

# Children's Contact Services

## Guiding Principles Framework for Good Practice

**1.8 Child Refusal Principle 1: All strategies implemented are child focussed and appropriate to the age and stage of each child, with special note made of the needs of non-verbal infants and toddlers and clear guidelines are in place regarding the maximum number of times the service will attempt the facilitation of visits, taking into account:**

- The role of the CCSs is to facilitate, not enforce, contact between children and parents.
- The CCS reserves the right to suspend services in situations where the child refuses to participate.
- The CCS offering some supervised/ unsupervised time on site as a transition.
- The CCS provides referrals to other services.
- The CCS takes clear and detailed observational notes for the purposes, if requested, of advising either parent, or their legal representative or court appointed expert.

### **What to Do If Your Child Refuses Visitation with the Other Parent**

Whether you're newly separated or well-versed in co-parenting, you recognize the importance of sticking to your parenting agreement.

As important as it is to follow the plan you and your co-parent agreed upon or that was ordered by the court, it is possible for pitfalls to arise that interfere with your ability to follow it precisely.

One particular instance in which this can become challenging is if your child doesn't want to comply with your visitation schedule and begins refusing to see their other parent.

While their desire not to see the other parent may be totally out of your control, the consequences of your child refusing to attend visitations could impact your whole family.

### **What Makes a Child Not Want to Visit A Parent?**

The reasons as to why your child is refusing visitation with your co-parent are unique to your situation, but some causes might include:

- Your child is unhappy with the rules they must follow at your co-parent's house
- Your co-parent lives far away from their friends, school, activities, and other things they enjoy
- Your child and your co-parent disagree on a range of matters and frequently argue, straining their relationship
- Your child does not get along with your co-parent's new partner or other people living in their home

If your child is refusing visitation with your co-parent due to a reason that directly concerns their safety, bring this to the attention of your attorney or other legal professionals immediately.

If the reason does not directly impact their safety or well-being, your child should attend visitations. In fact, missing out on them could put your family in a tough legal position.

## **Legal Concerns for Refusing Visitation**

No matter the reason for not wanting to see their other parent, custodial parents are responsible for making sure that their child sees their other parent.

Family law courts want to see co-parents working together to encourage their child to spend time with each parent. If the opposite is happening—even if it's what the child wants—courts may not look as favourably upon the parent who appears to be preventing visitations.

Due to their visitation time being compromised, the other parent could file an Order to Show Cause. This would call for a "show cause hearing" with the court in which the custodial parent would be asked to explain or show cause as to why they are not complying with the visitation agreement.

Even as that parent does their best to explain to the judge why their child is resisting the visitation schedule, it's the judge who will have to be convinced and believe that it is the child who is resisting visitation.

## **At What Age Can a Child Refuse to See a Parent?**

When it's a teenager who is refusing visitation, the court may look at the situation differently than they would if it was a young child.

Teenagers are known to push their parents' buttons and try to call the shots, but legally speaking, in most states, teenagers under 18 don't have a say in whether or not they follow the visitation schedule.

## **What to Do When Your Child is Refusing to Visit the Other Parent**

If your child is refusing to spend time with or stay with their other parent, you have a responsibility to manage the situation as appropriately and positively as you can.

## **Notifying the Other Parent**

Keep in mind that your child missing scheduled visitation with your co-parent could put you and your family in a legal bind. Your attorney will be the best person to seek direct guidance from when faced with this issue.

In nearly any situation like this, properly notifying your co-parent and documenting what occurred is key. Notify your co-parent as soon as possible using a method of communication that can create real documentation of the incident and can prove precisely when you told your co-parent. Alternatively, your Supervised Contact Service can let the other parent know that the child has refused visitation.

## **Encouraging Visitation**

Your child refusing to visit or stay with their other parent is a tough position for parents to be in, and how you handle it as a family can speak volumes to how the situation is resolved.

## **Remember your role as a parent**

Keep in mind that you are the one calling the shots, not your child. Of course, this is a particularly emotional situation, and feelings of guilt could be influencing your decisions. But that doesn't reduce your responsibility towards your parenting agreement.

Thoughtfully consider your child's opinions but remember that you are the one in charge. Promote the fact that both you and your co-parent love your child and that it's vital for them to spend time with each of you, even if they don't see it the same way.

Additionally, consider your own behaviour and how that could be influencing your child not to want to see their other parent. Badmouthing the co-parent in front of your child or interrogating your child about the visitation once they get home could influence your child's desire to be with their other parent.

## **Talk to your child about why they don't want to go**

Try to get to the bottom of why your child doesn't want to spend time or stay with your co-parent. Let your child express their feelings to you without judgment.

When it's your turn to respond, do so with kindness and understanding. Show them that you understand their concerns by considering those as a whole family.

## **Get your co-parent involved**

Talk to your co-parent about what's going on, and work together to create a plan for handling the situation. Encouraging your co-parent to reach out to your child through phone calls or video chats can provide a way for them to connect with your child in a low-stress environment.

Depending on the situation, a family meeting may provide an excellent opportunity to address the issue as a group. You may also consider bringing a third-party neutral or mental health professional into the conversation, such as a family therapist or counsellor for your child. Getting the other parent involved in the early stages of separation/divorce is not always possible. Talk to your Supervised Contact Service for help.

## **Make parenting time transitions as smooth as possible**

**Keep transitions as smooth as possible.** Before your child leaves to visit or stay for an extended time with your co-parent, make sure they have everything they need packed and ready to go.

Keep the conversation positive when you and your child speak about these visits, helping your child to look forward to that time instead of dread it.

During transition times, be sure to stay calm. Let your child know that you will miss them but that you want them to spend this time with their other parent. Keep transitions short, sweet, and reassuring.

No matter the reason as to why your child is refusing to spend time with their other parent, you must manage this situation in an appropriate, fair manner. It may take time to change your child's perspective but do your best to keep a positive outlook on the situation.