

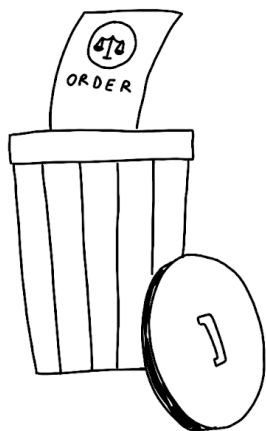
What happens if a parent doesn't follow Parenting Orders?



FAMILY VIOLENCE LAW HELP

www.familyviolencelaw.gov.au

If a parent doesn't follow Parenting Orders, this is called 'breaching' or 'contravening' the orders.



In some cases, when a parent breaks Parenting Orders, the other parent can file an application to ask the court to fix the breach or to enforce the orders. The Family Courts will not enforce a Parenting Plan as this is not a court order.

Get legal advice before you start contravention proceedings, as it may not be the best option for you. You may have to pay the other side's legal costs if you lose.

For more information on contravention proceedings, get legal advice.

What if there is a reason the Parenting Order wasn't being followed?



The Family Courts may decide that a parent broke the order, but had a reasonable excuse for doing so.

If there was a reasonable excuse the Family Courts may dismiss the application and ask the parent who started the contravention proceedings to pay the other side's legal costs. You can get legal advice about what is a reasonable excuse.

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.



FAMILY ADVOCACY & SUPPORT SERVICES

Not Affiliated to the Australian Government
An Australian Government Initiative

National Legal Aid