



What is supervised time with children in family law parenting disputes?

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In family law parenting cases involving high conflict or allegations of risk (e.g. mental health concerns, [drug or alcohol misuse](#) or [family violence](#)), the Court may make orders (or parents may agree) for a parent to spend supervised time with a child. When determining whether an order for supervised time is appropriate, the Court will ultimately consider what is in the [child's best interests](#).

In considering the best interests of the child, the Court is tasked with balancing any potential risk to a child against maintaining the parent/child relationship. In these circumstances, the Court will commonly make orders for supervised time to address these competing concerns and mitigate any potential risk to the child, pending the availability of further evidence to determine the level of risk.

What is supervision (also known as supervised time)?

In parenting disputes, supervision involves a third person being present at all times during any time spent with the child. The supervisor may be an agreed family member or friend or a professional supervisor working at a children's contact service. A children's contact service is a neutral location where a child can be dropped off to spend time with the other parent in a safe environment.

The role of the supervisor during time spent with children

When considering supervised time with children in family law parenting cases, the role of the supervisor is to ensure the safety of a child during any time spent with their parent. This involves closely monitoring and observing all interactions between the parent and

child.

If a parent is behaving in a way that is inappropriate, places a child at risk of harm or is upsetting the child, the supervisor must intervene to protect the child. The supervisor may ask the parent to modify their behaviour or end the supervised visit in some circumstances.

Community based contact centres vs private contact services

Community based contact centres are funded by the Federal Government's Department of Social Services, but this funding does not usually fully cover the cost of supervised visits. Fees generally range from \$10 to \$40 per visit. The visits will generally occur onsite at the contact centre.

Private contact services are not Government funded and as such, fees are much higher. Fees generally range between about \$110 and \$150 per hour. Many private contact services will also require a minimum of three hours.

The benefits of private supervision include shorter waiting lists, longer operating hours (including public holidays) and outreach services, which means that the supervisor will travel to agreed locations, such as a play centre close to where the child lives.

Should I agree to supervised time with my child?

Generally speaking, if the other parent is not agreeable to any unsupervised visits, even if you disagree with the allegations being made against you, it is preferable to continue spending time with your child, rather than not spending any time with your child at all. You may agree to supervised visits without admitting the necessity for supervision (that is, not admitting to any behaviour suggesting supervised time is required) to maintain an ongoing relationship with your child.

Whilst perhaps not ideal, supervised visits help to continue to build the relationship between you and your child and strengthen your bond. The supervisor will generally try to make your visit as normal as possible for you and your child by remaining in the background and only intervening if required.

How should I prepare for supervised time with my child?

It is important that you prepare all the things that your child may require during the supervised visit. For example, this may include packing spare clothes, nappies, snacks, drinks and activities that your child may enjoy, such as preferred toys, arts and crafts.

If you have engaged a private contact service, together with the other parent, you will agree with the supervisor on a location. You should carefully consider some local venues, such as parks, libraries and play centres, and ensure that there are appropriate amenities available. The supervisor may be able to provide some suggestions if you are unsure.

Observational reports after supervised time with children

Supervisors will often be asked to prepare observational reports, detailing with precision what has occurred during each visit.

Observational reports may include details of:

- the date and time of the visit;
- the duration of the visit;
- what the parent and child did during the visit;
- whether the parent responded to the child's needs appropriately;
- any conversations; and
- how the parent and child interacted generally, including whether the child appeared relaxed and comfortable and to have enjoyed spending time with their parent.

Supervisors may also be called to give evidence in family law proceedings and can speak to the [Independent Children's Lawyer](#) (if appointed).

The cost of an observational report is usually borne by the parent requiring supervision.

Progressing to unsupervised time with children

In most cases, supervision is only temporary. Provided that no further risk issues are identified and any safety concerns or allegations of risk have been adequately addressed, it is likely that time will progress to unsupervised visits.

This may initially involve some daytime visits with a progression to overnight time (if appropriate). In some cases, there may be a period of time whereby a third person remains in 'substantial attendance' during visits. This is usually more relaxed than supervised time and involves a third person being nearby for most of the time but not closely observing all interactions.

The progression to unsupervised time is usually approached gradually to ensure that the child copes with the changes and that the parent's behaviour remains positive.

If there is high conflict between parents, in some cases, changeover may continue to be supervised by a children's contact service to avoid the parents having to come into contact with one another.

Get help from a family lawyer

If you have any queries with regard to how supervised time with children may impact on your parenting dispute, it is important to seek legal advice early. Our team of experienced family lawyers can advise you on your options. We provide an initial 30-minute consultation free of charge.

This blog is of a general nature and should not be relied upon as legal advice. If you require further information, advice or assistance for your specific circumstances, please contact us.