



## FAMILY COURT OF THE FIJI ISLANDS

### THE BEST INTERESTS OF THE CHILD

The Family Law Act sets out what the Court must consider in deciding the best interests of the child. The Court will look at:

- The wishes of the child considering the age, sex, maturity and level of understanding of the child.
- The nature of the relationship of the child with each parent and with other people.
- The likely effect of changes in the child's circumstances, including: -
  - Separation from either parent,
  - Separation from a brother or sister or other person with whom the child has been living.
- The ability of each parent to provide for the physical, emotional and intellectual needs of the child.
- The need of the child to maintain links with his/her culture and traditions
  - Lifestyle,
  - And any other characteristics of the child that the Court considers relevant.
- The need to protect the child from physical or psychological harm from
  - Abuse, ill treatment, violence or other behaviour to the child, or
  - Witnessing the abuse, ill treatment, violence or other behaviour of another person.
- Ability to be a good parent as shown in the past.
- Any family violence involving the child or a member of the child's family.
- Any family violence orders that apply to the child or members of the child's family.
- Any other fact or circumstance that the Court thinks is important.