

Interim Protection Order – information for parents



An interim protection order is made by the magistrate at the Children's Court and places your child under the supervision of the Department of Human Services for a period of up to three months.

The order is made because the magistrate believes that there are some concerns about the safety and wellbeing of your child that must be sorted out and wants to know if a protection order is necessary.

Your child will live at home during this time unless the magistrate decides otherwise. A Child Protection worker (the worker) from the Department of Human Services will contact you and your child. The worker will work with you to develop plans to deal with the concerns about your child's safety and wellbeing. This will mean that a final decision about how best to protect your child can be made at the end of the interim protection order.

What is expected of you and your child?

The Children's Court may include any conditions on an interim protection order for you and your child to follow during the order. These conditions may include you and/or your child attending counselling.

You and your child will also have to:

- accept visits and meetings with the worker
- help make family plans with the worker
- let the worker know of any change of address.

It is important that you work with the worker to try to sort out the problems that led to this order being made and to make plans for the future.

What does the Child Protection worker do?

The worker will work with you and your child to help solve problems affecting your child's safety and wellbeing.

At the end of the interim protection order, you and your child will go back to court for the magistrate to make a final decision about any further order. You will need to attend court on that day.

The worker will write a report to the magistrate saying whether a further protection order needs to be made to protect your child and, if so, what sort of order would be in your child's best interests.

The worker will discuss the report with you and your child, and the report can include anything that you have talked about together. If you do not agree with what the worker says in the report, you can ask your legal representative to let the court know this.

Can an interim protection order be revoked (cancelled) or varied?

At any time during the course of the interim protection order, you, your child, the person your child is living with, or the worker may believe that your child's situation has changed and that the order is no longer required to ensure your child's safety and wellbeing. In that case, they can ask the magistrate to end the order by revoking it. The final decision is made by the magistrate.

An application can also be made to the court to vary the conditions of the interim protection order by the worker, you, your child, or the person that your child is living with.

What if the conditions are not being followed?

During the period of the interim protection order, if the worker thinks that your child is not safe, or that the conditions of the order are not being followed, the worker may breach the order. This means that your child's case goes back to court quickly for another decision to be made.



Where can I get legal advice?

If you want legal advice about the interim protection order, or you want to be legally represented at court, you should contact:

- the legal representative who represented you at the original court case
- a local legal representative (listed under 'Solicitors' in the *Yellow Pages*)
- a solicitor at the Law Institute, telephone (03) **9607 9311**
- Victoria Legal Aid, Melbourne, telephone (03) **9269 0234**
- Aboriginal Legal Services Co-op, telephone (03) **9419 3888**
- a local community legal service.

For further information, contact your regional Department of Human Services office.

Contact information

The Child Protection worker's name is:

Their Department of Human Services office is:

Their contact number is:
