



WAfamily pathways network

WA Family Pathways Network eBulletin

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

NOVEMBER 2016

Greetings from the Chair

by Kate Jeffries

Hello from WAFPN! Can you believe it is nearly the end of the year already? The festive season is upon us, and it is also White Ribbon week, find out what's happening in your region in the 'Dates for your diary' section of this eBulletin.

It is a jam-packed eBulletin this month, featuring information about the Albany Domestic Violence Action Group, event recaps and an important case law piece from recent proceedings in the Children's Court.

The federal Attorney-General's office has recently released its Family Law Council Report, which may come to provide a framework for the future of our services in relation to risk assessment, information sharing and integrated service delivery. You can find out more about Family Law Council Report in the 'Notice board' section of this eBulletin.

Our key event this month was the workshop, 'The Victorian Royal Commission into Family Violence: What Courts are expected to deliver to families experiencing family violence as part of an integrated family violence response', presented by Deputy Chief Magistrate Broughton and Rachel Ellyard. I would like to thank you for your interest, participation and robust discussions during the event. The event was extremely popular and booked out in one day. A video recording of the workshop will be distributed to members sometime in the next week.

Planning for the 2017 conference is well underway and you can expect to receive details on the theme and keynote speakers before the end of the year.



That's all from me for this month. I hope you enjoy last issue of eBulletin for 2016. I would like to thank all members and the steering committee for your ongoing support, commitment and hard work to the sector and your clients. I wish you the very best for the years end, and hope you all make the most of the holiday time for yourself, family and friends.

Albany Domestic Violence Action Group

by **Antonia Grasso**

Relationships Australia WA, WAFPN
Albany Regional Representative

The Albany Family & Domestic Violence Action Group ("AFDVAG") was officially incorporated in October this year.

Its humble beginning was in 2015. It was a collaborative project of Southern Aboriginal Corporation, Albany Women's Centre Anglicare, Department of Child Protection and Family Support Great Southern, Great Southern Population Health and Headspace Albany.

The group consists of people working together with the aim of eliminating family violence in the Albany region. It works by raising awareness in the community about the harmful effects of family violence, promoting collaboration between services and providing education and awareness programs.

In Albany in 2014, there were 897 reported family violence incidents. ABS research however shows that 80% of family violence incidents are not reported. This translates to there being approximately 4985 incidents of family violence in Albany alone in 2014.

The group's core objective is to change attitudes, behaviours, social norms and practices that perpetuate violence against women and children. An estimated 1 in 4 children are exposed to violence at home – a recognised form of child abuse.

The Group is actively engaged in events such as White Ribbon Day, Reclaim the Night, Harmony Day, Mental Health Week, International Women's Day, Child Protection Week and other similar events. Fundraising events are held to raise money to help women escaping family violence (eg to pay a storage shed to store their belongings during the difficult transition).

In conclusion, this Group intends to bring about change through action, so the meetings are not a forum for a 'talk fest' session.

Ellyard co-presented their workshop, 'The Victorian Royal Commission into Family Violence: What Courts are expected to deliver to families experiencing family violence as part of an integrated family violence response' to a room of 90 attendees, comprised of WAFPN members and Magistrates Court staff.

Ms Broughton and Rachel Ellyard provided valuable insights from their experience in family violence matters in Victoria. During a 90 minute Q&A session, attendees were able to hear from the speakers in response to pre-submitted questions on integrated service delivery and the implications for Western Australia.

This was a particularly popular workshop and unfortunately many members missed out on attending as it was first in best dressed.

If you were one of the many who missed out, we are happy to say we will have a video recording of the full workshop online sometime next week, so keep an eye out for an email from Jane with the link. A copy of the powerpoint presentation will also be available to all members.

The WAFPN conference and seminar subcommittee would like to thank Ms Broughton and Rachel Ellyard for their time, as well as the Magistrates Court of Western Australia for their partnership in coordinating this event.

Recap: Royal Commission into Family Violence Workshop

On November 10 WAFPN partnered with the Magistrates Court to host two expert speakers from Victoria to discuss the recommendations from the Royal Commission into Family Violence. Deputy Chief Magistrate Broughton and barrister Rachel

Review: Broome Legal Network Meeting

by **Astrid Gerrits**

Anglicare WA, WAFPN North West Regional Representative

On the 8th of November WAFPN sponsored the Broome Legal Network Meeting, a consultation of Family Court of WA judiciary and staff, as well as local lawyers and FDRPs. The topics discussed included:

- Indigenous Trauma & Recovery
- Availability of legal services in the Kimberley – community needs, trial cooperative sessions
- Child Inclusive Practice at the FRC's and in the Family Court
- Relocation
- Recovery
- Substance use and its impact on families, Family Court strategies
- Culture
- FDR Certificates

All topics were discussed initially with regard to the challenges in the region. With the shared knowledge in the room interesting observations were shared, including suggestions of adequate ways to respond to clients' needs and deal with obstacles that are specific to regional WA.

There is room for growth as some issues are engrained and others (for example methamphetamine use in parents) are fairly new with grim effect on families and no easy answers for practitioners.



From the discussion it was recognised that intergenerational trauma can impact on clients in both obvious and (more often) less obvious ways, and that a personalised interest is required to fully understand clients to be able to facilitate the best response and outcomes.

Legal services are sparse in the Kimberley, a huge area with many small communities and lack of public transport, with the vast periods in between Court Circuits being one of the main challenges. It is clear that practitioners who have been in the region for a longer period of time are

attuned to local clients and problems they encounter whilst being involved in legal processes, and are creative in managing these challenges, however of course not all can be mitigated.

During the meeting the participants all enjoyed some healthy snacks and drinks and the meeting was concluded after two hours of worthwhile conversation, with all participants in good spirits.

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.gov.au

White Ribbon Day Marches

November 25 is White Ribbon Day. If you would like to demonstrate your commitment to ending domestic violence, join one of the marches taking place across the state.

Armadale

25 November 2016
11.30am – 12.30pm
Meeting place: Jull Street Mall

Bunbury

23 November 2016
10.30am – 11.30am
Meeting place: outside the Bunbury Regional Art Gallery

Kalgoorlie

25 November 2016
9.00am – 1.00pm
Meeting place: the top of Hannan's Street

For more information visit

<https://www.whiteribbon.org.au/stop-violence-against-women/events/find-an-event/>

White Ribbon Gala Events

If you would like to assist in the fundraising efforts of the White Ribbon Foundation and other local domestic violence service provider whilst dressing your best and enjoying a delicious meal, check out one of the White Ribbon gala events below.

Perth

White Tie Gala 2016
2 December 2016
6.30pm – midnight
Perth Convention and Exhibition Centre
Bookings: Hayley.Ellison@culshawmiller.com.au

Bunbury

South West White Tie Dinner
26 November 2016
7.00pm – midnight
Bunbury Regional Entertainment Centre
Bookings: Whitetie2016@gmail.com

Broome

Broome White Ribbon Day Gala
26 November 2016
6.00pm – 11.30pm
Broome Civic Centre
Bookings: haley.allan@legallaid.wa.gov.au

For further information visit

<https://www.whiteribbon.org.au/stop-violence-against-women/events/find-an-event/>

Australian Stop Domestic Violence Conference

With an improved focus and awareness on the effect of Domestic and Family Violence within Australia, the Australian and New Zealand Mental Health Association is providing a national unified platform to discuss the strain of Domestic Violence on Australian resources and facilities.

With a focus on building skills within the sector, this conference will include discussion and presentations around policy, research and practice with a particular emphasis on innovative and emerging responses.

5-7 December 2016
Mercure Brisbane
Early bird registration from \$580

For further information or to register visit

<http://stopdomesticviolence.com.au/>

WALK IN THEIR SHOES TOURS

WAFPN'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.

REGISTER YOUR INTEREST TO ATTEND
jane.azzopardi@relationships.wa.gov.au

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

Safety, Satisfaction, and Settlement in Domestic Relations Mediations: New Findings

Researchers and mediators have long been concerned about coercion, intimidation, and safety threats that could occur in mediation for cases where previous violence between the parties has occurred. Most of the research focuses on screening tools to identify parties at risk. When parties screen positive for intimate partner violence (IPV), some proceed to mediation and some do not, depending on the policies of individual mediation programs. But this misses a step: Some cases may benefit from mediation while others won't, but how can we predict whether mediation will be useful and safe in specific instances? This study uses survey data obtained from parties in domestic relations mediations to examine issues of safety, satisfaction, and settlement in the presence of various IPV behaviors.

[Read abstract or purchase article.](#)

Raines, S., Choi, Y., Johnson, J., & Coker, K. (2016). *Safety, Satisfaction, and Settlement in Domestic Relations*

Mediations: New Findings. Family Court Review, 54(4), 603-619.

High-Conflict Divorce: A form of Child Neglect

In high-conflict divorce cases, the emotional toll on the family unit is unquestionably destructive. While the physical and mental health of the children should be the primary focus, the emotional turmoil of a high-conflict divorce often moves the focus away from the children as parents struggle emotionally and financially. Although the best interests of the children are always in the judicial purview, the repeated, lengthy, and hostile litigation process often associated with high-conflict dissolution has lasting effects on the physical and mental health of children, similar to those associated with physical abuse and neglect. Child Protective Services (CPS) must step in and protect the emotional well-being of children during high-conflict divorce cases.

[Read abstract or purchase article.](#)

Joyce, A. N. (2016). *High-Conflict Divorce: A form of Child Neglect. Family Court Review, 54(4), 642-656.*

Subjects with agency? Children's participation in family law proceedings

Galvanised by the UN Convention on the Rights of the Child, many jurisdictions now recognise children's rights to participate in decisions that affect them. While such legal rights have increased, research on family law proceedings

shows how children's views can still be undermined, ignored or not even sought in decisions about them. This article uses the academic resources of childhood studies, to consider dominant and alternative narratives of children's participation within Scottish family law. Drawing upon reported case law and empirical research, the article concludes that children's participation gains protection by being institutionalised but children's participation is attenuated because it is not recognised as relational and contextual. As rationality, consistency and autonomy are privileged, the weight given to children's views is lessened by concerns about children being manipulated or distressed. Courts and their decisions may be child-focused, centring on children's welfare, but they are not child-inclusive, involving children in decision-making.

[Read abstract or purchase article.](#)

Tisdall, E. K. M. (2016). *Subjects with agency? Children's participation in family law proceedings. Journal of Social Welfare and Family Law, 1-18.*

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

Family Matters No. 98

AIFS' bi-annual journal *Family Matters* is out now and available for free download from the AIFS website.

This issue has a variety of articles covering topics relevant to family law, including:

- Identifying and responding to family violence and child safety concerns: Findings from the AIFS Evaluation of the 2012 family violence amendments
- One way or many ways: Screening for family violence in family mediation
- Laying the guideposts for participatory practice: Children's participation in family law matters
- The Family Law DOORS: Research and practice updates
- Context: The Responding to Family Violence study's discussion of Family Law DOORS
- The family law implications of early contact between sperm donors and their donor offspring

To access the full issue visit

<https://aifs.gov.au/publications/family-matters/issue-98>

Family Law Council Report

The Final Report on Families with Complex Needs and the Intersection of the Family Law and Child Protection Systems, delivered to the Attorney-General on 30 June 2016, focused on is now available on the Attorney-General's website.

The report concentrates on opportunities to enhance collaboration and information sharing within the family law system as well as other support services such as child protection, mental health, family violence, drug and alcohol, Aboriginal and Torres Strait Islander and migrant services.

For more information or to view the report, visit

<https://www.ag.gov.au/FamiliesAndMarriage/FamilyLawCouncil/Pages/FamilyLawCouncilpublishedreports.aspx>

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FEEDBACK

If you have any suggestions on how we could improve this bulletin please email them to

jane.azzopardi@relationships.org.au



Our Aim

Improve collaboration and coordination between organisations operating in the Family Law system

To assist separating families obtain appropriate services

