



Grandparents Raising Grandchildren

A Networking Resource

PREFACE

Grandparents have always played a vital role in our society, offering care, love and guidance to their children and grandchildren. However, a significant number of grandparents in NSW are called on to do much more and take on the full-time care of their grandchildren. In recognition of the critical role these grandparents play, COTA NSW ran a program that sought to support grandparents raising grandchildren. The program commenced in January 2011. By its conclusion in February 2012, COTA NSW had worked extensively to support the many grandparent carers in our community.

We note that we undertook a wide range of activities to support grandparent carers. Once we commenced the program, it became apparent that the needs of grandparent carers varied widely. Some grandparents were interested in joining a new support group. For them, a support group is synonymous with intimacy; these were attracted to a forum where they could talk freely about the challenges they encountered in their role as carers. They were willing – even eager – to discuss the emotional and psychological impact of their role. By contrast, others were reluctant to participate in meetings of this nature and even had difficulty with the term support group, which in their view denoted a group where material of a private and personal nature could (and should) be shared. For this reason, we found that it was useful to refer to the groups we convened as grandparenting groups. This term proved more useful to us in terms of reaching a wider cross-section of the grandparent carer community. It enabled us to align our offerings with the needs of specific grandparents. For example, some grandparents were primarily interested in receiving factual information about services and benefits from subject-area specialists in quite structured settings. Others were interested in networking; in strengthening their ties with other grandparent carers with a view to socialising with them.

This booklet arises out of the COTA NSW Grandparenting program. It seeks to address the varying areas of interest and concern we encountered within the grandparent carer community. As a result, the booklet provides:

- an overview of current grandparenting groups in NSW
- a step-by-step guide to establishing a new grandparenting group and
- a resource guide for grandparent carers.

We hope that this booklet can act as a useful resource for existing grandparenting groups, people activating a new grandparenting group, and individual grandparents themselves.

For more detailed information:

Contact: COTA NSW (02) 9286 3860 or 1800 449 102 for regional NSW callers

And visit www.raisinggrandchildren.com.au and www.cotansw.com.au

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GRANDPARENTING GROUP INFORMATION

WHAT IS A GRANDPARENTING GROUP?

Grandparenting groups perform a range of different functions, including:

- Providing appropriate education and up-to-date information to their members
- Advocating for improved laws, increased funding and better services
- Raising the public's awareness of issues affecting grandparent carers

Advantages of joining a grandparenting group may include:

- Gaining support through sharing experiences and feelings with other grandparents in similar roles
- Learning practical aspects of care
- Discovering ways to alleviate stress and relaxing
- Assistance in dealing with government organisations such as Centrelink, and/or Department of Family and Community Services (FACS)
- Understanding more about the needs of grandchildren

A grandparenting group brings grandparent carers together to discuss their shared experience of raising grandchildren. Grandparenting groups vary widely. Some are quite formal, while others focus on providing a casual forum in which grandparents can socialise. Whatever their focus, grandparenting groups give grandparents a valuable opportunity to socialise, share information and/or to offer each other support.

Grandparents who become the primary carers of their grandchildren make a profound difference to their lives by providing them with a safe, stable and caring family environment. Typically, grandparents who are raising their grandchildren are doing so as a result of family stress or breakdown. Grandparenting groups recognise the particular issues that grandparents face in their role as carers, both practical and emotional. They acknowledge that grandparents who raise their grandchildren are playing a critical role in the lives of their grandchildren. Importantly, all grandparenting groups must respect the confidentiality of their individual members, and it is vital that members understand that discussion of personal situations **MUST NOT** be discussed with people outside the group.

Grandparenting groups enable grandparents to share important information about the benefits and services that they may be eligible to receive. Many grandparents raising grandchildren report that attending a grandparenting group helps them to keep up to date with developments in relevant policies, financial entitlements, carers' events and services. Some grandparenting groups ensure that their attendees stay abreast of relevant information by organising specialist guest speakers to attend meetings.

Above all grandparents who attend grandparenting groups report that they feel less isolated as a result. This has special relevance for grandparents from a non-English speaking background.

How do grandparent support groups operate?

Most groups meet once a month for a couple of hours, usually at the same location. Grandparenting groups vary in how often they meet, their areas of focus, and who runs them. Some grandparenting groups are run by professional facilitators - local community support workers - or by specific groups (for example, a Parents and Citizens/Parents as Teachers group attached to a school). There are also peer-support groups, which have been set up by grandparents looking for support when they have not found a professional available.

In some areas support groups are set up around/within a playgroup, enabling grandparents to attend the group, while the children are occupied by a Support Worker.

Is there a cost?

The groups are free, although some may ask for a gold coin contribution for refreshments.

To ascertain if there is a grandparent support group in your area go to:

www.raisinggrandchildren.com.au

Or contact COTA NSW on (02) 9286 3860 or 1800 449 102 for regional NSW callers.

It is advisable to phone the support group to check on meeting times and/or days, before attending.



REGIONAL GRANDPARENTING GROUPS

The below are key grandparent and kinship groups in regional NSW. These groups are good initial contacts for those living in the region. A state listing of Grandparent and kinship carer groups can also be found online www.raisinggrandchildren.com.au/where-do-i-find-a-group.aspx or by calling COTA NSW.

Grandparents as Parents Again (GAPA) – North Coast

GAPA was formed by Uniting Care Burnside Hastings Family Support Centre and the Port Macquarie Evening Branch of the Country Women’s Association of NSW. It is now a fully independent association operating in the NSW north coast region. GAPA is dedicated to helping grandparents and families provide a safe and loving environment in which children can grow. All grandparents are welcome to join GAPA. You do not need to be providing full time care for your grandchildren.

(02) 6582 1869 www.gapa.org.au

Springwood Neighbourhood Centre Co-operative (SNCC) – Blue Mountains

SNCC is a community resource. The Kinship Care Regional Project was developed in response to the increasing demand for support services and access to information for such families living in the Blue Mountains, Penrith and Hawkesbury areas.

(02) 4751 3033 www.sncc.org.au/node/19

Samaritans Kinship Care (Grandparents as Parents) – Central and Hunter Regions

Kinship Care offers support to grandparents who are raising their grandchildren. Kinship Care run peer support groups and community forums, and offers information for grandparents on how they can access financial and legal assistance.

(02) 4922 1527 www.samaritans.org.au

Mission Australia, Grandparents Raising Grandchildren support program Nowra

This program operates in the Shoalhaven region. It encompasses a range of initiatives to assist grandparent-headed families to develop their parenting skills, confidence and self-esteem, while developing a support network with others in a similar situation.

(02) 4422 0455 www.missionaustralia.com.au/community-services/2470-grandparents-raising-grandchildren-support-program

Salvation Army, Wollongong

Off Our Rockers is a support group established for grandparents raising grandchildren. It is a support group for grandparents to come together to share their experiences, provide information and advocacy and gain practical advice about raising grandchildren.

(02) 4229 1079 www.salvos.org.au/subscribe/sites/wollongong/files/FFP/off%20our%20rockers.pdf

Connecting Carers NSW (CCNSW) State-wide

CCNSW gives Foster, Kinship and Relative Carers across NSW access to FREE ongoing training, education and peer support. Carers are provided with up to date advice and information to support them in caring for children and young people in Out-of-Home-Care.

1300 794 653 www.connectingcarersnsw.com.au

HOW CAN I SET UP A GRANDPARENTING GROUP?

If you don't have a grandparenting group nearby you may want to consider establishing one yourself. Often grandparenting groups work best if they are kept simple and informal, and can work very well when they are used in conjunction with other services in the community. While this may sound daunting, the steps below can give you an idea of how to get started.

Step 1: Time, Energy & Resources

Before starting a group, be clear about how much time, energy and resources you have available. It does not require special skills or training to bring people together to support each other, but be aware that you may have to cope with other people's emotional issues as well as your own. Talk to other people that have started support groups to get an idea of what is involved.

Step 2: Identity

Identify if there are other grandparenting groups in your area by visiting our 'Support groups' page at: www.raisinggrandchildren.com.au or calling COTA NSW on (02) 9286 3860 or 1800 449 102 for regional NSW callers. Also contact your local council to find out if there are other community groups offering similar support services. If so, talk to the contact person or attend a meeting. The best approach is to work to compliment other community groups in your area, not to work in competition to them. Networking with other community services will prove to be a valuable asset and may help in building the profile of your group.

Step 3: Membership

Consider your membership. Do you want your group to only involve grandparents, or do you also wish to include other kinship carers? Will the grandparents be only full-time carers, or is membership open to all grandparents? Is it only a women's group or will men be included? All of these things will impact on the dynamics of the group.

Step 4: Focus

Think about the focus of your group. Do you think members will benefit most from a group that has informal support – that meet for coffee and a chat, or do you want the group to have a more formal structure—focusing on providing up-to-date information about relevant financial benefits and services? If so, will your group invite professionals (such as representatives from Family and Community Services, Centrelink or Legal Aid NSW) to provide information to your members?

Step 5: Publicity

Publicise your idea for a new group. Create an attractive flyer to place in schools, pre-schools, churches, shopping centres and community notice boards, asking grandparents raising grandchildren to make contact with you if they are interested in joining a new

support group. Your local Member of Parliament or local community centre may be able to help you with photocopying. You could also ask your local paper if they could place a free announcement in the community section, publicising your intentions and asking for a response from interested grandparents.

Step 6: Structure

Think about the structure your support group will have. Depending on how formal or informal they are – grandparenting groups may have people in the following roles:

Contact person: someone who is happy to be the first point of contact for grandparents who may be interested in joining the group and/or organise guest speakers.

Facilitator: someone who can run/lead the support group meetings, and ensure the confidentiality within the support group. The facilitator may also be the person who contacts relevant organisations to let them know that there is a **NEW** grandparent support group in the area and ask for their support.

Treasurer: someone who has the skills necessary to handle any finances the support group may have. This person will need to keep accurate record of all costs, e.g.: Phone calls, refreshments, postage, venue hire, and flyers.

Secretary: someone who is capable of looking after any paper work, for example, reminders of when the next meeting is to be held. If the group is relatively formal, they may also take minutes of the meetings you may have.

Members: the most important people in any support group are the members; if there are no members there is no support group.

Step 7: Location

Find a place where you can meet regularly. A good venue will offer a private environment – such as a church, library, community hall or room, even a small café. It is important to consider whether your venue can accommodate children when the support group meets, few grandparents can afford to get childcare for young grandchildren while a meeting takes place. The venue will need to be easy to access, possibly in close proximity to public transport or have parking facilities available. There will need to be pram/stroller access, toilets and tea/coffee making facilities.

Step 8: Insurance

Organise insurance. Insurance requirements for the grandparent support group will depend on how the group is structured, where the meetings are held and if the support group is affiliated with any other organisations. If the venue is in a council building or community centre, ask if the group will be covered by their insurance. **It is imperative that you seek information about your insurance needs from a qualified insurance agency.**

There are two different types of insurance you may like to consider:

- Public Liability Insurance, this type of insurance covers you support group if it is being sued by someone. This insurance type may cover the costs and compensation needing to be paid by the support group.
- Personal Accident (Volunteers) Insurance, this insurance may help a volunteer with their costs while they are recovering from an accident while volunteering.

(Below are two such agencies. This is not an endorsement, solely listed for your convenience)

NCOSS (Council of Social Service of New South Wales) Community Cover

Insurances offered include:

- Public Liability - protects your organisation from claims by members of the public for personal injury or property damage due to your negligence
- Personal Accident Volunteers - compensates your volunteers if they are accidentally injured while helping you

For further information contact:

Liz Shreeve

NCOSS Senior Project Officer- Insurance (Mondays, Tuesdays)

Phone: (02) 9211 2599 ext 126

Facsimile: (02) 9281 1968

email: insurance@ncoss.org.au

CRISP (Community Related Insurance and Superannuation Program)

General Liability Insurance is designed to protect against legal liability to pay compensation for personal injury to a third party, or damage to property belonging to a third party, if the incident occurs in connection with your organisation.

Additionally, CRISP's General Liability Insurance includes cover for:

- Liability to volunteers who suffer injury whilst volunteering
- Legal costs and expenses incurred when defending a claim
- Liability caused by people on work experience

Phone: 1300 427 477

Facsimile: (03) 8681 9980

Post: GPO Box 956, Melbourne VIC 3000

<http://www.crispinsurance.org.au/products.aspx>

Starting your meetings

Your first meeting:

There is no right way to run a meeting. It may be wise to write out an agenda as a guide. This will give you direction, and help all participants keep within the parameters of the meeting. Ensure that the meeting takes place in a friendly, safe and relaxed environment. People may start to share their personal experiences, and it is essential that the group has agreed to a set of ground rules on the commencement of the meeting.

Ground Rules:

- 1) Confidentiality. It is vital that members know that what is said in the group will be kept private and confidential, and will not be shared with anyone outside the group. Confidentiality is a right, and if confidentiality is broken, the group will have to decide what action needs to be taken.
- 2) Respect. Every member of the group has the right to be treated with respect. If someone decides to disclose some personal information, they should be treated in a non-judgemental manner without criticism from others.
- 3) Consideration. Every member should be given the opportunity to speak or opt out of speaking. Each person should be allowed to be heard without fear of threats, personal attacks or sarcasm.
- 4) Housekeeping. Ensure that everyone is aware of the kitchen and toilet facilities, and that each person takes responsibility for cleaning after themselves. This may also take into consideration smoking and non-smoking areas.
- 5) Starting and finishing times. It is important that all members agree on the timetable of the meeting. While there should not be any penalty for members that arrive late or leave early on occasions, it is necessary to decide on an appropriate schedule that suits all members of the group.

To start the meeting:

- Consider if you will need to ask for donations to cover costs of refreshments etc.
- Introduce yourself and explain why you felt a need for this grandparent support group – this will help break the ice.
- Decide on the regularity of meetings, ie: one meeting per month?
- Go around the room and ask people to introduce themselves and what are their expectations of the support group.
- If not already determined, discuss the need for group members to fulfil the roles (mentioned earlier), and obtain names of volunteers.
- Establish the ground rules. Use the ones listed above, and ask the group to contribute any other issues they feel need to be covered. Remember, any rules established are not static, and can be increased or improved upon as the group sees necessary.

- Discuss the activities of the group. Will it just be a coffee morning or a formal information session? If guest speakers are requested, make sure everyone understands that this will not be possible at every meeting.

Suggestions for guest speakers:

- COTA NSW offers peer education sessions on subjects of depression and anxiety, as well as how to manage medications.
- A community health worker can talk about strategies for looking after your own health.
- A Centrelink worker to explain financial entitlements
- A solicitor/ Legal Aid Lawyer for information on legal issues
- Representatives from community organisations to explain relevant services
- Medical specialist i.e.: Neurologist; Physiotherapist; or Psychologist – *for information on behavioural problems*
- A dietician to discuss food and nutrition
- Local Librarian can suggest local resources available for members
- People of interest to talk on leisure subjects
- A Fire Brigade officer to talk about fire safety and awareness.

Check your local area directory at the library or on the internet to find contact lists for guest speakers. Carers NSW also have contacts for a wide variety of guest speakers: 1800 242 636

NB: Professional/guest speakers require a minimum number of attendees to present their information sessions. If your group is a small informal group, consider combining with another community group in your area, to help make up numbers.

Evaluation:

Evaluation is an ongoing process that contributes to maintaining a good understanding of a group and its development. It allows members to detect problems and act on them before they have an impact. By evaluating the first several meetings, you will get an idea of how well the group is taking shape and whether any adjustments need to be made to enable it to work more effectively. To this ends, it is advisable to keep an attendance sheet for each meeting.

A checklist might include:

- Is the group meeting its aims and objectives?
- Is the group meeting the needs of individual members?
- Are people able to have their say and be heard?
- Are the activities appropriate?
- Where did members find out about the group?
- Does the group need to review task delegation, ground rules and contact rotation?

It is important to remember that people's needs change, and their reasons for joining the group may have dissolved, or are not being met. It is also important to realise that one group cannot meet every individual's needs and that it may not be a negative reflection on the group when this occurs.

(sourced from: www.connectgroups.org.au/support-groups/start-support/start-support-step-3/)



RESOURCE GUIDE

FINANCIAL INFORMATION

Many grandparent carers find that they face some very substantial costs. They may need a bigger car, or a bigger 'fridge, or even a bigger house. Their daily cost of living will undoubtedly increase when taking on the expense associated with extra food, medical bills, clothing and schooling. If the grandchild has a disability, they will likely face the added costs of specialist care and support. Whatever their financial situation the grandparents may be entitled to some government assistance, and/or in certain circumstances, crisis intervention.

CENTRELINK:

Grandparent Advisors have been introduced in selected Centrelink Customer Service Centres at Caringbah, servicing the area from the Northern Beaches to Sydney's south; and Penrith, servicing the greater western Sydney region, to support grandparents with full-time caring responsibility for their grandchildren. If you live in an area serviced by a Grandparent Advisor, you can speak to one directly by calling Freecall™ 1800 245 965. Grandparents living outside of these local areas can still get support and assistance by calling the Family Assistance Office on 13 61 50.

www.centrelink.gov.au/internet/internet.nsf/individuals/grandparent_advisors.htm

Grandparent Advisors can assist you by:

- providing an assessment of your family circumstances
- providing information and help to access Centrelink payments and services you may be eligible for, such as the Parenting Payment and/or Health Care Card.
- arranging appointments for you with specialist Centrelink staff such as Social Workers, and
- arranging referrals to other federal, state and community service providers that may also be able to assist you.

NB: If you have reservations about contacting Centrelink direct – there is a community service that can advise you of your entitlements prior to contacting Centrelink:

The Welfare Rights Centre. (02) 9211 5300 or 1800 226 028 for regional NSW callers.

www.welfarerights.org.au

CHILD SUPPORT AGENCY:

The Child Support Agency (CSA) is part of the Australian Government Department of Human Services. CSA's role is to support separated parents to transfer payments for the benefit of their children. If you care for a grandchild or grandchildren who are under 18 years of age, you may be able to receive child support from one or both parents by applying to the Child Support Agency (CSA) for a child support assessment. For information contact: 13 12 72

www.csa.gov.au/publications/factsheets/4104.php

FAMILY TAX BENEFITS

The child support that you receive may affect the amount of Family Tax Benefit or family assistance that you are eligible to receive. You can claim Family Tax Benefit Part A and/or Part B through Family Assistance Offices, which are located in Medicare offices and Centrelink Customer Service Centres. Contact 13 61 50 www.familyassist.gov.au

Family Tax Benefit (FTB) Part A helps families with the cost of raising children. It is generally paid for dependent children and dependent full time students under 22 years of age who are not receiving Youth Allowance or similar payments like ABSTUDY or Veterans' Children Education Supplement.

Family Tax Benefit Part B is extra assistance for families with one main income. Payment is based on the age of the youngest child and an income test applied to the parent earning the lower amount. Payments are either paid in a lump sum or paid out fortnightly, if you choose fortnightly you will need to estimate the annual family income for the financial year. The estimate will be used to determine the fortnightly payments.

EDUCATION TAX REFUND

The Australian Government announced in the 2012 Budget that the Education Tax Refund (ETR) would be replaced by a new payment called the Schoolkids Bonus.

Starting from 1 January 2013, this new payment will help Australian families with children at school pay for expenses such as uniforms, books, school excursions, stationery and other costs like music lessons and sports registration fees.

Eligible families will be paid the bonus automatically in January and July.

Each year, families will receive:

\$410 for each child in primary school (two instalments of \$205) and

\$820 for each child in high school (two instalments of \$410).

As part of the transition to the new Schoolkids Bonus, the ETR for 2011-12 will be paid as a lump sum in June 2012. Eligible families will automatically receive the payments into their bank account:

\$409 for each child in primary school

\$818 for each child in secondary study.

All eligible families will receive the maximum ETR entitlement for 2011-12, without having to claim through their tax return.

If you do not receive a one-off payment in June, you can contact Centrelink to check whether you may be entitled to a payment for the 2011-12 financial year. Keep your receipts. You need them to calculate your refund and you may need to show them as proof of purchase.

More information about the ETR payment is available by calling Centrelink's Families and Parent line on 13 24 68. www.educationtaxrefund.gov.au

For more information about the Schoolkids Bonus, go to www.families.fahcsia.gov.au

CHILD CARE BENEFIT

As a grandparent with primary care of your grandchild, you may be entitled to extra assistance with the cost of approved child care. Child Care Benefit for approved care can be claimed as either reduced child care fees or as a lump sum payment to the Childcare Centre. It is available for children who have been immunised or are exempted from the immunisation requirements. Child Care Benefit is only available through the Family Assistance Office located in Medicare offices and Centrelink Customer Service Centres. Contact 13 61 50 www.familyassist.gov.au

MEDICARE BENEFITS

As a grandparent or carer you do not have to have the child enrolled on your Medicare card to make a claim for any medical costs you incurred. You are able to claim Medicare Benefits for medical expenses you incurred on behalf of the child you are caring for. If you incurred the cost, all you need to do is present an account/receipt to collect the Medicare benefit. Grandparents may request to have their grandchildren copied onto their Medicare card, though it may be necessary for them to provide documentation to support their request. Documents from Court and relevant State Department of Community Services can be used for proof that the children are in dedicated care.

For information see your local Medicare Office. 13 20 11 www.medicareaustralia.gov.au

NO INTEREST LOAN SCHEME

Many low income households face a major problem if they need to buy an essential household item, but don't have savings and can't access affordable credit. Community groups, such as Neighbourhood Centres or Charities, run 'No Interest Loan Schemes' (NILS) to assist with this problem. Loans are only available to low income earners, e.g. the holder of a health care card, and residents that have lived in the local post code area for at least the past six months.

A typical NILS loan is around \$800 - \$1200 for whitegoods, furniture, medical appliances or any other essential household item. As loans are repaid over 12-18 months, the money is 'recycled' and lent out again to other people in the community. (July 2012)

If you are not eligible for a NILS® loan or have other credit and debt issues, contact the **Credit and Debt Hotline on 1800 808 488** for help and assistance. There may be other options available, such as talking to a free and confidential financial counsellor to get your finances sorted.

LEGAL INFORMATION

Some grandparents raise their grandchildren for years – or even decades – without having any dealings with the NSW child protection system or the legal system. These grandparents are often referred to as ‘informal carers,’ which simply means that their role has not been officially recognised.

However, grandparents who already have – or want to gain – full time responsibility for their grandchildren and be officially recognised as their grandchildren’s ‘formal carers’ will need to deal with representatives of the child protection system in NSW and the legal system. Other grandparents may simply be seeking contact with their grandchildren.

Understanding the legal system

The role of Department of Family and Community Services (FACS):

FACS is the NSW government department responsible for child protection. **You can contact FACS if you are worried about your grandchild’s wellbeing or safety.** In this situation, you can make a confidential report to FACS by calling the FACS Helpline on 132 111. If you think your grandchildren are at risk of immediate harm and FACS agrees this may be the case, FACS can remove children from their home. In cases where FACS decides to remove a child from their parents they will start proceedings in the NSW Children’s Court.

The role of the NSW Children’s Court:

The NSW Children’s Court can make decisions about who grandchildren live with, by applying the *Children and Young Person’s (Care and Protection) Act NSW*. If FACS has already begun proceedings at the NSW Children’s Court regarding your grandchildren, you can ask to become involved in the case (this is also referred to as ‘becoming a party to the proceedings.’) The NSW Children’s Court is able to make a variety of orders in relation to the care and protection of a child or young person. These include:

- interim care orders;
- orders for supervision;
- orders allocating parental responsibility for a child or young person;
- orders prohibiting an act by a person with parental responsibility;
- contact orders;
- orders for the provision of support services; and
- orders to attend therapeutic or treatment program.

www.lawlink.nsw.gov.au/lawlink/childrens_court/ll_cc.nsf/pages/CC_care_protection_law

If the NSW Children’s Court puts Court Orders in place and you want to change them – for example, to having the grandchildren placed in your care – you can apply to the NSW Children’s Court. This is the only circumstance where grandparents would *start* a case in the NSW Children’s Court.

The NSW Children's Court takes all measures practicable to ensure that a child or young person has every opportunity to be heard and participate in proceedings and that the proceedings, decisions or rulings are understood by the child or young person.

The role of the Family Court of Australia:

The *Family Law Act 1975* is the law that applies across Australia to separation and divorce, division of property and who children live and spend time with. In some circumstances, grandparents can use this law to apply for Court Orders to ensure that their grandchildren spend time with them or live with them. For example, grandparents may use this law in cases where they have been the 'informal carers' of their grandchildren (for a short or long period) and wish to have their role officially recognised.

Grandparents may also use this law in cases where they have been raising a grandchild for some time and that child's parents seek to take custody of them. In these cases you can seek a Court Order so that the grandchildren continue to live with you.

If conflict is occurring within your family and the child's parents are preventing you from having any contact with your grandchildren the *Family Law Act* may also apply. Grandparents are specifically mentioned in the *Family Law Act* as being able to apply to a court for orders with regard to their grandchildren. However it is important to be aware that this does not mean that grandparents (or indeed parents) have an automatic right to have contact with the children.

The *Family Law Act* makes it clear that the 'best interests of the child' are the main considerations when it comes to decisions about parenting. The focus of the *Family Law Act* is on the rights of children to know and be cared for by both parents and other people significant to their care, welfare and development, such as grandparents and other relatives.

Family Law proceedings can be started in the Family Court of Australia or the Federal Magistrates Court. Some processes in the Federal Magistrates Court are usually easier for self-represented litigants (people without a lawyer) to understand, so this may be the best place to start the case if you are representing yourself. **You should seek advice about which Court is best in your case.**

Steps in a Family Law case:

Step 1: Seek Legal Advice

You can get **free legal advice from your closest Legal Aid NSW office**. Legal advice and legal representation are different. Free family law advice clinics are offered on the ground floor of the Legal Aid office in Sydney CBD any day from 9am to 4pm for advice, regardless of your financial situation (no booking necessary 02 9219 5000). Legal representation is dependent on means and or merit testing.

Remember, even if you don't qualify for legal representation this does not mean you are not entitled to free legal advice from Legal Aid NSW.

LawAccess NSW also provides free telephone legal information, advice and referrals to other legal services that can help you, such as Community Legal Centres and/or private lawyers.

To find your nearest Legal Aid office, visit www.legalaid.nsw.gov.au or call LawAccess NSW on 1300 888 529.

Step 2: Dispute Resolution

Going to court should always be the last option as it can be stressful and expensive, so you should always try to come to an agreement about how and when your grandchildren see or have contact with you. Not only is it in everyone's interest to resolve dispute without taking legal action, the *Family Law Act 1975* requires people to try family dispute resolution first. Family dispute resolution is where an independent person who is trained to help families discuss their differences tries to help you explore possible solutions with each other. If this kind of mediation is successful, the agreement about the time you are to spend with your grandchildren can be written up in a Parenting Plan or Consent Orders, which then can be lodged with the Court.

Family Relationship Centres (FRCs) can provide up to three hours of joint dispute resolution sessions free of charge. For more information contact: 1800 050 321

www.familyrelationships.gov.au

Step 3: Going to Court

If you are not able to resolve a dispute about contact with your grandchild through mediation you will have to apply to Court for an order allows you to spend time with or communicate with your grandchild. There can be monetary penalties for a person who applies to the Court without first trying family dispute resolution.

You should get legal advice before taking legal action, including advice about:

- how strong your case is;
- what forms and documents to support your case you will need to lodge with the Court;

- what Court Orders you should ask for;
- which Court you should start the case in and the costs of taking legal action.

If a case goes to Court, there will be a hearing where the Court will decide what is in the best interests of the grandchild. In some cases the Court can order that an independent children's lawyer be appointed to represent the grandchild's interests. That lawyer's role is to form an independent view of what is in the grandchild's best interests and make the Court aware of those interests. (www.legalaid.nsw.gov.au/publications/factsheets-and-resources/are-you-a-grandparent-your-legal-questions-answered/)

COURT SUPPORT SCHEME:

Administered by Community Restorative Centre (CRC), the court support scheme is a network of volunteers in local courts throughout metropolitan Sydney and the family court at Parramatta providing information, assistance and support for your day in court. It assists victims, defendants, witnesses and their families. It does not provide legal advice or representation. The service is confidential and free. Contact: (02) 9288 8700
www.crcnsw.org.au/services/courtsupport

COURT WEBSITES:

You can get further information about court processes, forms publications and Do-It-Yourself kits on the Family Court website and the joint website of the Family Court and Federal Magistrates Court: www.familycourt.gov.au ; www.familylawcourts.gov.au

NB: *the information provided here is of a general nature and COTA NSW takes no responsibility for any actions you subsequently take. You should get legal advice about your particular situation.*



MENTAL HEALTH INFORMATION

Many grandparents are raising their grandchildren because their own children have suffered long term drug or alcohol addiction or experienced a significant mental or physical illness. The children who have witnessed their parents' experience of addiction or illness may suffer their own trauma as a result. These children may experience the following:

- Anxiety disorders
- Depression
- Grief
- Sleeping difficulties

Grandparents are also likely to experience stress if their own children are experiencing addiction or long-term illness. You may therefore find that you – and the grandchildren you are now caring for – would benefit by speaking with someone else about your situation.

This is where a grandparenting group can come into its own. Grandparenting groups are run and attended by people from similar backgrounds, who are committed to and passionate about the issues that you all share. A grandparenting group can assist and benefit its members through personal knowledge and shared experience, and by having the appropriate resources and networks to ensure the grandparent and grandchild can receive the help that they need.

To find a grandparent support group in your area, visit: www.raisinggrandchildren.com.au or call COTA NSW on (02) 9286 3860 or 1800 449 102 for regional NSW callers.

Mental Health Line is a 24-hour telephone service operating seven days a week across NSW. **1800 011 511** www.health.nsw.gov.au/mhdao/contact_service.asp

In an emergency, please call **000** (triple zero), or go to a hospital emergency department, where they may refer you to a mental health and/or drug and alcohol service.

HEALTHY KIDS CHECK SCHEME

From July 2012, the Commonwealth government is reforming the Healthy Kids Check scheme. These universal voluntary health checks will commence at age three instead of four, and will extend to cover a child's social and emotional wellbeing. The check will be predominantly conducted by GPs, with children who show troubling behaviour being referred to psychologists or paediatricians. While the checks are not compulsory, people who receive payments from Centrelink, and choose not to have the child in their care checked by a GP, should contact the Family Assistance Office located in Medicare offices and Centrelink Customer Service Centres, as this may affect their eligibility for Family Tax Benefit Part A. Contact 13 61 50 www.familyassist.gov.au
[www.health.gov.au/internet/ministers/publishing.nsf/Content/FEEA7279E7A9A16FCA25791B000C0806/\\$File/MB116.pdf](http://www.health.gov.au/internet/ministers/publishing.nsf/Content/FEEA7279E7A9A16FCA25791B000C0806/$File/MB116.pdf)

SERVICES INDEX

Aboriginal Health – <i>information about Aboriginal health services in NSW and current health programs</i> www.health.nsw.gov.au/publichealth/aboriginal/index.asp	Contact NSW Ministry of Health (02) 9391 9000
Aboriginal Legal Service (NSW/ACT) – <i>prisoner and family support unit</i> www.alsnswact.org.au	(02) 8303 6600 or 1800 826 966 for regional NSW callers.
Alcohol and Other Drugs Information Service (ADIS) – <i>24-hour confidential, anonymous information, advice and referral service. For information about drugs, parent advice and detoxification</i> www.adin.com.au/content.asp?Document_ID=38	(02) 9361 8000 or 1800 422 599 for regional NSW callers.
Australian Tax Office www.ato.gov.au	13 28 65
BeyondBlue – <i>provides up to date, easy to read information on depression, anxiety and related disorders</i> www.beyondblue.org.au/index.aspx?link_id=7	1300 224 636
Carers NSW – <i>is an association for relatives and friends caring for people with a disability, mental illness, drug and alcohol dependencies, chronic condition, terminal illness or who are frail</i> www.carersnsw.asn.au	1800 242 636
Centrelink – Age Pension and other senior’s payments www.centrelink.gov.au/internet/internet.nsf/payments/index.htm	13 23 00
Centrelink - Financial Information Service www.centrelink.gov.au/internet/internet.nsf/services/fis.htm	13 23 00
Centrelink – Grandparent Advisors www.centrelink.gov.au/internet/internet.nsf/individuals/grandparent_advisors.htm	1800 245 965 or 13 61 50
Centrelink – Youth and student services www.centrelink.gov.au/internet/internet.nsf/individuals/st_index.htm	13 24 90
Child Support Agency – <i>administers payments from the child’s parents to support the financial obligation of the carer</i> www.csa.gov.au	13 12 72
Connecting Carers – <i>support carers with resources and information</i> www.connectingcarersnsw.com.au	1300 794 653
COTA NSW – <i>information and referral on grandparenting issues</i> www.cotansw.com.au www.raisinggrandchildren.com.au www.grandparentsday.org.au	(02) 9286 3860 or 1800 449 102 for regional NSW callers.

<p>Court Support Scheme – Community Restorative Centre (CRC) – <i>a NSW community organisation dedicated to supporting people affected by the criminal justice system</i></p> <p>www.crcnsw.org.au</p>	(02) 9288 8700
<p>Credit and Debt Hotline – <i>provides free and confidential financial counselling to low income households dealing with financial difficulties</i></p> <p>www.wesleymission.org.au/centres/creditline/contact_us/default.asp</p>	1800 808 488
<p>Disability Service – IDEAS (<i>Information on Disability & Education Awareness Services</i>) – <i>provides information on disability services, equipment suppliers and accessible travel, as well as other high profile speciality information resources maintained by other agencies</i></p> <p>www.ideas.org.au/information/</p>	1800 029 904
<p>Domestic Violence Advocacy Service – Women’s Legal Services NSW</p> <p>www.community.nsw.gov.au/parents_carers_and_families/domestic_and_family_violence/dv_line.html</p>	(02) 8745 6999 or 1800 810 784 for regional NSW callers.
<p>Domestic Violence Court Advocacy Program – <i>service funded through Legal Aid NSW with support workers available at a number of NSW local courts.</i></p> <p>www.legalaid.nsw.gov.au/what-we-do/community-partnerships/womens-domestic-violence-court-advocacy-program</p>	Contact Legal Aid WDVCA Program Manager (02) 9219 5791
<p>Domestic Violence Line – <i>is a NSW statewide free-call number and is available 24 hours, seven days a week.</i></p> <p>www.community.nsw.gov.au/parents_carers_and_families/domestic_and_family_violence/dv_line.html</p>	1800 656 463
<p>Family and Community Services – <i>Government department that manages Housing NSW, home care and other community services.</i></p> <p>www.facs.nsw.gov.au</p>	(02) 9248 0900
<p>Family and Community Services – COMMUNITY SERVICES (formerly DoCS) – <i>Government department responsible for child protection</i></p> <p>www.community.nsw.gov.au/preventing_child_abuse_and_neglect/reporting_suspected_abuse_or_neglect.html</p>	Child Protection Helpline: 13 21 11
<p>Family Assistance Office – <i>information on government payments to support families</i></p> <p>www.familyassist.gov.au</p>	13 61 50
<p>Family Drug Support – <i>24-hour information, help and referral service. Supporting families affected by alcohol and other drugs and family members in drug rehabilitation</i></p> <p>www.fds.org.au</p>	(02) 4782 9222 or 1300 368 186 for regional NSW callers.
<p>Family Inclusion Network – <i>provides advice for people involved with the Department of Family and Community Services, or proceedings through the Children’s Court</i></p> <p>www.fin-nsw.org.au</p>	0450 521 610

<p>Family Law Courts – National Enquiry Centre – <i>provides general information about family law court procedures, Family Law Court forms and publications. Cannot provide legal advice but will offer a referral to an appropriate service.</i></p> <p>www.familylawcourts.gov.au/wps/wcm/connect/FLC/Home/About+Us/National+Enquiry+Centre/</p>	1300 352 000
<p>Family Law Reform Assoc. – <i>advice on Grandparents’ legal rights</i></p> <p>www.familylawreform.org.au</p>	(02) 9542 2459 Coral Slattery
<p>Family Relationship Centre – <i>provides confidential assistance in family dispute resolution</i></p> <p>www.familyrelationships.gov.au</p>	Family Relationship Advice Line: 1800 050 321
<p>Financial Information Centre on Retirement & Investments</p> <p>www.nicri.org.au</p>	1800 020 110
<p>HealthDirect Australia – <i>24-hour telephone health advice line staffed by Registered Nurses</i></p> <p>www.healthdirect.org.au</p>	1800 022 222
<p>Kids Help Line – <i>24-hour counselling service for young people aged 5-25 years</i></p> <p>www.kidshelp.com.au</p>	1800 551 800
<p>Law Access – <i>legal information telephone service</i></p> <p>www.lawaccess.nsw.gov.au</p>	1300 888 529
<p>Law Society – Solicitor Referral Service – <i>helps members of the public find law firms that are appropriate for their individual circumstances and needs</i></p> <p>www.lawsociety.com.au/community/findingalawyer/solicitorreferralservice/index.htm</p>	(02) 9926 0300 or 1800 442 713 for regional NSW callers.
<p>Legal Aid – <i>provides legal services to disadvantaged people</i></p> <p>www.legalaid.nsw.gov.au</p>	<i>To find an office near you contact 1300 888 529</i>
<p>Legal Aid – Child support service – <i>specialist service that can assist in proving or challenging parentage for child support purposes, explain how the Child Support Agency calculates child support, and appeal against child support assessments / decisions. (Not part of CSA or Centrelink)</i></p> <p>www.legalaid.nsw.gov.au/what-we-do/family-law/child-support-advice</p>	(02) 9633 9916 or 1800 451 784 for regional NSW callers.
<p>Legal Aid – Family law advice clinics – <i>are offered on the ground floor of the Legal Aid office in Sydney CBD any day from 9am to 4pm for advice regardless of your financial situation</i></p> <p>www.legalaid.nsw.gov.au/what-we-do/family-law/family-law-early-intervention-service</p>	(02) 9219 5000

Lifeline – 24-hour crisis telephone counselling service www.lifeline.org.au	13 11 14
Local Court website – Find your Local Court using the alphabetical list of pages. Listing and sitting arrangements are linked to every page. www.localcourt.lawlink.nsw.gov.au/localcourts/court_locations.html	LawAccess can provide location of closest local court. 1300 888 529
Medicare – administers national health program on behalf of the Commonwealth Government www.medicareaustralia.gov.au	13 20 11
Mental Health Line – 24-hour telephone service operating seven days a week across NSW www.health.nsw.gov.au/mhdao/contact_service.asp	1800 011 511
Older Persons' Legal Service – provides legal advice, assistance, and referral for over 65 year olds. www.tars.com.au/index.php/services/older-persons-legal-service	(02) 9281 3600 or 1800 424 079 for regional NSW callers.
No Interest Loan Scheme (NILS) – provides small loans to low income households. Administered through community centres. www.nilsnsw.org.au/nsw-nils-schemes	1800 509 994
Salvos Legal Humanitarian – may provide legal advice/representation for persons on Government pensions or from low income backgrounds that have been unable to access Legal Aid. www.salvos.org.au/salvoslegal/salvos-legal-humanitarian/	(02) 9213 3910
Transcultural Mental Health Centre (TMHC) – is a NSW statewide service that promotes access to mental health services for people of culturally and linguistically diverse (CALD) backgrounds. www.dhi.health.nsw.gov.au/Transcultural-Mental-Health-Centre/Information-for-Consumers-Carers-and-Community/Information-for-Consumers-Carers-and-Community/default.aspx	(02) 9840 3800
Victims Access Line – provides confidential support, referral and information for victims of crime www.community.nsw.gov.au/parents_carers_and_families/domestic_and_family_violence/dv_line.html	1800 633 063
Welfare Rights Centre – provides free and independent information, advocacy and advice about Centrelink www.welfarerights.org.au	(02) 9211 5300 or 1800 226 028 for regional NSW callers.

