**Supervision and children’s contact centres – what to know**

Children’s contact centres: Some cases that go through the family courts result in orders that a parent’s time spent with their children is supervised, frequently when interim orders are made and a final hearing has not yet taken place. This is usually a precautionary measure by the courts, erring on the side of caution before evidence is fully tested at a final court hearing. Let’s take a quick look at what’s involved with supervision and children’s contact centres.

The *Family Law Act 1975 (Cth)* enshrines that all Australian children have the right to regular contact with both parents (and other significant people in their lives), provided that it is in their best interests. But ensuring this occurs in a safe manner sometimes requires the intervention of neutral third parties, and courts formalise this by making orders for supervised contact with the aim of minimising children’s exposure to parental conflict and unsafe situations. In these situations, the court may consider whether the parents have proposed any family members or friends who are willing to and suitable to supervise the visits in the first instance. Otherwise, a court will consider a professional supervised contact centre.

The official services established to cater to this need are known as children’s contact centres, and they can be either Government-funded and run, or offered via private agencies. Children’s contact centres are purpose-built, child-focused venues designed exclusively to facilitate safe and positive interactions between children and their non-custodial parents. With some of the private agencies, they may supervise the visits at a variety of locations, such as parks, to encourage more ordinary interactions for the benefit of the child.

At children’s contact centres, specially trained staff offer services that either:

* Supervise the transfer of kids from one parent (or other family member) to another. This may be in a situation where there is significant conflict between the parents and having changeovers at a contact centre means that the parents do not come into contact with each other while still allowing the children to spend time with both parents, or
* Provide supervision for the time the children spend with one of the parents in a controlled and neutral environment.
* Provide mentoring and support to families
* Work with families to discuss parenting plans and attend Court to vary Interim Orders, moving forward to managing their parenting plans and unsupervised contact
* Work with families to reduce conflict
* Provide Urinalysis drug testing prior to Supervised Contact
* Role model good parenting skills
* Refer families to other services.

**Why is supervised contact ordered?**

Supervised contact is often ordered by courts in cases where there may be fears that a child will be abducted or where there is a risk of harm to the child in the form of abuse or neglect. Supervised contact then ensures the safety of the child and also the other parent in cases of family violence.

The use of contact services may also be ordered in circumstances where the contact parent lacks adequate parenting skills to care for the child or has mental health or drug/alcohol abuse issues.

It may also be ordered when a child is being introduced or reintroduced to a parent with whom they have not spent much time before, to enable them to gradually build or rebuild a relationship with a parent who may initially feel like a complete stranger to the child. For example, a non-custodial parent may have been living away for an extended period of time or may have had minimal contact with the child due to a high-conflict parental separation.

**Who can supervise?**

Depending on a court’s decision, contact can be supervised either by a person known to both parents (even by the custodial parent), or by a professional supervisor at a children’s contact service or by a private supervisor at an agreed location. Marymead and Contact Centre Canberra offer this service in the ACT/Queanbeyan area.

Sometimes, a trusted family friend or relative can be agreed and allowed by a court to provide the supervision. Obviously, this is a more cost-effective option than a formal centre. However, it isn’t always ideal, especially if there is no agreement on who the supervisor should be. Supervision also requires a considerable investment of time by the supervisor, so there needs to be a high-level commitment by a potential supervisor.

**How long is supervision ordered for?**

When orders are made through the courts, the supervision is not generally considered to be a permanent arrangement, as it is not usually regarded as being in the child’s interests for the arrangement to continue for the long term. It is usually seen as a temporary solution rather than a permanent one. However, occasionally, contact will be ordered indefinitely, and in rare cases, on a final basis (until the child is 18).  Where no end time is specified, orders can be varied upon application by the contact parent.  Orders can also be varied if the contact service recommends doing so, and the parents agree. In this case, it is necessary to return to court for consent orders to be made. It will also be necessary to return to court if the court order has an expiration date or if the service you are using is unable to continue to provide its services. Note, courts will only make consent orders that are in the child’s best interests.

The ultimate aim is to support and encourage positive interactions and strengthen the relationship between the child and contact parent and for the child to be safe. As time passes, parents are assisted in moving towards self-management of the contact arrangements. When courts order supervised contact, they usually add in some type of mechanism for moving forward from the supervised time to future unsupervised time. For example, a non-custodial parent may be required to complete a parenting or anger management class or attend a psychiatrist for a given period of time before the court considering moving to unsupervised visits.

**Voluntary supervised contact**

While the use of children’s contact centres is usually court-ordered, they can also be accessed voluntarily should parents feel there is a need due to high levels of parental conflict making shared care arrangements extremely difficult to manage without external help. Parents’ hostility and emotions such as anger or fear, can sometimes so interfere with shared care arrangements that in some situations, contact with a parent stops completely, which is likely to be detrimental to the child. Through making use of a contact service, however, parents do not have to deal directly with each other and can self-refer.

**What about the cost?**

The use of a children’s contact service is not free, but there are options for those on low income or who may be experiencing financial hardship. Unsurprisingly, private agencies are more expensive than the Government-funded centres. Private agencies also often enable parents to hire a supervisor to attend visits outside the centre, which can be helpful in creating a more natural-feeling contact visit.

**What’s involved in using children’s contact services?**

First there is an intake assessment procedure, enabling the supervision provider to determine whether their service is in fact suitable for a case. Once supervised visits are booked, parents and their children will spend time in a purpose-built centre, usually with indoor and outdoor play spaces, and are typically provided with a variety of age-appropriate play materials (toys, craft materials, games and so on) to facilitate an enjoyable experience for the child. Private contact services offer supervised visits In the Community. Centres also typically arrange staggered arrival and departure times and supervised changeovers for the parents in order to minimise contact between them.

**The role of a supervisor**

A supervisor is there to facilitate a safe environment for children to spend time with their parent, or alternatively to ensure changeovers can be conduct in a conflict-free manner. Their role requires that they monitor the interactions and communications between the child and its parent, so they need to be in close physical proximity in order to be able to closely observe and monitor the interactions. In order to be able to assess whether the interaction is safe and appropriate, they need to be trained and informed about what would constitute inappropriate behaviour in the situation. If inappropriate behaviour is witnessed, the supervisor needs to interrupt and end the interaction immediately. During supervised contact, a professional supervisor will take detailed notes on how the interaction goes and on what is said by the parent. They will often produce an observational report which is able to be used in court proceedings. Such reports provide independent evidence to the court to assist judges in determining whether unsupervised visits should take place.

Role modelling good parenting skills, pathways to reunification of the non-custodial parent and referrals to other services can also be provided.

**If time with your child is ordered to be supervised…**

It’s natural to feel that court-ordered supervision is somehow humiliating or a damning judgment of your parenting capacity. Supervised time is often ordered at the interim stage before a court is able to assess claims of abuse or neglect, etc, at a final hearing. Remember that supervised time gives you the chance to not only demonstrate your parenting capacity but can also to protect you from further allegations from a custodial parent. It’s also a better outcome than not being granted any time with the child at all; and remember that it is usually temporary. If you are in a situation where there is a suggestion that time with your child should be supervised, it’s a good idea to get legal advice on your options.

If you need assistance with seeking an order for supervised time, or alternatively you need advice if one has been sought against you, please contact a Canberra family lawyer.

**Pros & Cons of Supervised Contact**

Pros

1. It enables the parent to continue (or restore) their relationship with the children, whilst allegations are yet to be determined.
2. Having supervised reports (independent evidence) are a powerful way to disprove allegations being levelled against the parent.
3. The children are able to engage in playful activities during their time with the parent, creating positive memories.

Cons

1. Can be costly, especially if going down the private route.
2. The parent being supervised may be uncomfortable with being “watched”, and therefore not be as natural in their interactions with the children.
3. Long wait-lists, especially if going down the public route.

\*\* Nothing in this post is intended to serve as legal advice. Rather, it is a broad overview of supervised time written by someone who practices regularly in the Supervised Contact area and therefore has a frontline understanding of what it involves.