

What if you don't agree with the magistrate?

If you don't agree with the magistrate's decision, you can appeal. You should ask a lawyer to help you lodge your appeal. For temporary custody orders, you must lodge your appeal immediately, due to the short length of the order.



Temporary custody orders

Information for parents



More information

We recognise that this may be a worrying time for you, and we want to work with you to do what's best for your child. You can talk to us at any time about what's happening.

Child Safety Officers:

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Senior Team Leader:

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Child Safety Service Centre:

Phone:

Child Safety After Hours Service Centre:

Phone: 3235 9999 or freecall 1800 177 135

All children belong in families who love them and keep them safe.

We want to work with you so your child can live a happy, healthy life as part of your family.

If after talking to you and collecting information about your family situation, we've assessed that your child is not safe at home, we'll apply for a temporary custody order.

What is a temporary custody order?

A temporary custody order is made by a magistrate. It allows us to take your child into our custody while we assess what needs to happen next.

The order lasts for 3 business days (from midnight on the day the order is made). It can be extended only once, for 1 extra business day.

During this time, we'll assess how to keep your child safe from harm. We may talk to the Director of Child Protection Litigation about applying for a child protection order. They're an independent agency within the Department of Justice and Attorney-General that handles child protection legal matters.

You'll be involved in discussions about your child's safety and care.

What do temporary custody orders allow?

The magistrate decides what the temporary custody order allows us to do.

Temporary custody orders allow us, or a police officer, to:

- enter your home to look for your child
- talk to your child about the family situation
- organise a medical check or treatment if we think your child is hurt
- direct how much contact you have with your child
- take your child into our custody.



What happens to your child?

The temporary custody order allows us to place your child with a foster carer, for 3 business days.

You'll still be the guardian of your child.

We'll talk to your child about what's happening so they understand why they're living with someone else.

Do you need to go to court?

Temporary custody orders:

- are made in urgent circumstances
- are granted by a magistrate
- are usually made without a court hearing.

You'll receive a copy of the temporary custody order, and we'll explain what it means for you and your child.

Even though you don't go to court, you should talk to a lawyer to understand what's happening and what your rights are. Having a lawyer helps to have your views heard.

You can call any of the following organisations for help:

- Legal Aid Queensland
Phone: 1300 651 188
- Community Legal Centres Queensland
Phone: 3392 0092
- The Aboriginal and Torres Strait Islander Legal Service (Qld)
Freecall: 1800 012 255