

Supervised Contact



INTRODUCTION

WHAT IS SUPERVISED CONTACT?

Contact with a child is how and when a child gets to spend time with a parent or other person who does not have day-to-day care of them. It used to be called access.

Supervised contact is where contact takes place in a safe, controlled situation, overseen by someone such as a relative or an approved organisation or individual that provides supervised contact services. It is most often used when one parent has been violent, either towards the other parent or towards the child.

Supervised contact has given many parents the chance to rebuild solid relationships with their children.

WHEN WILL THE COURT ORDER CONTACT TO BE SUPERVISED?

The Court can make an order about **supervised contact** if the Judge has concerns about a child's safety. For example, if there have been allegations of violence or a protection order has been made.

When the Court is making a decision, it must take the child's wishes into account, and may appoint a lawyer for the child.

The Court can review any supervised contact arrangements especially if a temporary protection order is made. This means both parties may have to go to Court.

The Court may also order supervised contact in situations that don't involve violence – for example, to re-introduce a parent to a child after a period of no contact between them.

WHO PAYS FOR THE COST OF SUPERVISING THE CONTACT?

In cases of violence when the Court orders that contact be supervised by an organisation, the cost of the sessions is paid for by the Government. In other cases, the Government does not pay the cost of the supervised contact.

HOW LONG WILL IT BE NECESSARY FOR CONTACT TO BE SUPERVISED?

Contact must continue to be supervised until the Court decides otherwise. The parent or other person whose contact with the child is being supervised will need to apply to the Court for it to allow unsupervised contact. The Court will have to be satisfied that the child will be safe.

In many cases the relationship between the adult and the child improves relatively quickly to the point where supervision is no longer needed. But in some cases supervised contact may continue for a number of years.



THE SUPERVISORS

WHO SUPERVISES THE CONTACT?

The contact sessions will be supervised by an approved organisation or individual that provides supervised contact services, or by a suitable person decided on by the Court, such as a relative or friend of the family.

WHAT TRAINING DO SUPERVISORS HAVE?

Supervisors employed by organisations belonging to the Aotearoa New Zealand Association of Children's Contact Services Inc. all receive extensive training.

However, all supervisors – whether paid employees or family members or friends – will offer a safer service to the child if they –

- understand about children
- stay neutral
- know the risks involved in taking responsibility for supervising contact
- know what to do if things go wrong
- have an independent person to advise them.



WILL THE SUPERVISORS BE NEUTRAL?

Supervisors will not take sides, even if they're related to one of the parents. Their focus must be the **child** and their welfare and best interests.

THE CONTACT VISIT

WILL THERE BE RULES?

All supervisors will have rules, whether the supervisor is an approved provider or a family member. Clear rules help keep everyone involved safe.

It's best that rules and expectations are clarified and agreed on **before** the contact visit. Both the child's caregiver and the visiting adult may have to sign a contract setting out the rules and what is expected. Some rules may be about that visit only, such as times for each of them to arrive and leave, what time the contact will take place, and how long the session will last. Or they may be general, such as no smoking or using cellphones during the session.

HOW THE CHILD'S CAREGIVER CAN HELP THEM UNDERSTAND WHAT WILL HAPPEN

The parent or other person who has day-to-day care of the child should talk to them about supervised contact in language they'll understand, with plain, simple words.

Tell them **where** the visits will take place. If it's not a place they know, describe it as a safe, friendly place where they can meet the other adult. If possible, arrange a visit with the child before the supervised contact starts.

Explain about the **supervisors** – that they are kind adults who enjoy helping children, and that they'll be near at hand during the visits and will make sure the visits are fun.

Make sure the child knows who will be collecting them and that they'll be returning home.

WILL THE CHILD BE HAPPY DURING CONTACT VISITS?

The visits should be a happy time for the child. The child's caregiver and the visiting adult are both likely to be feeling anxious, but they should try not to show this to the child, whether before, during or after the sessions. Children will feel more confident if they feel that the adults are confident about the new situation.

Most children will settle easily into their new contact routine with few problems. But remember that children can take time to adjust to change. They are usually aware of tension between the adults, even if it's unspoken, and they may feel torn between them. Often they feel confused about the relationships in the family.

If the caregiver or visiting adult have any concerns, they should talk with the supervisor about what to do.

SUGGESTIONS FOR THE VISITING ADULT – WHAT SHOULD HAPPEN ON THE VISIT?

Sessions are more positive if the child chooses what happens during them. You can then follow their lead and join in and **have fun**.

Talk should be about play – not about adult issues. If the child asks a tricky question, try changing the subject or distracting them.

When it's time to go, you may be feeling emotional, but take care not to upset your child. They need to know that you're OK. This is a good time for a hug if the child wants one – and then a quick, happy, **positive** goodbye.

WILL THE CHILD BE SAFE?

If parents or caregivers are concerned about the children's safety during the visits, they should discuss this with the supervised contact provider before the first visit.

KEEPING THE ADULTS SAFE

All adults involved with the arrangement, including the supervisors, need to feel safe. The child's caregiver and the visiting adult may feel more comfortable not having to meet with or see the other. This is why some organisations require them to arrive and leave at different times and insist on more than one staff member being present.

A visiting adult who keeps to agreed rules is also safe from any false allegations being made against them.

WHO GETS FEEDBACK ON WHAT HAPPENS DURING THE CONTACT SESSION?

This will vary. The person with day-to-day care should feel free to ask, but they should remember that confidentiality may be an issue. However, if there's an issue about the child's safety, this takes priority over confidentiality.

If supervised contact has been ordered and paid for by the Court, the organisation doing the supervising will report to the Court at the end of 8 sessions or 3 months, whichever is earliest. However, organisations will normally not give information to a lawyer representing a parent or other party.

NEED MORE INFORMATION OR ADVICE?

For more information or advice, look on the Family Court website (www.justice.govt.nz/family), or contact a family lawyer (www.familylaw.org.nz), a community law centre, or the nearest Family Court office.

HOW CAN YOU CONTACT A SUPERVISED CONTACT SERVICE?

The Aotearoa New Zealand Association of Children's Contact Services Inc. has a website that lists not-for-profit and private agencies who belong to the Association – visit www.nzacsas.org.nz.

You can also ask the nearest Family Court office or Citizens Advice Bureau.



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