

Interim Accommodation order

Information for young people

An interim accommodation order is an order made by the Children's Court that says where you must live until the next court date. An interim accommodation order is made when the magistrate at the Children's Court believes that there are some problems that must be sorted out about your safety and wellbeing.

A child protection practitioner (your worker) from the Department of Health and Human Services (the department) will work with you and your family to develop plans to deal with the concerns.

At the end of the interim accommodation order, your parents will have to go back to court with your worker for the magistrate to make a final decision about the best way to ensure your safety and wellbeing.

How long does an interim accommodation order last?

If you are living with your parents under an interim accommodation order, then the order lasts until the next court date. If you are living away from your parents on an interim accommodation order, the order may last until the next court date or be extended by the court if it is satisfied it is in your best interests to do so. If the problems that led to the order being made still exist, and no final order has been made, then the court may extend the interim accommodation order if it considers this to be in your best interests.

What is expected of me?

The Children's Court may include conditions on an interim accommodation order for you and your parents to follow. These conditions may include you or your parents:

- attending counselling
- attending medical appointments or other treatment
- accepting visits and meetings with your worker
- helping your worker to make plans about your safety and wellbeing

- going to school
- having contact with each other or with other important people in your life

It is important that you cooperate with your worker to try to sort out the problems that led to this order being made.

What does your worker do?

Your worker is there to help you make plans for your future. They will work with you, your family and others to help with the problems affecting your safety and wellbeing. They are responsible for monitoring your order

Talking to your worker about any problems or worries you have will assist them to help you. You may feel confused or frightened, angry, sad or relieved. It is important for you to talk about how you feel so that they can help you.

What happens at the end of the interim accommodation order?

At the end of the period of the interim accommodation order, your parent and your worker will go back to court for the magistrate to make a final decision about what is in your best interests.

Unless the magistrate has ordered your attendance at court, you do not have to attend the court hearing. If you do not attend you must provide your views and wishes to your legal representative (lawyer) who will speak on your behalf at court. You will need to discuss this with your child protection worker, who will make arrangements for you to see your lawyer away from the court before the next court hearing.

Your worker will write a report to the magistrate saying whether or not a protection order needs to be made for you and, if so, what sort of order would be in your best interests. Your worker will talk with you and your family about the report before court. The report may include anything you have talked about together.

If you do not agree with what your worker says in the report, you can ask your lawyer and the worker to let the court know this.

Can an interim accommodation order be varied?

At any time during the course of the interim accommodation order, you, your parent or your worker may believe that your situation has changed and that the conditions of the order need to be varied to reflect your best interests. The final decision about this will be made by the magistrate.

What if the interim accommodation order or conditions are not being followed?

During the course of the interim accommodation order, if your worker thinks that you are not safe, or that the conditions on the order are not being followed, they will breach the order or ask the court for a new interim accommodation order. This means that your case goes back to court for another decision to be made. If you are at risk of being harmed where you are living, you may have to move to a new place to live while the court makes its decision.

Where can I get legal advice?

You will be represented at court by a lawyer. Your worker will arrange this for you. Your lawyer will be able to explain the order to you and make your wishes known to the court.

Can I appeal the making of the interim accommodation order?

If you think that the order is unfair, you should ask your lawyer about an appeal. They will be able to tell you if you are able to appeal the order.

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

Contact information

Your child protection worker's name is:

Their Department of Health and Human Services office is:

Their contact number is:

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