

SIBLINGS TO STAY TOGETHER

8 January 2019

From time to time we will speak to someone about arrangements for their children and they will propose that one child live with them and the other child with the other parent. These suggestions are usually made with the best of intentions and a belief that this is the perfect solution. But, what does the court say?

When looking at the most appropriate care arrangements for children, the law looks at what is in the child's 'best interests' and the court's long-held view is that siblings should not be split. So, when a parent suggests such an arrangement, they may have lost sight of the bigger picture and a key relationship for any child with their sibling.

Background

When a family report is prepared for the court by a psychologist in cases involving a proposed separation of siblings, the report writer will sometimes refer to the "sibling block". This is a block of time where the primary focus is to enable siblings to be all together in the same household and able to spend time with each other.

The long history of Family Court determinations shows that the court is reluctant to separate siblings. This is due to a variety of reasons, but mainly:

- the sibling relationship is one of significant importance and benefit in a child's life;
- separating siblings may result in their bond diminishing; and
- the fracture of the family unit should not extend to the children's relationships.

Assessing each matter on an individual basis

As always, the court will assess each matter on an individual basis regarding whether it is appropriate to separate the siblings of a relationship.

Should you have any queries or concerns about your children being separated please contact our Brisbane office today.

Call us on (07) 3221 4300 to organise a no-obligation initial appointment with family lawyers at a fixed-fee in Brisbane. We will be happy to assist you in person, over the phone or by Skype.