

FAMILY & DOMESTIC VIOLENCE IN FOCUS FAMILY LAW IN PRACTISE SEMINAR PROGRAM

Law School Theatre Level 5, Room Q501/502 Phoenix Building, Q Block Building
University of Southern Qld, West Street, Toowoomba Qld

THURSDAY 19TH NOVEMBER 2009 Day 1 – Afternoon Program

11.45am – 12.45pm	Registration	Level 5 Foyer
12.00 – 12.45 pm	Lunch, Coffee & Tea Refreshments	Level 5 Foyer
1.00 – 1.05 pm	Welcome to Country, Ben Moodie, Cultural Liaison Officer, Twmba FRC.	Law School Theatre
1.05 – 1.10 pm	Opening Address, Paul Jensen Chair, Twmba Family Pathways Network	
1.10 pm – 2.05 pm	Making Family Law Decisions in the Shadow of Family Violence – Is Family Violence relevant to Family Law Decision making? Zoe Rathus	Law School Theatre
During Afternoon Tea participants can record their questions on Butcher paper for inclusion in Panel Discussion at 2.35 pm.		
2.10 – 2.30 pm	Afternoon Tea	Level 5 Foyer
2.35 pm – 3.15 pm	Panel Discussion: Is it possible to achieve a positive outcome for separated families when family violence is present?	Law School Theatre
	Facilitated by Paul Jensen, Manager, Counselling Services, Lifeline DD & SWQ	
	Zoe Rathus, Senior Law Lecturer, Griffith University	
	Jen Courtman, A/Co-ordinator Domestic Violence Regional Service, Twmba	
	Steve Mayers, Men and Relationships Program, Lifeline DD & SW Qld	
	Marie Hume, National Abuse Free Contact Campaign	
	Family Dispute Resolution Practitioner, Twmba Family Relationship Centre	
Gail Salisbury, Supporting Children After Separation Program, Lifeline DD & SWQ		
3.15 pm – 3.20 pm	Short Break	Law School Theatre
Professional Conversation Snapshot Sessions		Law School Theatre
3.20 – 4.00 pm	Escaping Engendered Violence: The Role of Family Relationship Centres in providing Safety for Women and Children. Marie Hume	
4.05 – 4.45 pm	Hearing the Voices of Children, Young People and their experiences of Domestic Violence. Supporting Children After Separation Program Team, Lifeline DD & SWQ.	
4.45 – 5.00 pm	Plenary and Close of Day's Proceedings by Paul Jensen	
5.00 pm – 6.00 pm	Refreshments, Finger Food and Social Networking	Level 5 Foyer

FRIDAY 20 TH NOVEMBER 2009 Day 2 – Morning & Afternoon Program		
8.15am – 9.00 am	Registration	Level 5 Foyer
8.15 – 8.45 am	Coffee & Tea Refreshments	Level 5 Foyer
9.00 am – 9.10am	Welcome to Country and Opening of Seminar – Paul Jenson Chair, Twmba Family Pathways Network	Law School Theatre
9.10 – 9.55 am	Heather Nancarrow: Time for Action The National Council's Plan for Australia to Reduce Violence against Women and their Children, 2009-2021. Heather is Director, Queensland Centre for Domestic and Family Violence Research, Convener of the Queensland Domestic Violence Services Network and Deputy-Chair on the National Council to Reduce Violence against Women and their Children.	Law School Theatre
During Morning Tea participants can record their questions on Butcher paper for inclusion in Panel Discussion at 10. 25 am.		
10.00 – 10.20 am	Morning Tea	Level 5 Foyer
10.25 – 11.05 am	Panel Discussion: Facilitator: Brooke Pugh, Accredited Family Law Specialist & Partner, Rees Law Heather Nancarrow, Director, Qld Centre for Domestic & Family Violence Research Paul Jensen, Manager, Counselling Services, Lifeline Darling Downs & Sth West Qld Dr. Cate Banks, FDR Practitioner, Researcher and Consultant. Steve Rees, Accredited Family Law Specialist and Managing Partner, Rees Law Kara Best, Accredited Family Law Specialist and Director, BestWilson Family Law Susan Richardson, Manager, Relationships Australia, Toowoomba Office	Law School Theatre
11.05 – 11.10 am	Short Break	Level 5 Foyer
Professional Conversation Snap Shot Sessions		
11.15 – 11.55 am	Child Focused Family Law: Competing visions and constraints. Dr Cate Banks	Law School Theatre
12.00– 12.40 pm	Considerations when working with families affected by parental substance use. Brooke Pugh & Steve Rees, Rees Law	
12.40 – 1.20 pm	Lunch	Level 5 Foyer
Professional Conversation Snap Shot Sessions		
1.25 – 2.45 pm	Sharing the Vision In the Best Interests of the Child: Finding common ground in Practice Matters in Mediation and between FDR Mediators and Legal Practitioners. Jeff Taylor, Ready2Mediatie	Law School Theatre
2.45 – 2.55 pm	Short Break	Law School Theatre
2.55 – 3.30 pm	Plenary Session: Drawing the Threads of the Tapestry together. Turning information into knowledge to improve our response to family violence in the family law system. Kathryn Rendell	
3.30 – 3.45 pm	Close of Day's Proceedings by Paul Jensen	
3.45 – 4.15 pm	Afternoon Tea	Level 5 Foyer

FAMILY & DOMESTIC VIOLENCE IN FOCUS FAMILY LAW IN PRACTICE

SEMINAR KEY NOTE AND SESSION PRESENTATIONS

THURSDAY 19TH NOVEMBER 2009 Day 1 – Afternoon Program

1.10 pm – 2.05 pm	KEY NOTE PRESENTATION	
	Zoe Rathus	Making Family Law Decisions in the Shadow of Family Violence – How Relevant is Family Violence to Family Law?
<p>Zoe Rathus is a senior lecturer in law at Griffith University. She teaches family law and legal professional practice and is the Co-Director of the Clinical Legal Education Program. Her research interests are in family law with a focus on gender issues, domestic and family violence and the culture of family law practice. Zoe worked as a solicitor in private practice from 1983, until becoming the co-ordinator of the Women's Legal Service (WLS) in Brisbane in 1989. She has served on the Qld Domestic violence Council, the Qld Taskforce on Women and the Criminal Code, the Board of Legal Aid Qld, and is currently Chairperson of the immigrant Women's Support Service.</p>		
3.20 – 4.45 pm Professional Conversation Snapshot Sessions		
3.20 – 4.00 pm	Marie Hume B.A. M. Soc. Sc. National Abuse Free Contact Campaign	Escaping Engendered Violence: The Role if Family Relationship Centres in providing Safety for Women and Children
<p>Marie is currently convener of National Abuse Free Contact Campaign (NAFCC) is a national (and international) coalition of organisations who have formed to advocate on behalf of women and children going through the Family Court system with concerns about domestic violence and child abuse. Having worked for 12 years as a Family Court Counsellor in the Adelaide Registry of the Family Court, during that time she completed her Masters research project into child sexual abuse and family law, debunking the myth of false allegations of child sexual abuse in the family law system. Marie was also actively involved with Children and Domestic Violence Action Group and in the development of a National policy on family violence within the family court. Since leaving the Court, she has helped develop the Women's Safety After Separation website (http://wsas.here.ws), under the auspices of the National Council of Single Mothers and their Children; instigated the establishment of the family court support programme operated by the Women's information service in SA; and contributes to seminars, throughout Australia on the changes to family law and how they impact on women and children.</p>		
<p>This presentation provides a brief overview of the Family Law Amendments of 2005/6. It considers the role of Family Relationship Centres (FRCs) as a highly funded centre point of the reform and the philosophies underpinning the provision of mandatory mediation for separating couples. Many of the assumptions underpinning the legislation appear 'reasonable' to someone outside the domestic violence sector. For example, the supposition that it is best where ever possible for separating couple to negotiate parenting arrangements in a non- litigious environment as opposed to engaging with formal legal processes through the Family Court. The problem with such an assumption however is that it assumes both parents are 'reasonable'. It invisibilises the motivation, tactics and effects of abuse that can occur in families where violence has been present. It is argued that the FRCs by their very existence risk perpetuating a culture that reduces gendered violence to an issue of 'conflict between couples' and potentially increases the risk of harm to victims of domestic violence.</p>		
4.05 – 4.45 pm	Supporting Children After Separation Program Team, Lifeline DD & SWQ.	Hearing the Voices of Children, Young People and their experiences of Domestic Violence.
<p>The Supporting Children After Separation Program (SCASP), Lifeline Darling Downs & Sth West Qld offers a range of interventions to support children as they experience issues related to the breakdown of their parent's relationship. Opportunities for children to safely express their thoughts and feelings about the circumstances in which they find themselves are enabled through a range of therapeutic interventions including provision of assessment of parent concerns and child needs, individual counselling and child focused consultation.</p>		
<p>This presentation will offer an overview of the range of therapeutic interventions used by the Lifeline DD & SWQ SCASP Team to support children and their parents to share their stories, and allow family practitioners to hear the voices of children and young people and their experiences of family violence.</p>		

KEY NOTE AND SESSION PRESENTATIONS

FRIDAY 20TH NOVEMBER 2009 Day 1 – Morning & Afternoon Program

9.10 – 9.55 am	Heather Nancarrow	Time for Action: The National Council's Plan for Australia to Reduce Violence against Women and their Children, 2009-2021.
<p>Heather Nancarrow is Director of the Queensland Centre for Domestic and Family Violence Research, Central Queensland University, and Convener of the Queensland Domestic Violence Services Network. She has more than 25 years experience in the domestic and family violence prevention field, including 11 years in community-based women's services and approximately 10 years in Government policy. This included management of Queensland's Domestic Violence Prevention Unit, with responsibility for domestic violence legislation, cross-government policy coordination and community education. Ms Nancarrow's primary research interests include justice responses to domestic and family violence, and responses that meet the needs of Indigenous, and rural and remote communities. Heather completed a Master of Arts in Criminology and Criminal Justice (Honours) from Griffith University. Her honour's thesis is titled "In Search of Justice in Domestic and Family Violence" and analyses the views of Indigenous and non-Indigenous women about the utility of restorative justice in cases of domestic and family violence.</p>		
<p>Heather's presentation will outline the Government's vision for Australia where 'women and their children live free from violence, within respectful relationships, and in safe communities'. Her presentation includes an overview of the Australian Law Commission's investigation of the interaction between family law, DV and Child protection Law. Recent developments in Queensland with the establishment of the DV Death Review Panel, the Qld State Govt. DV Strategy, For our Sons and Daughters; draft amendments to the Criminal Code for the 'Battered person' defense to homicide.</p>		
11.15 – 12.40 pm	Professional Conversation Snapshot Sessions	
11.15 – 11.55 am	Dr. Cate Banks. Child focused family law: Competing visions and constraints.	
<p>Dr Cate Banks is currently working as a Family Dispute Resolution Practitioner at Ipswich Family Relationship Centre. Cate is an experienced mediator in various aspects of dispute resolution, particularly family law. Prior to the FRC, Cate worked at Griffith University as a researcher in the Law Faculty for 12 years and has been involved in a number of empirical studies in different areas of law and legal scholarship over the last 12 years. As well as a mediator, she is a socio-legal researcher who is committed to conducting rigorous empirical research and theoretical analyses of legal institutions, processes and change and the social consequences of law. Her research interests lie in law relating to children and their families, vulnerable people and access to justice. Cate is an active member of the International Society of Family Law, Australian Research Alliance for Children and Youth and Children's Rights International. In 2009, Cate worked as an independent Research Consultant and has vast experiences research experience spanning law, history and social science. She has published, authored and co-authored a number of publications including a book now in its third edition. This paper is a result of her post-doctoral work undertaken at Griffith University in 2007 and 2008 where she examined the competing visions of constraints of a child focused family law between the professional stakeholders within the family law system.</p>		
<p>The paper briefly discusses research conducted in 2007-2008 which investigated how child focused policy and legislative reforms had begun to shape the practices of lawyers and FDR practitioners. Both group of stakeholders held competing visions and constraints about how to be child focused in a process which is rhetorically constructed to achieve the best interest of the child. However the definition of "best interest" also has a different currency in the different disciplines and is also may present some more challenges, as the professions are required to work towards child focused outcomes.</p>		
12.00– 12.40 pm	Brooke Pugh & Steve Rees, Rees Law. Considerations when working with families affected by parental substance use.	
<p>Brooke commenced her law career undertaking a 5 year Articles of Clerkship between 1992 – 1997, at the same time completing a combined degree externally (Bachelor of Business (majoring in Accounting) (USQ) and Bachelor of Laws (with Honours) (QUT). Brooke was admitted to practice as a Solicitor of the Supreme Court of Queensland on 5 May 1998. Between 1994 – 2005, Brooke worked with a local Toowoomba firm in general practice, with a focus on family law, criminal/ traffic law and criminal compensation, and a diverse range of civil litigation, Court and tribunal work. In 2005, Brooke joined Rees Law and shortly thereafter successfully completed her Accreditation as a Family Law Specialist, making her the first (and only) female in Toowoomba to obtain accreditation as a Family Law Specialist. Brooke now focuses her expertise exclusively in the area of Family Law, including financial settlements, parenting matters, domestic violence, divorce and child support.</p> <p>Stephen joined the firm of Cleary & Lee in 1982 and was admitted as a partner in December, 1984, where he remained for 10 years prior to commencing his own practice of Rees & Co Lawyers in November, 1994. He has been active in serving the legal profession and the community. Stephen is accredited by the Queensland Law Society as a Family Law Specialist. In 2009 the Queensland Law Society appointed Stephen as Senior Counsellor to provide guidance to fellow practitioners on any professional or ethical problems. Foundation member (in 1982), long term committee member and current President of the Toowoomba Advocacy and Support Centre (formerly Toowoomba Community Legal Service); Legal adviser to Anglican Family Care Marriage Education programme (1988 to 1993); Tutor at Queensland University of Technology - External Law Students (1983 to 1985); Queensland representative of the Practice Management Committee of the Law Council of Australia (1991 to 1995); Member of District Appeals Committee of the Legal Aid Office (1991 and 1992); Committee member of the Downs and South-Western Law Association from 1986-1991 and President 1990/91.</p>		
<p>Before considering the allegations of parental drug use, the court may first require independent corroboration, including, but not limited to, written reports from law enforcement agencies, courts, probation officers, social welfare agencies, medical facilities, rehabilitation facilities, and/or agencies providing drug and alcohol abuse services. This presentation raises the issues of the impact of parental substance misuse on family law decision making in particular in relation to children; Family Law Act requirements; and considers the importance of improved co-operation amongst agencies and family law practitioners working with families affected by parental substance use.</p>		

1.25 – 2.45 pm	Professional Conversation Snapshot Sessions
	Jeff Taylor, Ready2Mediate. Sharing the Vision In the Best Interests of the Child
Jeff Taylor has 20 Years experience in Child and Family Therapy combined with 10 years mediation experience, specialising in Family Court Work. A Registered Family Dispute Resolution Practitioner, Jeff has a Bachelor Of Arts Psychology, a Graduate Diploma Counselling and a Certificate IV in Workplace Training and Assessment.	
The Attorney General Department's desire for Family Relationship Centres to not work alone but as an integral part of a much wider system continues to present new challenges with the expectations that Family Relationship Centres work more collaboratively with legal practitioners to ensure the best outcomes for clients. In developing appropriate co-operative and referral arrangements, Family Relationship Centre practitioners are expected to liaise with legal professionals and legal services and work alongside them in mediation. Jeff's presentation takes a practical approach to how these two professions can work together focusing on the best interest of children and engaging in more collaborative family dispute resolution practices so as to enable best outcomes in FDR mediation. Jeff's presentation is usually delivered in a full hands on day workshop of which will be offered in 2010 as another Toowoomba Family Pathways Network event.	
2.55 – 3.30 pm	Plenary Session
	Kathryn Rendell. Drawing the Threads of the Tapestry together. Turning information into knowledge to improve our response to family violence in the family law system
Kathryn is currently documenting and developing the practice framework in an early intervention service and working towards her PhD exploring family violence in the context of family law issues. Since 1981 she has worked as a practitioner, researcher and academic in refugee organizations, women's refuges, domestic violence counseling and multicultural children's services. She was a founding academic of the Child and Family Studies degrees (now Human Services) at Griffith University and established the Brisbane domestic violence children's counseling service. She is the co-author of the report on child contact arrangements where there is violence in the family, An Unacceptable Risk and is a delegate for the National Council for Single Mothers and their Children and the National Abuse Free Contact Group.	
This Plenary session provides an opportunity to explore the meaning that current research has for their practice and to discuss learning gained from the key note sessions. Together we will identify key issues, dilemmas and challenges for working with children and their parents in the family law system.	