

Is a family report being prepared for your family law matter?

Everything you need to know about a family report.

What is a family report and how is it used?

A family report provides information about your child, you and your family. An independent children's lawyer (if one has been appointed), the Family Court of Australia or the Federal Circuit Court may organise this report during family law proceedings.

A family report may include recommendations to the court about:

- your parental responsibilities
- where your child will live and who they will live with
- who your child will spend time with and who they will speak to
- other information for the court to consider in making decisions about parenting arrangements for your child.

A family report is one of many documents the court will consider when making decisions about your child's best interests.

Who writes the family report?

A professional person — usually an accredited social worker or psychologist — will write the family report. They are considered by the court to be an independent expert in child and family matters.

“The court will consider any family report prepared about your child's family when it makes decisions about parenting arrangements for your child.”

How is the information for a family report collected?

The report writer may collect information about:

- your child's relationship with significant people such as their parents, brothers and sisters, extended family and friends
- your child's views, if they want to tell the report writer
- your child's personal history and emotional attachments
- your child's family history, including any significant issues that have impacted on them
- what is currently happening in your child's life
- your attitude towards your parental responsibilities
- any other important aspects of your child's life that will help the court make a decision.

The report writer may interview:

- you and the person you are in dispute with, separately and together
- your child alone
- your child with you
- your child with the person you are in dispute with
 - your child with other significant people such as your partner, other relatives and friends
- other relevant professionals such as teachers, counsellors or doctors.



Your interview with the report writer may go for several hours so we suggest you bring food and quiet toys for your children and have a friend or relative babysit. If you have any questions about your interview, please speak with the report writer or your lawyer.

Interviews are usually held in person but may be held over the phone. The interviews usually occur at an office chosen by the report writer. The report writer may also make a home visit.

How will the report writer use the information they collect?

The report writer will use the information they collect throughout the interviews, the court documents and any other documents provided to them, to write the family report. Any information the report writer collects can be accessed by the court, even if it is not used in the final family report. The court may require the report writer to give evidence at your hearing.

If your dispute continues in court, the independent children's lawyer may ask the report writer to write a second report to update them about your child and their living situation.

Who will see the family report?

Once the report writer has finished writing the family report, a copy will be given to:

- the court
- you or your lawyer (if you have one)
- the person you are in dispute with or their lawyer (if they have one).

What if I disagree with information included in the family report?

If you disagree with the family report please speak to your lawyer. They can let you know how you can raise these issues with the court before decisions are made about your child and your family.

Who will tell my child about the court's decision?

The report writer and the independent children's lawyer may explain the outcome to your child when the court has made their final decision.

What if I have questions about the report or the report writer?

If the independent children's lawyer arranged the family report, and you have concerns about the process used or the report writer, please call our call centre on 1300 65 11 88.

If the court arranged the family report, please contact the court registry.

What if I have concerns about my safety?

The report writer may ask you to take part in an interview with your child's other family and friends. Please tell your lawyer if you have a domestic violence order in place against someone who could attend these interviews. If you don't have a lawyer, please speak to the independent children's lawyer or the report writer. You will need to give them a copy of any domestic violence order if there is one.

“A family report provides independent guidance on the best way to meet your child's best interests.”

What if English is my second language?

If you would like this factsheet explained in your language, you can contact us through the Translating and Interpreting Service (TIS) on 13 14 50. TIS will organise an interpreter in your language and will connect you to Legal Aid Queensland. This is a confidential and free service.



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FOR MORE INFORMATION ABOUT OUR SERVICES:

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