

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group: 2

Program: Other Agency

Question: BE14/049

Senator Madigan asked the following question at the hearing on 26-29 May 2014:

Senator MADIGAN: Is the Family Court able to demonstrate to the Senate that their research projects are in place and incorporated into judicial education programs to a degree where they are delivering positive effects and positive outcomes for a) improving balanced family court reports from family court reporters guiding the judiciary; b) the long-term outcomes of the family law judicial decisions; and c) effective shared parenting decisions. I refer to recommendation 19 of that Every picture tells a story report. I can put those on notice for you, and I will put my other questions on notice if that is easiest.

Mr R Foster: I would not like to attempt to answer that. I think that is quite a complex and detailed question and will require a complete response.

Senator MADIGAN: I would appreciate that, and I will put the other questions on notice for you.

Senator WATERS: Both the Law Council of Australia and the Chief Justice of the Family

The answer to the honourable senator's question is as follows:

There are several processes in place to ensure the quality and balance of the material submitted by family court reporters. These include

- a QA process at each registry (i.e., report screening and review);
- regular training on topics identified as critical to the clinical practice of family consultants;
- a monthly seminar scheme that uses experts to present on a given topic; and
- internal training packages on topics such as bias/report writing/family violence etc.

Family Consultants must be either a social worker or registered psychologist and must have a minimum level of practice experience before joining the Court. Their professions also demand that they remain up-to-date with the literature concerning family law and post-separation matters, and employ a level of objectivity in their work.

Family Consultants work in line with professional directions, which compel them to undertake practice that ensures parity between parties in terms of assessment methodology.

Additionally the Court employs a dedicated professional to address the ongoing needs of the clinical staff, and where required, the judiciary.

The Court has conducted internal reviews and audits of its reports to research various issues that may arise (most recently in Feb 2014) and has produced a draft Australian Standards for Family Law Reports document.

In relation to the judiciary, regular presentations on relevant and recurring topics are provided. Judges are encouraged to, and do attend, conferences domestically and internationally at which relevant research is presented and discussed. The Chief Justice promotes judges having an understanding of all the various research relevant to parenting issues.

Annexures A and B outline the Seminar Programmes for 2013 and 2014 for both the Family Consultants and the judiciary.

& c) There is considerable scholarly literature on the topic of effective shared parenting, much of which is available to Family Consultants (and to judges upon request) via our internal database. The Federal Court Library also enables access to peer reviewed findings relating to this topic. The Court is not aware of any longitudinal research into the outcomes of family court decisions in line with the recommendation from Senator Madigan.

**Child Dispute Services
Family Court & Federal Circuit Court
2013 Seminar Program**

Commence at 4pm EST (ESDT)

February 2013 (ESDT)

Wednesday 20 February	Newcastle Registry	Nicola Ross, Lecturer, Newcastle Law School, University of Newcastle Title: "An empirical study of how lawyers see children in child representation"
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March 2013 (ESDT)

Wednesday 20 March	Sydney Registry	Dr Rita Shackel, Associate Dean (Learning & Teaching), Senior Lecturer, Faculty of Law, The University of Sydney Topic: 'The dynamics of child sexual abuse and assessing credibility'
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April 2013

Wednesday 17 April	Melbourne Registry	Associate Professor Pamela Snow School of Psychology and Psychiatry Bendigo Regional Clinical School Monash University Title: "Children's oral language competence and their interface with the law"
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May 2013

Wednesday 15 May	Adelaide Registry	Pam Hemphill, Principal, Child Dispute Services Title: 'The Australian Family Violence Reforms - One Year Later'
Wednesday 22 May	Darwin Registry	Mr Stephen Ralph, Forensic Psychologist Title: Indigenous Australian and Family Law Litigation: Indigenous perspectives on access to justice in the Family Law Courts

June 2013

Wednesday 19 June	Brisbane Registry	Professor Sue Kruske, Director, Queensland Centre for Mothers & Babies, The University of Queensland Brisbane Topic: Working with Aboriginal families: understanding parenting styles and child rearing practices
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July 2013

Wednesday 17 July	Dandenong Registry	Professor Thea Brown, Department of Social Work, Monash University Title: 'Filicide and the Family Courts of Australia'
Tuesday 30 July	Adelaide Registry	Dr Jacqui Beall, Senior Family Consultant, National Professional Development Title: The development of fairness: What do children mean when they say 'because it's fair'?

August 2013

Tuesday 20 August	Brisbane Registry	Dr Michael Daubney, Psychiatrist Topic: DSM-V – What changes will it bring? Part 1: Adults
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September 2013		
Tuesday 24 September	Brisbane Registry	Dr Michael Daubney, Psychiatrist Topic: DSM-V – What changes will it bring? Part 2: Children
October 2013 (ESDT)		
Wednesday 23 October	Melbourne Registry	Mr Neville Evans, Family Consultant, Melbourne Registry Over view of the Family Law DOORS Screening tool
November 2013 (ESDT)		
Tuesday 26 November	Adelaide Registry	Professor Jane Scott, School of Public Health, Curtin University Topic: "Breastfeeding – the research underpinning the 2013 Australian Guidelines"
December 2013		
Wednesday 11 December	Adelaide Registry	Dr Maura Senior Consultant Psychiatrist Coordinator, MBCT Programs, Centre for the Treatment of Anxiety and Depression, Western Mental Health Central Adelaide Title: "Mindfulness, stress management and self care"

CHILD DISPUTE SERVICES

2014 Nation Seminar Series

Schedule of Presenters

February 2014

Date	Location	Presenter	Topic	Description	Bookings
19/02/14	Sydney	Pr Patrick Parkinson	Assessment in Relocation Matters	<ol style="list-style-type: none"> 1. Relevant research on relocation within a family law context; 2. Data regarding why parents relocate; 3. Areas requiring assessment by Family Consultants; 4. Bests interests and relocation; 5. Appropriateness of assessing children's views in relocation matters. 	IPVC booked

March 2014

Date	Location	Presenter	Topic	Description	Bookings
19/03/14	Dandenong	Pr Thea Brown – Professor of Social Work, Monash University	Men's Behaviour Change Programs – Do They Work and Should We Refer?	<ol style="list-style-type: none"> 1. Referring fathers to MBCPs; 2. Difficulties with feedback from service providers regarding participants' performance; 3. Rates of attrition/completion; 4. Variation between programs across the country; 5. Efficacy of MBCPs 	IPVC booked

April 2014

Date	Location	Presenter	Topic	Description	Bookings
30/04/14	Melbourne	Dr Simon Kennedy	Evaluating Child Sexual Abuse Allegations in a Family Law Context	<ol style="list-style-type: none"> 1. Case examples of CSA allegations; 2. Differences across family law and child protection settings; 3. Methodological issues in evaluating CSA allegations; 4. Strategies for exploring untested allegations; 5. Challenges associated with child disclosures. 	IPVC Booked

May 2014

Date	Location	Presenter	Topic	Description	Bookings
28/05/14	Melbourne	Sarah Hession	Cross Examination in a Family Law Context –	<ol style="list-style-type: none"> 1. Cross examination from a legal practitioner perspective; 2. Common errors made by expert witnesses; 	IPVC Booked

October 2014

Date	Location	Presenter	Topic	Description	Bookings
29/10/14	Melbourne	Dr Christina Sadowski – Lecturer (social work), Federation University Ballarat	Children's experiences of security and contentment in shared-time living arrangements	<ol style="list-style-type: none">1. Background to the issue of assessing children's experiences;2. Results of Dr Sadowski's recent studies into children living in shared-care;3. Implications of research findings for the Family Law system.	NONE

November 2014

Date	Location	Presenter	Topic	Description	Bookings
26/11/14	Brisbane	Prof Matt Sanders	Post-Separation arrangements in high conflict families		

December 2014

Date	Location	Presenter	Topic	Description	Bookings
17/12/14	Adelaide	Rene Earles	Family Treatment Services – Pre and Post Separation		