

Q1 - Role/Objectives:

Role should be to facilitate child-focussed, practical and supportive outcomes for the families affected by separation. The system should push families toward a dispute resolution approach rather than toward the high-conflict and expensive court process.

Q2 - Principles:

Equal opportunity for all regardless of race/gender/sexual orientation.

Achieve child-focussed outcomes that give children opportunities to continue to develop their relationships with both families.

Treat separations with urgency and a supportive dispute resolution process.

Q11 - Accessibility for self-representatives:

A subsidised service that informs self-representatives in a clear and understandable way - possibly a self-service portal that details the different avenues for seeking help and which legal steps can be taken. Also for the ABS or similar statistical analysis departments to provide detail breakdown on the likely outcomes for different scenarios.

The Canadian National Self-Represented Litigants Project should form a basis for reforming this area of family law.

Q20 - Timeliness and Cost-effectiveness:

Ideally move toward a dispute resolution process with more access and chances at mediation before court can be considered. 6 months is too long to get in for a first mediation session, and many cases would benefit from a series of sessions OR at least longer than 3 hours.

Court should be primarily focussed on cases involving crime, separation with regard to children should be resolved less formally unless there are significant safety concerns.

Q25 - Misuse of Process:

Allegations of violence do not currently require a burden of proof, this should be reviewed or at least limited in it's accessibility. Also when there are deliberate false allegations or delays to the process there should be fines/community service required.

Q26 - Non-adjudicative Dispute resolution:

This should be another step before having access to the court system. Lawyers should have limited influence in this space - parents should be given every opportunity and support to resolve their issues without requiring full legal representation.