

3) What can I do if I worry that my mum and dad won't accept my opinion?

Apart from your parents, you can also express your opinion to the social worker who prepares the investigation report for your family to the Court. The social worker can help you reflect your feeling, needs and opinions to the Judge so that the Judge will understand your present situation.

4) What is investigation report?

If your parents cannot agree between themselves on your living arrangement or when the Judge of the Family Court has concerns about it, the Court may order the social worker of the Social Welfare Department to understand your family situation and prepare an investigation report. The social worker will meet you and your parents separately. He / She will meet with you and your mum / dad jointly, if necessary. He / She may also contact other family members of yours or those persons who know about you such as your grandparents and your school teachers, etc.

After meeting you and your family members, the social worker will prepare the investigation report so that the Judge will understand you and your family's situation. Then, the Judge will meet your mum and dad to decide your care arrangement as well as how you can maintain contact or meet the parent who is not living with you. The Judge will consider the best interest for you and your siblings first before making a decision.

Thus, you can inform the social worker your usual life pattern, your feeling towards your parents' divorce, your views and worries towards the future arrangement. You can also request to meet the Judge and express your views directly.

5) What is custody and access?

Custody and access are legal terms. Custody is the responsibility given to both or either one of the parents by the Court to make decision for and take care of their children when they divorce. Access is the time and means allowing children to meet with their mum or dad who is not living with them. For divorce cases, the Judge will make decision on the child custody and access arrangement.

6) Can I meet my mum or dad who lives apart?

You may worry that you cannot meet the parent who is not living with you. Indeed, it is your right to keep in touch with the parent who lives apart. You can tell the social worker your will and worries so that the Judge can make an order that suits you.



7) If I feel unhappy, where can I seek help?

You may not be able to adjust to all the changes at once. Yet, the problem can be resolved. If you are worried about your future arrangement, you may directly ask your parents or tell them about your feelings.

The social worker who prepares the social investigation report for your family is willing to listen to you. He / She can provide you with counselling or introduce appropriate services to you. You may also share with someone you trust, such as seniors, teachers, school counsellors or social workers, etc.

Remember, don't hide your worries, and share your feelings with someone you trust.

If you have some more questions, or need other help or services, you are welcome to contact your social worker.

Name of social worker : _____

Name of office : _____

Telephone : _____

Social Welfare Department November 2018

Child Custody Investigation Report 兒童管養事宜的 調查報告

Guide
for
Children
子女篇





1) 甚麼是離婚？

當爸爸媽媽的關係出現了問題，到了無法挽救的地步，他們可能會決定分開或離婚。離婚是結束婚姻的法律程序，表示爸爸媽媽不會再共同生活。

2) 爸爸媽媽離婚後，我會有甚麼轉變？

爸爸媽媽離婚後，你可能會面對的轉變包括：

- 你可能要搬離現在的居所，跟爸爸或媽媽單獨居住，或需與親戚同住。
- 也許你不能每日見到不同住的爸爸或媽媽。
- 也許你的生活會因爸爸媽媽工作或經濟上的轉變而有所改變。

在一般情況下，你的爸爸媽媽會商討及安排你日後的生活，因此，你可以向他們表達你的想法、疑問或憂慮。

3) 我怕爸爸媽媽不接納我的意見，我不敢向他們表達，可以怎麼辦？

除了父母以外，你也可以向為你的家庭向法院撰寫調查報告的社工傾訴，好讓社工了解你的情況，包括你的感受、需要及意願，向法官反映，讓法官了解你的情況。

4) 甚麼是調查報告？

假如你的爸爸媽媽無法就你的生活安排達成共識，或者家事法庭的法官擔心你生活上的安排，家事法庭可以下令社會福利署的社工去了解你的家庭情況，及為你的個案撰寫調查報告。社會會分別與你及你的爸爸媽媽見面；有需要的話，亦會與你及爸爸或媽媽一同見面，也可能會與你的其他家人及認識你的人聯絡，例如祖父母、學校老師等等。

當社工與你和你的家人見面後，會撰寫調查報告，讓法官了解你和家人的情況，然後法官會在法庭上與你的爸爸和媽媽見面，決定你的照顧安排，以及你可以如何與不同住的爸爸或媽媽繼續接觸或見面。法官決定時會首要考慮你和你兄弟姐妹的最佳利益。

因此，你可以將你的日常生活方式、對爸爸媽媽離婚的感受及對將來生活安排的意願或憂慮告知社工。你也可以要求與法官見面，直接表達你的意見。

5) 甚麼是管養及探視？

管養及探視是法律名詞。管養是法庭交給爸爸及媽媽或其中一方的責任，負責替子女作決定及照顧子女的安排。探視是讓子女與不同住的爸爸或媽媽見面及接觸的時間和方式。在離婚案件中，法官會為子女決定在父母分開以後，管養和探視如何安排。

6) 我日後可否與不同住的爸爸或媽媽見面？

你可能會擔心不能與不同住的爸爸或媽媽見面。其實，即使爸爸媽媽分開了，與爸爸或媽媽見面或接觸是你的權利。你可以向社工講出你的意願或憂慮，好讓法官在探視安排上作出適當的裁決。

7) 如果我覺得很困擾，可以向誰求助？

在面對各方面的轉變時，你未必能一時間適應過來，不過困難是可以解決的。如果你對於日後的生活安排有所憂慮，你可以向爸爸媽媽提出，並且發問及告訴他們你的感受。

為你的家庭撰寫調查報告的社工非常樂意聆聽你的心聲，他／她可以提供輔導或介紹其他合適的服務給你。此外，你亦可以嘗試找一個你信任的人傾訴，例如長輩、老師、學校輔導員、社工、同學、朋友等。

別將心事藏於心裡，盡快找一個你信任的人傾訴吧！

如果你有其他疑問，或需要其他的幫助或服務，歡迎你與社工聯絡。

社工姓名：
辦事處名稱：
電話：

社會福利署 2018年11月

1) What is divorce?

When your mum and dad have problems in their relationship that cannot be resolved, they may consider separation or divorce. Divorce is a legal procedure to end a marriage which means that your mum and dad would not live together any more.

2) What changes will I come across when my mum and dad divorce?

When your mum and dad divorce, the changes you may face include:

- You may move away from your present home, reside with either your mum or your dad, or other relatives.
- You may not be able to see the parent who is not living with you every day.
- Your daily routine may be changed following the change of job or economic condition of your mum or dad.

Usually, your mum and dad would discuss and agree on your living arrangement. Therefore, you can tell them your views, and express your feelings and worries.

