



Supervised Contact



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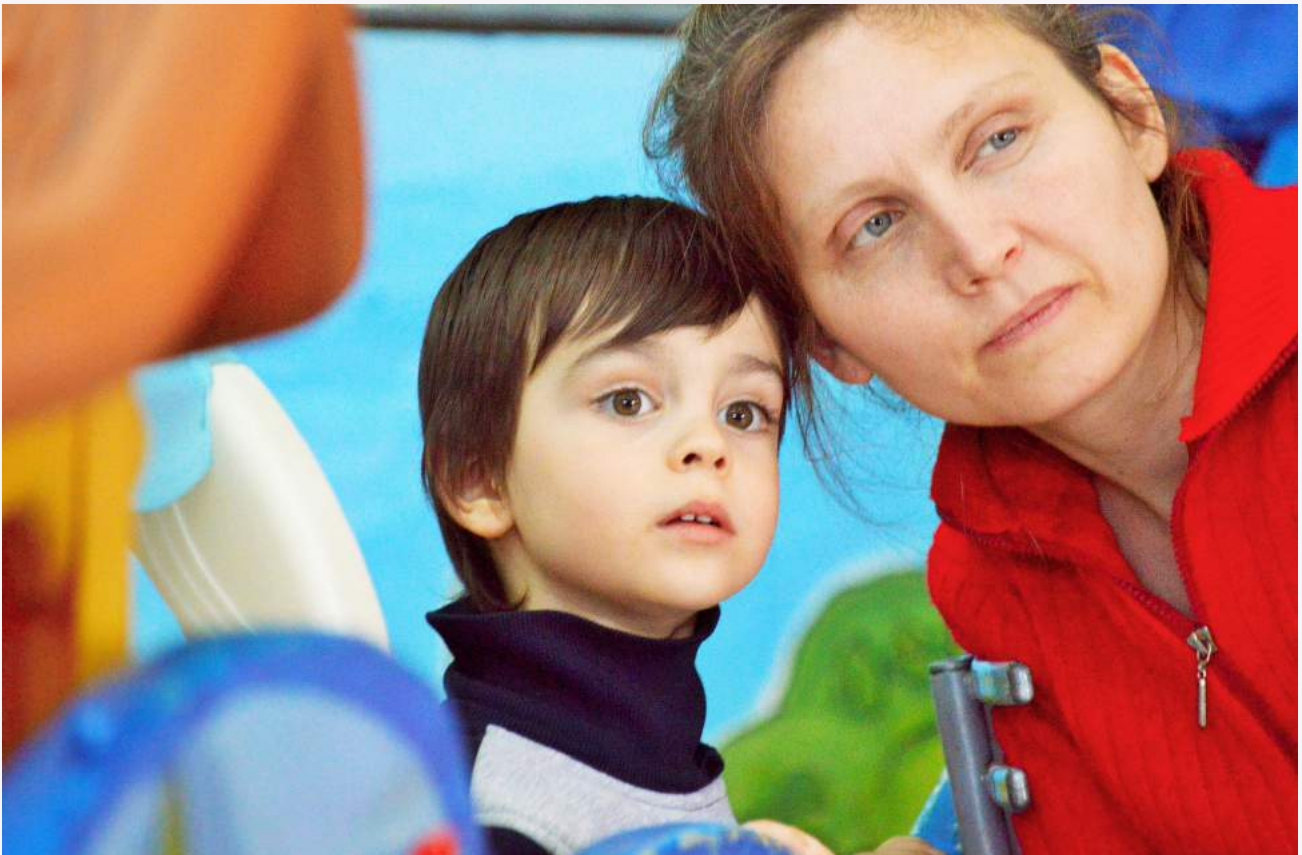
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According to the **Family Law Act 1975 (Cth)**, in Australia all children have the right to have contact with both of their parents and with other significant people in their lives on a regular basis, if it is in their best interests. **Orders for contact** with a child or children, including orders that contact is supervised by another person, can only be made if the court is satisfied that those orders are in the **child's best interest**.

Contact or visitation can be supervised in one of two ways. It can be supervised by a person who is known by both parents (or even by the custodial parent) or through a children's contact service. Children's contact services have been put in place to help with supervised visitation or contact. The role of the supervisor is to ensure the safe transfer of the children from one parent to the other and/or to supervise the contact visits so that each parent can spend time with their children.



What is Supervised Contact?

Supervised contact is needed where **separated** parents are experiencing high levels of conflict or where there are concerns about violence occurring.

It may also be used when there are fears that the child may be **abducted**, or in situations where the contact parent has few parenting skills or needs the help of another person to care for the child. Sometimes it may also be used because a child is being introduced to or re-introduced to a parent or family member who they have spent little or no time with.



Supervised Changeovers

At the start of a contact visit, a child needs to be handed over to the parent or to the other family member who doesn't have the day-to-day care of them, and then handed back to the other parent at the end of the visit.

In cases where either parent has issues with meeting face-to-face, the parents can agree to have another specified person or a children's contact service worker facilitate or supervise the changeover.

Supervised contact

It is the responsibility of the supervisor to make sure that the **best interests of the child** are protected while they are on a contact visitation with the parent or other person.

You can agree between the parties informally or, for greater certainty, through **consent orders**, to use supervised contact, or it can be ordered by a court. The court cannot nominate someone to be a supervisor if they do not want to do it. The prospective supervisor must be aware that they may be required to give evidence in court if any problems arise out of the supervised contact.

If you have been ordered by the court to attend a children's contact service, that service will do its best to help you comply with the order. They can only help you if you and the other parent of your child meet certain criteria and the service has the facilities and resources available for you. They also cannot be forced to comply with the order.

Children's contact services may be required to provide reports about what the supervisors have observed about the parents and the child during a changeover or a contact visit. An order for supervised contact is usually made for a set period of time with the aim that eventually the supervision will no longer be needed.

If **orders** have been made for supervised contact and the orders don't state an end time, the contact parent can make an application to the court to have the orders varied. An application to vary the orders can also be made if any other circumstances of the contact need to be changed, such as a change of supervisor or days.

You can agree between the parties to use **supervised contact** or it can be **ordered by court**.



➤ What will it cost?

If you use a children's contact service they will charge fees for changeovers and supervised visits. These fees are usually shared between the parties.

Let the service know if you are on a low income or experiencing financial difficulties as there are usually arrangements in place to make sure that you can still access the service. The Australian Government funds a number of community-based organisations under the Family Support Program.





Everyone's situation is different...

Where you go from here depends on your own situation as everyone has their own individual priorities and has demands on their life that they need to deal with.

This information guide points you in the right direction as to what options might be available to you so you can get the outcome that you need - options that many of our clients are not aware of before talking to us.

If you would like some personal advice on your particular situation and would like to talk directly with a lawyer in your local area who is also a specialist in family law, then please call our lawyer hotline on **1300 636 846 (Free Call, No Obligations).**

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and speak direct with a Family Lawyer to get your child custody questions answered. You can also request a callback at gotocourt.com.au/family-law

When you call the hotline you will speak directly with a lawyer. Your conversation will be treated with the strictest of confidentiality and sensitivity. At the end of the call you will have some clarity on the steps you need to take next and how you can have the best chance at an outcome that will ensure you and your children are looked after.

Scan this QR code to find more details about family law:

