

# FAMILY REPORT

Prepared pursuant to section 62G of the Family Law Act 1975 (Cth)

Matter	Hart & Hart
Court / Registry	Federal Circuit and Family Court of Australia (Division 2), Sydney Registry
File number	SYC 2025/004187
Report writer	Dr Rebecca Linton, Clinical Psychologist (Family Report Writer)
Instructed by	Order of the Court dated 9 December 2025
Date of report	21 March 2026
Children	Sophie Hart (10) and Max Hart (7)
Parties	Emily Hart (Applicant mother); Daniel Hart (Respondent father)

## 1. Instructions and purpose

I was appointed to prepare a family report by order of the Court dated 9 December 2025. The report is directed to the children's best interests under Part VII of the Family Law Act 1975 (Cth), and in particular to the arrangements that will best promote the children's safety, developmental needs and meaningful relationships with each parent.

The questions I was asked to address include: with whom the children should live and spend time; the allocation of parental responsibility for major long-term decisions (in particular schooling and health); the nature and level of any risk to the children; and what, if any, conditions or supports should attend the parenting arrangements.

This report is based on a limited number of interviews and observations and a selection of collateral material. It is not a forensic investigation of every disputed allegation. My opinions are expressed to the standard of a clinical assessment and should be weighed with the other evidence before the Court.

## 2. Materials reviewed

In preparing this report I read the following materials provided to me:

- Initiating Application and supporting affidavit of Emily Hart filed 12 August 2025, and Notice of Risk.
- Response and supporting affidavit of Daniel Hart filed 5 September 2025.
- Interim parenting orders made 19 September 2025.
- Subpoenaed records of Waratah Grove Public School (attendance, welfare and communication records, 2023–2026).
- Records of Dr Yasmin Cole (general practitioner) relating to both children, and Max's asthma management plan.
- A redacted summary of Sophie's counselling attendances at Riverside Child Psychology.
- Two NSW Police event records dated 18 November 2024 and 13 April 2025.
- An export of ParentComms parenting application messages for the period September to December 2025.

I note that I did not have the business valuation material and have formed no view on the parties' financial dispute, which is outside the scope of this report.

### 3. Interviews and observations conducted

Date	Session	Attending
13 Feb 2026	Individual interview	Emily Hart
13 Feb 2026	Individual interview	Daniel Hart
13 Feb 2026	Child interview	Sophie Hart (with breaks)
13 Feb 2026	Child interview	Max Hart (brief, age-appropriate)
13 Feb 2026	Observation	Each child with each parent separately

Interviews and observations took place across a single assessment day at the Court's child-inclusive interview suite. Each parent was seen individually, followed by separate parent-child observations. The children were not asked to choose between their parents.

### 4. Background and family history

Emily Hart, aged 42, is a senior occupational therapist at a private rehabilitation clinic. Daniel Hart, aged 44, is an architect and a director of Hart & Vale Studio Pty Ltd. The parties were together for approximately fifteen years and separated under one roof in April 2024, with Daniel moving to a rented apartment in Lane Cove in June 2024. Since separation the children have lived primarily with Emily and spent time with Daniel on alternate weekends and one midweek dinner, broadly consistent with the interim orders.

Both parents presented as articulate and engaged. Each gave an account of the relationship in which they were the more reliable and child-focused parent. The accounts diverged most sharply on two themes: the degree of Daniel's historical involvement in the children's day-to-day care, and the seriousness of conflict (including alcohol use) at and around changeovers.

### 5. Each parent's account

#### 5.1 Emily Hart

Emily described herself as the children's primary carer throughout the relationship, managing school administration, medical appointments, homework and emotional support. She said Daniel prioritised his business and social drinking, was frequently unavailable for weekday logistics, and became volatile when he had been drinking. She expressed genuine anxiety about emotionally charged changeovers and said she now prefers communication to remain within the parenting application. She supported Daniel continuing to spend time with the children, but opposed equal or week-about care and sought to retain decision-making for schooling and health.

In my assessment Emily's account of being the practical default parent for administration and health matters is broadly supported by the school and medical records. However, at times she described Daniel's involvement in absolute terms (for example, that he "almost never" attended school matters) that the records do not fully support, as set out in section 7.

#### 5.2 Daniel Hart

Daniel described himself as a closely involved father, particularly with weekend sport, art activities and Max's asthma management. He said Emily had become controlling after

separation, excluded him from school and medical communications, and reframed ordinary disagreements as safety concerns. He accepted that he could communicate sharply at times and that he had, on occasion, consumed alcohol at adult social events, but denied that his drinking affected his care of the children.

Daniel's account of his involvement in school events and Max's asthma care is corroborated in part by the school and medical records. However, he tended to minimise his contribution to conflict at changeovers, describing them as "calm except for Emily's anxiety," which is not consistent with the parenting application messages or the police event records, both of which suggest that he contributed to escalation on at least two occasions.

## 6. Observations of the children

### 6.1 Sophie (10)

Sophie is a high-achieving but visibly anxious child. She presented as watchful and concerned with managing both parents' feelings. She spoke warmly about both parents and about activities she enjoys with each: cooking and reading with her mother, and drawing and weekend outings with her father. She became tearful when describing arguments at changeovers and said she "just wants them to stop being angry." She did not express a wish to change the current living arrangement but said she would like "more relaxed" time with her father without "everyone watching the clock."

### 6.2 Max (7)

Max is a younger, more concrete child who was settled and cheerful during observation. He spoke about his asthma, his soccer team and his bedroom at each home. He showed secure and affectionate interaction with both parents and did not express distress beyond a general dislike of "when Mum and Dad shout." He benefits from routine and predictability and was less affected by the parental conflict than his sister.

The children's expressed views are given appropriate weight having regard to their ages and maturity. Sophie's views are more developed and are afforded greater weight; Max's are noted but are necessarily limited.

## 7. Parenting dynamics and the documentary record

The documentary record is mixed and does not wholly support either parent's case. School communication records show that Emily sent the large majority of routine communications, consistent with her being the primary administrative parent. However, the same records show that Daniel attended parent-teacher interviews, school sport and at least two asthma-related meetings, which is inconsistent with the suggestion that he was largely uninvolved.

The parenting application messages show Daniel responding late or sharply on a number of occasions, but they also show Emily declining reasonable requests and imposing unilateral conditions on time and communication. The two police event records confirm that there were distressing changeover incidents, but record no physical violence and describe both parents as distressed. Sophie's counselling records and Emily's own general practitioner notes are consistent with both children, and Emily, experiencing stress, but do not identify either parent as the sole cause.

## 8. Risk assessment

I did not identify any evidence of physical harm to the children or of intoxicated care during overnight time. The principal risk to these children is their ongoing exposure to unresolved parental conflict, particularly at changeovers, and the emotional burden this places on Sophie in particular.

The alcohol-related concerns appear to be episodic and tied to adult social conflict rather than to a pattern of impaired parenting. That said, alcohol use combined with high-conflict changeovers is a dynamic that warrants monitoring and a low threshold for protective conditions. The risk is best characterised as moderate emotional risk arising from conflict, rather than acute safety risk.

## 9. Strengths and areas of concern

Parent	Strengths	Areas of concern
Emily Hart	Stable home and routine; strong management of schooling and health; emotionally attuned to the children, especially Sophie.	Tendency to frame ordinary co-parenting disagreement as risk; gatekeeping of communication and decisions; risk of conveying her anxiety to Sophie.
Daniel Hart	Warm, playful relationship with both children; genuine involvement in sport, art and Max's asthma care; capacity to provide a settled second home.	Inconsistent with weekday logistics; sharp or delayed communication; minimisation of his contribution to conflict and of alcohol-related incidents.

## 10. Opinion and recommendations

My recommendations are made in the children's best interests and are necessarily contingent on the parents' capacity to reduce conflict. They are not a finding on the disputed allegations, which are matters for the Court.

1. The children should continue to live primarily with their mother in the short term, which preserves their established routine and stability.
2. Daniel should spend increasing and more relaxed time with the children, moving in stages toward five nights per fortnight, provided changeover conflict reduces. An initial step to alternate weekends extended to include Sunday night, plus the existing midweek time, would be appropriate.
3. Changeovers should occur at a neutral location or at school where possible, to reduce direct conflict in front of the children.
4. The parents should share parental responsibility for major long-term decisions, but with a practical protocol: Emily to retain day-to-day responsibility for routine schooling and health administration, with a defined obligation to consult Daniel and provide information promptly on major decisions.
5. Both parents would benefit from a post-separation parenting program and, for Daniel, a brief assessment of alcohol use as a protective and reassurance measure rather than because of any finding of impaired care.
6. Sophie should continue with counselling, and both parents should actively shield her from adult conflict and avoid discussing the proceedings in her presence.

## 11. Limitations

This report is based on a single assessment day and a selection of collateral material. I did not interview extended family, treating clinicians or teachers directly. My opinions may change if further reliable information becomes available. The recommendations assume that both parents can, with support, reduce the conflict that currently poses the principal risk to these children.

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**Dr Rebecca Linton**

Clinical Psychologist — Family Report Writer

21 March 2026