

Q3: FL related information needs to be made accessible for all persons going through DFV-related court proceedings. While many couples may not separate when applying for or becoming subject to a DVO, a substantial number does. Having just completed the first part of a court based study examining the experiences of aggrieved and respondents in civil DFV-related court proceedings, we observed over 500 DVO mentions and a substantial number of people going through this process had either recently or were in the process of separating. The majority had no Family Law proceedings initiated at the time of the DVO mention and many never will – partly because they lack access to resources required to undertake FL proceedings, partly because they have limited, if any understanding of FL proceedings. While duty lawyer schemes are available in some Qld-based courts for DFV call over days, these barely have the capacity to address each party's DVO-related information needs. Magistrates briefly advising parties they should seek FL advice where parties raise questions about child contact matters is insufficient in addressing the needs of families with complex needs and substantial safety concerns for the non-abusive parent and associated children. Aside from other support services available for victims and perpetrators, the DFV-related court system and attached support services (Magistrates, duty lawyers, court support services) play a key role in providing adequate information around FL pathways, mediation requirements and child contact in the absence of and in preparation for FL proceedings.

Q15: Other experts may be better placed to comment on whether changes to the definition are required. However, judicial decision makers and other professionals involved in FL proceedings (including independent children's lawyers; Legal Aid) require fundamental and ongoing DFV training to make informed decisions when assessing the needs of children exposed to DFV. This includes understanding the complex nature of DFV, the manipulation and control tactics employed by abusive (ex)partners and parents and the detrimental effects of childhood exposure to DFV on children's short- and long-term safety, development and wellbeing.

Q23: through facilitated access to information around FL proceedings and requirements as well as adequate training of key players in and around FL proceedings, including mediation services, Legal Aid, independent children's lawyers and judicial decision makers. Further, through financial assistance for victims of DFV as research shows many cannot afford lengthy legal proceedings and are forced to sacrifice their own safety and their children's safety to manage and facilitate contact with an abusive parent; this is especially vital knowing that cases involving coercive control are often marked by manipulation and economic abuse which frequently extends post separation through prolonging FL proceedings.

Q33: through data linkage and a shared data base; the system is currently relying on applicants to provide a copy of their existing FL orders when applying for or varying a DVO and a copy of a current DVO in any FL order application. This is placing the onus on the most vulnerable party in either proceeding to provide and elaborate on information relating to legal proceedings around family risk. Not only is this system flawed as applicants may or may not provide relevant copies, judicial officers may or may not have access to them at the time of the mention/ hearing and information is limited to what the order outlines instead of providing related evidence (e.g. in the case of police applications for DVOs or child protection involvement in FL proceedings). Having access to a shared data base (at least for key variables and information) would allow better preparation of judicial officers in relevant mentions/ hearings and would further allow accessing data ad hoc where relevant to immediate decision making in the best interest of vulnerable parents and children. Similar to police prosecutors being able to access the police data base ad hoc in DVO mentions (e.g.

to check on recent breaches, arrests, etc.) it should be possible for judicial officers in either court system to access crucial information relating to proceedings (past or ongoing) in the other system. Research shows that families going through full FL proceedings are the most vulnerable ones, frequently involving DFV along with other risk factors and that victims of DFV frequently find themselves facilitating child contact and managing the risk associated with the abusive parent. The systems designed to protect vulnerable parents and children at risk of harm or ongoing exposure to the harm of a parent really need to have access to information sharing that does not rely on vulnerable applicants providing all relevant information.

Q41: From a DFV perspective, the FL system needs to become more DFV informed. While evaluations of the 2012 reforms have shown a slight improvement across some areas of FL-related experiences of parents affected by DFV, it also continued to highlight ongoing gaps in the system around ensuring the safety and wellbeing of the non-abusive parent and children exposed to DFV. This includes an understanding of the complexity of parenting in the context of DFV, including the strategic undermining of primarily the mother-child relationship by the abusive parent and the impact this and DFV more broadly has on the parenting capacity of the non-abusive parent. A greater awareness among professionals in the FL system is essential in facilitating decision making that assists the non-abusive parent and children at risk in regaining stability and safety while also identifying the support needs of the abusive parent in order to have child contact and parental responsibility that is safe and meaningful. In order to achieve this, relevant professionals (including independent children's lawyers, Legal Aid, other court support services) require fundamental and ongoing training and this training needs to form a compulsory professional development component. Given the prevalence rates of DFV and other complex needs affecting many families forced to rely on the FL system in order to manage post separation arrangements around property and parenting, having a DFV-informed FL system should be a minimum requirement. A look at the Safe and Together Training offered by David Mandel consultants and currently being rolled out in a number of Australian child safety departments may offer a useful and cost effective starting point. Amongst other formats, this training is available in form of different online modules. While FL professional will need further training specific to the nature and context of FL proceedings and decision making, the Safe and Together Training may offer a useful and cost effective starting point given the substantial overlap in knowledge required in making DFV-informed decisions around children's safety, wellbeing and best interest around parenting arrangements and parents' support needs in both child safety and FL practice.

Q42: same as Q41

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