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Yes, in very rare cases, we may decide that it's in the best interest of the child for someone else other than those who have [parental responsibility](#) to be the child representative. For example, we might do this if you're caring for the child and there's no formal parenting order in place.

This might happen if:

- The person with parental responsibility can't do the things we need them to do as the child representative. For example, because they're sick in hospital and not able to act on the child's behalf.
- The child is living with someone else who doesn't have parental responsibility for them, and there are no parenting orders in place for the child. For example, the child has started living with a relative, like a grandmother or uncle, who is providing all their day-to-day care in an informal kinship arrangement.

What do we consider when we appoint someone who doesn't have parental responsibility for the child?

When deciding to appoint a person who doesn't have parental responsibility for a child, we look at:

- What the child would like. We will try to involve the child in the discussions as much as possible or when they're able to. This may depend on their age and disability.
- The importance of maintaining relationships with family and others who help care for the child. For example, extended family and friends.
- Who can best carry out the [duties of the child representative](#).

Then we will think about whether the proposed child representative:

- Is currently caring for the child in any existing carer arrangements.
- Makes day-to-day parenting decisions for the child.
- Can work with others who are involved in the care of the child, including other child representatives, and act in their best interests.
- Has answered questions or provided information in relation to our decision to appoint them as a child representative. Or if they have refused to answer questions or provide information, including about their criminal history and their suitability to work with children.
- Consents to the release of information about their criminal history, or their suitability to work with children.
- Has relevant convictions for offences under Australian laws, or state or territory laws.
- Has any other relevant information about their suitability to work with children.

If we decide to make someone who doesn't have parental responsibility the child representative, we will notify each person who might be directly affected and explain this decision.

If the child's guardian is a minister or the head of department of state, they must agree in writing with any decision we make about who will be the child representative.

Can we revoke a decision about a child representative?

Yes, if we appoint a child representative that doesn't have [parental responsibility](#) for a child, we can revoke that appointment. We may do this if either:

- The child representative we appointed tells us in writing they no longer want to be the child representative.
- We decide that it's no longer appropriate for the person to be the child representative. We'd make this decision after receiving copies of a court order, or we've been advised there's a change in the child's living arrangements. In some instances, we'll temporarily stop sending correspondence and stop sharing information about the child to one or both child representatives while we review the details of a court order, or while we are waiting for a copy of a court order.

When we revoke a decision about a child representative we must inform you in writing.

Learn more about [who can be a child representative](#).

Example

Janet is going through a difficult time in her life after her husband died. She has arranged for her friend Ann to care for her son Anthony who has a disability. Anthony lives full-time with Ann and she makes all the day-to-day parenting decisions for him. Janet tells us she can't be Anthony's child representative for the foreseeable future. Ann is happy to help Janet and Anthony and requests to be Anthony's child representative. Janet is supportive of this action. Before making a decision, we check that Janet is the only person with parental responsibility for Anthony (the only person who meets [parental condition 1 or 2](#)).

After seeking all relevant information and considering all [relevant factors](#) we make a decision. We appoint Ann as Anthony's child representative, so she can perform the child representative duties while Janet recovers. After a year, Janet is managing better and can perform the child representative duties for Anthony. Ann asks us in writing to revoke her as a child representative. We decide to revoke Ann's appointment as Anthony's child representative. As Janet still has parental responsibility for Anthony, Janet will automatically become Anthony's child representative when we revoke the decision to appoint Ann. We send Ann and Janet a copy of our decision.