

What is a Child Impact Report?

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A Child Impact Report is a report prepared by a Court Child Expert to provide information to the Court about the experiences and needs of the child in the context of a family law dispute before the Court. The Child Impact Report will consider a range of issues depending on the unique circumstances of each family.

A Court Child Expert is a qualified psychologist or social worker experienced in the impact of separation on children.

> *Note: Child Impact Reports are used in the Federal Circuit and Family Court of Australia. They are not available in the Family Court of Western Australia.*

What issues are considered in a Child Impact Report?

The types of issues that may be considered in the report include:

- the developmental stage of the child;
- the relationship of the child with each parent, or grandparent, or carer involved in proceedings;
- the risk issues alleged;
- the capacity of both the child and the parties to be interviewed by a Court Child Expert.

The focus of the Child Impact Report is the effect and impact of these types of issues on the child and their parenting.

The Child Impact Report helps the Judge make decisions, but it is also a valuable tool in providing the parties with insight and understanding about how the proceedings, the issues, and the separation is affecting their child.

The Child Impact Report can be a valuable tool in sharing with the parties, the needs of their child and often contains recommendations as to what to do in the future (including for future care arrangements).

Who prepares the Child Impact Report?

A Child Impact Report is prepared by a Court Child Expert. This person is either engaged by the Court or the parties engage them privately.

A Child Court Expert is a qualified psychologist or social worker who is experienced in matters involving separating parents and the impact on children.

The Child Court Expert will often undertake a risk assessment, and their focus is on the child's experiences, social science and the involvement of the child with each of the parties, to make recommendations for the child.

How is the Child Impact Report prepared?

Whilst each Child Court Expert will have their own unique style in preparing the Child Impact Report, the Reports are generally structured in the following ways:

> The Child Court Expert will meet with the parties. These meetings occur separately, and each party is interviewed about the issues in dispute. Questions may be asked about:
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> > the impact of the separation;
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> > the history of caring for this child and what has changed since separation;
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> > each child's personality and developmental needs (and generally how the child is dealing with the separation);
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> > risk factors – including any issues of violence, use of drugs or excessive use of alcohol;
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> > matters that provide an understanding of each party's own mental health;

any other factor the Child Court Expert may consider necessary in the unique circumstances of the family.

Depending on the age and development, the Child Court Expert will meet with the child. This will generally occur on a separate day to the meeting with the parties. This meeting will provide an opportunity for the child to express their feelings and experiences of the separation and the new changes for their family. If there is more than one child, the Child Court Expert may meet with the children separately. The Child Court Expert has experience in meeting with children and will modify their techniques to provide the best opportunity for the child to engage in the meeting.

The Report is written by the Child Court Expert. When the report is written, it is then filed with the Court directly and released to the parties by the Court.

Seeking Expert Family Law Advice Early

If you are involved in parenting proceedings before the Court, it can be an incredibly stressful time for you and your family.

Meeting with third parties to be interviewed about your family dynamic and your child's experiences during separation can be a strange and intimidating concept.

Our team at Meillon & Bright are experienced in all areas of family law and can assist you in your parenting proceedings and in preparing for a Child Impact Report.

The information contained in this article is of general nature and should not be construed as legal advice. If you require further information, advice or assistance for your specific circumstances, please contact us.