

WHAT IS A FAMILY REPORT AND HOW DO I GET ONE?

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A Family Report is a written report by a social worker or psychologist. The report involves the parents and children being interviewed and the children's 'wishes' being identified. A Family Report can offer great assistance to a Judge and is therefore a very important document.

So, what is a family report?

The report can be obtained by agreement by order of the court. The report will contain the writer's professional assessment of the family. It will also include their recommendations for the arrangements that they believe will best meet the future welfare of the children. It can assist the parties to reach an agreement based on the report's recommendations or it can be used in court to assist the Judge hearing a parenting case in making decisions about the children's arrangements.

Interviews are generally conducted individually, however, the report writer may request that a parent be interviewed with the children, depending on what the report writer feels is appropriate. Separate interviews will be conducted by the report writer for both parents and in some cases, the report writer may request the parents be interviewed together in a joint session.

The report writer may also observe the way each parent and the children interact in separate observation sessions.

The important thing to note in relation to the report is that what the parents and children say to the report writer is **not** confidential. All information gathered by the report writer is admissible in court. The report writer will include all relevant information in the report and may also be required to give oral evidence in court.

The court is not bound by the recommendations in the report. As with any evidence, the appropriate forum for challenging the report is at the hearing, by cross-examination of the report writer. This is where the report writer may be asked questions about the contents of the report and their assessment of the family.

How do you get a Family Report?

A private family report can be arranged before parties are in court, if it is considered appropriate and the parties agree. In these circumstances it is usual that one party proposes a panel of three expert report writers, from which the other party is able to nominate one report writer to conduct the report.

However, more often than not a family report is ordered by the court in the initial stages of parenting proceedings. Parties can either agree on a private report writer or ask that the court appoint a Family Consultant (employed by the court) to carry out the family report.

Family Consultants are qualified social workers or psychologists with expertise in working with children and families. If the court orders a report, it will assess whether the parties need to pay for, or contribute to, the cost of its preparation. In making that decision, the court will consider the facts of the case and the parent's financial circumstances.

In the event a Family Consultant is appointed to complete a report, the parent's (or their lawyers) will be contacted by the Family Consultant advising the parties of their appointment times. The parties and children must attend all appointments.

In the event the parties decide to appoint a private report writer, it is usually that a joint letter be prepared by the parent's solicitor's engaging the report writer and outlining the background of the matter, the terms of their engagement, the issues to be addressed in the report and enclosing any relevant documentation for their attention.

If you have any queries about the Family Report process, do not hesitate to contact our office. We offer a fixed-fee initial consultation with one of our family law experts.

We highly recommend getting professional legal advice when it comes to any documentation.

