

WESTERN AUSTRALIA

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

NOV/DEC 2018

Greetings from the Chairs

by Neil Anderson & Rod West

Hello from WAFLPN and welcome to the final eBulletin of 2018.

The 16 Days in WA to Stop Violence Against Women campaign ran from 25 November to 10 December. Based on the international 16 Days of Activism Against Gender-Based Violence campaign, 16 Days in WA is Western Australia's contribution to these efforts and aims to raise awareness, motivate positive actions across the state, and advocate on behalf of organisations that are opposing violence against women.

WAFLPN members participated in the 28th Annual Silent March hosted by the Women's Council for Domestic and Family Violence Services WA (WCDFVS) and various White Ribbon events across WA to commemorate victims of family and domestic violence and support an end to gender-based violence.

In this issue of the eBulletin, we look back on some of the WAFLPN events from October and November, and invite our members to look forward to exciting events planned for 2019.

In February 2019, WAFLPN will be presenting workshops on working with separating same-sex families facilitated by Dr Luke Gahan.

WAFLPN is also pleased to announce the date and keynote speakers for the 2019 Annual Conference, which will take place on 30 May 2019. Head on to page 5 for more information.

Don't forget to complete the anonymous survey as part of the national evaluation of Family Law Pathways Networks before it closes on 14 December, 5pm AEST.

Happy holidays and we will see you next year!

- Neil & Rod













Recap of recent WAFLPN events in October and November

FRC Training Day: Working Together in FDR

On 9 November, the first-ever FRC Training Day in Western Australia brought together practitioners from across the state to raise awareness of the services offered by Family Relationship Centres (FRCs) and share knowledge on Family Dispute Resolution (FDR), child-inclusive practice and client engagement.

The day opened with a beautiful Welcome to Country by Di Ryder, followed by a joint presentation by Paul Kerin and Irina Spradbury on the issue of relocation. After a refreshing morning tea, Fran Willix proceeded to speak about the role of Family Consultants and supporting parents to transition between the Family Court and FRCs in relation to Certificate 60l(a).

Participants used the lunch break to network over some delicious catering before being introduced to the workshop topics of high conflict cases, child-inclusive practice and restorative practice.



JD Rousetty presenting at the FRC Training Day.

Immediately following the afternoon tea, attendees were faced with the difficult decision of picking one of the concurrent workshops to attend. JD Roussety facilitated a workshop on working with high conflict clients, Astrid Gerrits conducted basic training on restorative practice, and Elmarie Richardson, Farida Lang and Jessica Michel led a hands-on session on child-inclusive practice.

The intensive training day concluded with drinks and networking as everyone reflected on their learnings for the day.



Speakers Brianna Lonnie and Magistrate Martino (middle) with Craig Taylor and Peter Healy from the WA Police at 'The Family Court – A Helping Court' event.

The Family Court - A Helping Court

'The Family Court – A Helping Court' was a twilight networking seminar on 23 October brought together family law professionals in and around the Goldfields region to share knowledge, ideas and experience from working in areas of family law and family violence.

His Honour Family Law Magistrate Eric Martino and Senior Legal Aid Lawyer Brianna Lonnie were the keynote speakers for the evening. Brianna Lonnie spoke about Legal Aid's FASS service and how it enables legal services and support services to work together. Magistrate Martino introduced the new model being trialled by the Family Court to improve access to the Court for Aboriginal people in regional WA.

The speakers then facilitated a discussion about how agencies and service providers including police, child protection and legal and social support services could help each other to better identify solutions for families.

Attendees enjoyed hearing from the speakers and the opportunity to come together with other service providers to discuss pertinent family law and family violence related issues in their local community.

WAFLPN would like to thank our Kalgoorlie regional rep, Pamela Oram, for her help in organising this event.

Broome Legal Network Meeting

The Broome Legal Network Meeting took place on 6 November 2018 at the Kimberley Family Relationship Centre.

The meeting opened with Her Honour Magistrate Tyson introducing the Djidji Nyitti (Martu words meaning "little children") pilot project, which aims to provide an accessible simplified family law service for Aboriginal people in the East Pilbara. A collaboration between the Chief Judge and the Martu people as well as most local service providers, the Shire and public legal services led to an informal 'under the tree' court day in Newman house which many people attended. The key to success was the presence of Elders and interpreters as well as the prior informal engagement made between various court staff and the community, which allowed for trust to grow, as well as the informal setting of the court itself.

Most present at the meeting were keen to try this format in Broome/The Kimberley during court circuit. However, it will be necessary to find and appoint the right Elder and the lack of the Aboriginal Liaison Officers in the Kimberley will be felt once more if this will be trialled here.

Barry Bartlett proceeded to share with the group the importance of considering grandparents and the kinship system when dealing with families in the Kimberley. Cases can become quite complex particularly when new partners come into the equation after separation as cultural rules may not be applied or adhered to. Barry requested that everyone be aware of these systems and cultural propriety when seeking solutions to contact with children in cases where family violence restraining orders (FVROs) are in place. The conversation then moved on to ways to approach the court when FVROs are in place and the time of no contact between a child/ren and their parent is threating to become too extensive.

Lindsay Greatorex proceeded to give a comprehensive overview of the Blurred Borders project created by the Tanami people and Legal Aid staff. The working group developed many cards that explain actions and legal proceedings in simple words and pictures that can be used to explain processes to clients, to communicate in general and to give to clients once a sentence or order has been made. Games, posters, take-home wallet versions of the cards and other materials have also been developed. Many organisations including the Kununurra Court use the system already and many others are keen to adopt the tools. The tools developed are readily available to anyone interested however will only be shared once training for adequate use has been accepted.



Broome Legal Network Meeting attendees.

The meeting concluded at 7pm after two hours of worthwhile learning and conversations in good spirits, with a plan to meet again in 2019. WAFLPN would like to acknowledge the hard work of our Broome regional rep, Astrid Gerrits, in making this event a success.

Bunbury Family Court Circuit Twilight Networking Event

On 21 November, Kevin Hanavan delivered his 'Fathering & Attachment' seminar at a twilight event in Bunbury.

Bunbury family law professionals and service providers came together for an evening of knowledge-sharing, networking and productive discussions over drinks and canapés at the Quality Hotel Lighthouse.

WAFLPN thanks our Bunbury regional rep, Cathy Mills, without whom this event would not have been possible.

WAFLPN also expresses our sincerest gratitude to Family Court of WA Family Consultant and our very own Steering Committee Member, Kevin Hanavan, for presenting on the topic of fathering and attachment at the 2018 WAFLPN Annual Conference as well as regional twilight events in Kalgoorlie, Albany and Bunbury this year.

WAFLPN intends to continue holding twilight networking events coinciding with the Family Court of WA regional circuits in 2019.

Conversation That Matters

WAFLPN was proud to be involved in the inaugural 'Conversation that Matters' event with Orana House on 15 November.

The event was a great success and was attended by over 40 people including the local Member for Maylands, Hon Lisa Baker MLA and the City of Bayswater Mayor, Dan Bull, as well as several other local councillors, agencies working with survivors of family and domestic violence, and members of the local community.

The lived experience presentation by Helen, a former resident at Orana House, was extremely powerful and inspired conversations about what everyone could do to help change the levels of family and domestic violence in the community so that no more women and children would have to suffer as Helen and her daughters had.

During the discussion facilitated by Joel Levin, Chair of the Orana House Management Committee, attendees brought up overarching need for everyone to listen, understand and be non-judgemental when someone is sharing information about their situation or experience.

Individuals and service providers also spoke about ways to increase knowledge and education about family and domestic violence in the community, promoting respectful relationships in schools and workplaces and making sure that everyone knows where they can go to receive information and support when they need it.



Joel Levin initiating a conversation about family and domestic violence with event attendees.

At the end of the evening, many people committed to working together to take the conversation forward to their workplaces and places of worship, with their friends, families and social circles and to try and disrupt inappropriate or disrespectful conversations and behaviours that they witness.

Geraldton Children's Matters Stakeholders Forum

The Children's Matters Stakeholder Forum took place on 16 October at the Mary Ryan Centre in Geraldton, coinciding with the October circuit of the Family Court of Western Australia.

Around 50 stakeholders attended the event including very special guests Magistrate Osborn and Family Consultant Susie Herberte from the Perth Family Court as well as Brian Matthews and Susan Maher from the Department of Social Services.

The evening kicked off with an Acknowledgment of Country by Julie-Anne Berg followed by Anthea Shaw welcoming everyone and introducing the special guests to the forum.

Brian Matthews gave a brief speech about his role in the Midwest as Assistant Director for the Community Grants Hub.

Alexander Neervoort gave an overview of Centacare's new program "Dealing with the Ex", which was met with keen interest from the audience.

Julie French was the spokesperson for the evening and introduce the topic "What are the considerations for the Court when child safety risks are disclosed?" Magistrate Osborn and Susie shared interesting information about child safety in the Family Court and this opened the forum up to discussions from the audience.

The evening was a great success with many positive comments being made including compliments about the catering.

The next Children's Matters Stakeholders Forum will be in February 2019. WAFLPN looks forward to continued partnership with the Geraldton FRC in the coming year.

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@relationshipswa.org.au

Separation and Same-sex Parented Families Workshops by Dr Luke Gahan – Perth and Busselton

WAFLPN is proud to host Dr Luke Gahan from La Trobe University for full-day workshops in Perth and Busselton. Dr Luke Gahan will present his findings from the Australian Separated Same-Sex Parent Study and help service providers learn how to work effectively with same-sex parents experiencing separation.

PERTH WORKSHOP

20 February 2019
9.00am-4.30pm
Saxons Training Facilities
240 St Georges Terrace, Perth
Early bird tickets from \$45
www.trybooking.com/ZVPN

BUSSELTON WORKSHOP

22 February 2019 9.00am-4.30pm Abbey Beach Resort 595 Bussell Hwy, Busselton Early bird tickets from \$45 www.trybooking.com/ZVPT

More information is available on the flyer on the next page and on the <u>WAFLPN website</u>.

Save the date! 2019 WAFLPN Annual Conference

Save the date 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. There keynote speakers will also present at a post-conference workshop on 31 May 2019. Stay tuned for more information in the months leading up to the conference.

Conference: 30 May 2019 Workshop: 31 May 2019 University Club of Western Australia, Crawley Registrations open early 2019

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.

2019 TOUR DATES NOW AVAILABLE 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/Resources/Other-Relevant-Training-and-Events

Protection and Prevention: WA Inaugural Forced Marriage Conference

An opportunity for sharing information and understanding, for identifying WA support services who may be able to assist those in, or at risk of, forced marriage, and for strategically planning a way to work collaboratively to address the needs of those who are vulnerable to this practice within our communities

12 March 2019 8.30am-4.00pm Newman Siena Centre, 33 Williamstown Rd, Doubleview Tickets: \$35 www.trybooking.com/ZUBL

View conference program.

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



SEPARATION AND SAME-SEX PARENTED FAMILIES WORKSHOPS BY DR LUKE GAHAN

Recent social, cultural, and political changes in Australia have led to greater acceptance of same-sex parented families. However, separated same-sex parents face ongoing challenges in accessing service providers who they believe can meet and understand their specific needs.

Dr Luke Gahan will present his findings from the Australian Separated Same-Sex Parent Study at full-day workshops in Perth and Busselton. Some of the topics covered include same-sex parents' experiences of separation services, post-separation shared care, and the legal recognition of non-biological parents after separation. Service providers will gain a better understanding of same-sex parented families and learn how to work effectively with same-sex parents experiencing separation.

PERTH WORKSHOP

When: Wednesday, 20 February 2019

9:00AM – 4:30PM

Where: Saxons Training Facilities, Level 1, 240 St

Georges Terrace, Perth WA 6000

Tickets: Early bird tickets from \$45

Book now at <u>www.trybooking.com/ZVPN</u>

BUSSELTON WORKSHOP

When: Friday, 22 February 2019

9:00AM – 4:30PM

Where: Abbey Beach Resort, 595 Bussell Hwy,

Busselton WA 6280

Tickets: Early bird tickets from \$45

Book now at www.trybooking.com/ZVPT

Legal CPD points available. Quote "WAFLPN" for discounted rates at Abbey Beach Resort for Busselton Workshop attendees (effective from 17 December 2018). More information available at waflpn.org.au.

Should you have any queries or require any further information please do not hesitate to contact Sofia at <u>Sofia.Kouznetsova@relationshipswa.org.au</u> or (08) 6164 0382.

ABOUT DR LUKE GAHAN

Dr Luke Gahan is a sociological researcher at the National Ageing Research Institute and completed his PhD research at Victoria's Family Institute: The Bouverie Centre, and the Australian Research Centre in Sex, Health, and Society – both located at La Trobe University. He is currently the Secretary of The Australian Sociological Association (TASA) and has previously convened the TASA Sociology of Families, Relationships and Gender Thematic Group. Dr Luke Gahan's Australian study on separated same-sex parented families was published in the Journal of Family Strengths under the title Separated Same-Sex Parents' Experiences and Views of Services and Service Providers in December 2017.



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@relationshipswa.org.au

More Present Than Absent: Men who use domestic violence and their fathering

In contrast to an earlier article which referred to the "absent presence" of the perpetrator in the lives of children and their mothers who have lived with domestic violence. this article argues that fathers who use violence are actually more present than absent in the lives of children (and women), even following separation. A mixed method approach surveyed men in Men's Behaviour Change Programs and interviewed women who had experienced violence. The studies reported that the majority of men in both the quantitative men's study (80%) and the qualitative women's study (77%) had substantial contact with children. The women's interviews highlight the problematic fathering that many of their children experienced, both before and after separation. They reported very high levels of child abuse and poor attitudes to both women and children. The article concludes that the family violence and child welfare systems are poorly configured to address fathers who use violence and continue to hold substantial parenting roles, including following separation.

Read full article.

Humphreys, C., Diemer, K., Bornemisza, A., Spiteri-Staines, A., Kaspiew, R. & Horsfall, B. (2018). More present than absent: Men who use domestic violence and their fathering. Child & Family Social Work.

Parental Alienation – A Measurement Tool Policy?

The Rowlands' Parental Alienation Scale (RPAS) was administered to 592 parents along with measures of convergent and discriminant validity. The scale was designed to capture the eight domains of parental alienating behavior posited in the literature. Factor analysis extracted only six factors, one of which was not included in the original eight: (a) campaign of denigration towards the alienated parent, (b) the independent thinker phenomenon, (c) reflexive support, (d) presence of borrowed scenarios, (e) spread of animosity to extended family, and (f) lack of positive affect towards the alienated parent. Parents who reported either that a court evaluation or court findings had confirmed the presence of parental alienation scored significantly higher on all six RPAS factors as well as on the overall RPAS score.

Read abstract or purchase article.

Rowlands, G. (2018). Parental Alienation: A Measurement Tool. Journal of Divorce & Remarriage, DOI: 10.1080/10502556.2018. 1546031.

How do young aboriginal fathers in Australia 'stay on track'? –
Perspectives on the support networks of aboriginal fathers

Scholarship dedicated to documenting the roles and experiences of Aboriginal and Torres Strait Islander Australian fathers is scarce, with most works focusing on rural and remote areas, with little dedicated to Aboriginal fathers living in regional and urban areas. Utilizing and building upon the preliminary research undertaken the University of Newcastle's 'Stayin' On Track' programme, which seeks to provide online support and assistance to young Aboriginal fathers, this paper brings to light the unique challenges and sources of support afforded to young Aboriginal fathers from regional and urban New South Wales. It finds that, contrary to prevailing stereotypes, Aboriginal fathers respond favourably to the demand for paternal responsibility, which can take on meanings of masculinity as well as respect towards Elders. Furthermore, these fathers demonstrate a keen awareness of their Aboriginality, referencing the benefits of large, close-knit families and their tendency to support fathers and co-raise children.

Read abstract or purchase article.

Faulkner, D., Hammond, C., Nisbet, L. & Fletcher, R. (2018). How do young aboriginal fathers in Australia 'stay on track'? – Perspectives on the support networks of aboriginal fathers. Journal of Family Studies, DOI: 10.1080/13229400.2018. 1537193.

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@relationshipswa.org.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

Invisible Practices: Interventions with fathers who use violence report launched

ANROWS launched the first research report from the Perpetrator Intervention Research Stream at a national symposium co-convened with the Minister for the Prevention of Domestic Violence and Sexual Assault, the Hon. Pru Goward, MP on 4 December.

The Invisible Practices: Intervention with fathers who use violence project, which commenced in early 2017, was led by the University of Melbourne's Professor Cathy Humphreys. The research provides an evidence base for intervening with fathers who use domestic and family violence (DFV) in order to enhance support for women and children living with DFV. The project delivered an evidence-informed *Practice guide* for workers and highlights the need for organisations to undertake systemic change to embed these new practice approaches.

Structured interventions with men who use violence mostly occur through the criminal justice system and specialist men's behaviour change programs. While other services, such as child protection and family services, work with fathers who use violence, this work has never been documented or formalised. In other words, to date, this work has been largely "invisible".

The *Invisible Practices* project's findings are structured around four themes:

- key skills identified for working with fathers who use violence and control;
- key factors identified in partnering with women;
- key skills in ensuring a focus on children and young people; and
- the role of organisations and practitioner capacity building.

For more information and to view the full research report, visit the <u>ANROWS website</u>.

<u>Access practice guide</u>: detailed evidence-informed guidance for practitioners.

National Community Attitudes towards Violence against Women Survey (NCAS) findings released

The findings of the 2017 National Community Attitudes towards Violence against Women Survey were launched by ANROWS CEO Dr Heather Nancarrow at an event in Sydney on 30 November.

The NCAS is the world's longestrunning survey of community attitudes towards violence against women. It was initially developed on behalf of the Australian Government in 1995, drawing on an earlier 1987 survey. It is implemented every 4 years. The last two national waves were led by VicHealth (2009 and 2013). ANROWS led the 2017 survey.

The NCAS is a resource for anyone wanting to understand and prevent violence against women (VAW).

It can be used by educators, policymakers, program planners, researchers, journalists, and students.

View NCAS information and reports.

Access stakeholder resources.

New Relationships Australia WA Program: Parenting Coordination

Parenting Coordination (PC) is a child focused alternative dispute resolution process in which an impartial practitioner assists parents to resolve difficulties with implementing and maintaining parenting plans. The program is designed to offer an alternative space for parents to negotiate noncustodial matters, such as handover times/places for the children, communication between parents, routines, schooling and so forth; with the intention of diverting them from accessing the family Court each time a dispute arises. PC benefits clients as they are able to access to their appointed PC in a timely manner without the need to file documents, wait for court dates or at great financial expense.

Suitable referrals include high conflict parents who litigate various disputes, matters where court orders exist however are not being complied with or any families in the court who wish to have a PC appointed during their court proceedings to manage future disputes as they may arise. PC's can be appointed by Family Court order or by agreement between the parties to appointment a PC.

In matters where the family dynamics are uncertain, such as in cases of children who are disconnected from one parent, when it is unknown what the root of their resistance is; a PC can work with the family to identify issues and provide the Family Court with a report to that effect. Similarly where there is (or may be) domestic violence and where one party may be undermining orders as part of their cycle of abuse; a PC can be appointed to monitor compliance with the existing court orders and provide a report to the Family Court.

RAWA is accepting referrals via email at:

<u>parenting.coordination@relationshi</u> <u>pswa.org.au</u> or phone: 6164 0640

View brochure.

New Funding for Family Law Services

On 20 November 2018, the Attorney-General and the Minister for Women announced a funding boost for family law services and initiatives to help women establish economic security after ending a relationship as part of the Coalition Government's Women's Economic Security Package.

Under this Scheme, Legal Aid Commissions will be funded to provide legal representation to parties subject to the ban on direct cross-examination in the Government's Family Law Amendment (Family Violence and Cross-examination of Parties) Bill 2018, which is currently before the Senate. Legal representation under the Scheme will be available to all parties who are subject to the ban on direct cross-examination – the usual legal aid means and merits tests will not apply.

Further measures being funded from 2019-20 under the Package include:

- \$31.8 million in ongoing funding to existing Commonwealth-funded specialist Domestic Violence Units and Health Justice Partnerships across Australia, with an expansion of these services to include financial advice, counselling and literacy services.
- \$50.4 million in new funding for family law property mediation services. \$13 million each year will be provided to the 65 Family Relationship Centres (FRCs) across Australia, on an ongoing basis, to help families reach agreement about splitting their property after separation and keep them out of court. \$10.3 million will be provided to Legal Aid Commissions for a two year trial of lawyer-assisted mediation in each state and territory.
- \$5.9 million in new funding for the federal family courts to conduct a two year trial of simpler and faster court processes for resolving family law property cases with an asset pool of up to \$500,000 (excluding debt). Additional court Registrars will be appointed to help separated couples prepare consent orders to be lodged with the court, and a short-form process will be used if the case needs to be decided by a judge.

Read full media release.

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.

Department of Communities 2019-2023 Strategic Plan

The Department of Communities has released their strategic plan for the next five years.

View 2019-2023 strategic plan.

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-todate 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

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Working Together in the Family Law System

