

- Please enforce an amendment to include compulsory mediation every 6 months for all parents in a family law processes, where no crimes are associated with the matter
- Please initiate private interview processes in family law proceedings for DV reporting for any family that has disclosed any DV problems in their matter to allow for complete reporting of all DV issues
- Please provide processes to protect non-indigenous persons from conducting cross examinations of their indigenous "family members" as persons in conflicts with indigenous persons may be in fear of them and unable to complete cross examinations and vice versa
- Please ensure that childrens wishes opinions and views are given in any family law proceedings and form a separate report
- Please make family court into a "real court" where rules of evidence apply to protect parents from hearsay and opinioning by judges which is without merit / hard evidence
- Please make a process of mandatory investigation of both parties when assessing failure to comply with court orders so that bias against one parent does not occur
- Please update processes to address ALL child sexual abuse reports made by children to ensure EVERY report made by a child is followed up by a department child safety investigation of the accused parent or both parents
- Please provide expanded options for family dispute mediation and family counselling services plus incentives for their use instead of family court ie. Food vouchers, payments, etc
- Please change family court policy of awarding custody in the absence of both parents, making awarding custody in absence of both parents illegal, an offence by the court subject to prosecution
- Please provide processes for scrutiny of bias by ICLs and ensure immediate dismissal of biased ICLs
- Please make all judgements regarding custody parental rights and residency of children as temporary judgements only , ie, having limited validity requiring regular re-hearing, ie. Having only 12 months validity, requiring regular review unless a consent agreement has been made via mediation -please allow parents in family law processes authority or a means to lodge reports of DV harassment and intimidation by the other party with police or via a service or website regardless of DVO status
- Please limit use of family court to deciding parenting plans in ONLY those matters involving criminal charges, serious DV or child abuse and all other matters be sent to mediation programs and services

Submission from Tabitha

19 January 2017