

To be inserted by Court

Case Number:

Date Filed:

FDN:

ORDER – CARE AND PROTECTION ORDER

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

Applicant

AND

Parent/Guardian 1

Parent/Guardian 2

Child 1 (DOB:)

Child 2 (DOB:)

Child 3 (DOB:)

Other Party

Introduction:

The Applicant seeks an Order pursuant to the *Children and Young People (Safety) Act 2017* ('the Act').

Presiding Judicial Officer: [Full Title and Name]

Date of Order: [Date]

Recitals:

- [] **ON THE APPLICATION** of the Chief Executive of the Department for Child Protection ('the Chief Executive') for care and protection orders in relation to the abovenamed child/children:
- [] **ON THE APPLICATION** of the Chief Executive of the Department for Child Protection ('the Chief Executive') for care and protection orders in relation to the abovenamed child/children, I have read the materials placed before the Court and I am satisfied that it is appropriate to make the order sought by the Chief Executive, having had regard to the provisions of the *Children and Young People (Safety) Act 2017*, in particular Parts 2 and 3 of Chapter 2:
- [] **ON THE APPLICATION** of the Chief Executive of the Department for Child Protection ('the Chief Executive') for care and protection orders in relation to the abovenamed child/children, with the consent of the participating parties pursuant to section 54(2) of the Act and without having considered the matters that the Court must otherwise consider in the proceedings:
- [] **ON THE APPLICATION** of the Chief Executive of the Department for Child Protection ('the Chief Executive') for care and protection orders in relation to the abovenamed child/children with the participating parties consenting to the matter being referred to the Reunification Court.
- [] **ON THE APPLICATION** of the [Chief Executive of the Department for Child Protection ('the Chief Executive')/Party] to vary or revoke care and protection orders in relation to the abovenamed child/children:

FINAL ORDERS:

- [] The hearing of the application is adjourned to [date-month-year] at [time] am/pm.
- [] The hearing of the application is adjourned to the Reunification Court on [date-month-year] at [time] am/pm.
- [] The period between service upon [Name], the [Party Title] and the hearing of the application is reduced to [number] day/s.
- [] Service upon [Name], the [child or young person/other party title] is dispensed with.
- [] [Name], the [Party Title], is to enter into a written undertaking for a period of [number of] months in the following terms:
 - 1.
 - 2.
 - 3.
- [] [Name of child or young person], the [Party Title], is [authorised / required] to undergo an examination or assessment.
- [] Custody of [Name of child or young person], the [child / young person], is granted to the Chief Executive of the Department for Child Protection for a period of [number of] [days/months].
- [] [Name], the [Party Title], is [authorised / directed] to undergo the following assessment:
 - [] A mental health assessment by a psychiatrist or clinical psychologist nominated by the Chief Executive who is authorised to conduct such assessment, and to release the results of that assessment to the Chief Executive.
 - [] A [drug/alcohol] assessment by the Director, Drug and Alcohol Services South Australia ('DASSA'), or their nominee who is authorised to conduct such assessment, and to release the results to the Chief Executive.

[*Details*].

[] Random drug screening as requested by the Department for Child Protection, by such agency as nominated by the Department for Child Protection which is authorised to conduct such assessment and to release the results of that assessment to the Chief Executive.

[*Details*].

[] A Parenting Capacity Assessment.

[*Details*].

[] [*Other assessment*]

[*Details*].

[] [*Name of child or young person*], the [*Party Title*], is not to be removed from the State of South Australia.

An Order is made requiring the passport of [*Name*], the [*Party Title*], to be held by the Court:

[] For a specified period of [*number*] days.

[] Until further order.

[] [*Name of child or young person*], the [*Party Title*], is placed under the guardianship of the Chief Executive for [*length of order – not exceeding 12 months*].

[] [*Name of child or young person*], the [*Party Title*], is placed under the guardianship of a specified person or persons, namely [*full name/s*] for [*length of order – not exceeding 12 months*].

[] [*Name of child or young person*], the [*Party Title*], is placed under the guardianship of the Chief Executive until they attain 18 years of age.

[] [*Name of child or young person*], the [*Party Title*], is placed under the guardianship of a specified person or persons, namely [*full name/s*] until they attain 18 years of age.

[] [*Name*], the [*Party Title*], be granted custody of [*Name of child or young person*] for [*length of order – not exceeding 12 months*].

[] [*Name of child or young person*]. the [*Party Title*], is placed in the custody of the Chief Executive for a period of [*number*] months.

[] [*Name*], the [*Party Title*], is directed to:

[] cease or refrain from residing in the same premises as the child or young person;

[] refrain from coming within [*distance*] of [*place*];

[] to [*do – details*];

[] to refrain from [*doing – details*]

[]

[] The following consequential or ancillary order is made:

[*Details*].

[] The Chief Executive's application is amended by [*details*].

[] The Court recognising that a Declaration is in the best interests of the child or young person, it is declared that the abovementioned [*child / young person*] with be known as [*Full Name*].

[] Previous interim orders are revoked.

[] Interim Order extended [*for the period of the adjournment / period of time*].

[] [*Name*], the [*Party Title*], is joined as a party to the proceedings.

[] [*Full name of child or young person*] is to be returned to the custody of [*name/s of parent/s or guardian/s*], the [*Party Title*]:

[] Until [*specify date*].

[] Until the next scheduled hearing.

[] This is a Final Order.

[] The application has been dismissed.

- The application has been withdrawn.
- The child is reunified with the *[mother/father/parents]*.
- [Other orders]*.

INTERIM ORDERS:

It is further ordered that during the period of the adjournment:

- [Name]*, the *[Party Title]*, is placed under the guardianship of the Chief Executive.
- [Name]*, the *[Party Title]*, is placed under the custody of the Chief Executive.
- [Name]*, the *[Party Title]*, is placed under the supervision of the Chief Executive.
- [Other orders such as interim refraining orders – see section 53(1)(k)]*

INTERIM ORDER UPON REFERRAL INTO THE REUNIFICATION COURT:

It is further ordered that:

- [Name]*, the *[Party Title]*, is placed under the guardianship of the Chief Executive for a period of *[number]* months.

Order (Vary, Revoke or Discharge):

The Court orders that:

- The Order made under section 53 *[subsection]* on *[date]* of the Act is:
 - varied in the following way:
[Details]
 - revoked;
 - discharged.

Only complete if applicable:

- [Details of special circumstances]*
- The Application of *[Name]*, the *[Party Title]*, to vary, revoke or discharge the order dated *[date-month-year]* is dismissed.
- The Application of *[Name]*, the *[Party Title]*, to vary, revoke or discharge the order dated *[date-month-year]* is withdrawn.

Notations:

- Notation on the orders *[details]*

Note on Penalty:

A person who, having been personally served with an Order made by the Court under section 53, contravenes or fails to comply with the order is guilty of an offence. The maximum penalty the penalty is imprisonment for 2 years.

Court use only

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Signature of Registrar

.....
Date