

Family reunification order

Information for young people

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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 made a **family reunification order**. This is because your safety and development are at risk and you need protection.

This order means that you will be cared for by a carer while your parent/s address the concerns about your safety and development. The goal of this order is that you will be able to safely return to your parent/s care in the future.

The court may have included conditions on the order. If a condition relates to you, you have to do what it says. Your child protection practitioner (your worker) will:

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

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

- where you will live
- who will look after you

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- what day-to-day activities you may do.

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

- some things about your health, which the law allows
- if the things relate to the conditions of the order.

Major long-term issues are things like where you go to school.

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 best interests.

The court will consider:

- whether there have been extensions already and how long these have been
- if your parents have tried to get the help they need
- whether other issues outside of your parent's control have stopped them from being able to care for you safely.

Where you will live

If you have been living away from home while the court has been making its decision, you might be able to stay where you are.

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

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

If you have brothers or sisters who need to be looked after too, you will live together, if that is possible. Sometimes it isn't possible for siblings to live together. If that happens, it will be really important for you to keep in touch. You can still see your family and friends and your worker can help to arrange this.

Charter for children in out-of-home care

Your worker will make sure you have a copy of the *Charter for Children in Out-of-Home Care*. It explains what you can expect while you live away from home.

Seeing your parents

It is important for you to keep in contact with your parents. Your worker will help you do this. If you have any problems with your contact with your parents, you should talk to your worker.

What the worker does

Your worker will:

- discuss with you the problems that led to the court making the order
- work with you and your family to put your case plan into action
- review the case plan from time to time and involve you when they do
- help you to think about how things are going with dealing with the problems that led to the order. This is so you can go home as soon as possible
- talk with you about the changes that need to happen for you to return home safely
- talk with you about what kind of support and services you need to return home
- help your parents with the changes they want to make, as well as finding specialist services to help them.

Talk to your worker about your problems or worries. It is their job to help you. You might feel confused or frightened, relieved, angry or sad, or something else. Find an adult you feel safe talking to about how you feel. This might be your carer, or your worker, or someone else. If you need help with how you are feeling, you need to let your carer or worker know.

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

You can apply to the Children's Court to:

- vary (change) any conditions of the order any time. Your parents or the worker can do this too.
- revoke (cancel) the order at any time if you think the situation has changed and you are no longer at risk. Your parents or the worker can do this too.

Tell your worker or contact your lawyer if you want to apply to vary or revoke the order.

The department can tell your parent to care for you again, if it is in your best interests. Your order will become a family preservation order. They will talk to you first and listen to what you think about going home before they decide. This will only happen if there is:

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

If it is no longer in your best interests to try to go home, the department can apply to the court for a different order. If the court agrees, the department will organise someone else to look after you until you grow up.

If you don't agree with what happens at court

If you think a decision of the Children's Court is unfair, you have the right to appeal 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.

If you want to know more, ask your worker or the lawyer who represented you at court.

Where you can get legal advice

You can get legal advice from:

- 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
- the Djirra, telephone 1800 105 303
- a local community legal service.

Contact information

Your child protection worker's name: _____

Your child protection worker's 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

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