

FAMILY Flyer



THIS ISSUE -

No. 219

- Just released – new seminar dates
- “Close-up” edition
- Relationship counsellor’s – seminar – only 3 weeks away!

- Our growing team
- Courier Mail fined
- Involved in FIFO?
- Alienation v. estrangement – is there a difference?

JUST RELEASED – NEW SEMINAR DATES

We are starting a new public seminar series on 20 May. This brand new topic, “How to Survive Separation - Expert Tips” will be presented by Accredited Family Law Specialist, Michael Lynch and offer invaluable information on children, property and separation.

Upcoming dates are:

- 20 May – Kedron
- 3 June – Mt Ommaney
- 4 June – Victoria Point

Mark your diary now and keep an eye out for the next e-Flyer, for more details.

“CLOSE-UP” EDITION

In recent years, mediation has come to the fore as a common method of dispute resolution between separated couples. To maximise its likelihood of success however it is important that you prepare. Get a better understanding of mediation, read: “Getting ready for mediation”.

RELATIONSHIP COUNSELLOR’S – SEMINAR – ONLY 3 WEEKS AWAY!

DON'T MISS our upcoming seminar just for counsellors “Counsellors, Court and Confidentiality”, presented by

Accredited Family Law Specialist, Amy Campbell.

The seminar will be held from 6pm-7pm on Tuesday, 29 April 2014 at Broncos Leagues Club, 98 Fulcher Road, Red Hill. Attendance to this special topic is \$30, payable at the door.

Attendance is by registration and seating is limited. Register now by calling (07) 3221 4300 or email law@mlynch.com.au

OUR GROWING TEAM

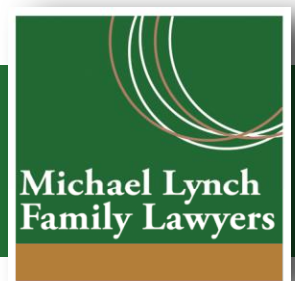
We are pleased to announce the recent appointment of Susan Miranda as a new Solicitor at our office. Susan practices exclusively in Family and Relationship Law.

Susan joins our team with good experience in all aspects of Family Law and with excellent Family Law credentials. Susan’s expertise reinforces our position as one of the largest Specialist Family Law Firms in Queensland.

COURIER MAIL FINED

In the “Italian Sisters” case in 2012, the Courier Mail published the names and photographs of the children at the centre of the dispute. As outlined in our [Family Flyer edition 205](#), the Courier Mail pleaded guilty to this breach of the *Family Law Act*.

Last month, the District Court imposed its penalty on the newspaper (Queensland Newspapers), fining it a total of \$120,000 (being \$30,000 per breach). The court was scathing of the Courier Mail, stating that its actions were in complete disregard of the interests of the four children.





INVOLVED IN FIFO?

Fly In Fly Out (FIFO) workers are an increasing part of the Australian mining boom.

These work arrangements present unique challenges in the context of family separation, particularly in parenting arrangements. Over recent time we have started to see more and more people in these types of situations.

Here are some facts about this new work phenomenon:

- The FIFO workforce practices in regional Australia were the subject of a Federal Government report published in February 2013 which highlighted the limitations of existing research on these work practices.
- Much of the FIFO workforce in Australia is concentrated in Queensland and Western Australia.
- In June 2012, there were approximately 32,000 FIFO workers in the primary Queensland mining regions and that is expected to significantly increase over the next couple of years.
- The workforce is predominantly male but the proportion of female workers has increased in recent years to about 15%.
- Rosters vary widely, anything from "6 weeks on, 1 week off", to "5 days off, 2 days off".

If you (or anyone you know) are in this situation and are separated and seeking family law advice – call us on ph: (07) 3221 4300. Your circumstances are unique and they require special consideration. We can speak with you face to face or in a phone conference.

ALIENATION V. ESTRANGEMENT – IS THERE A DIFFERENCE?

"Alienation" is a word often bandied about by separated

Copyright 2011

This document contains general comments and should not be relied upon as specific legal advice. Readers should contact this Office for advice on any topic in this document. Changes to the law occur regularly, no responsibility for any loss or damage caused to anyone acting in reliance on this document shall be accepted by this Office. No part of this document may be reproduced without our written approval.

couples, with little regard for it's actual meaning. 'Parental alienation' is where one parent sets out on a campaign to actively discredit the other parent and sabotage the child's relationship with that parent. For the parent alleging alienation it involves blaming the other parent (usually the parent with primary care) for the relationship breakdown between the child and the "alienated" parent. In most cases however the explanation for the relationship breakdown is rarely that simple.

In a recent case a father of two daughters, aged 12 and 10, alleged that the mother had alienated the children from him and that was the reason they did not wish to spend time with him. After hearing the evidence however the court distinguished the alleged alienation, as estrangement.

The two children were resisting spending time with their father, saying it was due to his attitude and behaviour towards them rather than any deliberate action by their mother to prevent the relationship. In fact the court found that the mother had tried to encourage the children to have a relationship with their father, as she recognised the benefit of it. The Court found that the children were not alienated from their father but rather that he had failed to reflect upon and change his attitudes and behaviours towards them. It was his behaviour that had largely contributed to the relationship break-down, rather than any external factors, such as the mother's attitude towards him.

Rather than cease all contact the court took the approach (stating that it was the best of the worst alternatives) of ceasing all time and communication between the father and the children for a period of 4 months and for time to resume on a limited basis after the expiry of the 4 months. The court also ordered that the parents attend a post-separation parenting course.

Principal: Michael Lynch*
*Queensland Law Society
Accredited Family Law Specialist



CONTACT:
Telephone: 07 3221 4300
Address: Level 6, 193 North Quay
Brisbane QLD 4000
Website: www.mlfl.com.au

