S COURT OF WESTERN AUSTRALIA DOCUMENTS IN THE STATE ADMINISTRATIVE TRIBUNAL

Preamble

Proceedings for protection orders under the Children and Community Services Act 2004 (CCSA) in the Children's Court of Western Australia (CCWA) are sometimes concurrent with, or followed by, proceedings in the State Administrative Tribunal (SAT), with respect to the same child.

It is in the best interests of children for there to be a proper and efficient exchange of documentation between the CCWA and SAT in such circumstances.

Practice Direction

1. Where proceedings for a protection order have been commenced in the CCWA and involve the same child as in the SAT proceedings, then the leave of the CCWA is taken as given for the following documentation filed with, or received into evidence in, the CCWA, namely:
 - a) affidavits;
 - b) reports under s 139 of the CCSA, and if not written, then a record of it as otherwise directed;
 - c) documents; and
 - d) proposals under s 143 of the CCSA,to be provided as evidence in the proceedings in the SAT.

2. If, in relation to protection proceedings in the CCWA, subpoenaed documents have been received by the CCWA Registry, and protection proceedings involving the same child have been commenced and are continuing in the SAT, then upon request, the Registry of the CCWA shall forward a copy of the subpoena, and the subpoenaed documents, to the Registry of the SAT for the purpose of the proceedings in that Court, and the Registry of the CCWA shall inform the Respondent to the subpoena accordingly.

3. This practice direction:
 - a) is subject to any order of the CCWA;
 - b) does not impact at all on the question of the admissibility into evidence by the SAT of any of the material referred to in paragraph 1; and
 - c) is effective immediately.

Dated this 29th day of May 2018



JUDGE J WAGER

PRESIDENT OF THE CHILDREN'S COURT OF WESTERN AUSTRALIA