

# STAY AT HOME LAW AND FAMILY LAW

On 20 January 2020, the government declared a '**Public Health Emergency**' and implemented new laws to require Queenslanders to **stay at home** (called 'Home Confinement').

There are exceptions that allow people to leave their homes in certain circumstances. Some of these exceptions include to facilitate parenting arrangements for separated families and where there is domestic violence or a risk of violence (See 'Stay at Home Law and Domestic Violence' factsheet). Please note that different laws apply if you have returned from overseas or have a confirmed COVID-19 diagnosis. If this applies, you should seek further advice.

## WHAT DOES THE LAW SAY ABOUT THE EXCEPTIONS FOR PARENTING ARRANGEMENTS?

### **If you have parenting orders (either interim or final):**

You can leave your home to follow any court or tribunal orders, **including family law court orders**. If you have questions about following parenting orders, you should obtain legal advice before you act. If the other parent is not following parenting orders, you should get legal advice as soon as possible.

### **If you do not have parenting orders:**

You can leave your home to continue existing arrangements for access to/contact between parents and children and siblings, but you must not allow access/contact with vulnerable groups or persons (i.e. a person over 70 years or someone with a condition that makes them vulnerable to COVID-19).

**The Family Law Courts have asked parents to act reasonably and in the best interests of children at this time.**

## WHAT ARE THE PENALTIES IF I DO NOT FOLLOW THE STAY AT HOME LAWS?

Breaking these laws without a reasonable excuse means you are committing an offence and you could receive a monetary fine. There can also be consequences if family law orders are not followed without a reasonable excuse. If you think this may apply to your situation, you should seek further legal advice.

## WHAT IF I NEED FURTHER HELP?

The following Services may be able to provide you with some free legal advice:

- North Queensland Women's Legal Service: 4033 5825 (Cairns) or 4772 5400 (Townsville).
- Aboriginal and Torres Strait Island Women's Legal Service (Townsville): 1800 082 600.
- Aboriginal and Torres Strait Islander Legal Service (ATSILS): 1800 012 255.
- Cairns Community Legal Centre: 4031 7688.
- Legal Aid Queensland: 1300 65 11 88.
- Townsville Community Law: 4721 5511.
- Queensland Indigenous Family Violence Legal Service (QIFVLS): 1800 887 700.

Alternatively, you can contact a private lawyer. If you need help finding one, the Queensland Law Society has a 'Find a Solicitor' tool available on their website: (<http://www.qls.com.au>).

If you need further (non-legal) support, the following Services may be able to assist you:

- Cairns Regional Domestic Violence Service: 4033 6100.
- North Queensland Domestic Violence Resource Service: 4721 2888 (Townsville and Mount Isa).
- DV Connect: 1800 811 811.
- 1800 Respect: 1800 737 732.
- The Women's Centre FNQ: 4051 9366.
- The Women's Centre Townsville: 4775 7555.