

# FAMILY Flyer



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No. 244

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## RELATIONSHIP COUNSELLORS - A SEMINAR FOR YOU

We have prepared a new and comprehensive presentation specific to the needs of relationship counsellors. This is a refresher for experienced counsellors and a MUST SEE practical guide for new practitioners.

Family law is constantly changing and it is important that you are aware of the changes and the obligations on you! This seminar will cover the essentials of family law, including children's arrangements, property settlement, domestic violence and some of the practical challenges of confidentiality.

For ONLY \$40 you will receive a 2 HOUR information session, valued at over \$800! Accredited Family Law Specialist Michael Lynch presents the seminar in an easy-to-understand way. You will also have the opportunity to ask questions.

ONLY for Health Professionals – Details:

"Family Law – Explained", 6pm – 8pm, Tuesday, 5 May 2015  
Broncos Leagues Club, 98 Fulcher Road, Red Hill.

We will post out a letter of invitation to "Relationship Counsellors" over the next week.

Attendance is by registration and seating is limited!

To Book – ph: (07) 3221 4300 or email us on

[law@mlynch.com.au](mailto:law@mlynch.com.au).

Attendance: \$40 (payable at the door)

## FAMILY AND DOMESTIC VIOLENCE REPORT RELEASED

A Queensland Special Taskforce released its report and recommendations into domestic and family violence in Queensland on 28 February 2015.

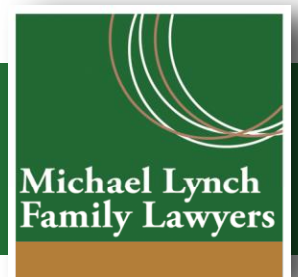
Entitled, "Not now, not ever – putting an end to domestic and family violence in Queensland", the report, chaired by former Governor-General Quentin Bryce, is likely to mark the beginning of a significant change that will affect family law in Queensland. The report contains 140 recommendations that are with the government for consideration.

## NOTICE FOR ALL REPORT WRITERS

The Family Court has recently released the "Australian Standards of Practice for Family Assessments and Reporting". With the release, the Court stated:-

*"The conduct of family assessments and the development of family reports play a critical role in the decision-making process for judges in parenting cases before the Court. The Standards document ensures good practices and addresses some common issues and concerns about family assessments and the processes of assessments and reporting."*

All social workers and psychologists who prepare family reports are encouraged to familiarise themselves with the Standards.



## FAMILY REPORT TIPS

A Judge has recently outlined some tips for 'best practice' in the preparation of Family Reports.

- 1) The Report should outline the material the report writer has relied upon when they are expressing any opinion.
- 2) The report should address all questions put to the report writer.
- 3) The report writer should not make findings of fact.
- 4) The report should not seek to test the truth of evidence given by either spouse. It should identify contrary information and test it.
- 5) The report should investigate and comment upon any contested propositions
- 6) The report should only offer recommendations when they are supportable by information known to the writer or observed by the writer. If the writer is not sure of the facts he should discuss the possibilities for the court to consider.
- 7) The report should provide a list of the writer's expert knowledge and any shortcomings.

Interestingly, the Judge also indicated that the report should refer to any social science that is considered and connect the social science to the facts of the case.

## CHANGE THE SCHOOL – WHO PAYS?

What are the obligations to pay private school fees when one parent unilaterally changes the school?

A case recently came before the court regarding parenting arrangements where the parties had previously agreed the school their child would attend and that they would equally share the costs.

Despite this agreement, the mother then changed the school and took the matter to court insisting that the father keep paying half of the fees.

The Judge stated:-

*"I will not require a parent to contribute to the payment of private school fees when the other parent enrolled the child in the private school unilaterally without consultation. In this case, the evidence is clear that the mother's enrolment of the child was after the parents had initially decided against it."*

It is worth noting that the court refused to consider the mother's Child Support variation application as she had failed to comply with the legislation by not having notified the Child Support Agency.

It is unusual for child support matters to be considered by the court, as there is a comprehensive process to be followed through the Child Support Agency. If you have queries regarding how much should be paid for child support or for school fees, contact us on ph: (07) 3221 4300 for a "fixed cost" initial consultation.

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