

Parents Encouraged to Use Common Sense with Social Media Posts



Family law firm Watts McCray says under the Family Law Act, publishing images or information that can reveal the identity of a child or individual is considered to be an offence. The outcome of legal proceedings can be impacted when using social media and parents should exercise caution when using platforms such as YouTube, Instagram, Twitter, Skype, Facebook and Snapchat.

In a custody dispute or divorce proceeding, social media posts can complicate the outcome. Using common sense "netiquette", parents or partners can navigate the online world. It is important to note that a simple screenshot of a post can be used as evidence. The material is available for the world to see in a public forum and can be accessed by many. Simply deleting posts does not guarantee that it has not been seen or copied.

Taking time to think before responding in anger or even taking legal advice can help avoid tricky situations. Posting under the influence of alcohol, for example, can be brought up in court to make a case on poor parenting.

Overusing social media to share information on children, especially in custody situations, should be avoided. This also extends to monitoring the children's social media usage, and having a conversation with them about what is sensible and what can be harmful.

The law firm suggests that parents should keep social media accounts private and review privacy settings regularly. There have been instances where social media has been used to stalk and harass the other party. Threats, even as a joke, can work against parents in a family court. Ranting against partners on social media could even mean jail time.

Section 121 of the Family Law Act 1975 prohibits anyone from disseminating any information to the public about a family court case that identifies a party to the proceedings, a person who is related to, or associated with, a party to the proceedings or is, or is alleged to be, in any other way concerned in the matter to which the proceedings relate, or a witness in the proceedings. Simply put, this means parties are not legally allowed to publicly identify people involved in a family court case. While this law is mainly applied to journalists and publications like newspapers, the law is very broad and includes publication by "other electronic means". This means social media updates count, and breaching that law could lead to a maximum punishment of a year in jail.

Watts McCray is a specialist family law firm and leading specialist divorce law firm providing services such as child support, child custody, divorce and property. From dispute resolution, separation and division of assets, spousal maintenance, care of children and relocation Watts McCray can provide sensible and accurate advice. Their large team of family law experts are available nationally and internationally.

Watts McCray has over 40 years of experience in the field of family law, with expertise in relationship property matters and care of children. The team has sound knowledge and experience in collaborative law and other alternative dispute resolution methods. The firm also specialises in commercial, corporate, property and estate law. Watts McCray Lawyers, with offices located in Sydney, Canberra, Central Coast, Parramatta, Norwest, Brookvale

and Frenchs Forest, are a leading specialist family law firm.

For more information on family lawyers, de facto relationship, de facto property settlement, family and divorce lawyer and more, visit www.wattsmccray.com.au. To contact: <https://www.wattsmccray.com.au/contact-us>

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