

## WHY THE TIME WITH MY CHILDREN NEEDS TO BE SUPERVISED?

5 September 2017

It is not uncommon for a parent's time with a child to be supervised if there are allegations of abuse and the Judge determines the child is at an unacceptable risk of harm. Supervision allows the relationship to continue but ensures as far as possible that the child is safe. It is however unusual to find a supervision order as a final order that is, for supervision to continue until either a party makes a further order seeking the lifting of the supervision or the child turns 18 years old.

In that regard a long term supervision order is not usually seen as an ideal arrangement and usually if to occur it should really just be as a short term measure if the court sees there being a risk, until the allegations are tested.

In a recent case, there were 3 children aged 11, 10 and 7. In February 2013 parenting orders were made by consent, where the parents agreed to equal shared parental responsibility and for the children to 'live with' their mother and 'spend time' with their father 4 nights a fortnight and half of all school holidays.

In December 2013, the father commenced a fresh court application seeking significant changes including that the children live with him and that he have sole parental responsibility. The court determined that application in April 2016.





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manipulated the children to view their mother as perpetrating violence and failing to meet their medical needs.

One of the older children was frequently acting out and misbehaving at school as well as being angry and aggressive in his mother's household. The father attributed the child's behaviour to the mother's inadequacy as a parent. The father also refused the child's paediatrician's recommendation that the child attend counselling, choosing to focus on their mother as being the problem.

The father lacked insight into his own coercive behaviour and how his own emotional manipulation of the children was in fact abusive. The father appealed this decision, however the Court of Appeal upheld the trial Judges decision.

Family law matters need to be addressed carefully and professionally, especially when children are involved. To speak with one of our experienced family lawyers, please [contact our Brisbane office](#) today. Call us on (07) 3221 4300 to organise a no-obligation initial appointment at a fixed-cost. We will be happy to assist you in person, over the phone or by Skype.

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