



FEDERAL CIRCUIT
AND FAMILY COURT
OF AUSTRALIA
DIVISION 1 | DIVISION 2

Child Impact Report FAQs

This fact sheet provides information for parties who have had a Child Impact Report ordered by the Court.



What is a Child Impact Report?

A Child Impact Report is ordered by a registrar or judge. Child Impact Reports are generally ordered at a relatively early stage of court proceedings.

A Child Impact Report is prepared by a Court Child Expert who works in the [Court Children's Service](#) (See the fact sheet – [Court Child Expert FAQs](#)).

The purpose of a Child Impact Report is to provide information about the experiences and needs of children in the context of the dispute before the Court. In preparing the report, the Court Child Expert will consider a range of issues such as your children's development, your children's relationships and the presence of risk factors (such as family violence). Child Impact Reports focus on the impact these types of issues have upon children and parenting.

Information about their children's experiences can help parents better understand how separation and other family changes affect their children. By involving children early in the Court process, parents are helped to understand their children's experiences and needs, and to consider what future arrangements would best meet these needs. A Child Impact Report also helps the registrar or judge to understand what is happening for your children, and assists them in making decisions about how your case should be managed.

What is a Court Child Expert?

Court Child Experts are qualified psychologists or social workers who specialise in child and family issues after separation. They work in the Court Children's Service and prepare Child Impact Reports under their appointment as

a family consultant (See fact sheet – [Family Consultant FAQs](#) for more information about family consultants).

Do I have to see the Court Child Expert?

If the Court has ordered a Child Impact Report then you must attend the appointments with the Court Child Expert. If you do not attend, the assessment may not be able to take place by the date set for the next hearing, which may result in delay and additional cost. Court Child Experts are obliged to tell the Court if you do not attend. Appointments can only be changed in exceptional circumstances. You should email the Court Children's Service if you have difficulties with your appointment time/s. You will find the relevant email address in the details for your local registry at www.fccoa.gov.au.

Do I have to pay for the Child Impact Report?

A Child Impact Report is ordered and provided by the Court and there is no cost to either party

What happens in the Child Impact Report assessment process?

The assessment for a Child Impact Report is generally conducted in two parts:

Part 1 – Parent Meeting

The Court Child Expert meets separately with each parent to find out about the children, to identify any family violence and other risk issues which may impact the children, and to discuss the parenting arrangements. In most cases these Parent Meetings will be conducted by video using MS Teams, with the Court Child Expert sending you the details prior to the meeting.

You should set aside about 90 minutes for your Part 1 meeting with the Court Child Expert (the interview will take approximately 60 minutes but some extra time may be required, including for set up and delays).

Part 2 – Child Meeting

In most cases, the Court Child Expert will meet with your children on a separate day, after the Parent Meeting. This Child Meeting is usually conducted in person.

If there is more than one child, the Court Child Expert may meet with them together and separately. The Court Child Expert may sometimes observe the children with each parent. The children are given an opportunity to talk about their feelings and experiences of the family situation, but no child will be required to express views or wishes if they do not wish to do so. After meeting with the children, the Court Child Expert may sometimes speak further to each parent about the children's needs.

Where possible, children of all ages are supervised by qualified childcare staff in a secure area of the Court. This is to ensure that they are in a neutral environment and not exposed to possible adult conflict in the open areas of the Court. Where this childcare service is not available, you may be required to bring someone to look after the children while you are speaking with the Court Child Expert. For information about whether a childcare service is available in your local registry please see the details for that registry which can be found on the [Court's website](#).

Details of the specific time you/your children are required to attend for Part 2 will be provided to you in your Part 1 meeting with your Court Child Expert, but you should make arrangement to be available between 9am and 1pm on the Part 2 date nominated in the Court order.

It is important to note that a Court Child Expert will not meet with children in every case and that whether or not your children will be seen is a decision made by the individual Court Child Expert based on your family circumstances. If the Part 2 Child Meeting is not to occur you will be advised of this at the Part 1 Parent Meeting or before.

What if I am concerned about my safety when attending for the Child Impact Report?

If you have any concerns about your safety, please let Court Children's Service know before attending the meeting with the Court Child Expert. You can do this by emailing ChildImpactReports.CCS@fcfcoa.gov.au or you can discuss your concerns with the Court Child Expert at the Part 1 Parent Meeting.

The Court takes allegations of violence very seriously and a safety plan will be put in place when the Court is aware of concerns. By law, people must inform a court if there is an existing or pending family violence order involving themselves or their children. For more information about your safety when attending Court events see the brochure [Do you have fears for your safety when attending court?](#)

Can I bring a support person to my meeting with the Court Child Expert?

You can have a support person with you in the waiting area, but it is up to the Court Child Expert to decide whether your support person is included in the interview, and in what way. The Court Child Expert will discuss this with you.

How should I prepare my child for the meeting with the Court Child Expert?

You should explain to your child that they are going to meet with someone who would like to talk to them about their experiences and views but they will not be made to talk about anything if they do not wish to. You must not coach your child or tell them what to say.

There is information about seeing a family consultant (which includes a Court Child Expert) that is prepared especially for children. You are encouraged to make this available to your children before they attend.

This information can be found at the bottom of the Court Children's Service webpage: www.fcfcoa.gov.au/fl/children/ccs

What documents do I need to provide to the Court Child Expert?

The Court Child Expert has access to documents filed by both parties and will read documents as directed by the Court. You do

not need to bring any other documents to the meetings. The Court Child Expert will not read any subpoenaed documents unless it has been specifically ordered.

Can I speak 'off-the-record' with the Court Child Expert?

Any information you provide to the Court Child Expert is **not** confidential. All information gathered by the Court Child Expert is admissible in court and can become evidence in your case.

Does the Court Child Expert have to disclose information to anyone outside the Court?

Yes, a Court Child Expert must notify a child welfare authority or police if:

- they reasonably suspect that a child has been, or is at risk of being, abused, and/or
- they reasonably suspect that:
 - a child is being ill-treated, or is at risk of being ill-treated, or
 - a child has been exposed or subjected, or is at risk of being exposed or subjected, to psychological harm.

What happens to the report when it is completed by the Court Child Expert?

After the Child Impact Report is completed, the Court Child Expert provides it to the ordering judge or registrar who will then formally release the report. Your lawyer (or you, if you don't have a lawyer) will receive a copy of the report when it is released. A copy will also be given to the Independent Children's Lawyer if one has been appointed. The Court Child Expert cannot give a copy directly to you. Once a report is released it is considered to be part of the formal evidence in your case.

Can I contact the Court Child Expert after the report is released?

Once the report is released, the Court Child Expert cannot discuss it with you or receive any other information from you, either by phone or in writing.

Can I share the Child Impact Report?

Under Part XIVB of the *Family Law Act 1975* it is an offence, except in limited circumstances, to communicate to the public an account of proceedings that identifies a party, a witness, or certain other persons.

Unless the Court has given you permission, you should seek legal advice before showing the report to other people.

What if I don't agree with what is written in the Child Impact Report?

The Child Impact Report is only one source of evidence that the Court considers in making decisions. The Court is not bound by any advice given by the Court Child Expert. As with any evidence, the appropriate place to challenge the assessment is in court. You should raise your concerns with your lawyer if you have one.

More information

For more information, including access to legislation, forms or publications mentioned in this fact sheet:

- go to www.fcfsa.gov.au
- live chat on the website
- call [1300 352 000](tel:1300352000), or
- visit a court registry near you.