



Family Law
PATHWAYS
NETWORK

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KEEPING YOU IN TOUCH WITH NEWS & OPPORTUNITIES IN WA FAMILY LAW

NOVEMBER 2017

Greetings from the Chair

by Kate Jeffries

Hello from WAFLPN! Can you believe that 2017 is nearly over already? It has been a very busy year for WAFLPN. We launched our brand new website, which has our upcoming events, resources such as the current wait times for services in the WA sector, and a members section where you can log in and access powerpoint slides and videos from our events. If you haven't checked it out yet, head to <https://waflpn.org.au>

WAFLPN events have focused on getting out to our regions. We achieved this in Geraldton, Kalgoorlie and Albany, and we will expand to additional regions in 2018. We have covered a huge range of topics with our conference and seminars this year, and are always looking for more cutting edge issues in the sector to discuss. If there is an issue you would like us to host an event on, please contact jane.azzopardi@relationships.wa.org.au.



We are already planning twilight seminars, regional events and the annual conference for 2018, be sure to look out for these announcements in the December eBulletin.



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

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October event recaps!

A twilight seminar, plus WAFLPN heads to Kalgoorlie and Albany!

Twilight seminar: Pathways towards accountability

WAFLPN was once again pleased to host Elena Campbell from RMIT's Centre for Innovative Justice. It has been nearly two years since Elena last joined us for the Perpetrator Accountability conference held in 2015. This time, Elena was joined by her colleague Rob Hulls, for an engaging interview style presentation on the Centre for Innovative Justice's latest project: *Pathways towards accountability*.

WAFLPN partnered with Stopping Family Violence to present the seminar on October 10, which took place at the beautiful South of Perth Yacht Club in Applecross. The presentation was enjoyed by all, even a friendly seagull who wandered in the room to check out the presentation!

Following the presentation, attendees enjoyed cheese platters and a few drinks, as well as an opportunity to talk one on one with Elena and Rob about their research.

WAFLPN is looking forward to partnering with Stopping Family Violence and the Centre for Innovative Justice again in the future



Elena Campbell and Rob Hulls

to continue the conversation on perpetrator accountability.

Kalgoorlie seminar: Risk Assessment and Risk Management in the Context of Family Violence

On Tuesday, October 24, WAFLPN travelled to Kalgoorlie to partner with the Aboriginal Family Law Services to present a seminar on risk assessment and risk management in the context of family violence.

The seminar featured presentations from Ryan Greenwell of Department of Communities; Child Protection and Family Support and Brianna Lonnie from Legal Aid WA.

This seminar was the first of a new series of regional events WAFLPN is organising around the Family Court of WA regional circuit. The seminar was attended by Kalgoorlie locals in person, and the webinar version was attended by family law professionals from all over WA.

WAFLPN is looking forward to working with the regions to deliver relevant local seminars. If you are interested in having a seminar held in your region, or have suggestions for topic areas to be covered by future seminars, please contact jane.azzopardi@relationships.wa.org.au

Albany FDV Conference 2017: Bystander Action

WAFLPN was pleased to sponsor this year's Albany Family and Domestic Violence Conference, coordinated by the Albany Family Domestic Violence Action Group.

The topic of this year's conference was Bystander Action, and featured presentations from Tarang Chawla, Tori Cooke, Kade Simms and Tiffany Davis.

The conference was well-attended by Albany locals as well as those from the Great Southern region, and even some from interstate!

The attendees enjoyed an inspiring



AFDVAG and the Albany FDV conference speakers

presentation from keynote speaker Tarang Chawla, who spoke passionately about his experience as a bystander to family and domestic violence, and the murder of his sister by her partner.

Attendees were given tools for action in intervening in family violence as a bystander, and left the day buzzing with new information and ideas.

WAFLPN would like to congratulate the Albany Family Domestic Violence Action Group for an excellent conference, and is looking forward to partnering again in 2019.

SERVICE SPOTLIGHT

New and notable services

If you are launching a new service and would like details included our next eBulletin please contact

WA.FamilyPathwayNetwork@relationshipsaustralia.org.au

Legally Assisted Culturally Appropriate Family Dispute Resolution (LACAFDR) – a pilot project to steer families towards FDR and away from the court system

Perth Family Relationships Centre (FRC) through Relationships Australia WA (RAWA) has been successful in obtaining funding to implement a pilot project that will provide legal assistance for Aboriginal and Torres Strait Islander and CaLD clients affected by Family Domestic Violence to access Family Dispute Resolution.

By forming a professional relationship with Community Legal Centres, Legal Aid WA, private lawyers and Aboriginal and CaLD service providers Caseworkers will “walk along side” of the clients referred to the project and will provide essential social support to all clients involved. The Caseworkers will be a conduit to other community service providers, such as financial, housing and counselling services so all LACAFDR clients will have strong and ongoing connections with appropriate services. When a client leaves the program, either because they have achieved mediation goals or ongoing assessment determines mediation is no longer the preferred pathway, they will have established important connections with relevant

services that can continue to support them.

There are four distinct phases to the LACAFDR process for all clients referred:

Phase one: Assessment of the situation. Caseworker involvement as the cultural context of separation and FDV are assessed along with the needs of the individual and their family. This is also the phase where pre FDR assessment with a FDRP will occur. All clients, whether the perpetrator of the violence or the survivor of the violence, will be referred to a FDV program. This may be a group or individual program.

Phase two: Clients will receive the necessary support to address FDV issues through appropriate referrals whilst the ongoing support from the Caseworker continues. A legal advice session with their lawyer is offered and clients are encouraged to attend this.

Phase three: Clients and their lawyers attend FDR. The FDR meeting can be either face to face, shuttle, video conferencing or telephone FDR dependent upon the individual circumstances of each case. Ongoing Caseworker support continues pre and post FDR meeting.

Phase four: final lawyer meeting /input for the client and follow up of all clients involved in the FDR process at 3, 6 and 12 month intervals by their case worker to assess the effectiveness of the intervention.

This model will provide support to all people involved, including specialist support to the perpetrator and the survivor of the FDV through accessing FDV programs and/or counselling. LACAFDR staff will work closely with relevant service providers in a reciprocal way in regard to client

referrals and look forward to building on existing relationships with external service providers.

RAWA has been delivering services to the ATSI community in the Perth metropolitan area and regional WA for approximately 12 years. RAWA also has strong partnership with multicultural service organisations and provides Aboriginal Services programs which includes Djinda Services, an Aboriginal Family Violence Prevention Legal Service in collaboration with the Women’s Law Centre. Djinda Services is a family violence prevention legal service that provides support for ATSI women and their children who are experiencing family violence and or sexual assault. RAWA has delivered this program since July 2013. Access to Djinda has been steadily increasing with a significant number of clients identified who would benefit from legally assisted FDR.

If you would like further information about the project and/or to discuss a referral please email LACAFDR Senior Coordinator deborah.wright@relationshipsaustralia.org.au or LACAFDR@relationshipsaustralia.org.au or call the Perth FRC on 6164 0300.

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.org.au

13 & 14 November 2017
Radisson Blu Plaza, Sydney
Early bird registration from \$695

Early bird closes 31 August 2017. For more details and to register visit <https://www.informa.com.au/event/national-family-domestic-violence-summit/>

10:00 am - 11:30 am
Brockman Community House
27 Hull Way, Beechboro
Contact: Emma Brent-White
admin@brockmanhouse.net

White Ribbon Signing & Stalls
25 November 2017
10:00 am - 2:00 pm
Lindsay Beach Shops
99 Lindsay Beach Blvd, Yanchep
Contact: Sandy McPhee
macandsandy11@gmail.com

Save the date! WAFLPN Conference 2018

Save the date for the 2018 WAFLPN Annual Conference! More details coming very soon.

31 May 2018
University Club of Western Australia
Crawley

The 27th Annual Silent Domestic Violence Memorial March 2017

The Women's Council Annual Silent Domestic Violence Memorial March is taking place this year at a new venue, the Supreme Court Gardens. Arrive at 10.30 to visit the stalls and hear the speakers. The silent march will commence at 12.00pm.

17 November 2017
10.30am - 12.30pm
Supreme Court Gardens (cnr. Riverside Dr & Barrack St)

For more information contact Carolyn Wall
carolyn@womenscouncil.com.au

Regional

White Ribbon March and Community Breakfast
23 November 2017
7:00 am - 9:30 am
South Hedland Town Square, 9-31 Throssell Road, Port Hedland
Contact: Ellysha Melville
dvo@pcls.net.au

White Ribbon Day Walk
23 November 2017
10:00 am - 12:00 pm
Lotteries House
1 Camel Lane, Carnarvon
Contact: Theresa Simmonds
csars@westnet.com.au

Broome White Ribbon Day Gala
25 November 2017
6:00 pm - 11:30 pm
Broome Civic Centre
Hamersley Street, Broome
Contact: Haley Allan
haley.allan@legalaid.wa.gov.au
[Get tickets](#)

National Family & Domestic Violence Summit

The 2017 National Family and Domestic Violence Summit will put a new focus on business and technology, alongside case-studies of innovative and successful family and domestic violence programs, analysis from experts and stakeholders, and reports from police and government organisations.

The 3rd Annual National Family and Domestic Violence Summit will bring together professions, advocates, survivors, scholars, executives, and citizens, crossing social boundaries and uniting with a single purpose; the prevention and end of family and domestic violence in Australia.

White Ribbon Events

November 25 is White Ribbon Day and a range of events are being held across Western Australia. For a more comprehensive list, visit <https://www.whiteribbon.org.au/sto-p-violence-against-women/fundraising-events/find-an-event/>

Metro

Take the Oath 2017
24 November 2017

WALK IN THEIR SHOES TOURS

WAFLPN's popular family court tours fill up fast! This is a fantastic opportunity to experience the pathways families take when attending the Family Court of WA.

REGISTER YOUR INTEREST TO ATTEND
jane.azzopardi@relationships.org.au

RESEARCH & 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 WAFPN members please contact us to have it included in our eBulletin

WA.FamilyPathwayNetwork@relationshiptswa.org.au

Children's perspectives on parenting coordination: Insights from the Montreal parenting coordination pilot project

As part of a pilot project in the Montreal area, ten high-conflict families received free parenting coordination services. This explorative study aimed to document, through psychometric measures and semistructured interviews, how the parenting coordination process impacted children involved. Although not statistically significant, results suggest a diminution in the intensity of the conflict between parents over the course of parenting coordination, as perceived by the children. Qualitative data indicates variation in children's opinions regarding their experience. Approximately half of the sample shared examples of improvements in their lives, mostly to do with diminution of parental conflict and better communication between parents. However, some shared frustrations with the intervention and their belief that parenting coordination was not helpful. Not feeling heard by the parenting coordinator (PC) as well as a perceived lack of neutrality were linked with negative discourse on parenting coordination.

[Read abstract or purchase full article.](#)

Quigley, C., & Cyr, F. (2017). Children's perspectives on parenting coordination: Insights from the Montreal parenting coordination pilot project. *Journal of Child Custody*, 1-25.

Parental responsibilities: Reformulating the paradigm for parent-child relationships Part 2: Who has responsibilities to children and what are these responsibilities?

This is the second part of an article, Part 1 of which proposes the paradigm of parental responsibilities to replace the discourse of rights, custody, and visitation. This Part describes the scope of parental responsibilities; who, alongside or instead of the biological parents, may have parental responsibilities vis-à-vis the child; the roles of grandparents and members of the extended family, and partners of parents, are described. The principal categories of parenting tasks are described in detail. Marcus also shows how the concept of parental responsibilities is essential for properly dealing with children in need of protection, and how the paradigm applies to courts that deal with proceedings involving children.

[Read abstract or purchase full article.](#)

Marcus, P. (2017). Parental responsibilities: Reformulating the paradigm for parent-child relationships Part 2: Who has responsibilities to children and what are these responsibilities?. *Journal of Child Custody*, 1-28.

Alternating Residence for Children after Parental Separation: Recent Findings from Belgium

In recent decades there have been two significant legislative amendments to shared parenting in Belgium. In 1995, joint exercise of parental responsibilities was introduced as the default legal position. In 2006, the legislation required that in all cases of joint parenthood in which parents could not agree on children's living arrangements, equally divided alternating residence must first be considered by the judge. In this article, we summarize recent research findings from Belgium about alternating residence for children. There has been a fourfold increase in alternating residence, and families in these arrangements became increasingly diverse. Compared to children living exclusively with their mothers, children in alternating residences report a better relationship with their father, while mothers report a more active personal social life. For children, alternating residence is found to be more challenging under certain conditions (e.g. no communication between parents).

[Read abstract or purchase article.](#)

Vanassche, S., Sodermans, A. K., Declerck, C., & Matthijs, K. (2017). Alternating residence for children after parental separation: Recent findings from Belgium. *Family Court Review*, 55(4), 545-555.

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@relationships.wa.org.au

Changes to Legal Aid WA state funding guidelines

As a result of increasing demand and declining state funding, Legal Aid WA has introduced changes to its state funding guidelines effective from 1 November 2017.

The changes will affect criminal matters in the Magistrates Court, Family Violence Restraining Order matters in the Magistrates Court and protection and care matters in the Children's Court. The guidelines will be strictly applied across all areas of Western Australia.

The changes relevant to the family law sector are outlined briefly below.

Magistrates Court:

- Ordinarily a grant of aid will only be available for serious charges
- **Priority one:** presence of a mental illness which impairs the ability of the client to instruct a lawyer or self-represent
- **Priority two:** 10 or more charges requiring substantive instructions

- **Priority three:** Cross examination of a complainant for a charge of a violent or sexual nature.

Family:

- Duty lawyer service is required to be an appropriate match for identified legal need in protection and care orders, and either a mental health issue or special circumstances are present
- A history of family violence is established by the applicant in violence restraining orders or the family violence is physical, sexual or includes threats to safety and the applicant has been granted an interim FVRO and the other party has objected
- Initial grants of \$560 will be issued to care and protection and violence restraining order matters
- All decisions to extend will be heavily scrutinised and made at the team leader level.

For more information about the changes to the Legal Aid WA state funding guidelines, please contact Info@legalaid.wa.gov.au

AIFS survey: Children and young people in separated families

Do you know someone with children who has separated? The Australian

Institute of Family Studies are conducting a new study to find out how the family law system services can best help children when their parents separate.

They would like to hear from young people aged 10-17 years and a parent about their experiences. As a thank you, they will give young people a \$30 gift voucher and their parent a \$20 gift voucher.

To participate, please click the following link:

<https://aifs.gov.au/takepart>

For more information contact childrenandfamilylaw@aifs.gov.au or visit <https://aifs.gov.au/projects/cypsf>

FEEDBACK

If you have any suggestions on how we could improve this bulletin please email them to jane.azzopardi@relationships.wa.org.au

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