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Aboriginal Legal Service (NSW/ACT) Limited

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# Contact Orders

## When can I see my child?

- Information about child protection and FaCS -

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### **I WANT TO SEE MY CHILDREN.**

You can make a contact application if your matter is currently before the court. You can also make a contact application if:

- you were a party in previous proceedings that have finished
- you have a 'sufficient interest in the welfare' of the child, even if you were not a party to current or previous proceedings.

The Court will decide whether to allow you to make the contact application. They will look at:

- whether there has been a significant change in circumstances since Final Orders, which would mean your contact with the child should be reconsidered
- whether the parties have tried to reach an agreement about contact arrangements through mediation.

### **WHAT HAPPENS AT A CONTACT MEDIATION?**

A mediation involves the parents/carers of the child coming together to discuss the issues about contact arrangements. They will try to come to an agreement without having to ask the Court to make a decision. A

mediator facilitates the discussions and may have private sessions with the parents/carers during the mediation.

If an agreement is reached, the parties can sign a document setting out the terms they agreed to. The Court will formalise the agreement in the form of a Contact Order.

If no agreement is reached, then you should seek legal advice about whether to take your application to Court.

Most agreements are made in 'good faith' and rely on the parties who came to the agreement to stick to the terms of the agreement.

### **WHAT CONTACT ORDERS CAN THE COURT MAKE?**

The Court can order:

- How frequent and how long the contact is between the child and their parents, relatives or other significant people in the child's life;
- Whether supervision is required
- That a child not have contact with a particular person because it's not in the child's best interest.