

Child Protection Orders

When the Department of Child Safety has concerns that a child or young person may be at risk of harm, their situation is assessed. If the child or young person is at risk, a decision is made about the best way to protect them. If the child or young person's parents do not give consent for an assessment, the department may apply to the court for an Assessment Order to keep the child or young person safe while the situation is investigated.

If the investigation finds that intervention is needed to ensure a child or young person's safety, the first option the department considers is to take action with the agreement of the parents. Based on this agreement, the department with the help of other organisations, will seek to support and strengthen the family to reduce the likelihood of future harm to the child or young person. This may involve placing the child or young person with a foster carer or kinship carer to meet their care and protection needs. The fact sheet *What is a Care Agreement?* provides more information about the types of agreements.

When it is not possible to gain parental agreement, the department may apply for a Child Protection Order. Through a Child Protection Order, the court gives the chief executive of the department the responsibility to care for and protect the child or young person. The type of order used, and how long it applies for, will depend on:

- whether the child or young person is able to live safely with their family
- whether the child or young person can be reunited with their parents if they are not able to live safely at home
- whether the child or young person needs long-term out-of-home placement and support.

The main types of Child Protection Orders are:

- **Temporary Assessment Order** – an order that lasts up to three days, allowing a child or young person to live out-of-home while an investigation takes place to determine whether they need protection
- **Court Assessment Order** – an order that lasts up to 28 days, allowing a child or young person to live out-of-home while an investigation takes place to determine whether they need protection

- **Short-term Custody Order** – a relative or the chief executive of the department* is given the right and responsibility to look after a child or young person's day-to-day care for a period of up to two years
- **Short-term Guardianship Order** – a relative, significant other person or chief executive of the department* is given the powers, rights and responsibilities to look after a child or young person's daily care and make decisions about their short and long-term welfare for a period of up to two years
- **Long-term Guardianship Order** – a relative, significant other person or chief executive of the department* is given the powers, rights and responsibilities to look after a child or young person's daily care and make decisions about their short and long-term welfare until they turn 18 years of age.

A Child Protection Order can be:

- **directive** – directing a parent's actions relating to their child or young person and the conditions under which they have contact
- **supervised** – requiring the chief executive of the department* to supervise the wellbeing of the child or young person when the child or young person remains in the home.

*Responsibilities of the chief executive of the Department of Child Safety may be given to a Child Safety Officer.

If you have any questions about Child Protection Orders, contact your local Child Safety Service Centre.

For more information visit www.childsafety.qld.gov.au

Or contact the Department of Child Safety on **1800 811 810** or **3224 8045**.

