



Family Law
PATHWAYS
NETWORK

WESTERN
AUSTRALIA

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

FEBRUARY 2019

Greetings from the Chair

by Rod West



Hello from all of us here at WAFLPN! I am excited to announce that early bird registrations are now open for the 2019 WAFLPN

Annual Conference and post-conference workshop, which will be taking place on 30 and 31 May respectively. Read on for more details about the conference and instructions on how to secure your tickets!

This month, Ochre Ribbon Week took place between 12 and 19 February. Supported by the National Family Violence Prevention Legal Services Forum and its member organisations, the Ochre Ribbon Campaign raises awareness of the devastating effects of family violence in Aboriginal and Torres Strait Islander communities and calls for action to end the violence against Aboriginal and Torres Strait Islander people, especially women and children. Various organisations in the broad family law sector came together to support this initiative by taking part in events across the nation, including the Ochre Ribbon Working Together Lunch 2019 organised in Perth by Aboriginal Family Law Services (WA).

February has also been chock-full of exciting WAFLPN professional development opportunities.

On 12 February, we partnered with the Geraldton Family Relationships Centre to bring Kevin Hanavan's 'Fathering & Attachment' presentation to the Children's Matters Stakeholders Forum in Geraldton.

On 15 February, Consumer Protection's Senior Policy Officer Trish Blake presented on the upcoming FDV-related tenancy law changes. The Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 passed in Parliament on 19 February, with the changes expected to come into effect in mid-April 2019.

To aid with disseminating the relevant information about the law changes, WAFLPN has recorded the training session and made it publicly available on our [youtube channel](#). Additional materials can be accessed on the [Members Section of our website](#) and on the [Consumer Protection 'Family violence in residential tenancies' webpage](#).

WAFLPN also had the privilege of having Dr Luke Gahan present his workshop on Separation and Same-Sex Parented Families in Perth on 20 February and in Busselton on 22 February. Attendees learnt about same-sex parents' experiences of separation services and how they could work more effectively with separating same-sex parented families.

If you were unable to attend any of our events or would like a refresher on some of the content, you can access video footage, presentations, handouts and other materials from the training sessions on the [Members Section of our website](#). If you aren't a member yet, you can sign up free of charge to unlock the ability to access a selection of resources from past WAFLPN events.

We are committed to increasing the quality and accessibility of our online content, so if you have any feedback on how we can improve please [email Sofia, our Network Development Officer](#), with your suggestions.

Enjoy this month's edition of the eBulletin and see you at future WAFLPN events!



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

2019 WAFLPN Annual Conference & Post-Conference Workshop

Registrations are now open for the 2019 WAFLPN Annual Conference. Titled "No One is Perfect: Exploring the connection between parenting capacity and children's wellbeing", the conference will feature keynote speakers Rose Cuff, Statewide FaPMI (Families where a Parent has a Mental Illness) Coordinator at the Bouverie Centre; and Dr Margaret Spencer, University of Sydney lecturer with a research interest in Disability and Parenting.

Dr Margaret Spencer and Rose Cuff will also present a special one-day workshop on 31 May 2019, where they will delve deeper on the concepts discussed at the conference.

Please see the conference flyer on the next page for more information.

To view the conference program and to register for the conference and/or the post-conference workshop, visit [our conference website](#).

Conference: 30 May 2019
9.00am-5.00pm
University Club of Western Australia, Crawley
Early bird tickets from \$100

Workshop: 31 May 2019
9.00am-4.00pm
University Club of Western Australia, Crawley
Tickets: \$75

The Roundtable to End Family and Domestic Violence

Join RUAH Community Services and various organisations operating in the FDV sector for the Roundtable to End Family and Domestic Violence on the eve of International Women's Day. Hear from political panelists about what they plan to do to end domestic violence and help ensure this critical community issue looms large on the national agenda.

7 March 2019
9.30am-10.30am
(Registrations and coffee from 9am)
Grand Ballroom, Duxton Hotel
1 St Georges Terrace, Perth
RSVP via email:
communication@ruah.org.au
via phone: 13 7824 (13 RUAH)

[View event flyer.](#)

Strangulation Prevention Training

The Women's Council for Domestic and Family Violence Services and the Red Rose Foundation are organising a 2 day conference with international speakers on the topic of non-fatal strangulation, featuring acclaimed specialist trainers from the San Diego Institute on Strangulation Prevention, Dr William Smock, MD and Gael Strack, Esq.

1 & 2 April 2019
9.00am-5.00pm
University Club of Western Australia
Tickets: \$550.00 + GST

[View event flyer.](#)

For more information, contact info@redrosefoundation.com.au

**WA FAMILY LAW PATHWAYS NETWORK ANNUAL CONFERENCE**

*No One Is Perfect:
Exploring the connection between parenting capacity and children's wellbeing*

THURSDAY 30TH MAY 2019

**ONE DAY WORKSHOP
FRIDAY 31ST MAY 2019**

waflpn.org.au



WESTERN AUSTRALIA

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.

<https://waflpn.org.au/en/events/walk-in-their-shoes>

MORE TRAINING AND EVENTS

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

<https://waflpn.org.au/FPNWA-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 WAFPN members please contact us to have it included in our eBulletin

WA.FamilyPathwayNetwork@relationships.wa.org.au

The Complexity of Families Involved in High-Conflict Disputes: A Postseparation Ecological Transactional Framework

The use of the term 'high conflict' to describe a wide range of family dynamics after separation and divorce has increased significantly over the years. At the moment, no consensus on the definition of high conflict exists. Lack of definitional clarity hinders the ability for legal and mental health professionals to assess, identify, and effectively intervene with this population. Based on a rapid evidence assessment of 65 empirically based social science studies relevant to high conflict, this article positions high-conflict separation and divorce using an ecological transactional model to better understand risk factors and indicators associated with these families. Authors propose a more comprehensive definition that captures the complexity and interactions of various risk factors and indicators on multiple levels. Positioning high-conflict families using an ecological model identifies several points of intervention professionals can use and the fundamental need for collaboration among stakeholders for effective intervention.

[Read abstract or purchase article.](#)

Polak, S. & Saini, M. (2019). The Complexity of Families Involved in High-Conflict Disputes: A Postseparation Ecological Framework. *Journal Of Divorce & Remarriage*, 60:2, 117-140.

'It's an invisible wound': the disenfranchised grief of post-separation mothers who lose care time

This paper enriches understandings of the implications of contemporary custody law for mothers and their children. It does so through a discussion of mothers' grief and emotional pain over involuntarily losing care time with children. Mothers involuntarily lose care time by becoming non-resident parents against their will or by having a shared care parenting order imposed on them. Both experiences of losing maternal care time are becoming more commonplace as a result of the gender neutrality of custody laws across the Anglo-West and the increased emphasis given to shared care parenting as a viable post-separation parenting arrangement. Yet investigations into the emotions engendered by mothers' loss of care time are sparse. Exploratory qualitative research with twelve mothers who involuntarily lost care time reveals the intensity and durability of their grief, its entanglement with emotions like fear, and its significance, as a relational welfare approach emphasises, to children's best interests.

[Read abstract or purchase article.](#)

Elizabeth, V. (2019). 'It's an invisible wound': the disenfranchised grief of post-separation mothers who lose care time. *Journal of Social Welfare and Family Law*, 41:1, 34-52.

Allegations of child sexual abuse in parenting disputes: An examination of judicial determinations in the Family Court of Australia

This study examined Family Court of Australia (FCA) judicial determinations in parenting disputes when allegations of child sexual abuse (CSA) are made by an interested party, usually the mother. The characteristics most common in substantiated versus unsubstantiated cases, evidence of abuse presented, and resulting parenting orders were assessed. Findings indicate that, against international comparisons, FCA judges substantiate cases very conservatively, with rates of substantiation much lower than in other studies. Allegations made by mothers against fathers were disproportionately unsubstantiated, as were those which did not fall under the Magellan case management system. Cases where the only evidence of CSA was a child's disclosure and parent's allegation were common in both substantiated and unsubstantiated cases, meaning that a lack of other evidence does not preclude a positive finding of risk of CSA by the FCA. Those cases also involving a protection order against the accused were more likely to be substantiated. Confirmation biases and a judicial tendency to err on the side of false negatives are discussed.

[Read abstract or purchase article.](#)

Ferguson, C., Wright, S., Death, J., Burgess, K. & Malouff, J. (2018). Allegations of child sexual abuse in parenting disputes: An examination of judicial determinations in the Family Court of Australia. *Journal of Child Custody*, 15:2, 93-115.

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

Amendments to the Residential Tenancies Act passed in Parliament

The Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 is an important piece of legislation which will provide more options and greater support for those experiencing family and domestic violence (FDV) and their children. These changes to the Residential Tenancies Act and the Residential Parks (Long-stay Tenants) Act passed in Parliament on 19 February 2019 and are likely to come into effect in mid-April 2019.

The amendments are aimed at giving the victim better choices, including whether to stay in the tenancy or move to safer accommodation, or remove tenancy-related concerns, which are barriers to leaving a violent relationship.

The new laws for victims include:

- Being able to terminate a tenancy agreement within seven days by providing the landlord with evidence of domestic violence, such as a restraining order or a letter from a medical professional, removing the need to go to Court;
- Being able to stay in the home if they choose - they will be able to apply to the Court to have the perpetrator's name removed from the tenancy agreement;

- Being able to change the locks immediately, without permission from their landlord; Being able to install CCTV security at their rental home, at their own cost; and
- Provisions to deal with property damage, unpaid rent and disbursement of the bond to ensure the victim does not carry the financial burden after a tenancy ends.

[View the latest media release here.](#)

[View video footage from WAFLPN's Family Violence Amendments Training on 15 February 2019.](#)

More information and future training opportunities will be posted on the [Consumer Protection website](#).

Family Dispute Resolution Evaluation - An Outcome Measurement Tool Development Project

The Department of Social Services commissioned the Centre for Family Research and Evaluation to develop and trial a suitable, evidence-based tool to measure the impact and effectiveness of family dispute resolution services for clients. This project was the first of its kind in developing outcome measurement tools for the Family Law Services programs.

The project report, as well as the outcomes measurement tool that was developed through this process, can be accessed via [the Attorney-General's Department website](#).

Although the project did not deliver a final product that could be implemented across the sector, organisations may voluntarily use the tool as a base model that can be tailored and adapted to their service delivery models.

The final report of the Australian Law Reform Commission review of the family law system, due in March

2019, will assist in informing any future development of an outcome measurement tool for family dispute resolution and family law services generally.

Invitation to Women to complete a National survey about the support they received from a Men's Behaviour Change Program

As part of the 'Prioritising women's safety in Australian perpetrator interventions: the purpose and practices of partner contact' project, Professor Donna Chung, Head of Social Work (Curtin University) and her research team are seeking assistance in finding women to complete a short, anonymous, on-line survey (20 to 25 minutes) about the support they received from a Men's Behaviour Change Program (MBCP).

The survey should be completed on a safe computer, in a safe location. Specifically, the researchers would like women whose (ex)partners have attended a MBCP in the last two years to participate (where it is safe to do so).

The survey can be accessed via the following link: https://curtin.au1.qualtrics.com/jfe/form/SV_1MNOVDMUmRWHQwd.

More information about the survey and the research project is also available via the above link.

For any questions about the survey or the research project, please contact Professor Donna Chung via d.chung@curtin.edu.au or Ms Sarah Anderson, Research Assistant at Curtin University via sarah.anderson@curtin.edu.au.

State Government commences consultation to reduce family and domestic violence

The Department of Communities has commenced State-wide consultation to inform development of a strategy to reduce family and domestic violence in the Western Australian community over the next 10 years.

There is a range of ways people can get involved and have their say including:

- an on-line survey;
- written responses to a consultation paper;
- a short 'Message to the Hon Simone McGurk, MLA Minister for Prevention of Family and Domestic Violence'; or
- face to face forums and workshops (dates and locations to be announced in early 2019).
- Tailored face to face engagement, and other on-line formats, will also be used to support access and engagement for people with disability, or from diverse cultural backgrounds or geographic locations.

For further information and to have your say, go to www.communities.wa.gov.au/fdv

If you have any questions please direct them to FDVStrategy@communities.wa.gov.au

Provide Feedback: WA Mental Health, Alcohol and Other Drugs Services Plan 2015-2025 Update 2018

[The Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015-2025](#) (the Plan) is the Mental Health Commission's key planning tool for the mental health, alcohol and other drug sector.

The Mental Health Commission is pleased to provide [the draft Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015-2025 \(Plan\) Update 2018 \(Plan Update 2018\)](#).

The draft Plan Update 2018 is the first scheduled remodelling of the optimal level and mix of services for Western Australian mental health and alcohol and other drug (AOD) services as outlined in the Plan. While the estimated optimal mix and levels of service have been revised, the Plan remains the primary reference for mental health and AOD services development, particularly as it relates to strategic priorities.

Responses to the community feedback process will inform the further refinement of the draft Plan Update 2018 by the Commission, prior to its finalisation and release.

Please ensure you submit your comments prior to the closing date of **5pm, Tuesday, 9 April 2019**. Submission will not be made publicly available. However, please note that while submissions are treated as confidential, any written information held at the Mental Health Commission is subject to the Western Australian Freedom of Information Act 1992.

[View guide on how to provide feedback.](#)

Seeking Participants: Research on self-represented litigants in Australian family law proceedings involving allegations of family violence

Dr Jane Wangmann, Dr Tracey Booth and Miranda Kaye from the University of Technology Sydney are seeking participants for their ANROWS-funded research project.

[View flyer.](#)

For more information or to be involved in the research project, call or text 0423 552 565 or email selfreps@uts.edu.au.

National FASD Strategic Action Plan 2018-2028

The National FASD Strategic Action Plan 2018-2028 was launched by Minister for Health Greg Hunt at the 2nd Australasian FASD Conference in Perth on 21 November 2018.

The Strategy provides a national approach for all levels of government, organisations and individuals on strategies that target the reduction of alcohol related harms relating to FASD, reducing the prevalence of FASD in Australia and providing advice and linkages on the support which is available for those affected by the disorder.

[Access the National FASD Strategic Action Plan here.](#)

Australian Law Reform Commission Review of the Family Law System

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.

Review of the Family Law System: Discussion Paper (DP 86) was released on 2 October 2018, putting forward 124 proposed changes to the family law system. Key proposals include supporting increased participation by children in the family law system; and the establishment of the Family Law Commission to oversee the operation of the family law system and provide accreditation to family law practitioners.

[View Discussion Paper.](#)

The report will be delivered to the Attorney-General on 31 March 2019.

FOLLOW US ON TWITTER

Follow [@FamilyPathwayWA](#) on twitter for the latest information and interesting articles relating to family law

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://wafpn.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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