



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

OCTOBER 2019

Greetings from the Chair

by Rod West



Hello from WAFLPN!

This month, we celebrated children's rights, talents and citizenship during National Children's Week, taking place

from 19 to 27 October this year. As we work to support separated and separating families, it is important to keep children's rights and best interests at the forefront.

Even as the year starts drawing towards a close, things are not slowing down here at WAFLPN. On 9 October, we held our first Family Violence Restraining Order (FVRO): Walk in Their Shoes tour of the Perth Magistrates Court, and are hoping to organise more tours in 2020. We also have an exciting range of events planned for the month ahead, including our first-ever event in Kununurra. Where possible, livestream options have been provided.

Our Information Session on the Personal Cross-Examination Ban is coming up very soon, so if you haven't registered yet, this is your last chance! Regional members who are unable to attend the session in person can register for a livestream of the session.

There are still a few tickets available for the full-day workshop on Child Inclusive Practice with Jon Graham on 12 November. Jon is a Sydney-based Family Dispute Resolution

Practitioner with over 30 years of clinical experience with families affected by separation and divorce, as well as a highly respected lecturer in mediation practice both in Australia and internationally. This is a fantastic training opportunity for mediators, ICLs and all professionals who work with children.

We are also pleased to announce two more events, which would not be possible without the support and coordinated efforts of our partners in the regions.

Join us for a twilight networking event in Albany on 13 November, which will feature a live webinar (web-based seminar) presentation on non-fatal strangulation by Dr Maureen Phillips. All members, regardless of physical location, can tune in to the webinar, which will be streamed online.

On 15 November, WAFLPN and Legal Aid WA (Kununurra) are hosting a workshop on Innovative Approaches to Addressing Violence Against Aboriginal Women with Professors Harry Blagg and Vickie Hovane. This workshop may be repeated in Broome if there is sufficient interest.

Read on for more details on the aforementioned events, a selection of recent research articles, and other information relevant to professionals working in the family law system.



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Working Together
in the
Family Law System

waflpn.org.au



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

Information Session: Personal Cross-Examination Ban (Livestream option available)

The personal cross-examination ban for family law proceedings involving family violence allegations came into effect on 10 September 2019.

WA Family Law Pathways Network and Legal Aid WA will be running an information session with Julie Jackson, Director Family Law Division at Legal Aid, to improve service providers' and legal professionals' understandings of these law changes.

Livestream (view from home) option available for regional members.

31 October 2019
4.00pm-5.30pm
Legal Aid Office
32 St George's Terrace
Perth WA 6000
Free event, registrations essential
www.trybooking.com/BFPJG

Livestream registration: <https://register.gotowebinar.com/register/7134024368692793357>

More information available on the [WAFLPN website](http://www.waflpn.org.au).

Workshop on Child Inclusive Practice with Jon Graham

WA Family Law Pathways Network is pleased to announce a full-day workshop on child-inclusive practice with family law mediation expert Jon Graham. This workshop will focus on new and safe approaches to increasing the prominence of children's voices in family law processes.

12 November 2019
9.00am-5.00pm
Tompkins on Swan
632 Canning Hwy
Alfred Cove WA 6154
Tickets: \$75, full catering included
www.trybooking.com/BFZXE

More information available on the [WAFLPN website](http://www.waflpn.org.au).

Non-fatal strangulation in family and domestic violence - what's happening? (Livestream option available)

You are invited to a twilight networking event featuring an interactive webinar on non-fatal strangulation (NFS) by Dr Maureen Philips.

What do we know about NFS, how does it happen and what are the consequences? This webinar will cover some of the latest information from WA, national and international research.

13 November 2019
5.00pm-7.00pm
Main Roads Great Southern Region
2/6 Kelly St
Albany WA 6330
Free event, registrations essential
www.trybooking.com/BGIVJ

Livestream registration: <https://register.gotowebinar.com/register/8811728479914374411>

More information available on the [WAFLPN website](http://www.waflpn.org.au).

Addressing Violence Against Aboriginal Women

Join Professors Vickie Hovane and Harry Blagg, authors of the ANROWS report *Innovative models in addressing violence against Indigenous women*, for a workshop based on their findings. Suitable for professionals working with Aboriginal people and communities, this workshop will focus on creating a response to family violence that reflects the needs of local women.

15 November 2019
12.30pm-4.30pm
Ibis Styles Kununurra
Messmate Way
Kununurra WA 6743
Free event, spaces limited.
www.trybooking.com/BGISE

More information available on the [WAFLPN website](http://www.waflpn.org.au).

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

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 & 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

Parenting arrangements after separation

Over the past 10 years, the Australian Institute of Family Studies (AIFS) has conducted multiple large-scale studies of post-separation parenting outcomes, including surveys involving nationally representative samples of separated parents. Two multi-method studies evaluated:

- the situation before and after the 2006 amendments to the *Family Law Act 1975*
- the situation before and after the 2012 amendments to the *Family Law Act 1975*.

The evaluation of the 2012 amendments included an analysis of court outcomes that involved 997 court files of matters initiated after the amendments and finalised by 30 November 2014. The evaluation also included a Survey of Separated Parents, which analysed survey data from a sample of about 6,000 separated parents who had been separated for 18 months on average. This report presents the findings from these analyses.

[Read full article.](#)

Australian Institute of Family Studies (2019). Parenting arrangements after separation.

Adversarialism in informal, collaborative, and 'soft' inquisitorial settings: lawyer roles in child welfare legal environments

This article explores the challenges and benefits of increased legal representation in child welfare hearings, with reference to the Scottish Children's Hearings System. We look at the role and impact of adversarial behaviours within legal environments intended to follow an informal, collaborative approach. We analyse the views of 66 individuals involved in the Hearings System, including reporters, social workers, panel members and lawyers, collected through four focus groups and 12 interviews held in 2015. We place this analysis in the context of previous research. Our findings identify concern about adversarialism, inter-professional tensions and various challenges associated with burgeoning legal representation. Difficulties stem from disparate professional values and perceived threats to the ethos of hearings. We conclude it is difficult, but possible, to incorporate an adversarial element into such forums. Doing so may help to protect rights and potentially improve decision-making for children and families. The article concludes by considering implications for the practice of lawyers and others.

[Read abstract or purchase article.](#)

Porter, R., Welch, V. & Mitchell, F. (2019) Adversarialism in informal, collaborative, and 'soft' inquisitorial settings: lawyer roles in child welfare legal environments. *Journal of Social Welfare and Family Law*, 41(4), 425-444.

Child protection and disorganized attachment: A critical commentary

The concept of 'disorganized attachment' has been influential in child protection practice, often taken as a marker of abusive parenting and purportedly linked to a wide range of deleterious outcomes for children. However, there is considerable controversy about the origins and meanings of the classification. This paper examines the assertions and controversies within the primary science, and poses fundamental questions about the robustness, legitimacy and utility of 'disorganized attachment' as a concept in child protection assessment and decision-making. It shows that, despite a purported association between disorganized attachment and the quality of the parental care the child is provided, there is little agreement in the scientific community on the transmission mechanism and the link between disorganized attachment and later deleterious outcomes for children is weak. It concludes that whilst attachment theory itself provides a valuable contribution to child protection practice, 'disorganized attachment' should be handled with care.

[Read full article.](#)

White, S., Gibson, M. & Wastell, D. (2019). Child protection and disorganized attachment: A critical commentary. *Children and Youth Services Review*, 105.

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

Joint Parliamentary Inquiry into Family Law and Child Support

On 17 September 2019, Prime Minister Scott Morrison announced that the Government will undertake a Joint Parliamentary Committee of both the House and the Senate to conduct a wide-ranging inquiry into the family law system.

The Select Committee aims to inquire and report by 7 October 2020 on specific areas where there may be scope for improvement in the family law system, the courts or other policy areas such as child support.

[Read full media release and proposed terms of reference.](#)

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

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

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

Separated Dads Connecting with Kids

Ngala Community Services DadsWA Program is offering a 4 week evening parenting course for separated fathers with young children (0-3 years) who are seeking to build their parenting skills and develop and maintain a positive connection with their children. The course will be child focused and cover:

- The important role of positive fathering in child outcomes
- Bonding with your child
- Child development – including brain development in the early years
- Guiding behaviour
- Sleep, nutrition, and general care for an infant/toddler
- The importance of co-parenting and positive communication
- Self-care

The course will commence in late November and will be facilitated by a Ngala DadsWA staff member and a Ngala Child Health Nurse. Places are available to those referred by Family Court, Lawyer, or self-referred.

For further information email DadsWA@ngala.com.au or 9368 9379. Keep updated with details soon at <https://www.ngala.com.au/program/dadswa/>

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>

FEEDBACK

If you have any suggestions on how we could improve this bulletin please email them to sofia.kouznetsova@relationshipsqa.org.au

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