

# Social Media after Separation – think twice before you post and don’t!



Infosheet by Townsville Family Lawyer, Emma Donald

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**Emma Donald** is a Family Lawyer and Senior Associate at OSheaDyer Solicitors Townsville. Emma was Admitted in 2015 and works exclusively in Family Law. Emma is a Collaboratively Trained Lawyer.

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*“Dance like nobody is watching - but post, text and email like it will be read out in Court.”*

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## Evidence in Court

Posts, comments or messages you send on social media **can be used as evidence against you** in family law proceedings.

Unfavorable posts you make on social media **can also affect your credibility in court proceedings**, which is incredibly important.

Your ex, or someone they know, are able to screenshot posts, comments or messages that you send on social media.

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## DO NOT

- **DO NOT: Post about your family law case or negotiations on social media.**  
Section 121 of the Family Law Act says it’s an offence to publish or distribute to the public any account of proceedings that provides information capable of identifying parties to a case. The Australian Federal Police can choose to get involved in this situation and you could be prosecuted and convicted of committing an offence. The penalty is up to 12 months imprisonment.
  - **DO NOT: Denigrate your former partner (family members or associates) on social media.**  
Don’t attack, defame, belittle, criticise, or disparage your former partner in any way on social media.
  - **DO NOT: Send abusive messages, or post abusive content on social media about your former partner** (or their family members or associates).
  - **DO NOT: Post content on social media around excessive alcohol use or drug use**, especially if your former partner alleges you have a problem.
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