

Supervision Order – information for young people



A supervision order has been made by the magistrate at the Children's Court because your safety and wellbeing are at risk and you need protection. The magistrate thinks that, with some help, you and your family can deal with the problems talked about in court.

You will live at home with your parents and have regular visits from your Child Protection worker (your worker). Your parents still have responsibility for you but they will receive help from your worker from the Department of Human Services (the department). Your worker will work with you and your parents to make sure that you are safe and that the conditions of the order are followed.

How long does the order last?

The length of a supervision order can vary. They are usually for 12 months but may be for up to two years. The length of your order is written on the supervision order.

If you and your family are able to work out the difficulties talked about in court, the order will finish on the day set and Child Protection will no longer be involved with you. You will not have to go back to court.

Where you have been placed on a supervision order for up to two years, the department must review the order before the end of the first year to decide if the order needs to continue. You will be involved in this review and the department will tell you, your parents, the court and any other person the court directs, about the outcome of this review in writing. If the problems that led to the order being made cannot be worked out before the end of the order, it may be extended. You will have to speak to your lawyer and most likely go to court if your worker applies to extend the supervision order.

Can a supervision order be revoked (cancelled) or varied?

At any time during the course of the supervision order, you, your parents or your worker may believe that your situation has changed and that the order is no longer

needed to ensure your safety and wellbeing. Then the magistrate can be asked to end the order by revoking (cancelling) it. The final decision will be made by the magistrate.

You, your worker or your parents can also apply to the court to vary the conditions of the supervision order.

Can a supervision order be breached?

During the course of the supervision order, if your worker thinks that your situation has become worse and that your safety is at risk, or that the conditions of the order are not being followed, your worker can breach the order and go back to court for a decision. Going to court in this way is similar to when you first went to court on the Protection Application. If this happens you will be told when you need to go to court.

In circumstances where you are unsafe, you may be removed from the situation in which you are found until the matter is heard in court.

What is expected of me?

A supervision order has been made to protect you and help you and your family; therefore, there are some things that you and your family have to do. You must:

- accept visits and meetings with your worker
- help make family plans with your worker
- do any special things ordered by the magistrate like attend counselling, attend school or attend special assessments
- do anything your worker formally directs you to do.

It is important that you work with your worker to plan for your future and find ways to solve the problems that led to the supervision order being made.



What does the Child Protection worker do?

Your worker is there to help you and your family. They have to find ways to protect you and help with the problems that led to the supervision order being made. They must also make sure that the conditions of the order are followed.

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

What is the best interests planning process?

A best interests planning meeting will be held within six weeks of the order being made by the court. This meeting talks about the things that need to happen to ensure your long-term safety and development. The meeting also makes sure that everyone involved knows what needs to be done and who is to do it. You will be given a written copy of the best interests plan.

You and your family can be involved in the planning meeting and you can bring someone to support you if you wish. This may be a friend or a family member, or a worker from an agency.

If you have difficulty understanding English, you can ask to have an interpreter at the meeting to help you make your views known and to help you understand what is being decided.

What if I disagree with the best interests plan?

Talk to your worker if you disagree with any decisions made about you in the best interests plan. If, after talking with your worker, you still disagree with the decisions made, you can ask for the decision to be reviewed by a senior worker at the department. A meeting will be arranged with you and this person to discuss this further.

If you still do not agree with the best interests plan, you can apply to the Victorian Civil and Administrative Tribunal (VCAT) for a further and final review. Contact your worker, your lawyer or VCAT for an application form. VCAT's telephone number is (03) **9628 9755**.

Can I appeal against the making of a Supervision Order?

If you think the order is unfair, you may appeal to a higher court, called the County Court, against the Supervision Order made by the magistrate. You have to do this within one month of the order being made. If you want to know more about an appeal, ask your worker or the lawyer who represented you at court.

Where can I 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 (03) **9269 0234**
- The Law Institute of Victoria, telephone (03) **9607 9311**
- The 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: