



Family Law PATHWAYS NETWORK

WESTERN AUSTRALIA

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

AUGUST 2018

Greetings from the Chairs

by Neil Anderson & Rod West

Hello from WAFLPN! We are both settling in well into our new roles as Co-Chairs. However, spring is just around the corner, bringing with it new changes to WAFLPN.

On 25 July, WAFLPN held a Family Court WA Circuit Twilight Seminar in Albany, which featured a presentation titled 'Fathering & Attachment' by Family Court of WA Family Consultant Kevin Hanavan. Attendees enjoyed the seminar and the opportunity to network with other family law professionals.

We have announced a twilight seminar in South Hedland with Magistrate Gluestein titled *Amendments to the Restraining Orders Act – What has changed in 12 Months?* Find out more on [page 2](#) of this eBulletin or head over to [our website](#) for more details.

Planning is underway for the 2019 WAFLPN Annual Conference, so look out for more updates about that in the coming months.

As many of you already know, our Network Development Officer, Jane Azzopardi has resigned after 4 years

with WAFLPN. On behalf of our steering committee, we would like to sincerely thank and show our appreciation to Jane for her immense contributions to WAFLPN.

At the same time, we are also happy to announce that Jane has taken up an exciting new role as the Policy Support Officer at the Department of Finance. We wish her all the best of luck with her new job and her career aspirations.

In the meantime, please direct all enquires to our Administration and Events Officer, Sofia Kouznetsova at sofia.kouznetsova@relationships.wa.gov.au.

Without any further ado, we hope that you enjoy this month's edition of the eBulletin.

- Neil & Rod



*Working Together
in the
Family Law System*

wafpn.org.au



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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@relationshi
pswa.org.au](mailto:WA.FamilyPathwayNetwork@relationshi
pswa.org.au)

South Hedland Twilight Seminar 'Amendments to the Restraining Orders Act – What has changed in 12 Months?'

You are invited to join us for an interactive discussion with Magistrate Brian Gluestein in South Hedland. Participants will be encouraged to ask questions and share anonymised experiences from their own practice.

There will also be an opportunity to network with other family law professionals over light refreshments.

13 September 2018
4.30-6.00pm
Function Room
Youth Involvement Council
34 Lawson St, South Hedland

For more information [visit our website](#) or register now through trybooking.com

DFV Discussion with Dr Carol Kaplanian and Dr Lorraine Sheridan

The Women's Council for Domestic and Family Violence Services (WA) invites you to join the discussion with two outstanding speakers, each an expert in their field.

Dr Carol Kaplanian – Forced Marriage and Honour-Based Violence

Dr Lorraine Sheridan – Domestic & Family Violence and Stalking

27 September 2018
8.45am-12.30pm
Conference Room 7
City West Lotteries House
2 Delhi St, West Perth
Registration fee \$25

For more information or to register please contact kedykristal@womenscouncil.com.au by 13 September 2018

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>

Working with Families Involved with the Family Court

The Australian Association of Social Workers (AASW) invites you to this workshop for those interested in enhancing their skills in working with families and individuals involved with the Family Court.

The workshop will be facilitated by Adam Peaty, who has a background as a Single Expert Witness for the Family Court of WA.

Participants will gain the conceptual and practical knowledge for working with families who become involved in family court proceedings.

30 October 2018
9.00am-1.00pm
City West Lotteries House
2 Delhi St, West Perth
Tickets from \$60 (AASW members)

For more information or to register [visit the AASW website](#).

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.

FIND DATES AND REGISTER TO ATTEND <https://waflpn.org.au/en/events/walk-in-their-shoes>

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@relationshi
pswa.org.au](mailto:WA.FamilyPathwayNetwork@relationshi
pswa.org.au)

Will Somebody Please Think of the Children?! Child Focused and Child Inclusive Models in Family Dispute Resolution

In 2006, the Australian Federal Government made family mediation compulsory before pursuing litigation concerning parenting matters. Since then, much has been written about the benefits of mediation, such as the advantage of parents being empowered to make their own decisions rather than have the decision made for them by a court. The benefit of listening to children in family law court proceedings has also spawned considerable useful literature.

However, less attention has been given to the importance of empowering children to participate in the decision-making process in matters affecting them before the matter reaches court. Giving children a voice in the pre-trial stage is particularly important now that mediation is compulsory and because most family disputes are settled outside the courts.

Accordingly, this article focuses on the pros and cons of including children in family mediation. It also highlights how, when implementing family law reforms, Australian legislatures missed the opportunity to promote a culture of child inclusion in mediation. A child inclusive culture

would have been in furtherance of Australia's international law obligations to protect children's participatory rights in matters affecting them.

[Read abstract or purchase article.](#)

Al-Alosi, H. (2018) Will Somebody Please Think of the Children?! Child Focused and Child Inclusive Models in Family Dispute Resolution. *Australasian Dispute Resolution Journal*, 29(1), 8-20.

Direct cross-examination in family law matters: Incidence and context of direct cross-examination involving self-represented litigants

This report sets out findings from the Direct Cross-examination in Family Law Matters project, which was commissioned and funded by the Australian Government, Attorney-General's Department. The project explores quantitative and qualitative data relevant to direct cross-examination involving self-represented litigants in family law matters, derived from court files and audio and transcripts of proceedings, collected from the Family Court of Australia (FCoA) and the Federal Circuit Court of Australia (FCCoA), together with an analysis of relevant unreported judgments of the Family Court of Western Australia (FCoWA).

The data analyses were undertaken to explore: the extent to which direct cross-examination was a feature of matters involving self-represented litigants in families characterised by alleged or substantiated family violence; and the factual and legal context characterising these family law

matters as compared to those matters where direct cross-examination involving self-represented litigants did not take place.

[Read full article.](#)

Carson, R., Qu, L., De Maio, J., and Roopani, D. (2018). Direct cross-examination in family law matters. *Australian Institute of Family Studies. Report – June 2018.*

Gender in the Context of Same-Sex Divorce and Relationship Dissolution

This article identifies ways that judges, lawyers, researchers, and policy makers may attend to the role of gender and gender dynamics facing same-sex couples upon divorce or other relationship dissolution. When same-sex couples marry, the legal system and society at large may project conceptions of gender onto same-sex couples, often in a manner that conflicts with couples' intentions and practices. Gender and gender dynamics may affect the bases for dissolution, the financial aspects of dissolution, and the determination of child custody. The article also suggests directions for future research on the impact of gender on the dissolution of same-sex relationships.

[Read abstract or purchase article.](#)

Kim, S.A. and Stein, E. (2018). Gender in the Context of Same-Sex Divorce and Relationship Dissolution. *Family Court Review*, 56(3), 384-398.

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.org.au

Australian Law Reform Commission Review of the Family Law System eNews

On 9 May 2017 the Turnbull Government announced its intention to direct the ALRC to conduct the first comprehensive review into the family law system since the commencement of the Family Law Act in 1976, with a view to making necessary reforms to ensure the family law system meets the contemporary needs of families and effectively addresses family violence and child abuse.

You can keep up to date with the latest developments of the Review via the eNews on the Australian Law Reform Commission's website. WAFLPN will link to the [latest eNews](#) in our eBulletin each month and on our website <https://wafvpn.org.au>

Review of the Family Law System – Issues Paper 48 was released on 14 March 2018.

[View Issues Paper.](#)

The ALRC received over 400 submissions in response to its Issues Paper released in March 2018. Public submissions are published online on the ALRC website.

[View public submissions.](#)

On 29 June, Dr Andrew Bickerdike was appointed as a part-time commissioner of the ALRC.

[Read media release.](#)

On 27 July 2018, Professor Helen Rhoades presented at the 2018 AIFS Conference

[Read speech.](#)

The Discussion Paper is due for release on 2 October 2018.

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 commonly used 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://wafvpn.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@relationships.org.au

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