



Practical tips if you are worried your child may be taken overseas

This fact sheet has information about some practical steps you can take if you are worried the other parent or guardian may try to take your child out of Australia.

I'm worried the other parent may get a passport for our child- what can I do?

A parent cannot generally get an Australian passport for their child unless the other parent also agrees and signs the passport application.

If you are worried the other parent may try to get a passport for your child without telling you, you can lodge a Child Alert Form with the Australian Passport Office. You can ask for this form by calling the Australian Passport Information Service on 131 232.

If you think your child may be eligible for a foreign passport, contact the embassy or consulate of the foreign country to get more information.

Check with the embassy or consulate about their eligibility and the process of applying for a passport. Find out whether both parents are required to sign the passport paperwork.

If your child has a current passport, if possible, you should keep hold of the passport and keep it somewhere safe.

My child already has a passport – what can I do?

If your child already has a current passport, if possible, you should keep hold of the passport and keep it somewhere safe.

If the other parent has your child's passport in their possession or control, and there is a risk your child may be removed from Australia, you need to seek urgent legal advice. You may need to file an application with the Family Court for orders to restrain the other parent from removing your child from Australia and to have your child's name placed on the Family Law Watchlist.

There are other orders the Family Court can make when there is a risk a child may be removed from Australia. For example, the Family Court may require the other parent to give the child's passport to the court.

This fact sheet contains information only. It is not legal advice. If you have a legal problem, you should speak to a lawyer. Legal Aid WA aims to provide accurate information but does not accept responsibility if it is not.

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What is the Family Law Watchlist?

The Family Law Watchlist is designed to alert police if a child is leaving Australia. For example, if a parent tries to catch an international flight with a child whose name is on the watchlist, they would be stopped from flying and the Australian Federal Police would be alerted.

How do I place my child on the Family Law Watchlist?

To have your child's name placed on the Family Law Watchlist you will need to have a Family Court order which requests the Australian Federal Police place your child on the Family Law Watchlist.

If you have made an application to the Family Court to stop your child travelling overseas or have lodged an appeal to prevent overseas travel you can make an application yourself to the Australian Federal Police to place your child's name on the Watchlist.

The request form is available on the Australian Federal Police website. You will need to provide the Australian Federal Police with a copy of your Application or Appeal documents.

How can Legal Aid WA help?

If you are in Perth you can get urgent advice and assistance from the Legal Aid WA duty lawyer service at the Family Court of WA in Perth called Family Court Services Monday to Friday from 9am to 4pm.

In emergency cases where there is an immediate risk of a child being removed from Australia before the next working day you can contact the Courts' after hour service on 1800 199 008.

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