

# Family reunification order

## Information for parents

**OFFICIAL**

This document is not legal advice. It is recommended that you seek the help of a lawyer to answer any questions you may have.

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A magistrate at the Children's Court has placed your child on a **family reunification order**. This is because your child's safety and development are at risk and they need protection.

This order will provide care for your child while you are helped to address protective concerns. The aim is that your child will safely return to your care once concerns are addressed.

The Children's Court may have included conditions on the order. If a condition relates to you, you must follow it. Your child protection practitioner (your worker) will:

- explain these conditions to you
- help you to follow the conditions.

This order means that the Department of Families, Fairness and Housing (the department) can decide:

- where your child will live,
- who your child will live with
- what day-to-day activities your child will undertake.

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Families,  
Fairness  
and Housing

The department and carers will be able to make day-to-day and short-term decisions about your child. Decisions about major long-term issues can't be made without your agreement, except:

- some decisions about your child's health, which the law allows
- if the decisions relate to the conditions of the order.

Major long-term issues are things like where your child goes to school, or their cultural upbringing.

## How long a family reunification order lasts

The family reunification order lasts until the date written on the order by the magistrate.

When the family reunification order is due to end, the court can extend it for up to 12 months at a time. The court will only extend the order if this is in your child's best interests.

The court will consider:

- whether there have been extensions already and how long these have been
- if you have tried to get the help you need to address protective concerns
- whether other issues outside of your control have impacted you from being able to care for your child.

## Where your child will live

If your child has been living in care while the court has been making its decision, they may be able to stay where they are.

If your child needs to move, the department will try to arrange for them to live with someone else from your family or someone else they know. If not, then they might live with a foster carer or in a house or unit with people coming in to look after them.

They can only live with someone if the department assesses them as suitable.

If more than one of your children is in care, the department will try to keep them together.

## Seeing your child

It is very important for your child that you keep in touch with them. The order may include the amount of contact between you and your child.

Contact arrangements can be made with the worker. If there is any trouble keeping these arrangements, talk to the worker to make new arrangements.

## What the worker does

The worker will:

- discuss with you the protective concerns that led to the court making the order
- work with you and your family to put the case plan into action
- review the case plan from time to time and involve you when they do
- consider how things are going with achieving the objective of the plan
- discuss with you and your child the changes needed for your child to return home safely
- discuss what support and services are needed for your child to return home
- help you with the changes you want to make and find specialist services to help you
- pass your details to specialist alcohol and drugs services, if this is a condition of the order.

## Can the court vary (change) or revoke (cancel) a family reunification order?

An application to vary (change) any conditions of the order can be made by you, your child or the worker.

If the situation has changed and your child is no longer at risk, the court can revoke (cancel) the order. You, your child or the worker can also apply for this.

The department can tell you to resume care, if it is in your child's best interests. The order will become a family preservation order. This will only happen if there is:

- enough time before the order is due to end, and
- there are no other court applications for your child.

If it is no longer in your child's best interests to try to return to your care, the department can apply to the court for a different order. If the court agrees, the department will organise someone else to care for your child until they grow up.

## If you don't agree with what happens at court

If you don't agree with a decision made by a magistrate in the Children's Court, you have the right to appeal the decision to the Supreme Court. You have 28 days to appeal after the Children's Court makes the order.

Appeal forms are available from:

- any Children's Court
- any Magistrate's Court
- the County Court.

It is best to seek the help of a lawyer if you decide to appeal a decision of the Children's Court.

## Where can I get legal advice

Enquiries about legal assistance may be made to:

- the lawyer who represented you at court
- a local lawyer (listed under 'Solicitors' in the Yellow Pages)
- Victoria Legal Aid, Melbourne, telephone 1300 792 387
- the Law Institute of Victoria, telephone (03) 9607 9311
- The Victorian Aboriginal Legal Service Co-op Ltd, telephone 1800 064 865
- Djirra, telephone 1800 105 303
- a local community legal service.

## Contact information

The child protection worker's name: \_\_\_\_\_

Their contact number: \_\_\_\_\_

Their Department of Families, Fairness and Housing office:  
\_\_\_\_\_

For further information, contact your local Department of Families, Fairness and Housing office.

Contact us to receive this document in another format. email [CpManual@dffh.vic.gov.au](mailto:CpManual@dffh.vic.gov.au)

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