
Parliamentary Inquiry into a Better Family Law System to Support and Protect Those Affected by Family Violence

Sexual Assault Support Service Inc. (SASS) Submission

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Sexual
Assault
Support
Service

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Parliamentary Inquiry into a Better Family Law System to Support and Protect Those Affected by Family Violence

SASS Submission

Contents

Introduction	1
Summary of recommendations	1
1. Safety	3
2. Consent orders	4
3. Self-representation.....	5
4. Financial recovery.....	5
5. Professional capacity	6
6. Additional submissions.....	7

Introduction

The Sexual Assault Support Service (SASS) is a community-based service committed to providing high quality support and information services to survivors of sexual assault in Southern Tasmania, their carers and support people, professionals, and the general public. SASS delivers a 24 hour sexual assault crisis response program; 24 hour phone support and counselling service to people affected by sexual abuse; and face to face information, support, counselling, and referral services for anyone affected by sexual abuse.

SASS welcomes the opportunity to respond to the *Parliamentary Inquiry into a Better Family Law System to Support and Protect Those Affected by Family Violence*.

We note that Women’s Legal Service Australia (WLSA) has provided comprehensive analysis of and a series of achievable recommendations for potential reforms to the family law system that would have a significant positive impact for victims of family violence. SASS supports and endorses WLSA’s submission to this Inquiry, as well as their *Safety First in Family Law* five step action plan.

In addition to supporting WLSA’s position in this area, in our submission we will also raise two issues that are particularly pertinent within our work, namely the role of sexual assault support services in family law proceedings, and the myth of false allegations of child sexual abuse within family law proceedings.

Summary of recommendations

- i. Family Court risk assessments cover intimate partner sexual violence and child sexual abuse.
- ii. Family law professionals receive training and ongoing professional development in intimate partner sexual violence and child sexual abuse, including its unique impacts and the

comorbidity of IPSV with serious forms of physical violence, including lethal violence (see Recommendations ix – xii below).

- iii. The Tasmanian Government should undertake an evaluation of the protocol negotiated between the Magistrates Court of Tasmania and the Tasmanian Registry of the Family Court in relation to coexisting family violence protection orders and parenting orders. On the basis of this evaluation, other states and territories should consider whether adopting cooperative models would be an effective strategy to deal with coexisting orders.
- iv. Roll out a mediation model with specialist domestic violence lawyers and social workers based on the highly effective 2012 Co-ordinated Family Dispute Resolution Pilot.
- v. Introduce legislative protections to stop a victim being directly cross-examined by their abuser by amending the Family Law Act 1975.
- vi. Promote early resolution of small property disputes under \$100,000 through a legally-assisted, alternative dispute process or streamlined case management process at court.
- vii. Amend the Family Law Act to require courts to consider family violence when determining a property division in accordance with the Family Law Council's 2001 advice to the Attorney General.
- viii. Simplify court processes and forms in the family courts, particularly the application requirements and form of evidence currently required by the court to determine a small property division.
- ix. Family report writers - establish a national accreditation and monitoring scheme with mandatory training on domestic violence, cultural competency and working with victims of trauma for all practitioners who prepare family reports.
- x. Judicial officers - the Judicial College of Australia develop and deliver a comprehensive professional development package for all family law judicial officers on domestic violence, cultural competency and working with victims of trauma.
- xi. Legal professionals, including ICLs - the Australian Institute of Family Studies develop a comprehensive domestic violence training program for family law legal professionals and work with state and territory law institutes and bar associations to roll out the training.
- xii. All training and professional development contains specific sections on intimate partner sexual violence and child sexual abuse – including the myths surrounding false allegations; the role of sexual assault support services; and trauma-informed approaches to supporting victims of family violence.
- xiii. Family Court to explore the possibility of developing formal memorandums of understanding between the Family Court and local sexual assault support services to guide and support interactions between the two.
- xiv. Family Court to provide training to sexual assault support services on the structure of family law proceedings and how sexual assault support services can best support these.

- xv. Family law professionals to receive training on intimate partner sexual violence and child sexual abuse – including the myths surrounding false allegations; the role of sexual assault support services; and trauma-informed approaches to supporting victims of family violence (see Recommendations ix – xii above)
- xvi. Training to family court professionals (see Recommendations ix – xii above) includes information on the myth of false allegations of child sexual abuse.

1. Safety

How the family law system can more quickly and effectively ensure the safety of people who are or may be affected by family violence, including by:

- a) facilitating the early identification of and response to family violence; and
- b) considering the legal and non-legal support services required to support the early identification of and response to family violence.

Evidence from the Australian Centre for the Study of Sexual Assault (ACSSA) indicates that 40-45% of women who suffer physical abuse from an intimate partner are also forced into sexual activities by them.¹ Despite the legal recognition and prevalence of the problem, intimate partner sexual abuse (IPSV) remains a largely hidden issue within Australian society. IPSV is particularly important to discuss in the context of family violence because it constitutes a form of family violence that is both prevalent and yet grossly under-reported. It is also a form of family violence with grave and unique consequences. The presence of sexual violence within a relationship often correlates with the perpetration of more severe physical violence, including lethal violence. In a 2010 study on intimate partner violence the Australian Law Reform Commission (ALRC) found that additional features are likely to be present when sexual assault occurs in a family violence context, including, “multiple forms of sexual violence; a likelihood of repetition; and the fact that sexual violence is likely to be accompanied by other forms of violence.”² Given this, the Victorian Family Violence Risk Assessment and Risk Management Framework and Practice Guides views intimate partner sexual violence as being at the higher end of family violence, and as an indication of risk of further violence – including lethal violence.³

We also know that victims of intimate partner sexual violence often experience more severe negative impacts than those who experience physical family violence alone, including decreased self-esteem and coping skills, increased fear and anxiety problems, and high levels of self-blame.⁴ They are therefore more likely to present at support services with lower assessed levels of wellbeing and coping skills than women who have experienced physical family abuse only.

Research suggests that intimate partner sexual assault is rarely raised in family law proceedings.⁵ The ALRC notes that this may be due to a reluctance on the part of lawyers and other involved professionals to specifically ask about intimate partner sexual violence.⁶ The Commission further highlights that,

There may be a lack of understanding about how sexual violence is a risk factor in the future seriousness and repetition of family violence and, therefore, how it should be taken into account in any family law determinations. As with civil protection orders, the experience of sexual violence as part of family violence is important in understanding the risk faced by a victim, and in considering the ways in which it might have an impact on determinations about whether and how contact with children should proceed.⁷

Recommendations

- i. Family Court risk assessments cover intimate partner sexual violence and child sexual abuse.
- ii. Family law professionals receive training and ongoing professional development in intimate partner sexual violence and child sexual abuse, including its unique impacts and the comorbidity of IPSV with serious forms of physical violence, including lethal violence (note that professional training and knowledge is covered more thoroughly under Section 5 below).

2. Consent orders

The making of consent orders where there are allegations or findings of family violence, having regard to the legislative and regulatory frameworks, and whether these frameworks can be improved to better support the safety of family members, as well as other arrangements which may be put in place as alternative or complementary measures.

SASS notes the concern expressed by WLSA as part of their *Safety First in Family Law* campaign that many victims of family violence feel pressured to enter into consent orders, despite feeling that these are not in the best interests of their child/children and have not taken into account the history of family violence. This is often because of a justified fear – perpetuated by the court system – that if they resist the other parent having contact with the child/children they will be seen as alienating the child/children from their other parent, and may then risk losing custody of the child/children. The following quote, part of a submission to the Victorian Royal Commission into Family Violence, describes this,

The first thing a woman is being told by the lawyer is ‘you have to be careful you should not come across as a parent who does not want him to have contact—he can get full custody or shared custody’ Straight away the woman is on the back foot and every decision she makes is based on fear. No one listens to the abuse and violence committed on her and the children—women are forced to agree to ‘consent orders’ by being threatened that if ... they don’t agree it will go to trial and it will cost up to fifty thousand or more.⁸

SASS notes the approach taken in Tasmania, described in the ALRC’s report on a national legal response to family violence:

In Tasmania—in response to police concerns about victim safety where protection orders operate alongside family court orders—a protocol has been negotiated between the police, the Magistrates Court of Tasmania and the Tasmanian Registry of the Family Court. Under the protocol, if a family court contact order poses a risk to the safety of a victim of family violence, the police prosecutor alerts the magistrate of this concern. The magistrate can suspend the order for a period of days and make a protection order. The Magistrates Court file with the grounds for suspension is transferred to the Family Court for review of the contact order within the period of suspension.⁹

Whilst this approach is sound, it does not account for cases where there is no family violence order. SASS therefore supports Step 3a of WLSA’s five step road map, *Safety First in Family Law* on the need for legally assisted dispute resolution in family violence cases.

Recommendation

We support the following ALRC recommendation:

- iii. The Tasmanian Government should undertake an evaluation of the protocol negotiated between the Magistrates Court of Tasmania and the Tasmanian Registry of the Family Court in relation to coexisting family violence protection orders and parenting orders. On the basis of this evaluation, other states and territories should consider whether adopting cooperative models would be an effective strategy to deal with coexisting orders.¹⁰

SASS also supports the following WLSA recommendation (Recommendation 3a, *Safety First in Family Law plan*):

- iv. Roll out a mediation model with specialist domestic violence lawyers and social workers based on the highly effective 2012 Co-ordinated Family Dispute Resolution Pilot.

3. Self-representation

The effectiveness of arrangements which are in place in the family courts, and the family law system more broadly, to support families before the courts where one or more party is self represented, and where there are allegations or findings of family violence.

SASS is very concerned that the current family law system allows family violence victims to be cross-examined by their perpetrators. We note that most Australian jurisdictions have enacted legislation to place restrictions on the cross-examination of complainants in sexual offence proceedings by unrepresented defendants. Western Australia has initiated particularly comprehensive legislation in this area under section 25A of the *Evidence Act 1906 (WA)*, which grants the court discretionary power to prohibit cross-examination of a victim by the defendant across a range of criminal proceedings. We suggest that these provisions could provide some guidance to family law reform in this area.

Recommendation

SASS endorses the following recommendation made by Women's Legal Services Australia in their *Safety First in Family Law Plan* (Recommendation 2c.).

- v. Introduce legislative protections to stop a victim being directly cross-examined by their abuser by amending the Family Law Act 1975.

4. Financial recovery

How the family law system can better support people who have been subjected to family violence recover financially, including the extent to which family violence should be taken into account in the making of property division orders.

Recommendations

With regard to financial recovery, SASS endorses the following recommendations made by Women's Legal Services Australia in their *Safety First in Family Law Plan* (Recommendations 4a., 4b. and 4c. respectively).

- vi. Promote early resolution of small property disputes under \$100,000 through a legally-assisted, alternative dispute process or streamlined case management process at court.
- vii. Amend the Family Law Act to require courts to consider family violence when determining a property division in accordance with the Family Law Council's 2001 advice to the Attorney General.

- viii. Simplify court processes and forms in the family courts, particularly the application requirements and form of evidence currently required by the court to determine a small property division.

5. Professional capacity

How the capacity of all family law professionals—including judges, lawyers, registrars, family dispute resolution practitioners and family report writers—can be strengthened in relation to matters concerning family violence.

SASS is concerned that despite growing awareness of the prevalence of family violence, professionals in the family law system are not required to be trained in family violence or working with victims of trauma. We note that the 2012 amendments to the *Family Law Act* mean that courts are now required to actively inquire about the possibility of family violence or abuse, and that allegations of family violence and child abuse in the Family Court have increased since these reforms.¹¹ However, a recent AIFS review of the outcomes of these reforms found that one in three parents involved in the family law system still reported not being asked about family violence.¹² The review also found that,

....parents' perceptions of professional responses to family violence had not improved since the 2012 reforms. This was mirrored by the views of professionals who doubted the capacity of the family law system to deal adequately with cases involving family violence.¹³

Furthermore, the evaluation noted that section 60CC (2A) to the Family Law Act (which requires the court to give greater weight to protecting a child from the risk of family violence) has had limited effect, "especially where there was any ambiguity associated with the allegations of family violence or child abuse. The evaluation also revealed concerns about the risk-screening tool used in the family law system."¹⁴

SASS believes that it is vital for family law professionals, including court-appointed psychologists and Independent Children's Lawyers (ICLs), to be adequately trained in, and knowledgeable about, child sexual assault and intimate partner sexual violence. The Victorian Commission for Children and Young People has noted that,

....practitioners who work in the children's courts are likely to be 'more familiar with trauma informed practice' than are their counterparts in the family law system. Such practice involves service delivery that is influenced by an understanding of the impact of violence and abuse on the client or child's development, including early screening of children for exposure to trauma and an understanding of the coping strategies and adaptations used by individuals who have experienced violence or abuse.¹⁵

The Commissioner also suggested that "children's courts 'offer less formal proceedings and greater embedding within the support service system for families', as well as a greater focus on ensuring 'abuse issues are resolved rapidly to prevent significant harm to children'."¹⁶ As a side note, we highlight that this lends significant weight to the argument that children's courts should be granted *Family Law Act* jurisdiction to make parenting orders, which would reduce the likelihood of family members and victims of violence having to 'revisit traumatic events in different courts'.¹⁷

We suggest that the structure and practices of children's courts provides some useful guidance on how the Family Court system could be made more trauma-informed and better suited to the needs of family violence victims – both children and adults. As well as structural reform, we also suggest that training for all family law professionals should encompass areas including intimate partner sexual

violence and child sexual assault; barriers to disclosure and reporting; the myths and stereotypes surrounding sexual assault; the emotional, psychological and social impact of sexual assault on victims; and the different experiences and needs of potentially marginalised victims, such as those with a cognitive impairment, Indigenous people and those from culturally and linguistically diverse backgrounds, and gay, lesbian, bisexual, transgender and intersex communities.

We are encouraged to see that the draft version of the National Family Violence Bench Book contains a section on sexual and reproductive abuse.¹⁸ We suggest that the upcoming final version of the Bench Book could elaborate further on this area, and include areas such as (but not limited to) discussion of the co-morbidity of intimate partner sexual violence with other serious forms of family violence, including murder; myths surrounding intimate partner sexual violence and child sexual abuse; impacts of intimate partner sexual violence and child sexual abuse; and particular needs of victims of intimate partner sexual violence and child sexual abuse in court proceedings. The Bench Book could draw upon the Judicial Commission of NSW's Sexual Assault Trials Handbook (2016) for judges.¹⁹

Recommendations

As stated previously in this submission, SASS endorses WLSA's five step road map, *Safety First in Family Law*. We particularly note Step 5 to "Strengthen the understanding of all family law professionals on domestic violence and trauma", and endorse the following recommendations by WLSA (Recommendations 5a., 5b. and 5c. respectively).

- ix. Family report writers - establish a national accreditation and monitoring scheme with mandatory training on domestic violence, cultural competency and working with victims of trauma for all practitioners who prepare family reports.
- x. Judicial officers - the Judicial College of Australia develop and deliver a comprehensive professional development package for all family law judicial officers on domestic violence, cultural competency and working with victims of trauma.
- xi. Legal professionals, including ICLs - the Australian Institute of Family Studies develop a comprehensive domestic violence training program for family law legal professionals and work with state and territory law institutes and bar associations to roll out the training.
- xii. All training and professional development contains specific sections on intimate partner sexual violence and child sexual abuse – including the myths surrounding false allegations; the role of sexual assault support services; and trauma-informed approaches to supporting victims of family violence.

6. Additional submissions

The role of sexual assault support services

SASS is concerned that sexual assault support services are not always able to fulfil their potential of providing a valuable resource – both for victims of sexual assault and for the court – in family violence proceedings. We appreciate that professionals involved in family law disputes where child sexual abuse is alleged to have occurred face a dilemma, i.e. that of balancing the need for children who have been abused to receive therapeutic counselling, with the need for careful investigation of any allegations. Higgins highlights this as follows,

There is an evident tension between the need to provide such counselling for children in such a way that it meets their needs, but does not contaminate the collection of forensic information that would be useful either for criminal prosecutions—or for Family Court Judges assessing the veracity of allegations in order to understand the likely risks that a particular living arrangement may pose for a child in the future. This raises issues about the different

perspectives on the purpose of counselling, the timing and person or organisation responsible for provision of forensic interviewing and supportive or therapeutic counselling.”²⁰

SASS is concerned that there is a perception amongst some family law practitioners that sexual assault support services are not impartial, and could therefore ‘contaminate’ evidence of child sexual abuse in family law proceedings. We understand that this stems from the fact that sexual assault support services – like the Family Court itself – are not investigative agencies. Our focus is instead on the welfare and wellbeing of our clients, and which means that we work with the client on the basis that what they say about the abuse is true. This is a vital element of our approach if therapeutic work with clients is to be effective.

We understand that some family law practitioners perceive this as a bias inherent in the practice of sexual assault support centres, which can make them unwilling to refer clients to such services. We also understand that some family law practitioners do not feel that sexual assault services have a place providing therapeutic care to a child before or during family court proceedings – but should only become involved with a case after court proceedings have finished. We submit that this viewpoint could have negative consequences for victims of child sexual abuse. It is well known that legal proceedings can be extended affairs (for example, in a review of the Magellan case system it was found that the average case took 7.3 months to finalise from the date it was included in a Magellan list²¹). Preventing children who have been sexually abused from accessing the support they need until after proceedings are complete delays their opportunity to heal from the trauma they have experienced. This was a concern noted by stakeholders in the review of the Magellan system,

The difficulties that children have in disclosing abuse and being believed is a significant issue, and some stakeholders reminded the group of research evidence showing that children have often tried to disclose about 10 times before it is picked up, emphasising the importance of believing children, and providing appropriate supports for them after they make a disclosure.... The concern would be that children are denied assistance for months and months and months, pending the determination. Similarly if there was a physical ailment, you wouldn't withhold treatment... There are two sorts: counselling predicated on finding out that it's happened, compared to supportive counselling. We need to make sure that therapeutic support of [the latter] kind is available...²²

The role of sexual assault support services in working with a child is not to prove or disprove whether sexual abuse has taken place, but to enable the child to communicate their own experiences and needs. These experiences may include complex family dynamics, including their relationships with both parents. In reviewing the Magellan system Higgins states that “[i]t is particularly important to provide such support to children who have experienced difficult legal proceedings, to give them space to explore their experience of relating to both parents.”²³

Furthermore, sexual assault support practitioners, as experts in child sexual abuse, can and do provide valuable expertise to courts, alerting Judges to useful information based on the interactions they have had with a child, or providing more general advice on child sexual abuse. As part of his review of the Magellan system, Higgins interviewed a number of Judges, all of whom spoke strongly about the importance of receiving high quality written reports and oral evidence from well-trained experts.²⁴ One Judge highlighted that as Judges are not experts in sexual abuse – but instead make decisions based on the information that is provided to them – it is vital that they receive this information at the right time. He states that the provision of this information is the responsibility of lawyers,

That's my point about experts: You rarely find them when you need them. And that's largely the function of lawyers: they don't know them, and they don't go and find them, and don't give them to you. And I think that's what we have to start doing more of. I think we need to ask: Is this a trait of paedophiles if you do this? Let's track it down, and find out who knows.²⁵

Whilst we understand that court-appointed assessors and report writers do provide useful information and support to Judges, they are not likely to be sexual assault specialists, nor do they necessarily have comprehensive knowledge of family violence dynamics and barriers to disclosure of family violence and child abuse.

SASS therefore suggests that a stronger partnership between the family court and sexual assault support services is critical. Acknowledging the concerns some family law practitioners may have regarding impartiality, we make the following recommendations:

Recommendations

- xiii.** Family Court to explore the possibility of developing formal memorandums of understanding between the Family Court and local sexual assault support services to guide and support interactions between the two.
- xiv.** Family Court to provide training to sexual assault support services on the structure of family law proceedings and how sexual assault support services can best support these.
- xv.** Family law professionals to receive training on intimate partner sexual violence and child sexual abuse – including the myths surrounding false allegations; the role of sexual assault support services; and trauma-informed approaches to supporting victims of family violence (as per our discussion under Section 5 above).

The myth of false allegations

The second issue that we would like to raise is the myth that parents (predominantly thought to be mothers) are inclined to make false allegations of child sexual assault, in family law settings. This is a well-known myth; in fact, it was the perception that abuse allegations in family law proceedings are likely to be false, and therefore do not need to be taken seriously, that prompted the establishment of the Magellan system.²⁶

A wealth of literature now disputes this myth. For example, a recent review of international literature on child abuse allegations in the context of family law proceedings found that child sexual abuse allegations were present in only 2-6% of low-conflict parenting disputes (although allegations were present in up to 23% of high-conflict cases). The same review found that deliberately false allegations were very uncommon, occurring in approximately 1-2% of cases.²⁷ On this point, Higgins states that,

Family court judges should keep in mind that there are many reasons why genuine child sexual abuse may begin or first be disclosed at divorce, and why a person undergoing a divorce may make a good faith but mistaken allegation. False allegations may, of course, be based upon overinterpretation or misinterpretation of events and symptoms, or, more rarely, may be deliberately contrived (Faller, 1991). Although deliberately fabricated allegations may be made to influence the custody decision or to hurt an ex-spouse, knowledgeable professionals view these as infrequent events and it is critical that every allegation be treated with the utmost seriousness".²⁸

Despite the evidence against it, attitudes supporting this myth are still common – suggesting that anecdotal evidence or experience of a few cases where a false allegation has been made may be

influencing the perception of its frequency. Jeffries highlights how studies have shown that courts are often likely to view women's allegations of violence to be false, exaggerated or insufficient.²⁹ A further concern around this issue is that Judges may not be taking into account the fact that a "departmental outcome of 'unsubstantiated' does not mean that abuse did not occur and that the notifier's allegation was false, but rather, that evidence was not sufficient to be able to substantiate the allegation; or that the notification did not fall within the statutory grounds for intervention in that state/territory."³⁰

Any allegation of child sexual abuse is of great concern and must be taken seriously. The myth of resentful mothers concocting abuse allegations to prevent shared parental responsibility is a highly damaging one, and must be addressed.

Recommendation

- xvi.** Training to family court professionals (as discussed above under Section 5) includes information on the myth of false allegations of child sexual abuse.

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- ¹ Wall, L. (2012). *Asking women about intimate partner sexual violence*. ACSSA Resource Sheet. Australian Centre for the Study of Sexual Assault. June 2012, p.1.
- ² Australian Law Reform Commission (ALRC) and NSW Law Reform Commission (NSWLRC). (2010). *Family Violence - A National Legal Response. Final Report, Volume 1*. ALRC Report 114, NSWLRC Report 128. Commonwealth Government, p.1106.
- ³ Department of Human Services. (2012). *Family Violence: Risk Assessment and Risk Management Framework and Practice Guides 1-3*. Government of Victoria, Melbourne, p.27.
- ⁴ See Wall, L. (2012). *The many facets of shame in intimate partner sexual violence*. ACSSA Research Summary. Australian Centre for the Study of Sexual Assault. June 2012, p.3; Howard et al. (2003). "Counseling Services for Battered Women: A Comparison of Outcomes for Physical and Sexual Assault Survivors". *Journal of Interpersonal Violence*. Vol. 18, No. 1. (July 2003); and Cole, J., Logan, TK., and Shannon, L. (2005). "Intimate Sexual Victimization Among Women with Protective Orders: Types and Associations of Physical and Mental Health Problems". *Violence and Victims*. Vol. 20, No. 6 (December 2005).
- ⁵ Moloney, L., Smyth, B., Weston, R., Richardson, N., Qu, L. and Gray, M. (2007). *Allegations of Family Violence and Child Abuse in Family Law Children's Proceedings: A Pre-reform Exploratory Study*. Prepared for the Australian Institute of Family Studies, p.69.
- ⁶ Australian Law Reform Commission. (2010). *Family Violence —A National Legal Response*. Final Report 114. Commonwealth of Australia. Canberra, p.1124.
- ⁷ Ibid.
- ⁸ State of Victoria. (2016). *Royal Commission into Family Violence: Report and recommendations*. Volume I, Parliamentary Paper No 132, p.199.
- ⁹ Australian Law Reform Commission and the NSW Law Reform Commission. (2010), p.96.
- ¹⁰ Ibid, Proposal 8-11.
- ¹¹ Carson et al. (2016). "Identifying and responding to family violence and child safety concerns: Findings from the AIFS Evaluation of the 2012 family violence amendments." *Family Matters*. No. 98, p.11.
- ¹² Ibid, p.9.
- ¹³ Carson et al (2016) quoted in State of Victoria (2016), p.184.
- ¹⁴ State of Victoria (2016), p.184.
- ¹⁵ Family Law Council. (2015). *Families with Complex Needs and the Intersection of the Family Law and Child Protection Systems*. Report to the Attorney-General. Interim Report – June 2015, Terms 1 and 2. Commonwealth of Australia, p.51.
- ¹⁶ Ibid.
- ¹⁷ Ibid.
- ¹⁸ Australasian Institute of Judicial Administration. (2016). *National Domestic and Family Violence Bench Book*. Accessed 26/04/17 at <http://dfvbenchbook.aija.org.au/understanding-domestic-and-family-violence/sexual-and-reproductive-abuse/>.
- ¹⁹ Judicial Commission of New South Wales. (2007). *Sexual Assault Trials Handbook*. Accessed 26/04/17 at https://www.judcom.nsw.gov.au/wp-content/uploads/2016/07/Sexual_Assault_Trials_Handbook.pdf
- ²⁰ Higgins, D. J. (2007). *Cooperation and coordination: An evaluation of the Family Court of Australia's Magellan case-management model*. Canberra: Family Court of Australia, p.165.
- ²¹ Ibid, p.12.
- ²² Ibid, p.166.
- ²³ Ibid, p.166.
- ²⁴ Ibid, p.108.
- ²⁵ Ibid, p.110.
- ²⁶ Ibid, p.44.
- ²⁷ Ibid, p.30.
- ²⁸ Behnke & Connell, 2005, cited by Higgins (2007), p.39.
- ²⁹ Jeffries, S. (2016). "In the Best Interests of the Abuser: Coercive Control, Child Custody Proceedings and the "Expert" Assessments That Guide Judicial Determinations". *Laws* 5 (1).
- ³⁰ Higgins (2007), p.99.