



**Family Law**  
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KEEPING YOU IN TOUCH WITH NEWS & OPPORTUNITIES IN WA FAMILY LAW

AUGUST 2019

## Greetings from the Chair

by Rod West



Hello from WAFLPN!

Homelessness Week took place on 4-10 August this month, raising awareness about the 116,000 Australians who are homeless on any given night. That week, ANROWS updated and re-released its research synthesis on domestic and family violence and homelessness. More information available on [page 5](#) of this eBulletin.

On 4 August, communities across Australia also celebrated National Aboriginal and Torres Strait Islander Children's Day. Children's Day is led by SNAICC, the national non-governmental peak body for Aboriginal and Torres Strait Islander children. Recognising the critical role that family, community, country and culture play in the development of Aboriginal and Torres Strait Islander Children, the purpose of this day is to celebrate the early years and promote culturally appropriate education and care for all Aboriginal and Torres Strait Islander Children. As professionals working in the family law system, it is important that we provide culturally appropriate services and work to promote the best interests of Aboriginal and Torres Strait Islander Children.

If you are interested in enhancing your comfort, confidence and capacity to work effectively with Culturally and

Linguistically Diverse (CaLD) clients and diverse communities, then you should look no further than WAFLPN's [Beyond Cultural Diversity Masterclass with Fadzi Whande](#) on 10 September. Fadzi is an award winning Social Justice Advocate, Global Diversity and Inclusion Strategist, international keynote speaker and skilled facilitator in the areas of Unconscious Bias, Cultural Competency and Racial Socialisation and Identity. Make sure to [book your tickets now](#) to avoid missing out on this valuable training opportunity!

In this edition of the eBulletin, you will find a recap of some recent WAFLPN events, as well as a selection of training opportunities, research and news relevant to professionals working in the family law system. There is a particular focus on events and research relating to domestic and family violence, especially its intersections with different communities, issues and systems.

I hope you find this month's eBulletin useful and look forward to seeing you at future WAFLPN events.



**Family Law**  
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*Working Together  
in the  
Family Law System*

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## REVIEW OF PAST WAFLPN EVENTS

## Recap: Workshops on Supporting Trans and Gender Diverse Clients

Last month, WAFLPN had the privilege of having Kai Schweizer present half-day workshops on Supporting Trans and Gender Diverse Clients on 23 July in Perth and on 25 July in Bunbury.

The highly engaging and informative workshops helped attendees gain a better understanding of various issues facing trans and gender diverse persons. Kai's presentations incorporated his lived experience, statistics, videos, interactive activities, tips for best practice and various resources and referral information.

The reviews for these workshops have been overwhelmingly positive, with many attendees particularly enjoying Kai's use of the 'burger' analogy.

Thank you to all who attended and participated in Kai's workshops. WAFLPN would also like to thank our Regional Representative for Bunbury, Cathy Mills, for all her work in organising the workshop in Bunbury.

The video recording from the workshop in Perth, as well as additional materials from the workshops, are now available on the [Member Area](#) on the WAFLPN website.



*Kai Schweizer (right) with some of the workshop participants at the Bunbury workshop on 25 July.*

## Recap: Bunbury Family Court Circuit Twilight Networking Event

On 13 August, WAFLPN hosted a twilight networking event for family law professionals located in Bunbury and travelling from Perth on the Magistrates Circuit of the Family Court of Western Australia.

Linda Biffen presented a highly informative session about the role of Family Consultants at the Family Court of Western Australia. Curtis Ward then spoke about the social support services offered by the Family Advocacy and Support Service (FASS).

Attendees also enjoyed the opportunity to network with other professionals working in the family law sector.



*Linda Biffen presenting at the Bunbury Family Court Circuit Twilight Networking Event on 13 August.*



*Curtis Ward addressing attendees.*

## DATES FOR YOUR DIARY

**Upcoming training and networking opportunities**

If you are running a training event and would like it included in our next eBulletin please contact

[WA.FamilyPathwayNetwork@relationships.wa.org.au](mailto:WA.FamilyPathwayNetwork@relationships.wa.org.au)

**Beyond Cultural Diversity Masterclass with Fadzi Whande**

Don't miss this opportunity to join WAFLPN for a half day workshop with Fadzi Whande – Global Diversity and Inclusion Strategist, award winning Social Justice Advocate and Keynote Speaker – to increase comfort, confidence and capacity to work effectively with Culturally and Linguistically Diverse (CaLD) clients and diverse communities.

A dynamic and engaging international speaker, Fadzi is a champion for encouraging dialogue as a means of understanding difference. You will learn skills to improve organisation-wide responsiveness to CaLD clients and diverse communities by integrating cultural competency strategies into services, programs and systems and develop a more meaningful and targeted response around race and culture.

10 September 2019  
9.30am-12.30pm  
Swan River Rowing Club  
2 The Esplanade  
Mount Pleasant WA  
Tickets: \$50, spaces limited  
[www.trybooking.com/BERPX](http://www.trybooking.com/BERPX)

[More information available on the WAFLPN website.](#)

**Domestic and Family Violence in Diverse Communities**

*Honour based violence in Culturally and Linguistically Diverse Communities : Dowry abuse, Early and Forced marriage, Female Genital Cutting/Mutilation (FGM/C)*

Presenter: Dr. Carol Kaplanian is the State Coordinator for Female Genital Mutilation (training and education) at the Department of Health. She is also responsible for developing training on Family and Domestic Violence (CaLD communities) for the Department of Health.

*Domestic and Family Violence in Gay, Lesbian, Bisexual, Transgender, Intersex and Queer Communities.*

Presenter: Kedy Kristal is the Womens Council Policy Officer and has over 36 years' experience in the Domestic Violence sector. She has been a lesbian activist since 1983.

17 September 2019  
9am-12pm (8:30 registrations)  
City West Lotteries House  
2 Delhi Street, West Perth  
Tickets from \$35  
RSVP by 10 September 2019:  
[info@womenscouncil.com.au](mailto:info@womenscouncil.com.au)

[View flyer.](#)

**Intersectionalities in Domestic Violence Conference**

Stopping Family Violence and The Women's Council for Family and Domestic Violence are proud to be bringing together a broad cross section of the community services sector to discuss and consider the strengths and challenges of delivering FDV informed practice across the broad spectrum of services who intersect with women, children and men impacted by FDV.

Featuring keynote speakers Allan Wade and Rosie Batty.

Conference: 15-16 October 2019  
Pre-Conference Workshops:  
14 October 2019  
Crown Perth  
Early Bird rates until 31 August

[More information and register here](#)

**Save the Date: 29th Annual Silent Domestic Violence Memorial March**

10.30am: Rally with speakers  
12 noon: Silent March through the City

22 November 2019  
Supreme Court Gardens,  
cnr Barrack St & Riverside Dr

For more information, contact Carolyn at 9420 7264 or [carolyn@womenscouncil.com.au](mailto:carolyn@womenscouncil.com.au)

**MORE TRAINING AND EVENTS**

Check out the 'Resources' section on our website for more relevant training and events.

<https://waflpn.org.au/resources/other-relevant-training-and-events>

## RESEARCH &amp; PRACTICE

## The latest contributions to evidence-based practice in family law

If you are undertaking research in the field of family law that you think may be of interest to WAFLPN members please contact us to have it included in our eBulletin

[WA.FamilyPathwayNetwork@relationships.wa.org.au](mailto:WA.FamilyPathwayNetwork@relationships.wa.org.au)

### If love is blind, then hate cannot see: hate within enduring parenting disputes

Drawing on interviews with separated mothers, this Australian qualitative study explored “hate” in a child custody context within enduring parenting disputes. This preliminary study observed that hate may be present within enduring parenting disputes. A conceptualization of hate, being circular theory of hate in co-parental conflict was developed which tentatively proposes that in a post separation context, hate may functionally serve as a self-protective mechanism that enables a parent to avoid experiencing their own emotions; avoid confronting or taking responsibility for their own behavior; or avoid facing their own lived experiences. Three themes emerged from the study that may contribute to understanding hate’s genesis, growth, and stability post separation. Firstly, an inability or unwillingness to self-reflect, secondly, inverse caring, and thirdly, relentlessness. Practitioners working with hate in a child custody context may consider these tentative observations when identifying barriers parents might experience that prevent them from keeping their child’s needs front and center following separation.

[Read abstract or purchase article.](#)

Francia, L., Millear, P. & Sharman, R. (2019). If love is blind, then hate cannot see: hate within enduring parenting disputes. *Journal of Child Custody*, 16(3), 248-267. DOI: 10.1080/15379418.2019.1568947

### Pathways of Children Reported for Domestic and Family Violence to Australian Child Protection

Child protection systems often contend with domestic and family violence (DFV) as a maltreatment concern, yet few large-scale studies have explored how child protection services (CPS) systems respond to DFV compared with other concerns. Secondary longitudinal analysis of administrative data from three Australian State CPS systems finds that the number of DFV reports increased faster than notifications for other concerns, and children reported for DFV also tended to be reported for emotional and physical abuse. Children reported for DFV were slightly less likely to transition from report to formal child maltreatment investigation. Overall, system responses to maltreatment concerns appear to be similar across concern types despite substantial differences in their aetiologies and options for effective interventions.

- Future CPS policy and practice development should involve consideration of the specific aetiologies and service needs of each type of maltreatment concern, and the CPS response should reflect these differences.
- Information about the specific service response (e.g., intervention type, quality, and extent of services) should be collected and used to inform improvements in the CPS system.
- Data linkages between systems should be strongly considered in order to monitor and improve multisystem service responses to DFV.

[Read abstract or purchase article.](#)

Shlonsky, A., Ma, J., Jeffreys, C., Parolini, A. & Katz, I. (2019). Pathways of Children Reported for Domestic and Family Violence to Australian Child Protection. *Australian Social Work*, 72(4), 461-472. DOI: 10.1080/0312407X.2019.1624795

### Domestic and family violence, child support and ‘the exemption’

Separation is recognized as elevating the risk of serious harm or death for a woman leaving domestic and family violence (DFV). When a couple separate, the party who has the majority care of the couple’s children is generally required to seek child support from the other parent. Child support can play an important role in helping mothers escaping violence with their children to manage the financial demands of parenting post separation. However, a mother’s claim for child support may also exacerbate other forms of DFV. It is possible for the mother to seek an exemption from receiving child support where there is a history of DFV. While exemption from pursuing child support for women leaving DFV may be helpful to them, there has been little investigation of this issue. This article draws on a qualitative study involving interviews with 65 women who have separated after DFV to explore their experience of engaging with legal systems in response to DFV. This paper discusses alternative approaches to child support and, in particular, alternative approaches to the exemption that might improve the safety of those who have experienced DFV.

[Read abstract or purchase article.](#)

Douglas, H. & Nagesh, R. (2019). Domestic and family violence, child support and ‘the exemption’. *Journal of Family Studies*. DOI: 10.1080/13229400.2019.1653952

## NOTICE BOARD

**What's happening around town**

If you or your organisation has something to announce, pin it on the board! Submit an article for the notice board by emailing:

[WA.FamilyPathwayNetwork@relationshipsqa.org.au](mailto:WA.FamilyPathwayNetwork@relationshipsqa.org.au)

**Personal Cross-examination Ban in Family Law Proceedings with Family Violence Allegations**

From 10 September 2019, personal cross-examination will be banned in family law proceedings in certain circumstances where allegations of family violence have been raised.

If any of the following circumstances apply, the ban will apply automatically:

- either party has been convicted of, or is charged with, an offence involving violence, or a threat of violence, to the other party.
- a family violence order (other than an interim order) applies to both parties.
- an injunction for the personal protection of either party is directed against the other party under sections 68B or 114 of the Family Law Act.

The court may make discretionary judgements to enact bans even if those circumstances do not apply.

[Read info sheet produced by the Attorney-General's Department.](#)

**Homelessness Week: Updated research synthesis on DFV and homelessness now available**

This Homelessness Week, ANROWS's research synthesis on domestic and family violence, housing insecurity and homelessness has been updated and re-released.

Domestic and family violence is the main reason women and children leave their homes in Australia and is consistently one of the most common reasons clients seek assistance from Specialist Homelessness Services.

This synthesis brings together ANROWS research on the intersection of housing insecurity and homelessness and domestic and family violence, including recommendations for policy and practice.

[View report on the ANROWS website.](#)

**Job Opportunity: WLSWA Principal Legal Officer**

Women's Legal Service WA (WLSWA), a not-for-profit community legal centre that assists vulnerable women, is currently advertising for a Principal Legal Officer.

[Full job description and details on how to apply for this position available here.](#)

**Service wait times**

If you are often referring to clients to family law services in your role, you may find the WAFLPN compilation of service wait times useful.

Each month, WAFLPN collates the wait times for government-funded family law services in the Perth metropolitan area and some parts of regional WA.

In the document you can find up-to-date waiting periods for services like children's contact centres, family dispute resolution, parenting programs and men's behaviour change programs.

To view the current service wait times on the WAFLPN website visit <https://waflpn.org.au/resources/service-wait-times>

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**FEEDBACK**

If you have any suggestions on how we could improve this bulletin please email them to [sofia.kouznetsova@relationshipsqa.org.au](mailto:sofia.kouznetsova@relationshipsqa.org.au)

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