

What is a Child Impact Report?

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Many parents often find it difficult to negotiate parenting arrangements for their children following separation. In some instances where parents cannot reach agreement, their parenting disputes may proceed to Court. The Court often requires information about your child and may order the preparation of certain reports. One of these reports is known as a Child Impact Report.

What is the purpose of a Child Impact Report in family law proceedings?

A Child Impact Report is a child-focused preliminary assessment report that is ordered by a registrar or judge. A Child Impact Report is usually ordered at a relatively early stage of Family Court proceedings and provides information about the experiences and needs of your child.

A Child Impact Report considers a range of issues, including:

- your child's development and developmental needs;
- your child's relationships, including with each parent and other family members;
- your child's views;
- the presence of risk factors such as family violence; and
- other factors relevant for your child and family.

A Child Impact Report is a valuable tool in providing guidance and insight to parents and the Court about your child's needs and wellbeing. It is useful in canvassing a range of issues to support early decision-making and assists the Court in determining how

your parenting dispute matter should be managed.

Who prepares a Child Impact Report?

Child Impact Reports are prepared by a Court Child Expert. Court Child Experts are qualified psychologists or social workers who are experienced in matters involving child and family issues after separation and divorce.

They are employed by the Court and work in an area called the Court Children's Service. There is no cost to either party for the preparation of a Child Impact Report.

How is a Child Impact Report prepared?

A Child Impact Report involves a Court Child Expert assessing the parents, the children and any other relevant parties. Whilst the process of preparing a Child Impact Report may vary depending on the circumstances of each child and family, they are generally conducted in two parts.

1. Parent meeting

The Court Child Expert meets with each parent separately. These meetings are usually conducted remotely via Microsoft Teams and are approximately 90 minutes in duration. At the meeting, the Court Child Expert will likely ask questions about your child, any family violence and other risk factors which may impact your child and discuss with you, parenting arrangements after separation.

1. Child meeting

The Court Child Expert will then meet with your child on a separate day unless they decide that it is not appropriate to do so. This meeting is generally conducted in person. If you have more than one child, the Court Child Expert may meet with your children together and separately. This meeting provides an opportunity for your child to express their views, feelings and experiences of their family situation if they wish to.

After the assessments are conducted, the Court Child Expert will complete the Child Impact Report and file it with the Court directly. The judge or registrar will then formally release the report to your lawyer (or to you directly, if you do not have a lawyer).

The Child Impact Report is available to the Court and all parties in the matter. The report cannot be shared with anyone outside the Court unless the Court gives permission for this to occur.

Information provided to a Court Child Expert is not confidential

It is important to know that any information you provide to the Court Child Expert is not confidential. Once a Child Impact Report is released, it is considered to be part of the formal evidence in your matter.

In some circumstances, the Court Child Expert is required to disclose information to people outside of the Court. The Court Child Expert must notify a child welfare authority or police if they reasonably suspect that:

- a child has been, or is at risk of being abused;
- a child is being ill-treated, or is at risk of being ill-treated; or
- a child has been exposed or subjected to, or is at risk of being exposed or subjected to psychological harm.

This evidence in a Child Impact Report can play a vital role in the progression and direction of your matter. It is, therefore, crucial that you seek legal advice early. An experienced family lawyer will be able to fully inform you about what's involved in a Child Impact Report and your obligations when attending a meeting with the Court Child Expert.

How a family lawyer can help

If you are involved in parenting proceedings before the Court or have any questions about Child Impact Reports, please contact us and speak with one of our experienced family lawyers today.

Contacting Smith Family Law

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