

Plenary Session 3: Focusing parents on the best interests of children

Speaking Notes: Kathy Leigh

First Assistant Secretary, Attorney-General's Department

- Good morning and welcome to our second panel discussion titled 'Focusing parents on the best interests of children'.
- This session relates to paragraphs 64-68 and question 14 of the Conference paper, *'Towards a National Blueprint for the Family Law System'*.
- Family separation is a difficult time for families, and in particular children, who can be deeply affected by the conflict between their parents.
- Professionals across the family law system assist parents who are unable to agree on parenting arrangements that are in their child's best interests.
- Determining what is in a child's best interests is not always clear cut.
- The Family Law Act outlines the primary and additional considerations that the court is required to consider in determining what is in a child's best interests.
- However, there are challenges in determining what is in a child's best interests on a case by case basis. Legal professionals manage a further complexity - their obligation to represent a client who is the parent while working towards outcomes that are in the child's best interests.
- The objective of this session is to identify and discuss the specific challenges that the courts, legal and community sector professionals experience in establishing a child's best interests.
- I'm pleased to welcome representatives from these three significant professions within the family law system, who have agreed to discuss the challenges they face in exploring and establishing a child's best interests.
- Each panel member will have around 10 minutes to speak to you. At the end of the discussion we will have approximately 10 minutes, during which time, our facilitator, Les Stahl will invite your questions and comments.

- I would now like to welcome our three panel members:
 - The Honourable Justice Stephen Thackray, Chief Judge, Family Court of Western Australia
 - Geoff Sinclair, Chair, Family Law Section, Law Council of Australia
 - Karen Morris, A/g Chief Executive Officer, Interrelate Family Services.
- Before becoming a judge, Justice Thackray practised for many years as a Barrister and Solicitor specialising in Family Law matters. During this time he was elected President of the Family Law Practitioners' Association of Western Australia. He took up an appointment as the Principal Registrar and Principal Magistrate of the Family Court of Western Australia in 1997 and was appointed as a Judge of the Court in 2004. His Honour was appointed as one of the eight Judges of the Appeal Division of the Family Court of Australia in November 2006 and in February 2007 he was appointed as the Chief Judge of the Family Court of Western Australia.
- Geoff Sinclair is a partner with Barry Nilsson Lawyers in Brisbane. He has practised exclusively in family law for over 20 years and is an accredited family law specialist. Geoff is acknowledged as an expert by his peers as evidenced by his appointment as Chairperson of the Family Law Section of the Law Council of Australia. Geoff has particular expertise in international child abduction law and negotiating complex property settlements and in particular those involving intricate superannuation arrangements. Geoff contributed to the Superannuation Section of the CCH Family Law and Practice Guide and has published various other articles on issues relating to bankruptcy law, family law and international child abduction matters.
- Ms Karen Morris is the Acting Chief Executive Officer of Interrelate Family Centres with responsibility for the strategic direction and oversight of the organisation, including its clinical services. Karen is an experienced counsellor, trainer and relationship educator who combines clinical practice with her management role. She has developed cutting edge programs for couples and families as well as a myriad of resources to assist parents, particularly those who are separated, to better focus on the needs of their children.