

I'm scared my child will be taken overseas without my permission



FAMILY VIOLENCE LAW HELP

www.familyviolencelaw.gov.au

If you are afraid the other parent will take your children out of Australia, get legal advice.

You may be able to apply to the courts for a Family Law Watchlist Order - this is an order that stops children being taken out of the country.

Can the other parent get a passport without my signature?



You usually need both parent's signatures to get your children an Australian passport. There are some exceptions to this that you can get legal advice about.

If you are worried the other parent will apply for a passport without your signature you can do a [Child Alert Request](#) with the Australian Passports Office. This warns the Australian Passport Office that there may be a problem if someone applies for a passport for your children, and they may contact you if they receive an application. This does not put your children on the Family Law Watchlist.

If the other parent is a citizen of another country and you are worried they could get your children a passport through that country, contact that country's embassy and get legal advice.



How can I stop the children from being taken overseas?



If you think the other parent will take your children overseas, get legal advice about the Family Law Watchlist.

You need to apply to court for Parenting Orders that include orders to put your children on the Family Law Watchlist. Once your children's names are on the Watchlist, if a parent tries to take them out of Australia by boat or plane, they will be stopped.



If there is a real risk that your children may be taken out of the country and it is not during business hours, you can call the Family Courts out-of-hours service (for urgent emergencies only). Call 1300 352 000 (excluding WA) or 1800 199 008 (WA only).

What can I do if the other parent has already taken my child overseas?

If your children have been taken out of Australia or kept overseas without your agreement, get legal advice.

Australia has agreements with some countries who will work with the Australian Government to return your children. These are called Hague Convention Countries.



If you think your children may have been taken out of Australia, contact the [International Social Service](#) on 1300 657 843 for free legal advice and support.



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National Legal Aid

While we have tried to make the information here as up-to-date and accurate as possible, the law is complex and always changing. All legal problems are different. You should see a lawyer to get advice about your problem. Legal Aid NSW, National Legal Aid and the Commonwealth Attorney-General's Department are not liable for any errors or omissions, or for any loss or damage that arises from any person who relies on any information on this factsheet. This factsheet was developed in 2019.