

**Bankstown**

**Family Relationship Centre (FRC)**

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**NIHAL DANIS**  
**Manager**



# Family Law (FDRP) Regulations 2008

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- 25 FDRPs— assessment of family dispute resolution suitability
- (1) Before providing family dispute resolution under the Act, the family dispute resolution practitioner to whom a dispute is referred must be satisfied that:
  - (a) an assessment has been conducted of the parties to the dispute; and
  - (b) family dispute resolution is appropriate.



# Family Law (FDRP) Regulations 2008

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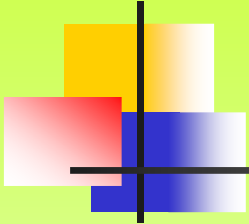
- (2) In determining whether family dispute resolution is appropriate, the family dispute resolution practitioner must be satisfied that consideration has been given to whether the ability of any party to negotiate freely in the dispute is affected by any of the following matters:
  - (a) a history of family violence (if any) among the parties;
  - (b) the likely safety of the parties;
  - (c) the equality of bargaining power among the parties;
  - (d) the risk that a child may suffer abuse;
  - (e) the emotional, psychological and physical health of the parties;
  - (f) any other matter that the family dispute resolution practitioner considers relevant to the proposed family dispute resolution.



## Regulations continued

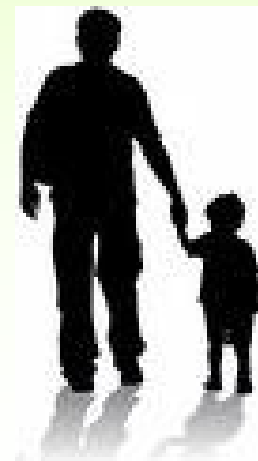
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- (3) If, after considering the matters set out in subregulation (2), the family dispute resolution practitioner is satisfied that family dispute resolution is appropriate then, subject to regulations 28 and 30, the family dispute resolution practitioner may provide family dispute resolution.
- (4) If, after considering the matters set out in subregulation (2), the family dispute resolution practitioner is not satisfied that family dispute resolution is appropriate, the family dispute resolution practitioner must not provide family dispute resolution.



Exemptions to resolving disputes by FDR before taking a parenting matter to court are :

- Applying for consent orders;
- Responding to an application;
- Where the matter is urgent;
- If the Court is satisfied there are reasonable grounds to believe that:
  - there has been family violence or child abuse by a party;
  - there is risk of violence by a party; or
  - there is a risk of child abuse if there is a delay.
- Where a party is unable to participate effectively (e.g., incapacity or distance)
- Where a person has contravened and shown a serious disregard for a court order made in the last 12 months.





## What do we do at the FRC?

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Provide information for people of all ages at any stage of their family relationship who need information to help them with relationships

Run public information sessions covering family relationship issues, including parenting after separation

Make it easier for families to find out about and use many existing services that can help them. Sometimes these other services include early intervention services that help prevent relationships from breaking down

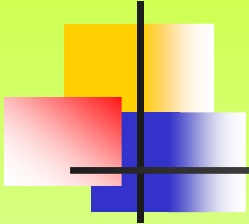


## How do we do what we do?

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Provide assistance for separating families by providing information and referral and by helping separating parents by:

- Individual interviews for separated/separating parents to help them identify issues and options and focus on the needs of their children.
- Group programs on “parenting after separation”.
- Joint sessions for separating parents to help them reach agreement on parenting arrangements
- Where appropriate, provide access to child inclusive practice, i.e., bringing the children’s voice into decisions relating to parenting.

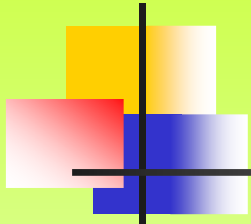


## Our processes

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- Need for data keeping
- Individual Face-to-Face Session
- Help Clients Identify Issues and Options
- Focus on the Children and Their Needs
- Assessment of Domestic Violence, Child Abuse, Client Safety and any Other Potential Risks
- Consideration of Other Services to Which Client May be Referred
- Outline the Family Dispute Resolution Process and the Next Steps in the Process
- Initiate Process to Engage the Other Party
- Repeat Process When Other Party Engages





## Processes continued

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A Formal Requirement of The Family Dispute Resolution Process

- Clients Seen Individually
- Clients Shown a DVD “Keeping Kids in Mind”
- Assess Whether Family Dispute Resolution is Appropriate Based on Issues, Circumstances Relating to the Dispute, Personal Circumstances of the Parties
- Ongoing Assessment of Domestic Violence, Child Abuse, Safety and Other Risk Factors
- Issues Clarified. Parenting Matters Need to be Present, Property Issues can be Addressed if There are Parenting Issues
- Child Inclusive Practice Explained
- Introduce Parenting Groups e.g., “Building Connections”
- Section 60I Certificate May be Issued



## Processes continued: “Building Connections”

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- An Integral Part of the FDR Process
- Designed to Provide Information and to Develop Skills and Awareness to Assist Parent Through the Process to Agree a Parenting Plan
- Parents Need to Attend Separate Sessions
- Topics Include:
  - Impact of separation conflict on children
  - communication and negotiation skills
  - parenting after separation etc.



## In an FDR session:

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Clients may be together, in separate Rooms (Shuttle), in contact by telephone (by FRC or TDRS)

Ground rules applicable

Agreement to participate in family dispute resolution in operation

Issues clarified and agreed

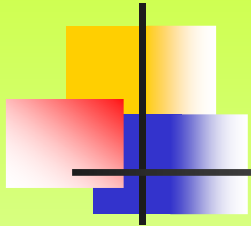
Clients are seen individually during process

Child consultations may be recommended and consent obtained

First hour of a joint session is free (thereafter \$30 per hour/per person if income  $\geq$  \$50K)

Desired outcome is an agreed parenting plan, with an arrangement for future review

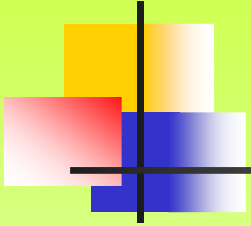
Section 60I Certificate may be issued



**FAMILY RELATIONSHIPS ONLINE –**  
[www.familyrelationships.gov.au](http://www.familyrelationships.gov.au)

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- Provide the general public with access to information about changes to the Family Law System
- Provide the public and service providers with a wide range of information resources about issues related to relationships and separation, including selected information from other websites, without needing to separately visit each of those websites
- Provide a central source of information about services available to assist families that can be accessed by both the general public, the Advice Line and other service providers to enhance the quality of their referrals



# THE END

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[www.familyrelationships.gov.au](http://www.familyrelationships.gov.au)