SESSION THREE

Where to from here?

For more information about the CCYP, please visit us at our website: www.ccyp.scu.edu.au

We would like to thank our sponsors for their generous contributions and support of this important event.

Brenda Hale
Brenda Hale became the UK’s first woman ‘Law Lord’ in January 2004. Brenda has enjoyed a varied career, first as an academic lawyer at Manchester University, where she specialised in Family and Welfare Law, then as the first woman Law Commissioner, where she headed the Commission’s work in Family and Mental Capacity Law, leading some notable legislation, including the Children’s Act 1989, the Family Law Act 1996 and the Mental Capacity Act 2005. In 1994, Brenda became a Judge in the Family Division of the High Court, was promoted to the Court of Appeal in 1999, and to the House of Lords in 2004. She takes a special interest in equality and discrimination issues. Inspired by the IAWJ Conference in Dublin in 2002, Brenda was instrumental in founding the UK Association of Women Judges, of which she is President.

Judge Peter Boshier
Judge Peter Boshier is the Principal Family Court Judge of New Zealand. He practised law in Wellington mainly in the areas of criminal, civil and family law and was appointed as a District Court Judge specializing in Family Court work in April 1988. He was also appointed as a Youth Court Judge in 1997. In 1991 he completed a review of the Family Court as a result of a request for an overview of the operation of the Court by Principal Family Court Judge, Patrick Mahony. That report formed the basis of a number of reforms and it features in recommendation on change made by the Law Commission in its report “Dispute Resolution in the Family Court” Report 82, March 2001.

Resident Magistrate Bernadette Kelly
Resident Magistrate Bernadette Kelly was called as a solicitor in Northern Ireland in 1983. She worked as a partner, specializing in litigation at all levels for 12 years until her elevation to the Bench, as a Resident Magistrate in 1997. In this role she has presided over criminal and family matters and held the senior post of Youth Magistrate in Belfast, where she continues to sit. She is the honorary secretary of the Northern Ireland Magistrates’ Association and the Northern Ireland representative on the UK Association of Women Judges. She has recently been offered an appointment as a Recorder for the Northern Circuit of England & Wales, where she will preside over jury trials on a deputy basis, while maintaining her office in Northern Ireland.

Resident Magistrate Bernadette Kelly
1 May 2006

Contact & Relocation
Focusing on the Children

It is my pleasure to extend to you a very warm welcome to this beautiful part of Australia to participate in an important and timely conference, Contact and Relocation: Focusing on the Children. The Federal Government’s recent amendments to the Family Law Act are the most-wide ranging since its inception in 1975. The changes will, when they become law, permeate every aspect of family law practice, particularly the way contact and relocation decisions are made.

This conference, we believe, provides an important forum in which to explore the implications of the new reforms for children. Whilst the focus is primarily on contact and relocation matters, we hope the day also provides an opportunity to identify the benefits and challenges of involving children in decision making across family law services.

The conference theme reflects a key aim of Southern Cross University’s Centre for Children & Young People (CCYP). The Centre aims to improve child and youth focused practice, particularly in regional areas, through interdisciplinary research, education and advocacy. The Centre undertakes its work in close collaboration with relevant agencies and organisations to help ensure its activities are underpinned by a capacity-building approach that results in improved knowledge and skills for practitioners working with children, young people and families.

The conference program has been structured to provide you with opportunities throughout the day to engage in discussion with the speakers and with other delegates. The Centre values dialogue as a key means for promoting improved understanding within and across the agencies, organisations and services that support children and families. We hope today’s program will foster such dialogue.

Specific thanks go to our conference presenters who have travelled from far and wide to join us today. You will undoubtedly find their knowledge, experience and commitment both inspiring and professionally rewarding. I am also very appreciative of the involvement of our sponsors (listed on the final page of this program). Their support has enabled us to bring you this distinguished line up of speakers. Rarely do we have the opportunity for such a forum in regional Australia.

I would also like to acknowledge the tremendous work of the organising committee. Members of the Centre’s Advisory Board, Justice Jennifer Boland, Justice Margaret Beazley and Associate Professor Judy Cashmore have contributed significantly to the shaping of this conference as have the efforts of CCYP staff, particularly Robyn Fitzgerald, Wendy Britt, Sallie Newell and Richard Harris.

Finally, my thanks to you, the delegate, for your interest in this important area of children’s lives. I hope you find the day informative, challenging and professionally rewarding.

Associate Professor Anne Graham
Director, Centre for Children & Young People
Professor Richard Chisholm

Prior to being appointed to the Family Court of Australia, Richard was an academic and a founding member of the University of New South Wales Law School. Following his retirement from the Bench in July 2004, he was appointed an Honorary Professor of Law at the University of Sydney, a Visiting Professor of Law at Macquarie University, and a Part-time Commissioner of the New South Wales Law Reform Commission. Professor Chisholm has been a member of various bodies associated with law and legal reform. He was the founding President of a children’s rights group Action for Children, and a founding Council member of the Aboriginal Legal Service in 1970.

He has a Bachelor of Social Work (Hons) degree from Massey University and a Bachelor of Laws (Hons) degree from the University of Otago. He has recently completed her PhD on family members’ experiences of Family Court dispute resolution processes. Nicola has worked at the Children’s Issues Centre since its inception in 1995, and also has a part-appointment in the Otago University Law Faculty. She has a particular interest in children’s participation in family law proceedings.

Narlaah is one of seven children with many foster brothers and sisters. She is currently studying arts/law in Sydney and has been a member of the Young People Big Voice CCP Committee for the past two years.

Dr Robin Sullivan

Dr Robin Sullivan is the First Director-General of the new Queensland Department of Child Safety. As Director-General, she is responsible for leading a Department committed to protecting children and young people and, through implementation of the Government’s Blueprint for Queensland’s child protection system, ensuring they are safe from abuse and neglect. Prior to this role, Robin was the Queensland Commissioner for Children and Young People for more than five years and was successful in building up one of the world’s most comprehensive screening systems for the suitability of people working with children.

Sue Creak

Sue Creak is an accredited Family Law Solicitor who has been in practice since 1981, currently practising in Byron Bay and representing children, males both fathers and husbands and females, both mothers and wives in all legal matters, both family and financial following the breakdown of their relationships.

Stephen Ralph

Stephen Ralph is the National Coordinator (Aboriginal and Torres Strait Islander Programs) Family Court of Australia. He has been with the Court’s Mediation Service since 1989 and has worked in Sydney Registry, Lisarowe, Alice Springs and is currently at Darwin Registry. Stephen is a qualified Psychologist with post-graduate qualifications from the University of Sydney. Prior to coming to the Court Stephen worked in the Queensland Department of Family Services and the HUD Department of Community Services in the field of child protection. Stephen is Aboriginal with close family ties to the Aboriginal community of La Perouse in Sydney. His father was a Roost who grew up in Redfern. His great grandmother was a Gamilaraayt woman from the Burnhups-Kempsey region of NSW.

Karen Morris

Karen Morris is the Deputy Chief Executive Officer at Interrelate and is responsible for the Counselling, Mediation, Children’s Contact Services and Relationship Education programs as well as the new Family Relationship Centres for the Organisation. Karen is an experienced counsellor, trainer and relationship educator who combines clinical practice with her management role. She has developed cutting edge programs for couples and families and regularly conducts training programs.

Nicky Davies

Nicky Davies is the Senior Legal Consultant, Family Law, Legal Aid Queensland. She is a member of the Family Law Council, President of the Family Law Practitioners’ Association Queensland and a member of the Children’s Law Section of Queensland Law Society. Nicky is a member of Legal Aid Queensland’s Child and Separate Representative Panel, and has been involved in developing the training and accreditation of child and separate representatives.