

Factsheet 4

Your child has been removed what happens next?

If community services take your child away they will either stay with

Someone in your family or your child's other parents family

If that happens

- you will be told where they are staying
- but there will be rules about when you can go there to see them

Or your child might stay with a foster family

- A foster family is people who have been approved by community services to look after children
- If your child is staying with a foster family then community services do not have to tell you where your child is

Your child will stay with your family or in foster care until the children's court decides what is best for your child

Care proceedings usually last between 6 to 12 months

When community services take your child away they are allowed to make all the decisions about

- where your child lives
- who has contact with your child and when this can happen
- what medical treatment your child needs
- what school your child goes to

Ask community services to tell you when you can see your child

Try not to shout or swear at the community service workers

It will not help if you do that

It might make things worse because they might think you are too angry to see your child

If you have a learning disability or an intellectual disability you can ring IDRS to talk about what will happen next

You can get some legal advice from a lawyer

Tell me about going to court?

You probably will not see your child until after the first day at court

Your child will not be at court on the first day of court

The first court date will usually be in about 3 days after your child is removed

You will have a lawyer at court to give you advice and speak for you in the court

Before the court date community services will write down the reasons why they took your child away

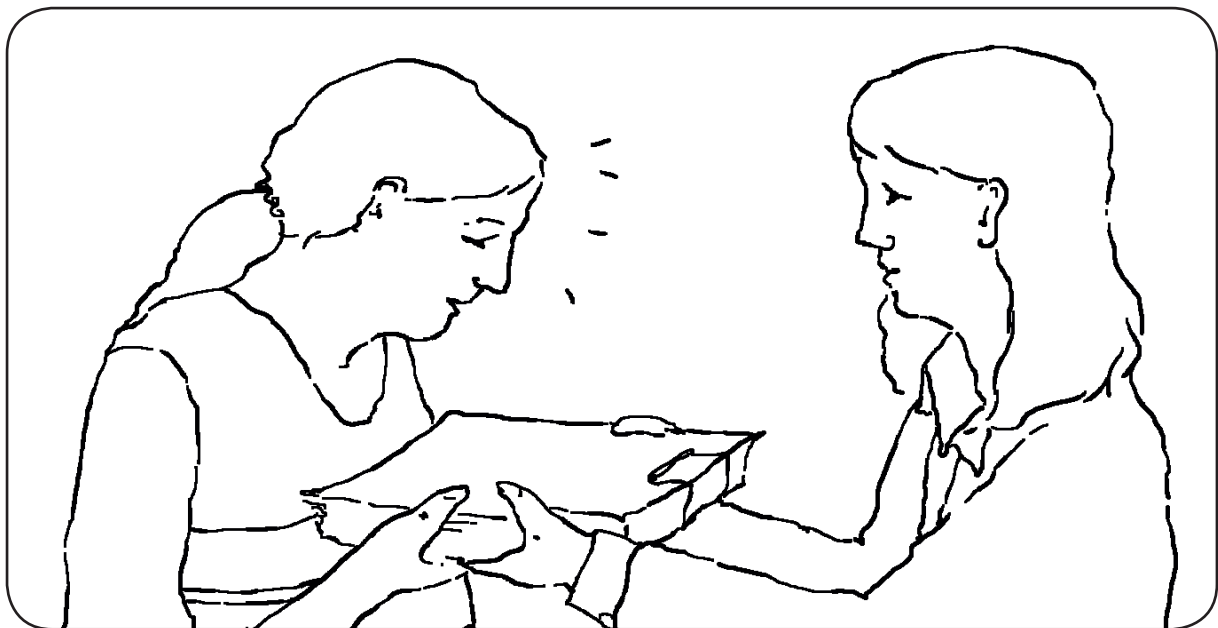
They will write

- what they saw
- what other people told them
- what you did or said that made them worried about your child

This pile of papers might be very big

The papers are sometimes called a first bundle

You will get the papers either the day before court or on the first day of court



These papers are very important

Take them to court to show your lawyer

If you have trouble with reading try to get a support person to help you read the papers

Do not worry if you cannot read the papers all before the first court day

You may think some things you read in the papers are unfair or wrong

- put an X next to these bits
- tell your lawyer about anything you read in the paper that you think is unfair or wrong

When the community services worker gives you the papers **do not** fight with them or swear at them

- it will not change things
- and may be used against you in court.



You can contact IDRS to help you find a support person to help you at court

To find out about what will happen on your first day of court see **factsheet number 8**

This brochure was made by the Intellectual Disability Rights Service

Telephone **02 9318 0144** or visit our website **www.idrs.org.au**