

BEWARE THE CHILD WHO DOES NOT WANT TO LEAVE THE “FUN” PARENT AT THE END OF THE SCHOOL HOLIDAY PERIOD

With the upcoming Christmas school holiday period at our doorstep, now is a good time to discuss children’s wishes at the end of holiday time with their contact parent.

At Oner Family Law, it is our experience that by the end of January, we receive a higher than normal level of enquiries from parents seeking advice on whether their children who have just spent a three week holiday period with them can remain with them permanently. The advice is sought as in all such cases the children are telling the contact parent they do not want to go back to their primary carer and that they want to live with the contact parent permanently.

It is completely normal and unsurprising for children to make such comments to the contact parent. This is because the children have usually just spent a fun-filled three week period with the contact parent, often participating in activities they may not have experienced with their primary carer.

The difficulty in these cases is that the contact parent feels as if the child really does want to live with them for genuine reasons (and this may be the case in some matters), but in reality, for many of these children, they have not properly thought through what they are expressing and why they feel that way at the time. This is particularly so for younger children where they have had a wonderful time during the holiday period and identify their primary carer as the “stricter” parent, and the parent who has “more rules”.

In the event that you find yourself in this situation, ask yourself seriously whether you believe your child genuinely wants to live with you for reasons other than for the fantastic time he/she has just had with you. Of course, what is in your child’s best interests is always the overriding factor in all children’s matters.

If you are unsure what to do in this type of scenario, call Katrina Oner from Oner Family Law on (07) 3463 0688 for specialist family law advice.