



Family Law  
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AUSTRALIA

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

JUNE 2019

## Greetings from the Chair

by Rod West



Hello from WAFLPN and a huge thank you to everyone who attended our annual conference, whether in person or via livestream, for helping make this year's conference a success. This year, our conference took place during National Reconciliation Week (27 May-3 June) and we were very privileged to hear about parenting and parenting capacity assessments from an Aboriginal perspective. Read WAFLPN's full recap of the conference on the [next page](#).

Thank you as well to everyone who attended the post-conference workshop with Rose Cuff and Dr Margaret Spencer and everyone who participated in the workshop with Rose Cuff in Geraldton. While Rose was in Geraldton, she also gave a radio interview for ABC Mid West & Wheatbelt, which can be accessed at [this link](#) (interview with Rose starts 17 minutes in). WAFLPN is particularly grateful to our Geraldton Regional Representative Alison Muller, who organised the workshop and the conference livestream in Geraldton.

Unfortunately for our members in Broome, the planned seminar with Dr Margaret Spencer was unable to go ahead due to the speaker's flight cancellation. We are in the process of arranging some alternative training.

Don't forget that you will be able to access materials from the conference and workshops on the [Members Section of our website](#). We will be uploading presentations, videos, articles and additional materials provided by the speakers in the coming weeks.

We would also appreciate it if you could fill in the anonymous online feedback forms that you would have received via email to aid us in planning future events, including next year's annual conference.

However, just because the annual conference has come and gone does not mean that things are slowing down for us! The WAFLPN Steering Committee has just held our strategic planning meeting, where we reviewed our activity plan for the year ahead.

We have some more exciting events coming up, with us once again co-hosting the Children's Matters Stakeholders Forum in Geraldton on 18 June, a Kalgoorlie Family Court Circuit Twilight Networking Event on 26 June, and workshops on Supporting Trans and Gender Diverse Clients with Kai Schweizer in Perth on 23 July and in Bunbury on 25 July.

On [page 4](#) of this eBulletin, we announce new dates for the Walk in Their Shoes tours. We will be sending out emails with the registration links for the tours shortly. Although there

has been increasing demand for the Walk in Their Shoes tours, due to limited resources, the Family Court of Western Australia is currently unable to accommodate any additional tours. In order to maximise the benefits of the Walk in Their Shoes tours to the sector, WAFLPN is instituting new rules for the tour registrations, which initially limit registrations to 2 attendees per organisation per tour. This is to ensure that the tours reach a larger cross-section of the family law sector, facilitating better inter-agency networking and encouraging knowledge sharing within organisations. If maximum numbers are not reached one month prior to the tour, this registration limit will be lifted and organisations would be able to register additional staff members for the tour.

Last but not least, I am also pleased to announce that the [WAFLPN website](#) is about to get a facelift, which should come into effect in early July. The URL and the key functions of the website will remain the same, however the user experience should improve. This change will also facilitate the integration of the new family law service directory currently being developed by WAFLPN.

That's all I have to say for now, but stay tuned for more news from WAFLPN via email and next month's eBulletin. Once again, thank you for your continuous support of WAFLPN.

## REVIEW OF PAST WAFLPN EVENTS

# Recap: Annual Conference 2019

On 30 May 2019, approximately 250 professionals from across the WA family law sector gathered at the University Club of Western Australia for the WAFLPN Annual Conference. This year's conference theme was "No One is Perfect: Exploring the connection between parenting capacity and children's wellbeing", which emerged from the feedback provided by attendees of the 2018 WAFLPN Annual Conference



Tony Hansen's daughters, Savannah and Montanna Hansen, opened the conference with a beautiful Welcome to Country which showcased the knowledge, talents and strong cultural connection of these young Noongar ladies. Tony Hansen then proceeded to impart some knowledge on parenting from an Aboriginal perspective, particularly highlighting the childrearing and cultural practices which differ from non-Indigenous Australian norms and understandings.



Tony, Savannah and Montanna Hansen were the first recipients of this year's speaker gifts – intricate wooden paddle boards hand-painted by Aboriginal Mental Health Worker and artist Sally-Anne Gamble.

Master of Ceremonies and WAFLPN Chair Rod West then welcomed the Honourable Justice Gail Sutherland, Chief Judge of the Family Court of Western Australia, to perform the opening address. Her Honour provided an insightful reflection on this year's conference theme and spoke about the role of the Family Court in identifying risk factors for parents and children.

The former Chief Judge of the Family Court of Western Australia, the Honourable Stephen Thackray, followed with a presentation on the *Jiji Nyirti* project. Highlighting the barriers preventing Aboriginal people from accessing family law services, the Honourable Stephen Thackray spoke about how the *Jiji Nyirti* (little children) pilot project in Newman sought to provide a culturally appropriate wrap-around legal service. The presentation concluded with some feedback from clients who had accessed this "Helping Court" and a look ahead at the future of the project.



Building on everything that had been shared thus far, Rohan Collard from Wungening Aboriginal Corporation talked about the various considerations that need to be taken into account when assessing the parenting capacity of Aboriginal parents and carers. Rohan provided valuable advice on working effectively with Aboriginal clients and emphasised the role of practitioners in supporting a culturally competent service system.



After a short morning tea break filled with lively discussion, delegates returned to the auditorium to hear from keynote speaker Rose Cuff, Statewide Coordinator of the FaPMI (Families where a Parent has a Mental Illness) Program in Victoria. Drawing on her extensive professional experience, Rose spoke about the importance of engaging and building positive

relationships with parents living with mental ill-health based on a shared understanding of parents' and children's needs. As part of her presentation, Rose shared videos from parents and children talking about their lived experiences, which enhanced audience understanding of parental mental ill-health and demonstrated the effectiveness of appropriate and timely support.

It was then time to hear the President of the Children's Court, Judge Julie Wager. Judge Wager spoke passionately and candidly about the Protection and Care jurisdiction of the Children's Court and her hopes for future reform to support a more therapeutic court model.



After a varied and exciting first half of the conference, it was time to head outside to enjoy the pleasant weather and a delicious hot lunch. The foyer was abuzz with lively chatter as delegates networked with fellow professionals and shared their learnings from the conference so far.

As the lunch hour drew to a close, delegates poured back into the auditorium to hear from the next keynote speaker, Dr Margaret Spencer from the University of Sydney. Dr Spencer delivered an energetic and informative talk about enabling justice for families where a parent has learning disabilities. She expertly incorporated historical context, past and current research, her personal and professional experiences, videos interviewing families about their lived experiences, and a discussion of actions undertaken at state, federal and international levels to provide a holistic overview of the topic.



Finally, audience members got to hear the Department of Communities perspective on Parenting Capacity Assessments from Senior Consultant Psychologist Dr Veronica Edwards. As someone who has completed and supervised Psychology staff in the completion of Parenting Capacity Assessments, Dr Edwards provided a valuable perspectives that helped delegates situate the issues discussed throughout the conference within current policies and practices.



After another short tea break, delegates returned to the auditorium for a closing panel discussion with Judge Wager, Dr Veronica Edwards, Rose Cuff, Dr Margaret Spencer and the Honourable Stephen Thackray. Stephen Clarke expertly moderated the panel discussion, curating a selection of questions submitted by delegates via the conference mobile application throughout the day.

Too soon, the day drew to a close, marking the end of another successful WAFLPN annual conference. The WAFLPN Steering Committee sincerely thanks everyone who attended the conference in Perth, participated in one of the livestream events at Geraldton and Carnarvon, or livestreamed the conference from home. We invite you to provide feedback to assist us in planning for next year's conference and look forward to you joining us for our conference in 2020.



If you missed the WAFLPN Conference this year, you can access speaker presentations, video recordings and additional materials shared by presenters on the [Members Section](#) of our website.

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

**Kalgoorlie Family Court Circuit Twilight Networking Event**

Join Family Court of Western Australia Magistrate Neil Anderson, Team Manager at the Family Court Counselling and Consultancy Service Stephen Clarke and Family Consultant Sharon Pedley to talk about the *Jiji Nyitti* initiative and network with professionals in the Kalgoorlie region.

26 June 2019  
5.00pm-7.00pm  
Rydges Kalgoorlie  
21 Davidson St, Kalgoorlie  
Free event, registrations essential  
[www.trybooking.com/BCYWJ](http://www.trybooking.com/BCYWJ)

**Supporting Trans and Gender Diverse Clients Workshops with Kai Schweizer**

Join WA Family Law Pathways Network for workshops in Perth and Bunbury with Kai Schweizer to gain a better understanding of gender identities, learn about trans rights and WA legislation, and gain practical skills for working with trans and gender diverse individuals.

**Perth Workshop**

23 July 2019  
9.00am-12.00pm  
Seminar Room 3  
Technology Park Function Centre  
2 Brodie Hall Drive, Bentley WA  
Tickets: \$25, spaces limited.  
[www.trybooking.com/BDNDN](http://www.trybooking.com/BDNDN)

**Bunbury Workshop**

25 July 2019  
9.00am-12.00pm  
Leschenault Room  
Quality Hotel Lighthouse  
Carey Street, Bunbury WA  
Tickets: \$25, spaces limited.  
[www.trybooking.com/BDNDP](http://www.trybooking.com/BDNDP)

**Walk in Their Shoes Tours of the Family Court**

Tour dates for the second half of 2019 have been announced and online registrations will open shortly. WAFLPN members and everyone on the waitlist for the Walk in Their Shoes tours will receive the registration information via email.

Please note that there will be an initial **limit of 2 attendees per organisation per tour**. If maximum numbers are not met, the limit will be lifted 1 month prior to the tour date. Registrations will continue operating on a first-come-first-serve basis and if the organisational ticket limit is exceeded, the relevant attendees will be notified and placed on the waiting list instead.

If you seek further clarification about the new registration policy, please email [WA.FamilyPathwayNetwork@relationshipsqa.org.au](mailto:WA.FamilyPathwayNetwork@relationshipsqa.org.au)

**Walk in Their Shoes Tour Dates**

14 August 2019  
16 October 2019  
11 December 2019

More information available at  
<https://waflpn.org.au/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>



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in the  
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[waflpn.org.au](http://waflpn.org.au)



WESTERN AUSTRALIA

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

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

### Permanent Care Orders in Victoria: A Thematic Analysis of Implementation Issues

Seeking permanency for children is a central concern of Western child protection and out-of-home care systems, with approaches differing between and within countries. Historically, Australia has not prioritised adoption as a permanency pathway. In the state of Victoria there has been a preference for the use of Permanent Care Orders (PCOs), which have been positioned highly in the permanency hierarchy. Despite their significance, little research has been undertaken in relation to the implementation of PCOs. This article reports on a study that explored themes associated with the implementation of PCOs through an analysis of submissions to an inquiry into the early outcomes from Victoria's 2014 permanency amendments. Four key themes emerged: the power of government; the assumption of a perfect system; disproportionate impact on the most disadvantaged; and the impact of the permanency hierarchy. These themes are discussed with respect to their implications for practice and policy development.

[Read abstract or purchase article.](#)

Mackieson, P., Shlonsky, A. & Connolly, M. (2019). Permanent Care Orders in Victoria: A Thematic Analysis of Implementation Issues. *Australian Social Work*. DOI: 10.1080/0312407X.2018.1539112

### Nothing about me without me: Children and young people's experiences with family group conferences

There is a growing movement within the child welfare system to include parents and the wider family network in decision making. However, children and young people's roles in child welfare system participatory processes where decisions are made about their lives have been understudied. The family group conference (FGC) is one such decision-making process, which has been adopted internationally with the expectation that children and young people's voices and perspectives, along with their family members, will be elevated and influence decisions. As part of a 3-year federal project of FGCs in one jurisdiction, this study collected fidelity data from professional and family member participants of FGCs, including children and young people. Descriptive data from a small sample of child and young people participating in FGC suggest differences in their perspectives regarding family empowerment, transparency, and inclusion in decision making, when compared with the perspectives of other family members and professionals for whom data are available.

[Read abstract or purchase article.](#)

Merkel-Holguin, L., Schwab-Reese, L., Drury, I., Allan, H., Hollinshead, D. (2019). Nothing about me without me: Children and young people's experiences with family group conferences. *Child & Family Social Work*. 1– 10. DOI: 10.1111/cfs.12648

### Indigenous Peoples' Help-Seeking Behaviors for Family Violence: A Scoping Review

Indigenous peoples are more likely than non-Indigenous peoples to experience family violence (FV), with wide-reaching impacts on individuals, families, and communities. Despite this, service providers indicate that Indigenous peoples are less likely to seek support than non-Indigenous peoples. Little is known about the reasons for this, particularly from the perspective of Indigenous people themselves. This scoping review explores the views Indigenous peoples have on help seeking for FV. Overall, findings suggest that Indigenous peoples are reluctant to engage in help-seeking behaviors for FV. Data were inductively organized into three main themes reflecting this reluctance: tendency to avoid help seeking (acknowledging the barriers of shame, tight-knit communities, and inappropriate service responses causing mistrust and fear), turning to informal support networks, and help is sought when crisis point is reached. This article concludes that to overcome barriers for Indigenous peoples seeking help for FV, improving service providers response to FV through training and more research about what works is required; these activities need to be informed by both male and female Indigenous voices.

[Read abstract or purchase article.](#)

Fiolet, R., Tarzia, L., Hameed, M., & Hegarty, K. (2019). Indigenous Peoples' Help-Seeking Behaviors for Family Violence: A Scoping Review. *Trauma, Violence, & Abuse*. DOI: 10.1177/1524838019852638

## 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)

### Final Report Released: Australian Law Reform Commission Review of the Family Law System

On 10 April 2019, The Australian Law Reform Commission (ALRC) report, Family Law for the Future: An Inquiry into the Family Law System, was tabled in Parliament by the Attorney-General, the Hon Christian Porter MP.

*Family Law for the Future: An Inquiry into the Family Law System (ALRC Report 135)* and the *Summary Report (ALRC 135 Summary)* are available for viewing or free download at <https://www.alrc.gov.au/inquiries/family-law-system>.

### Family Law in the News

[Silenced. Australian children are being placed in harm's way by the legal structure designed to determine their best interests — the family law system.](#)

[Family Court failure on Sunday Extra - Separate stories podcast.](#)

["The system in a state of crisis": the reforms needed to fix family law in Australia on Law Report - Separate stories podcast.](#)

### FOLLOW US ON TWITTER

Follow [@FamilyPathwayWA](https://twitter.com/FamilyPathwayWA) on twitter for the latest information and interesting articles relating to family law

### Tenancy Law Changes In Effect

The Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 came into effect on 15 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.

For more information, visit [the Safe Tenancy WA page \(Consumer Protection\)](#).

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

### 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.](#)

### Image-based Abuse (Revenge Porn) Now a Crime in WA

The Criminal Law Amendment (Intimate Images) Bill came into effect on 15 April 2019, making the non-consensual distribution of intimate images, or 'revenge porn', a crime which attracts jail time of either 18 months or three years and/or a fine of up to \$18,000.

For more information and to make a report, visit [esafety.gov.au/iba](http://esafety.gov.au/iba)

### 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](mailto:sofia.kouznetsova@relationshipsqa.org.au)

### UNSUBSCRIBE?

If you would like to stop receiving the WAFLPN monthly eBulletin please send an email with the subject "unsubscribe" to [WA.FamilyPathwayNetwork@relationshipsqa.org.au](mailto:WA.FamilyPathwayNetwork@relationshipsqa.org.au)