



**THE INAUGURAL FAMILY LAW SYSTEM CONFERENCE
19TH – 20TH FEBRUARY 2009 – OLD PARLIAMENT HOUSE – CANBERRA**

***“THE AUSTRALIAN FAMILY LAW SYSTEM:
BETTER ACCESS TO JUSTICE”***

Overview

The Australian Government is committed to building a family law system that provides families with easy access to all the services they need to resolve issues arising from family breakdown, regardless of how they enter the system, as quickly and informally as possible. It is essential that resources for family dispute resolution, including resources provided to the family law courts, are utilised in a way that maximises the benefits and wellbeing to the people affected by family breakdown.

Approximately 40 per cent of Australians will be affected in one way or another by family law. It is a significant legal and social issue. Families must be able to resolve disputes as quickly, simply and cheaply as possible while ensuring that decisions are made in the best interests of children. It is also critical that issues like family violence, child abuse, mental health issues and drug and alcohol abuse are identified as early as possible so that appropriate safeguards are implemented.

As we grapple with the serious issues affecting children and parents in the family law system, a key part to strengthening our family law system is to ensure that all of the components of the system including the courts, lawyers, family relationship services and government work more effectively together to deliver services which accommodate the varied needs of Australian families.

In order to achieve this, the Attorney-General, the Hon Robert McClelland MP, convened a national roundtable of representatives from key organisations from across the family law system in July 2008. The outcomes from that roundtable have formed the basis of the issues identified for discussion at the Conference, with the main aims being to resolve more entrenched family disputes outside the courts where appropriate, build integration across the key sectors of the system and ensure that disputes are dealt with in the most affordable and timely manner possible.

The Inaugural Family Law System Conference provides an opportunity for us to work together to identify issues affecting Australia's family law system. You will be encouraged to actively participate in these discussions and agree on solutions that will be used to develop a national blueprint for the family law system, to help shape the system into the future.

Conference Information

Venue: Old Parliament House, King George Terrace, Parkes ACT.

Registration: The registration desk is located at the end of the corridor to the left of King George's foyer. Registration will be open from 8.00am on Thursday 19th February 2008.

Please help the Conference start on time each day by being seated by 8.55am on Day 1 and 8.30am on Day 2.

Name badges: Name badges are to be collected upon registration.

Concurrent Sessions: The Conference will be held in the Members' Dining Room 2. Streamed sessions throughout both days will be held in Members' Dining Rooms 1, 2, 3 and also the Private Dining Room. Please note the floor plan at the back of the program.

Catering: If you have advised the Attorney-General's Department of any special or dietary requirements, this information has been passed onto the venue. On the day, if you have a special requirement please ensure that you make yourself known to an Attorney-General's Department representative who will be able to assist.

Access: Disabled access to the Conference has been arranged. If extra assistance is required, please notify a Departmental staff member who will be able to assist.

Conference Dinner: There will be a networking dinner on Thursday 19th February from 7pm in the Great Hall, Parliament House.

Entry will be via the public entrance at the front of Parliament House. Please note that for reasons of security it is a condition of entry to Parliament House that:

- (a) you consent to personal security screening and screening of any items you wish to bring into Parliament House;
- (b) you surrender or cloak any item not permitted in Parliament House;
- (c) you are able to be cleared by the screening processes for entry to Parliament House; and
- (d) any other items you wish to bring into Parliament House are able to be cleared by the screening processes.

Dinner Dress: Lounge suit.

Transport: Complimentary coach transfers to Canberra airport have been arranged and will be departing from the Conference at 3.40pm on the afternoon of Friday 20th February. Please let the registration desk know if you wish to utilise this service.

For any further information during the conference, please notify a Departmental staff member.

THE INAUGURAL FAMILY LAW SYSTEM CONFERENCE
OFFICIAL PROGRAM

***“THE AUSTRALIAN FAMILY LAW SYSTEM:
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Day 1 – Thursday 19th February 2009

Theme: Working towards an agreed National Blueprint

The Conference will be held in Members’ Dining Room 2. Streamed sessions throughout the day will be held in Members’ Dining Rooms 1, 2, 3 and also the Private Dining Room. Please see attached floor plan.

8.00 Registrations Open

8.55 Please be seated

9.00 – 9.10 Call to Order and Overview **Les Stahl**
Welcome and housekeeping Facilitation Plus Australia

9.10 – 9.20 Welcome to Country **Representative of the**
Ngannawal/Ngambri people

9.20 – 9.30 Official Welcome
Mr Roger Wilkins AO, Secretary, Attorney-General’s Department

9.30 – 9.50 Opening Address **The Hon Robert McClelland MP,**
Attorney-General for Australia

09.50 – 10.10 Refreshment Break

10.10 – 11.30 Plenary Session 1
Why have a National Blueprint?

This plenary session will include a panel discussion addressing the need for a national blueprint for the family law system, and an assessment of what should be included in a national blueprint. This discussion will focus on how a national blueprint could contribute to building better relationships and improved integration across the family law system.

(Conference papers paragraphs 1-17, Attachments A-C, and questions 1-3).

Chair: Ian Govey, Deputy Secretary, Civil Justice and Legal Services Group, Attorney-General’s Department

Panel Members:

- The Hon Chief Justice Diana Bryant, Family Court of Australia
- George Turnbull, Director, Legal Aid Western Australia
- Susan Holmes, Chairperson, Family Relationship Services Australia

11.30 – 12.15

Plenary Session 2 – Keynote Address
Building Integration across the Family Law System

Professionals operating in today's family law system are increasingly required to deal with a complex range of needs from Australian families. Meeting those needs often requires input from a range of professionals. How professionals manage their relationships with each other will impact on the ability of the system to deliver the best outcomes for families and children. This session will discuss strategies for building inter-professional relationships, with a view to developing an efficient and integrated family law system.

Associate Professor Helen Rhoades
Melbourne Law School, University of Melbourne

12.15 – 1.15

Lunch

12.30 – 1.00

Optional Sessions: Entering the Family Law System (30 minutes)

MDR1

Family Relationships Online – Attorney-General's Department

A demonstration of the FRO website, including a new information tool for lawyers and the new Family Pathways Networks page.

MDR2

Child Support Agency information and referral tool

CSA's web-based support product for separated and separating parents. *My family is separating – what now?* is a portal designed to help families experiencing separation navigate the family law system, and includes information about the financial, legal and emotional issues they will need to consider.

Matt Miller, General Manager - Child Support Agency

MDR3

Access to national products, telephone advice lines and child support programs

There are numerous products, advice lines and child support programs available across the system. This session will identify what is needed to improve the community's knowledge of the family law system, and how advice lines and child support programs may be streamlined.

Samantha Page, Executive Director, Family Relationship Services Australia

(Conference papers paragraphs 81-83, Attachment F (paragraphs 15-21) and questions 21, 29, and 30).

1.15 – 2.15

Concurrent sessions

Working Groups 1: Ensuring clients get the services they need

MDR1

Assessing client needs

Many organisations within the family law system have different processes in place for assessing clients' needs and screening for safety. This session will examine the benefits and challenges of adopting a standard approach to assessing client needs and identify what is needed in terms of a framework and/or tools to support the screening and assessment of clients across the family law system.

Clive Price, Director, UnitingCare Unifam

(Conference papers paragraphs 18-20, Attachment D, and question 4).

MDR2

Access to services

The inherent complexity of the family law system creates duplication and gaps in service delivery within the system. This session will identify how access to services can be improved in relation to:

- family dispute resolution
- legally assisted family dispute resolution
- post separation services, and
- child inclusive practice.

Federal Magistrate Norah Hartnett

(Conference papers paragraphs 46-47, Attachment F, and questions 10, 24-26, and 28).

MDR3

Referrals and information sharing

Many organisations have developed referral arrangements and/or tools to support information sharing and the referral of clients within and outside of the family law system. This session will examine the need to improve information sharing across the system (with consideration of legal issues) and the need for formal referral protocols and uniform referral tools.

The Hon Justice Jennifer Boland, Family Court of Australia

(Conference papers paragraphs 33-45, Attachment E, questions 8, 9, and 27).

2.25 – 3.25

Concurrent Sessions

Working Groups 2: A more effective and efficient family law system

MDR1

Evidence-based decision making

The lack of common language and understanding across the family law system can be confusing, particularly for clients. Many organisations utilise different methodologies for recording and defining client and case activity, making it difficult to monitor client pathways and track the volume of clients through the system. This session will examine the need to develop common language across the family law system to assist clients and professionals, and explore whether there is a need to develop a national research agenda for the family law system.

Professor Alan Hayes, Director, Australian Institute of Family Studies

(Conference papers paragraphs 79-80, 84-86, Attachment H, and questions 19, 20, and 22).

MDR2

Supporting a highly skilled workforce

A critical element of an integrated family law system is the development of an appropriately skilled workforce. This session will address the need to develop a multi-disciplinary approach to resolving family law issues, and the requirements of a highly skilled workforce to deliver quality services.

Jennie Hannan, Executive General Manager – Services, Anglicare WA

(Conference papers paragraphs 87-90, and question 23).

MDR3

Working together for better outcomes

Clients within the family law system are regularly engaged with several different organisations at the same time. Effective collaboration between organisations can help streamline processes and achieve better outcomes for families. This session will examine existing successful collaborative models and identify opportunities for greater collaboration, particularly at the regional level.

Kay Benham, Director, Court Counselling and Support Services

(Conference papers paragraphs 24-32, and questions 6 and 7).

3.25 - 3.45

Refreshment Break

3.45 – 5.00

Report back from working groups

5.00 – 5.15

Plenary comments and closing summary

Official Dinner

7.00pm Great Hall – Parliament House

The Official Dinner for the Conference will commence at 7.00pm in the Great Hall at Parliament House with pre-dinner drinks and canapés. Please be aware that as the dinner is being hosted at Parliament House attendees will need to pass through security screening before entering the dining area.

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| 7.00pm | Guests arrive |
| 7.00pm | Pre-dinner drinks and canapés |
| 7.45pm | Guests seated |
| 8.00pm | Official Welcome |
| 8.20pm | Main Course served |
| 9.00pm | Guest Speaker – The Hon Richard Chisholm AM,
Visiting Fellow, College of Law, A.N.U. |
| 9.30pm | Dessert served |
| 9.50pm | Coffee and tea served |
| 11.00pm | Event concludes |

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**“THE AUSTRALIAN FAMILY LAW SYSTEM:
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Day 2 – Friday 20th February 2009

Theme: Best Practice - Achieving better outcomes for children

The Conference will be held in Members’ Dining Room 2. Streamed sessions throughout the day will be held in Members’ Dining Rooms 1, 2, 3 and also the Private Dining Room. Please see attached floor plan.

8.30

Please be seated

8.35 – 8.45

Call to Order and Overview
Welcome and housekeeping

Les Stahl
Facilitation Plus Australia

8.45 – 9.45

Plenary Session 3
Focusing parents on the best interests of children

Children are often the forgotten face of family conflict – particularly during family separation. This panel discussion will highlight the need for parents to focus on the experiences and needs of their children in the face of parental conflict, and will explore the challenges in establishing a child’s best interests.

(Conference papers paragraphs 64-68, and question 14).

Chair: Kathy Leigh, First Assistant Secretary, Civil Justice Division
Attorney-General’s Department

Panel Members:

- Karen Morris, A/g CEO, Interrelate Family Centres
- The Hon Justice Stephen Thackray, Chief Judge, Family Court of Western Australia
- Geoff Sinclair, Chairman, Family Law Section, Law Council of Australia

9.45 – 10.05

Refreshment Break

10.05 – 11.05

Concurrent Sessions

Working Groups 3: Improving outcomes for children in high conflict families

MDR2

Child protection in the family law system

The family law system and the child protection systems in Australia have long operated as separate entities. This is further complicated by jurisdictional issues unique to Australia. This session seeks to identify how the family law system can overcome some of these issues to better protect children at risk.

Dianne Gibson, Director, Child Dispute Services, Family Court of Australia

(Conference papers paragraphs 55-57, and question 12).

MDR3

Is court the only option? When parents can't agree

Families who are unable to resolve their parenting disputes on their own, or through a dispute resolution process, are often left with no option other than to remain in conflict or to file in the courts. This session seeks to identify alternative mechanisms for parents to resolve their conflict.

Anne Hollonds, CEO, Relationships Australia NSW

(Conference papers paragraphs 58-63, and question 13).

11.15 – 12.15

Concurrent Sessions

Working Groups 4: Improving outcomes for children in high conflict families

MDR2

Family violence

This session will examine options to improve the way the family law system responds to and manages family violence, including improving information sharing to ensure the safety of all parties and the provision of appropriate support services to victims of family violence.

Katrina Finn, Co-coordinator and Senior Solicitor, Women's Legal Service (QLD)

(Conference papers paragraphs 48-54, Attachment G, question 11).

MDR3**Post resolution**

Making a parenting plan, or obtaining a court order, is often seen as the end point in the conflict between separating parents. However, arrangements may break down, or court orders may be breached. This session will examine the need for greater post resolution support for families to help make parenting agreements work, and options concerning the enforcement of court orders.

Professor John Wade, Chairperson, Family Law Council

(Conference papers paragraphs 21-23, and question 5).

12.15 – 1.00**Lunch****1.00 – 1.45****Report back from working groups****1.50 – 2.40****Concurrent Sessions****Working Groups 5: Tailoring services to meet client needs****MDR1****Maintaining children's relationships with grandparents and other extended family members**

Grandparents and other extended family members can play an important role in the lives of children – and can provide support to children when families are going through separation. This session will discuss good practice examples to support grandparents in maintaining their relationship with children following family breakdown.

Walter Ibbs, Roundtable Dispute Management, Victoria Legal Aid

(Conference papers paragraphs 69-71, and question 15).

MDR2**Indigenous clients**

Indigenous people face particular problems in the family law system which may not be experienced in the wider community. Historically, common themes raised by Indigenous Australians relate to accessing services that are culturally appropriate and sensitive to the complexity of issues that may be present in an Indigenous family law dispute. This session sets out the currently available data on how Indigenous people are accessing Commonwealth Government services, including Indigenous specific services, following the family law system changes in 2006 and identifies emerging issues. The session will explore ways to improve Indigenous access to and outcomes from the family law system.

Kym Duggan PSM, Assistant Secretary, Indigenous and Community
Legal Services Branch

(Conference papers paragraphs 72-73, and question 16).

MDR3

Supporting self represented litigants

Some clients who pursue litigation in the family law system are self represented. This presents unique challenges for the courts, particularly in ensuring the best outcomes for children and that clients receive appropriate services and support. This session will discuss these challenges and seek to identify additional ways in which self represented litigants can be supported.

Chief Federal Magistrate John Pascoe AO, Federal Magistrates Court

(Conference papers paragraphs 75-78, and question 18).

PDR

Culturally and linguistically diverse communities

Many families coming into contact with the family law system, including children, come from cultural backgrounds that can provide unique challenges. This session will identify good practice for supporting culturally and linguistically diverse clients.

The Hon Justice Nahum Mushin, Family Court of Australia

(Conference papers paragraph 74 and question 17).

2.40 – 3.20

Report back from working groups

3.20 – 3.30

Closing address – TBA

3.30pm

Close

OLD PARLIAMENT HOUSE - CANBERRA

