



Should I supervise contact?

This fact sheet is for people who are thinking about supervising contact between a child and one of their parents while parenting proceedings in the Federal Circuit and Family Court of Australia are ongoing. It explains what supervised contact is, what you should consider before agreeing to supervise contact, and where to seek support.

This fact sheet is not intended to be used for circumstances in which a child has been removed from their parents' care by the Department for Child Protection.

What is supervised contact?

Supervised contact means that the Court wants a **responsible third person** present when a parent spends time with their child. This may be because:

- there are allegations of family violence and concerns about the child's safety in the parent's care
- the child has not seen the parent for some time, and the Court thinks that a gradual reintroduction will help
- there have been claims that the child is afraid of the parent
- the separated parents are experiencing high levels of conflict
- the supervised parent needs the help of another person to care for the child
- the child has asked to have someone else present.

As a supervisor, you are in a position to assist the parent and child build their relationship. Contact should be as normal as possible to provide the parent and child with an opportunity to develop their relationship.

What do I have to do?

If you supervise contact you need to be there at all times when the child is with the parent. You cannot hand the child into the parent's care and leave them to it, even if there are other people present. Your role is to ensure that the child is safe, and to keep an eye on what is happening.

This does not mean that you cannot briefly walk away, but you should always be able to hear or see the child. The child should know where you are and be able to communicate with you.

You are responsible for making sure that the contact is safe for the child. If the parent is behaving or talking inappropriately with the child, or behaving in a way that may harm, frighten or distress the child, it is your role to intervene. In some circumstances, you may need to end the time the parent is spending with the child.

However, it is not your role to decide how the parent and child should spend time together. It should be the parent, and, if they are old enough, the child who take the initiative to suggest activities. As long as the activity is reasonable, you should cooperate.

Supervised contact is primarily a chance for the parent and child to re-establish a close bond, and for the parent to practise good parenting. This may be able to help them move to unsupervised contact in due course.

Should I supervise contact?

Should I agree to supervise contact?

If you have been asked to supervise contact, consider the following questions before agreeing:

Can I support contact?

You should not agree to supervise contact if you personally do not agree with the parent having contact with the child. It may be hard to admit this if the parent is a family member or friend, but if you agree to supervise, you will put yourself in an impossible position. You may harm your relationship with both parents and with the child. It is best not to supervise contact in these circumstances.

Can I commit the time?

Usually, contact is a regular commitment of several hours at a time. It may be as frequent as every few days or once or twice a fortnight.

Supervision may be short-term, but it can extend over many months. If the parent whose contact you are supervising is employed during normal business hours, contact may be in the evening or on a weekend.

Agreeing to supervise contact is a significant time commitment, so be realistic about whether you are willing. If not, it is better for another person to supervise all the way through, rather than having to change supervisors after a few weeks.

Am I prepared to say no to the parent being supervised?

This is essential. Being a supervisor may involve setting limits on what the parent can and cannot do, having regard to the best interests of the child.

You may have to:

- stop the parent from doing something dangerous or that poses a risk to the safety of the child,
- explain to the parent that something they are doing is inappropriate, frightening or distressing for the child, or
- cancel or end contact if the parent is affected by drugs or alcohol.

This can be challenging if the parent is your child, sibling or close friend.

If you are afraid of the parent, or do not feel able to stand up to them, you may not be an effective supervisor. The Court is relying on the supervisor to ensure that the parent's contact with their child is safe.

Am I willing to be a witness in court?

Supervisors may be asked to report to the Court about how contact is going, and may be called to give evidence at trial. This may require you to give evidence against your family member or close friend, especially if contact has not gone well. This can put a great strain on relationships.

Supervising contact is a significant responsibility.

Consider it carefully before agreeing. There are always other options and you should not feel pressured to agree.

Preparing to supervise

If the child has any medical conditions that may require attention during contact, it may be helpful to find out how to manage them. You may also want to **keep a list of useful phone numbers**, like the child's doctor or local medical clinic. This is a good precaution but not essential as the parent is the most appropriate person to take care of the child.

While it is up to the parent to decide how they would like to use the contact time with their child, you can help things run smoothly by having some **back up activity ideas** ready. Depending on the age of the child, it might be useful to check the opening times of local venues such as libraries, swimming pools and play centres. If the contact time permits, you could research transportation options to visit the beach, zoo, museum or other attractions.

If travel time or cost pose an issue, you can encourage the parent to be prepared with child-friendly activities such as arts and crafts or board games and puzzles. Drawing is often an activity parents and younger children can share.

There is no need for you or the parent you are supervising to give the child special or elaborate treats or gifts. Sometimes separated parents feel that they need to compete for their child's love by spoiling them. This is not helpful to the child. Contact is for the child to develop a normal relationship with their parent.

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Keeping records

You will need to keep a record of how each contact goes. This should include:

- the date
- how long the contact went for
- some brief notes about the activities
- any concerns that you have about contact
- your observation of whether the child enjoyed contact and things that went well.

Remember that your notes could become evidence for the Court so keep them in a safe place.

What can happen during contact?

Be mindful that the parent and child may be emotional, particularly during the first stages of contact. Minor difficulties that do not put the child at risk can often be worked through. The parent and child may be out of practice at relating to one another. Most children find contact handovers challenging and they may have symptoms of anxiety such as anger or irritability. With patience, the parent and child may be able to work things out in their own way. Your role is to be in the background and to intervene only if and when required.

What if something goes wrong?

If you become concerned that the child is unsafe during contact, or the child is so distressed by the visits that contact is not in their interests, you should inform the Independent Children's Lawyer (if the child has one) or the Court. You may need to refuse to supervise further contact. As a supervisor, you cannot stand by and allow the child to be harmed in any way.

Remember the purpose of contact

If you decide to supervise contact, during contact you should try to be as unobtrusive as possible. Stay in the background unless there is something that requires your intervention. The purpose of the contact is for the child to spend time with their parent, not with you. Consider bringing a book or other quiet activity to keep you busy.

We are here to help

The Legal Services Commission's **Legal Helpline** provides free and confidential legal advice, information and referrals to other relevant services. **Call 1300 366 424** between 9:00 am and 4:30 pm Monday to Friday.

We also operate an online **Legal Chat** during the same hours. Simply click the Legal Chat icon in the bottom right-hand corner of our website (lsc.sa.gov.au).

We offer a number of free resources online through our website (lsc.sa.gov.au/cb_pages/publications.php) and the Law Handbook (lawhandbook.sa.gov.au).

If you need to go to the Federal Circuit and Family Court for a family law case, you may be able to get advice from the **Family Advocacy Support Service (FASS)** duty lawyer based at the court on the day if you have not had time to get legal help yet. However, duty lawyers are very busy so it is best to get legal advice beforehand if possible.

For information about a range of services that can help families manage relationship issues, including Family Relationship Centres, counselling and advice services, and alternative supervision options, visit familyrelationships.gov.au or call **1800 050 321**.

