

The Family Law System in South Australia

A Handbook and Service Directory for Separated Families



Australian Government



Family Law
PATHWAYS
NETWORK

SOUTH
AUSTRALIA

The Family Law System in South Australia

This booklet outlines the services that make up the family law system. Contact details for the main services, organised by location, are provided. Please take a moment to read about the services available and consider which may be of benefit to you and your family.

The SA Family Law Pathways Network is a coordinated network of organisations and professionals operating within the broader family law system in South Australia. The goal of the Network is to foster dialogue and collaboration between service providers with a view to assisting separating and separated families access services. Network members meet regularly and work together on sector-wide collaborative projects.

Special acknowledgement:

This publication has been produced with funding from the Commonwealth Attorney General's Department.

For further information please contact Relationships Australia (SA) on 8216 5200.

South Australian Family Law Pathways Network, May 2012.



Australian Government



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The Family Law System

The family law system exists to help separated families work through the legal and personal issues that arise when couples separate. It incorporates a broad range of organisations and programs to help ensure separating families can access the specific assistance they need.

The family law system assists separated families to:

- Make arrangements to see and care for their children
- Resolve their property and financial issues
- Seek support to manage the stress and challenges of separation.

This booklet is designed to help separated families understand and select from the services available.

The family law system adheres to the following principles:

- The safety and welfare of all parties, adults and children, is paramount.
- Where children are involved, their best interests will be the primary consideration in all decision making.
- Where appropriate, parties are encouraged to resolve their parenting, property and other disputes without resorting to contested court proceedings.

The Family Relationship Advice Line (Free Call: 1800 050 321)

The Family Relationship Advice Line offers a first point of contact for families affected by separation. The Family Relationship Advice Line is available from 8am to 8pm Monday to Friday and 10am to 4pm on Saturday.

Please see www.familyrelationships.gov.au for further information on the family law system and the available services. Please also see chatfirst.com.au for additional information about parenting, separation and its impact on children.

The Family Law Courts

Court proceedings are a critical component of the family law system and in some cases may be the most suitable option for resolving complex or high conflict disputes. Court proceedings can however be expensive, protracted and divisive. Decisions are taken out of the parties' hands and the overall process may be inherently stressful.

Parties should think carefully before commencing court proceedings and even after litigation has commenced, should be mindful of opportunities to cease litigation and resolve their disputes by mutual agreement. Please note that subject to certain exceptions, parties will generally be required to attempt mediation (please see pages 16-17) before commencing court proceedings in relation to their children.

The Family Law Courts (www.familylawcourts.gov.au) are located at 3 Angas Street, Adelaide and can be contacted on 1300 352 000. Registry staff are available during business hours to assist with enquiries.

Family Consultants

Separated parents appearing before the Family Law Courts are often referred to a court appointed family consultant for a family assessment. Family consultants meet with separated families and their children to advise the Court about issues such as:

- The relationship between separated parents and their children
- How the parents communicate with each other and work together as co-parents
- The suitability of any proposed living or parenting arrangements
- Whether counselling, parent education, mediation or other services may help the parties.

Family consultants help parents understand the family law system and the importance of remaining child focused. In appropriate cases, they may assist parents to discuss and agree upon arrangements for their children.

Indigenous Families and the Family Law System

The family law system exists to help separated families work through the legal and personal issues that arise when couples separate. Separated parents may have disputes about money, who the children live with or how often the children get to see grandparents, aunts or uncles.

The legal system recognises that Aboriginal and Torres Strait Islander families typically have different cultural, kinship and child rearing practices to Non-Indigenous families. The Courts place great importance on these values and practices, such respect being similarly extended by service providers at all levels.

The family law system may best be thought of as a collection of services available to separated families if and when they need them. Private arrangements are made for the care of children for example by most separated families without significant involvement from the Courts or other services.

At the same time, it is important that Aboriginal and Torres Strait Islander families are aware of the many general and specialised services available. The following list outlines some of the specialised services available to assist indigenous families.

Legal Advice and Representation

The Aboriginal Legal Rights Movement (ALRM)	Adelaide Murray Bridge Ceduna Port Augusta Port Lincoln	81 13 3777 8532 4788 8625 2200 8642 4366 8682 6677	Free legal advice and representation for all Indigenous families. Phone advice is available on 1800 643 222
Family Violence Legal Service Aboriginal Corporation	Port Augusta Ceduna Port Lincoln	1800 111 052 1800 839 059 1800 309 912	Free legal advice and representation for Indigenous women and children affected by family violence. Counselling and other support is also available.
Women's Legal Service	Adelaide	8231 8929	Offers a specialist legal advice and support program for Indigenous women.

Mediation Services

Family Relationship Centres (FRCs)	Adelaide	8419 2000	The FRCs specialise in mediation and act as a gateway to other services. Each of the FRCs (bar Mt Gambier) employs an Aboriginal Liaison Officer.
	Salisbury/	8285 4499	
	Elizabeth	8255 3323	
	Noarlunga	8202 5200	
	Port Augusta	8641 0432	
	Mt Gambier	8721 3500	

Counselling and Health Services

Nunkuwarnin Yunti	Adelaide	8406 1600	Counselling, parenting support and other services for Indigenous families across the metropolitan area.
	Elizabeth Downs	8254 4300	
Kornar Winmil Yunti	Statewide	0429 736 866	Counselling, substance abuse, youth and family violence program for Indigenous men.

Family Violence Services

Aboriginal Family Violence Gateway	24 hour service across SA	1 300 782 200	First point of contact for all people affected by family violence. Provides crisis counselling, support and referrals to safe accommodation.
Nunga Mi:Minar	Northern suburbs	1 300 782 200	Support and emergency accommodation services for Indigenous women and children affected by family violence.
Ninko Kurtanga Patpangga	Southern suburbs	8297 9644	

Housing Services

Aboriginal Family Support Services	Across SA	8212 1112	Emergency accommodation and housing assistance for Indigenous families. Parenting support is also provided.
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Multicultural Families and the Family Law System

Australia is a highly diverse society with a single family law system that applies to all families and communities. When families separate, both parents remain equally responsible for their children's needs and it is considered important that mothers and fathers each play an ongoing role in their children's lives.

The Australian family law system places particular importance on promoting the happiness and development of children and the safety and welfare of all family members. At the same time, the laws and services that make up the system are flexible and are designed to respond to the needs and circumstances of individual families.

The Australian family law system respects religious freedom and cultural diversity and seeks to ensure that children remain connected to their culture and extended family. Families have great freedom, for example to settle their parenting and property issues between themselves or within their community. A range of professionals and services that will accommodate a family's culture and values are also available.

This booklet outlines the range of services available to separated families and provides their locations and contact details. Many services employ cultural liaison officers to ensure families can understand and access the support they need. Interpreters are widely available and females can generally be matched with female practitioners or males with male practitioners as needed.

When phoning or visiting a service for the first time, it is important to ask for a cultural liaison officer, an interpreter or a practitioner of the same gender if this may assist.



Migrant Resource Centre of South Australia - Phone: 8217 9500

The Migrant Resource Centre (MRC) assists migrants and refugees to settle in Australia. The Centre provides a range of counselling, education and parenting support to families, with separate programs for men, women and children. The Migrant Resource Centre operates from a range of locations across metropolitan and rural South Australia.

Adelaide Community Centre	Adelaide	8217 9510
Northern Area MRC	Salisbury	8283 0844
Murraylands MRC	Murray Bridge	8532 3922
Limestone Coast MRC	Mount Gambier	8725 2753
Naracoorte MRC	Naracoorte	8762 8300

Family Relationship Centres

Family Relationship Centres (FRCs) are located across metropolitan and rural SA (please see pages 14-15). FRCs offer mediation (please pages 16-17) and provide advice, support and an ideal first point of contact for all separating families. The FRCs in Adelaide (8419 2000), Salisbury/Elizabeth (8285 4499 / 8255 3323) and Noarlunga (8202 5200) each employ cultural liaison officers and specialise in providing services to families born outside of Australia.

Migrant Women's Support and Accommodation Service - Phone: 8346 9417

The MWSAS provides support and advice to migrant and refugee women who have experienced domestic violence. The service will assist women and children to access counselling and safe accommodation.

Legal Services Commission - Phone: 8463 3555

The Legal Services Commission has a strong focus on providing support, education and legal advice to multicultural families. Legal advice is available for separation, migration and other issues by phone or in person from multiple locations. Interpreters are available free of charge.

Migrant Health Service - Phone: 8237 3900

The Migrant Health Service operates from 21 Market Street, Adelaide from 9am to 5pm on Monday to Friday. Health care, counselling, information and referrals are available to migrants and refugees. Interpreters are available as needed.

Family Violence (Domestic Violence)

Family violence typically involves a pattern of degrading, intimidating and controlling behaviour of which physical violence may be a feature. It occurs largely in the family home and with significantly greater frequency and severity against women. Where domestic violence occurs in families with children, most children are exposed to the violence and all children, including babies, are affected by it. Ongoing exposure to violence can be particularly harmful and is an established and notifiable form of child abuse (please see pages 33-35 for more information).

The safety of victims of family violence is a fundamental priority across the family law system. Some key services are outlined below:

Police attendance: Phone: 131 444	Call 000 for emergencies
Domestic Violence & Aboriginal Family Violence Gateway Phone: 1300 782 200 (24 hours)	Primary South Australian service for all people affected by family violence. Provides crisis counselling support and referrals to safe accommodation.
Migrant Women's Support and Accommodation Service Phone: 8346 9417	Provides support and advice for migrant and refugee women who have experienced family violence. The service will assist women to access counselling and safe accommodation.
National Sexual Assault, Family & Domestic Violence Counselling Line Phone: 1800 737 732 (24 hrs)	1800 RESPECT provides free counselling, information and referrals to any person who has experienced family violence.
Crisis Care (after hours) Phone: 131 611	After hours crisis service provided by qualified Families SA social workers.
Yarrow Place Phone: 8226 8777 After hours: 8226 8787	Yarrow Place is the lead public health agency responding to adult rape and sexual assault in South Australia.
Staying Home Staying Safe Phone: 8231 5626	Security upgrade service for women and children who have been affected by family violence and who wish to remain in their own home.
The Women's Information Service Family Court Support Program Phone: 1800 188 158	Provides volunteers to accompany women, particularly those who may have experienced family violence, to the Family Law Courts.

Services for men who engage in family violence

A number of programs and services work with men who have engaged in family violence. These programs assist men to understand the nature and impact of abusive behaviour, its underlying attitudes and the importance of taking responsibility.

Counselling for men who have engaged in family violence is provided by all family relationship counselling services (see pages 18-19) and men and family relationship programs (see pages 24-25).

Specialised group programs for men who have engaged in family violence are also run from:

Adelaide	Uniting Communities	Ph: 8202 5190
Salisbury	Salisbury FRC	Ph: 8285 4499
Noarlunga	Southern Primary Health	Ph: 8164 9111



Legal Advice and Representation

All separated parties should consider seeking legal advice to help understand their rights, responsibilities and options. Even where court action is unlikely, legal advice can still play an important role in helping parties reach fair and lasting agreements.

Legal representation is provided by a range of legal organisations and private practitioners. All separated parents should be able to obtain preliminary legal advice at no charge or minimal cost.

Legal Services Commission (Legal Aid) provides preliminary family law advice to anyone, with ongoing representation being dependent upon the issues in dispute, the merits of the case and the income and assets of the parties.

Duty lawyers are located at the Family Law Courts and can provide limited advice and representation on the day of your hearing. The duty lawyer service can be contacted on 0434 079 387 or 0434 079 388.

Community Legal Centres are located across metropolitan and regional SA and provide free legal assistance along similar lines to the Legal Services Commission.

Private Legal Representation: The Law Society Legal Referral Service (8229 0288) can assist parties to locate a family lawyer in their local area. Some family lawyers offer an initial consultation at no charge or minimal cost (the “first interview scheme”).

Collaborative Family Law involves a commitment to face to face round table negotiations between the parties and their lawyers aimed at settling disputes without going to Court. For more information, please contact the Law Society of South Australia on 8229 0222 or visit http://www.lawsocietysa.asn.au/other/collaborative_law.asp.

Legal advice and representation: locations and contact details:

Free Legal Helpline	Legal Services Commission	1 300 366 424	Free legal advice by phone across SA
Adelaide			
Legal Services Commission	8463 3555	82-98 Wakefield St, Adelaide 5001	
Aboriginal Legal Rights Movement	8113 3777	321-325 King William St, Adelaide 5000	
Women’s Legal Service SA	8221 5553	151 Franklin St, Adelaide 5000	
Central Community Service	8342 1800	2/59 Main Service North Rd, Medindie Gardens 5081	

Western Suburbs

Legal Services Commission 8207 6276 ANL Building, 306 St Vincent St, **Port Adelaide** 5015

Westside Lawyers 8243 5521 The Parks Community Centre, Trafford St, **Regency Park** 5942

Southern Suburbs

Legal Services Commission 8207 3877 Noarlunga House, Colonnades Shopping Centre, **Noarlunga** 5168

Southern Community Justice Centre 8384 5222 40 Beach Rd, **Christies Beach** 5165
Warradale appointments also available

Northern Suburbs

Northern Community Legal Service 8281 6911 26 John St, **Salisbury** 5108

Legal Services Commission 8369 1044 Windsor Building Elizabeth City Centre (Ground Floor), **Elizabeth** 5112

8207 9292 Tenancy 7, 560 North East Rd, **Holden Hill** 5088

Adelaide Hills

Legal Services Commission 8226 8722 18 Walker St, Mt Barker 5251

Riverland

Riverland Community Legal Service 8582 2255 8 Wilson St, **Berri** 5343 + Outreach

South East

South East Community Legal Service 8723 6236 9 Penola Rd, **Mount Gambier** 5290 + Outreach

Iron Triangle

Legal Services Commission 8648 5180 13 Flinders St, **Port Augusta** 5700

8648 8940 169 Nicolson Ave, **Whyalla** 5608

Westside Community Lawyers 8633 3600 Flinders Arcade, 72 Ellen St, **Port Pirie** 5540

Independent Children's Lawyers

The Australian family law system is geared towards promoting the best interests of children, this being the paramount consideration in all court decisions. One option available to the Courts in complicated or high conflict cases is to appoint an independent children's lawyer. The specific duties of an independent children's lawyer are to:

- Ensure that all issues and evidence relevant to the child's welfare are presented to the Court
- Form an opinion as to the course of action that is in the child's best interests and present this opinion to the Court
- Present the child's views to the Court (where appropriate)
- Endeavour to minimise the trauma to the child associated with the legal proceedings
- Work with the parties and their lawyers to discuss and settle the dispute if possible.

Independent children's lawyers are experienced family lawyers with a sound grasp of separation and its impact on children. Where most family lawyers work directly with their adult clients and follow their instructions, independent children's lawyers do not follow directions from the child and may not actually meet with the child where other professionals have already elicited their views.



Child Support

The law states that both parents have a duty to provide financial support for their children. Following separation, this may mean that one parent is required to pay child support to the other. The amount of child support to be paid can be agreed between the parties or determined by the Child Support Agency. Payments can then be made via a private arrangement or can be collected and transferred by the Child Support Agency.

The Child Support Agency determines the amount of child support to be paid based on a national formula that takes in to account the income of each parent, the number and age of the children, the level of care each parent provides and each parent's need to financially support themselves.

The Child Support Agency (www.csa.gov.au) can be contacted for information or an assessment on 131 272. Free legal advice regarding child support can also be obtained from the Legal Services Commission (8463 3576), the Southern Community Justice Centre (8384 5222) and the Northern Community Legal Service (8281 6911).

Spousal Maintenance

Orders for spousal maintenance (payments by one party post separation to support the other) can only be made by application to the Court. The parties must have been married or in a de facto relationship and the person applying for maintenance must generally establish that they cannot work or support themselves due to ill health or age, the need to support children, or some other reason. The court will also consider whether the other party has the capacity to make the payment sought.

Spousal maintenance claims can be dealt with at the same time as property settlement, either by a lump sum payment or ongoing payments (orders for periodic payments can then be registered for collection with the Child Support Agency). It is important to seek legal advice if you believe you may be entitled to maintenance as time limits apply to these applications.

Centrelink

Family separation will often have an impact on the income and financial situation of separated families. This may in turn have an effect on the parties' payments, entitlements or participation responsibilities. Parties can contact the Centrelink Family Assistance Office on 136 150 or employment services on 132 850 (www.Centrelink.gov.au) to discuss their entitlements and notify Centrelink about changes in their family and financial situation.

Family Relationship Centres

Located across metropolitan and regional SA, Family Relationship Centres (FRCs) are a key source of information and services for separated families. FRCs are specifically designed to be a starting point after separation and provide a range of non legal services at no charge or minimal cost. Parents facing separation and its effects may wish to begin by contacting a family relationship centre.

Family Relationship Centres provide the following services:

- **Family Advisers / Community Referral Workers:** Each family relationship centre has specialist advisers that are trained to introduce and guide separating families through the family law system.
- **Family Dispute Resolution (Mediation):** Family Relationship Centres specialise in family dispute resolution (see pages 16-17). Family dispute resolution may be an excellent option for resolving disputes between separated parents without resorting to court action. Family dispute resolution can be accessed at each FRC at minimal cost.
- **Information and Referrals:** Family Relationship Centres will provide information and referrals to counselling, parent education, children's programs and other services.

The locations and contact details of each of the family relationship centres across SA are included on the following page. Staff may not always be present at outreach centres, so please call first to make an appointment.



Family Relationship Centres - locations and contact details

Adelaide

Adelaide FRC	8419 2000	161 Frome Street, Adelaide 5000
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Northern Suburbs

Salisbury FRC	8285 4499	Shop 8 - Salisbury Cinema Complex, corner James and Gawler St, Salisbury 5108
Elizabeth FRC	8255 3323	13 Elizabeth Way, Elizabeth 5112
Nuriootpa (Outreach)	8255 3323	Schild House 26 Second Street, Nuriootpa 5355

Southern Suburbs

Noarlunga FRC	1300 735 492	38 Beach Rd, Christies Beach 5165
Marion (Outreach)	1300 735 492	Westfield Marion, Suite804, Lvl 8, 297 Diagonal Rd, Oaklands Park 5046
Aldinga (Outreach)	1300 735 492	4/101-103 Rowley Rd, Aldinga 5173
Victor Harbor (Outreach)	1300 735 492	55 Torrens Rd, Victor Harbor 5211
Kangaroo Island (Outreach)	1300 735 492	Kangaroo Island Community Services Centre, 9 Murray St, Kingscote 5223

Iron Triangle

Port Augusta FRC	1300 769 901	11 Marryatt St, Port Augusta 5700
Port Pirie (Outreach)	1300 769 901	85 Gertrude Street, Port Pirie 5540

Port Lincoln

Port Lincoln (Outreach)	1300 769 901	32 Mortlock Tce, Port Lincoln 5606
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South East

Mount Gambier FRC	8721 3500	1 Helen St, Mount Gambier 5290
Naracoorte (Outreach)	8762 3086	79 Smith St, Naracoorte 5271

Family Dispute Resolution (Mediation)

Family dispute resolution (FDR) is a process in which a trained and independent mediator assists separated families to discuss issues relating to their children, property and other matters. The mediator helps the parties to explore and negotiate their options in an effort to reach a mutual and lasting agreement. Mediation is generally less expensive, time consuming and confrontational than going to court.

Family dispute resolution has become an established part of the family law system and it is now mandatory for separated parents to attempt mediation before seeking court orders in relation to their children (subject to certain exceptions, e.g. where there has been family violence or child abuse). Agreements reached through mediation can be formalised in writing (referred to as a parenting plan or property settlement) and can also be the basis for seeking binding consent orders from the Family Law Courts (please see pages 31-32 for more information about parenting plans).

Family dispute resolution is offered by the Legal Services Commission, each of the Family Relationship Centres, and by a number of non government organisations and private practitioners. A national telephone dispute resolution service can also be accessed by contacting the Family Relationship Advice Line on 1800 050 321. Child inclusive mediation, where a children's worker engages with the child and feeds their views back in to the mediation process, is widely available and can be extremely valuable.

FDR is offered by each of the Family Relationship Centres listed on page 15 in addition to the following organisations.

Adelaide

Legal Services Commission	8463 7960	82-98 Wakefield St, Adelaide 5000
Centacare Adelaide	8210 8200	33 Wakefield St, Adelaide 5000

Western Suburbs

Relationships Australia	8340 2022	192 Port Rd, Hindmarsh 5007
Anglicare SA	8301 4200	184 Port Rd, Hindmarsh 5007

Southern Suburbs

Relationships Australia	8377 5400	Office Suite 500a, Westfield Shopping Town, 297 Diagonal Rd, Oaklands Park 5046
Centacare Adelaide	8557 9050	Cnr Quin and How St, Aldinga 5173
Legal Services Commission	8463 7960	Noarlunga House, Colonnades Shopping Centre, Noarlunga 5168

Northern Suburbs

Relationships Australia	8396 4237	2/1273 Northeast Rd, Ridgehaven 5097
Centacare Adelaide	8250 3694	33 Carey St, Salisbury 5108

Hills

Legal Services Commission	8226 8722	18 Walker St, Mount Barker 5251
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Murray Bridge

Centacare Adelaide	8531 8888	55 Adelaide Rd, Murray Bridge 5253
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Iron Triangle

Centacare CDPP	1300 769 901	Wudinna, Whyalla, Port Lincoln, Port Pirie, Port Augusta, Ceduna
Legal Services Commission	8463 7960	Tenancy 7, 169 Nicolson Ave, Whyalla Norrie 5608
		13 Flinders Tce, Port Augusta 5700

South East

Centacare Adelaide	8723 6599	3 Helen St, Mount Gambier 5290
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Riverland

Relationships Australia	8582 4122	9 Kay Ave, Berri 5343
AC Care	8582 2344	7 Wilson Street Berri 5343.

Family Relationship Counselling

Separation and divorce are recognised to be among the most stressful life events a person can experience, with anxiety, depression and suicide all occurring at increased rates post separation. Seeking support promptly may assist separated individuals to manage their emotions and make sound decisions.

Family relationship counselling helps people cope with separation related issues such as loss and grief, conflict with a former partner and separation from their children. Family relationship counselling is available free or at minimal cost from the following organisations.

Adelaide/Central

Uniting Communities	8202 5190	1st Floor, 10 Pitt St, Adelaide 5000
Anglicare	8131 3400	4-8 Angas St, Kent Town 5067
Centacare Adelaide	8210 8200	45 Wakefield St, Adelaide 5000
Lutheran Community Care	8269 9300	309 Prospect Rd, Blair Athol 5084
Spark Resource Centre	8212 3255	213 Gouger St, Adelaide 5000
Relationships Australia	8419 2000	161 Frome Street, Adelaide 5000

Western Suburbs

UnitingCare Wesley Port Adelaide	8235 9556	Seaton Central, 80 Balcombe Ave, Seaton 5023
Anglicare	8301 4200	184 Port Rd, Hindmarsh 5007
UnitingCare Wesley Bowden	8245 7100	77 Gibson St, Bowden 5007
Relationships Australia	8340 2022	192 Port Rd, Hindmarsh 5007

Northern Suburbs

Centacare Adelaide	8250 3694	33 Carey St, Salisbury 5108
Relationships Australia	8250 6600	Salisbury FRC - Shop 8, Salisbury Cinema Complex Cnr James and Gawler St, Salisbury 5108
Relationships Australia	8396 4237	2/1273 Northeast Rd, Ridgehaven 5097

Southern Suburbs

Uniting Communities	8205 5190	111 Beach Rd, Christies Beach 5165
Relationships Australia	8377 5400	Office Suite 500a, Westfield Shopping Town 297 Diagonal Rd, Oaklands Park 5046
Centacare	8557 9050	Cnr Quinliven/How St, Aldinga 5173 Outreach Victor Harbour, Goolwa
Anglicare	8186 8900	Anglicare SA: 347 South Rd, Morphett Vale 5162
The Second Story	8326 6053	50A Beach Rd, Christies Beach 5165

Barossa

Lutheran Community Care	8562 2688	16 Gawler St, Nuriootpa 5355
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Murray Bridge

Centacare Adelaide	8531 8888	55 Adelaide Rd, Murray Bridge 5253
Uniting Communities	8535 6800	104 Swanport Rd, Murray Bridge 5253
Lutheran Community Care	8531 3644	5 Marchand St, Murray Bridge 5253

Iron Triangle

Centacare CDPP	8644 2020	Wudinna, Whyalla, Port Lincoln, Port Pirie, Port Augusta, Ceduna
UnitingCare Wesley Port Pirie	8633 8600	60 Florence St, Port Pirie 5540

South East

Centacare Adelaide	8723 6599	3 Helen St, Mount Gambier 5290
AC Care	8721 3500	Mount Gambier, Bordertown, Millicent, Naracoorte

Riverland

Relationships Australia	8582 4122	9 Kay Ave, Berri 5343
AC Care	8582 2344	7 Wilson St, Berri 5343

Parenting After Separation

Post separation parenting is one of the major challenges separated families will face. Arrangements must be reached about where the children will live and how much time they will spend with each parent. Responsibility must be shared in relation to a child's education and agreements reached about how schooling and other activities will be paid for (please see pages 27-32 for more information).

The post separation parenting programs listed below are designed to assist parents to understand the impact of separation on children and prioritise their children's needs. They help parents develop ways to communicate and cooperate with one another, safeguarding their children from further conflict and promoting their welfare and development.

Metropolitan Adelaide

Kids Are First Anglicare	8301 4200	Hindmarsh, Elizabeth and Morphett Vale
Mum's House, Dad's House Centacare Adelaide	8210 8200	33 Wakefield St, Adelaide 5000

Please also ask your local FRC about their child focused information sessions.

Iron Triangle

Strengthening Separated Families - UCW Port Pirie	8633 8629	Whyalla, Port Augusta, Port Pirie, Peterborough
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South East

Parenting After Separation Mount Gambier FRC	8721 3500	1 Helen St, Mount Gambier 5290
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Riverland

Working it out for the Kids	8582 4122	9 Kay Ave, Berri 5343
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Parenting and Relationship Education

Parenting and relationship courses are offered throughout the year. Please contact your local FRC for more information.

Parent Helpline: Phone 1300 364 100 (24 hours)

The Parent Helpline is a state-wide government service that offers information, counselling and support to parents, including over the phone advice about day to day issues such as breastfeeding and toilet training. Further information about parenting can be found at www.parenting.sa.gov.au.

Children's Contact Services

Children's contact services (CCS) are an integral part of the family law system and offer parents and children a way of spending time together where this otherwise may not be possible. Children's contact services assist separated families in two distinct ways: changeovers and supervised contact.

Changeover services are typically offered on Friday nights and weekends and allow separated parents to safely transfer their children from one parent to the other without seeing or interacting with each other.

Supervised contact allows one parent to spend time with their children under the supervision of a specialised CCS worker. Supervised contact is typically available for 1.5 to 2 hour blocks on Saturdays and Sundays. It is often utilised in situations where one parent hasn't seen their children for a significant period of time or where there may be concerns about a child's safety when in the care of that parent.

Waiting lists for children's contact services vary and may be up to a number of weeks. Each of SA's children's contact services is listed below.

Campbelltown	Relationships Australia	8223 4566
Hindmarsh	Relationships Australia	8340 2022
Noarlunga	Anglicare SA	8392 3180
Salisbury	Relationships Australia	8285 4499
Mount Barker	Anglicare SA	8392 3180
Iron Triangle	UnitingCare Wesley - Whyalla	8649 4367
	UnitingCare Wesley - Port Augusta	8649 4367
South East	AC Care - Mount Gambier	8721 3500
	AC Care - Millicent	8721 3500
	AC Care - Naracoorte	8721 3500
Berri	Relationships Australia	8582 4122

Women - Support Services

Most of the services outlined in this booklet are available to women and men equally. Additional services specific to women tend to reflect women's unique health related issues, for example child birth and the care of infants, or social issues such as gender equality, access to justice, family violence and sexual assault.

Services largely or specifically available to women include the following:

Women's Legal Service Phone: 8231 8929	Free legal advice and representation is available by phone (8221 5553) from a head office in Adelaide and from a number of outreach locations. Education, court support and other services are also available.
The Women's Information Service Phone: 8303 0590	Information, advice and referrals are provided by phone (1800 188 158) or from a head office in Adelaide. Support people to accompany women to the Family Law Courts, particularly those affected by family violence, are available.
Women's Health Statewide Phone: 8239 9600	Women's Health Statewide (WHS) provides holistic gender-based primary health care services to women who are 18 years of age or over and are socially and financially disadvantaged. Services are designed to address complex health needs that result from the intersection between violence, mental health and wellbeing. WHS provides primary health care services that are based on an understanding of women's relationships, roles and life experiences. Services address client needs through a variety of strategies including counselling, group work, community development, health promotion, training, education and sector development.
Women's Healthline 1300 882 880 (metro) 1800 182 098 (rural)	This is a confidential telephone service staffed by registered nurses and midwives, providing health information, counselling and referrals to women across South Australia. Health care providers and men supporting women can also access this service. Also contactable by email: health.line@health.sa.gov.au
Parent Helpline Phone: 1300 364 100 (24 hours)	The Parent Helpline is a state-wide government service that offers information, counselling and support to parents, including over the phone advice about day to day issues such as breastfeeding and toilet training.

See also pages 8-9 for a range of programs and services available in connection with family violence and sexual assault.

Children - Post Separation Support

Separation is a difficult time for children, particularly where they are caught in the middle of parental conflict (please see pages 27-28). Children often feel a sense of responsibility for the separation or may take on the burden of supporting their parents. A number of programs are available that enable children to share their post separation experiences in a group setting or receive other forms of specialised support (please see below). Most family relationship counselling services also provide counselling for children (please see pages 18-19).

Program	Location	Contact	Service
Banana Splitz Anglicare SA	Hindmarsh Elizabeth Morphett Vale	8301 4200	Program for children aged 5-12 years involving counselling and group work.
iKiDs Relationships Australia SA	Adelaide Hindmarsh Salisbury Marion	8223 4566 8340 2022 8250 6600 8377 5400	Program for children aged 4-18 years involving counselling and group work.
Kids Connect Centacare Adelaide	Adelaide	8210 8200	Group program for children aged 7-11 years.
Rocky Road UCW Port Pirie Centacare FRC	Iron Triangle	8649 4367 1300 769 901	Group program for children aged 7-11 years.
Blast Off AC Care	Mount Gambier	8721 3500	Group program for children aged 5-12 years.
Kids Helpline Ph: 1800 551 800	National 24 hours service offering counselling, support and information for young people aged 5-25 years.		
Youth Healthline Ph: 1300 131 719	South Australian service offering counselling and information for young people aged 12-25 years regarding health, relationships, sexuality, substance misuse and other issues.		

Child Abuse Report Line

All children have a right to be properly cared for and keeping them safe is everyone's responsibility. Parties can report suspected child abuse or neglect by calling the 24 hour Child Abuse Report Line (Families SA) on 131 478. Calls to this line are confidential.

Men - Post Separation Support

Specialised programs and counsellors are available to support men with separation, relationship, parenting and other issues. A list of such programs is provided below. Men may also wish to contact Mensline on 1300 789 978 or visit www.menslineaus.org.au.

Adelaide/Central

Anglicare SA	8131 3400	4-8 Angas St, KentTown 5067
Centacare Adelaide	8210 8200	33/45 Wakefield St, Adelaide 5000
Uniting Communities	8202 5190	1st Floor, Pitt St, Adelaide 5000
Lutheran Community Care	8269 9300	309 Prospect Rd, Blair Athol 5084
	8331 3111	19 Edward St, Magill 5072
Relationships Australia	8419 2000	161 Frome St, Adelaide 5000

Western Suburbs

Anglicare SA	8301 4200	184 Port Rd, Hindmarsh 5007
UnitingCare Wesley Port Adelaide	8240 3180	58 Dale St, Port Adelaide 5015
Relationships Australia	8340 2022	192 Port Rd, Hindmarsh 5007

Southern Suburbs

Anglicare SA	8186 8900	347 South Rd, Morphett Vale 5162
Centacare Adelaide	8557 9050	Cnr Quinliven and How Rd, Aldinga 5173
Relationships Australia	8377 5400	Office Suite 500a, Westfield Shopping Town 297 Diagonal Rd, Oaklands Park 5046

Northern Suburbs

Centacare	8250 3694	33 Carey St, Salisbury 5108
Relationships Australia	8250 6600	Salisbury FRC Shop 8, Salisbury Cinema Complex, corner James and Gawler St, Salisbury 5108
Relationships Australia	8396 4237	2/1273 Northeast Rd, Ridgehaven 5097
Relationships Australia	8255 3323	13 Elizabeth Way, Elizabeth 5112

Iron Triangle

UnitingCare Wesley Port Pirie	8633 8600	Whyalla, Port Augusta, Port Pirie, Peterborough, + Outreach
Centacare CDPP	8644 2020	Wudinna, Whyalla, Port Lincoln, Port Pirie, Port Augusta, Ceduna + Outreach

South East

AC Care	8721 3500	Mount Gambier, Naracoorte, Millicent, Bordertown + Outreach
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Riverland

AC Care	8582 2344	7 Wilson St, Berri 5343
Relationships Australia	8582 4122	9 Kay Ave, Berri 5343



Family Support Programs

Family support programs offer a flexible and personalised outreach service to families with children. Families are allocated a dedicated support worker to provide them with information and guidance about parenting, relationship and other issues. Family support workers typically work with parents and children in their own homes, visiting regularly over an extended period. Participation in such programs is voluntary and is generally at no cost, although specific entry criteria may apply.

Across Metro Area

Family Support Team Anglicare SA	8131 3400
Home Visiting Service Lutheran Community Care	8349 6099

Northern Suburbs

Kids in Focus Centacare Adelaide	8209 6261
Northern Parent Resource Program Centacare - Adelaide	8250 3694
Kids n You, CYWHS	8287 4855

Western Suburbs

Seaton Central Home Visiting Team UnitingCare Wesley Port Adelaide	8235 9556
Strengthening Families in the West UnitingCare Wesley Port Adelaide	8440 2240
Parenting Network	8243 5544

Iron Triangle

Mid North Family Support Program UnitingCare Wesley Port Pirie	8633 8600
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South East

Family Support Service & Flying Start Program AC Care	8721 3500
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Riverland

Family Support Service & Flying Start Program AC Care	8582 2344
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Separation, Conflict and Children

Separation and divorce are among the most stressful life events adults and children can experience. The fracturing of family foundations can be devastating for parents and children alike and feelings of loss, blame, confusion and anger are a universally human response.

Children continue to love and idealise both their parents post separation and naturally look to their parents for guidance, stability and composure at this difficult time. In these circumstances, the single most important factor in how children cope with separation is the level of conflict between their parents. More specifically, the degree to which children are caught in the middle of parental conflict largely determines how much they will suffer and how much long term damage the separation may cause. Though the pain and hostility harboured by parents in the aftermath of separation may be understandably intense, the challenge for separated parents is to manage these emotions for the sake of their children.

Destructive parental conflict is often centred around the children and typically includes:

- High levels of anger, avoidance, bitterness and mistrust
- Arguments, verbal abuse or physical aggression, often in front of the children
- Ongoing difficulty in communicating and cooperating in the care of children
- Contempt towards the other parent's feelings, behaviour or parenting practices
- Inflexible and combative attitudes towards resolving disputes about parenting, property or child support
- Making important decisions, for example where the child will go to school, without involving the other parent
- Consciously or unwittingly drawing children in to the conflict, including:
 - Denigrating the other parent, their family or new partner
 - Sabotaging a child's time and relationship with the other parent
 - Involving children in disputes about court, finances or child support

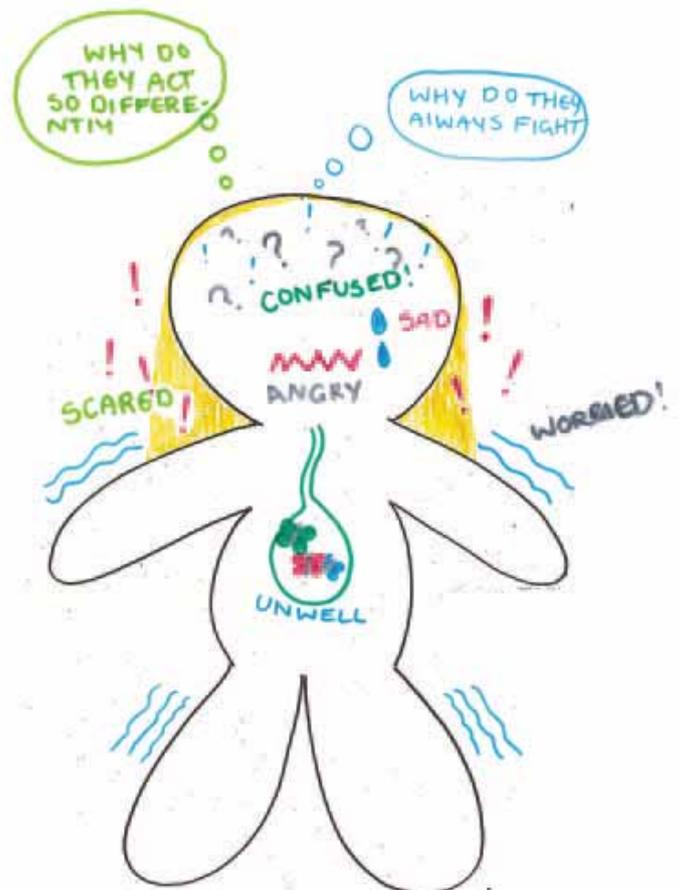
Exposure to high levels of parental conflict post separation may cause children to:

- Suffer developmental delays that prevent them from reaching their potential
- Lose trust and grow apart from their parents
- Lose confidence in themselves and become overwhelmed by their feelings
- Act out with bad behaviour or perform poorly at school
- Have trouble making friends and forming relationships
- Become sick, anxious or depressed

What separated parents can do to support their children:

- Work on developing a respectful, cooperative and “businesslike” parenting relationship with the other parent
- Don’t argue or discuss court or other disputes in front of the children
- Be flexible and support your children’s relationships with the other parent
- Don’t criticise or denigrate the other parent around your children
- Focus on your child, talk to them about the separation and how they are feeling

“Gingerbread Man” completed by girl aged 12
 Banana Splitz Program (please see p25)
 Support program for children experiencing high
 conflict parental separation.



Shared Care Parenting

The best interests of children

The Australian family law system is geared towards promoting the best interests of children. This includes a child's immediate safety, welfare and happiness, and their long term development. When evaluating the best interests of a child, the Family Law Courts take in to account two primary considerations: (1) the need to protect children from physical and psychological harm (including being subjected to or exposed to abuse, neglect or family violence), and (2) the importance of children enjoying a meaningful relationship with both parents post separation.

Shared care parenting arrangements

Building on these principles, the Courts regularly consider whether shared care parenting arrangements are a suitable option for separated families. Shared care parenting arrangements may involve the child spending somewhere between equal time with each parent and a fortnightly average of 5 nights with one parent and 9 nights with the other. Lawyers and mediators are required to discuss the option of shared care parenting with separated families and such arrangements are often agreed upon in consent orders and parenting plans.

At the same time, it is important to emphasise that shared care is not a starting point for negotiations, a parental right or a default parenting arrangement. The best interests of the child are the paramount consideration in all cases and shared care arrangements are not a one size fits all solution.

Weighing a child's best interests

Families are infinitely complex and there are many factors to take into account when deciding upon parenting arrangements post separation. Shared care arrangements may strike some parents and children as balanced and appealing, while at the same time appearing highly disruptive to others. Decisions regarding parenting arrangements must be carefully weighed and the best interests of the children teased out and considered. Where there is a history of domestic violence or ongoing conflict between parents, shared care arrangements may not be suitable.

Some issues to be mindful of when considering shared care parenting

Shared care parenting arrangements enable children to spend equal or substantial and significant time with each parent. Both parent child relationships can be fostered and the child is provided with an increased opportunity to spend time with extended family. That said, the precise quantity of time spent with each parent is not necessarily the key factor in determining what is in a child's best interest. Important factors to take in to account when considering shared care include:

- Can the separated parents communicate and work with one another in a respectful and cooperative fashion
- How do the children feel about shared care
- Do the parties live near one another and have the time and workplace flexibility necessary to make the arrangements work
- Is there support available from new partners or extended family
- Is shared care being implemented for the children or the parents.

The suitability of shared care arrangements for infants and very young children must be carefully considered. Infants typically develop an important attachment relationship with one parent that is critical to soothing, feeding, sleeping and all aspects of the child's physical, mental and social development. Developing and maintaining close relationships with both parents is undoubtedly important, but such relationships will naturally develop with regular contact over time and shared care can be something the parties work towards as the child grows.



Parenting Plans

Post separation parenting arrangements

Making arrangements for the care and parenting of children post separation is an essential but challenging task. While parents know their children and their family circumstances better than anyone, emotions are likely to be intense and planning and communication may be difficult.

Developing a parenting plan

A parenting plan is a signed and dated written agreement that sets out the parenting arrangements agreed upon by the parties. It strikes a middle ground between an informal verbal understanding on the one hand and a formal court orientated process on the other.

A parenting plan should outline the parenting arrangements agreed upon by the parties in a clear and practical manner; its primary purpose being to create a firm and mutually accepted framework to guide post separation parenting. At the same time, it should be a living document that is revisited as children grow and circumstances change.

A parenting plan can be developed independently between the parties or with the assistance of family dispute resolution practitioners (mediators) or other professionals. Family dispute resolution is widely available across rural and metropolitan SA at minimal cost (please see pages 16-19). Incorporating the views of children in the mediation process (child inclusive mediation) can be particularly valuable.

What matters are addressed in a parenting plan?

Parenting plans should be practical, achievable and guided by the best interests of the children involved. They should be implemented in a flexible and child responsive manner. Common issues addressed in parenting plans include:

- “Live with” and “time spent with” arrangements
- The sharing of responsibility for major decisions, e.g. education, religion and medical care
- The sharing of payment for schooling, clothing, sporting events etc.
- Communication between the parents
- What is to occur on birthdays, school holidays and public holidays
- Fostering relationships between children and their extended family
- How the parties will resolve disagreements and review the parenting plan over time.

The legal status of parenting plans

Parenting plans are not legally enforceable in the same way that a court order is. They are extremely valuable as an agreed framework between the separated parents however and failing to comply with a parenting plan is a relevant issue should a matter subsequently proceed to Court.

Where separated parents wish to convert their parenting plan to a binding court order, this can be achieved by seeking a “consent order” from the Family Law Courts. A consent order legal formalises an agreement reached between two parents. Consent orders can be applied for directly, please contact the Courts on 1300 352 000, or with the assistance of a lawyer.



The Nature and Dynamics of Family Violence

Prevalence of family violence

Family violence occurs across all income groups, professions, geographical locations and ethnicities. It occurs most regularly in the family home and with greater frequency and severity against women. Research suggests as many as one in four women may be physically assaulted by a male partner in the course of their lives, only a fraction of such assaults being spoken about or reported to police.

No excuse for family violence

There is no excuse for family violence in any form. Threats, physical violence and sexual assault are serious criminal offences and all forms of family violence are harmful to victims, children and other family members. Responsibility for family violence and its impact always rests with the perpetrator; no one asks to be intimidated, humiliated or assaulted and most victims do everything they can to pacify their partners, protect their children and avoid further violence.

Features of family violence

Community understanding of the nature of family violence has evolved over recent decades. Where historically domestic violence was equated largely with physical assault, family violence is now widely viewed as a deliberate pattern of abusive and controlling behaviour of which physical violence may be a feature.

Family violence is generally perpetrated by males against their female partners. While some females do commit acts of family violence, the violence perpetrated by males typically differs in its severity and pattern, its underlying motives of control and domination, and in the fear, trauma and submission it evokes in the victim.

In addition to physical violence and sexual assault, family violence typically demonstrates a number of the following features, often in an escalating pattern:

- **Degradation and emotional abuse:** often encompassing a repeated pattern of put downs, insults and public humiliation that lower a victim's self esteem and induce a sense of shame and dependence.
- **Fear and intimidation:** including threats or actual harm to the victim, their children, their family, pets or property.
- **Social isolation:** including undermining the victim's relationships with family and friends and controlling where they go and who they see.

- **Financial control:** including monopolising the family income, withholding money and preventing the victim from working or having a say in important decisions.
- **Blame and denial:** those who engage in family violence typically feel a sense of superiority and entitlement over their partners. They may justify their behavior, blame the victim, or repeatedly excuse their conduct on the grounds of stress, drugs or alcohol.

Family violence and separation

Family violence becomes more common and severe around the time of separation and often continues post separation. Abusive behavior post separation may undermine processes such as mediation and may escalate during Family Court proceedings or child handovers. Ongoing support and safety planning are critical.

Please see pages 8-9 for a list of the some of the key services available.

Children's exposure to family violence

Where family violence occurs in families with children, research suggests that most children are aware of or exposed to the violence. Many children see or hear the violence, some intervene to protect a parent, and others may assist an abused parent in the aftermath of a physical or verbal attack. Often children exposed to family violence are directly subjected to physical and emotional abuse themselves.

Impact of family violence on children

Exposure to family violence is a highly traumatic experience for all children, many of whom have minimal capacity to shut out, escape from or understand the violence. Repeated exposure to family violence is particularly harmful and may severely impair a child's intellectual, emotional and social development.

Studies suggest that children exposed to family violence experience the same level of traumatic impact as children directly subjected to physical abuse. While children are highly resilient, many develop symptoms of trauma that will often persist post separation, these include:

- **Physical symptoms:** headaches, stomach cramps, sleeping and eating difficulties, frequent illness
- **Emotional symptoms:** feelings of grief, low self esteem, anger, shame, despair, distrust
- **Cognitive deficits:** slowed developmental capacities, poor school performance
- **Social impairment:** fear and anxiety in social settings, difficulty relating to peers or forming relationships

- **Behavioural issues:** running away, aggression, anti-social behavior, acting out, substance abuse
- **Psychological issues:** anxiety disorders, depression.

Helping children exposed to family violence

The family law system places a great emphasis on protecting children from harm and a range of support services are available. Domestic violence services (pages 8-9), family relationship counselling (pages 18-19) and specialist children's services (page 23), can all assist children directly or provide referrals to other services. A parent who can provide their child with a stable and nurturing environment is the most important factor of all in promoting a child's happiness and long term welfare.



Helplines and other important contacts

Life threatening emergencies (SA)	000	
Police Assistance (SA)	131 444	
Crisis Care SA Mon-Fri, 4pm-9am, 24 hours on weekends and public holidays	13 16 11	After hours crisis service provided by Families SA social workers.
Domestic Violence & Aboriginal Family Violence Gateway (SA) 24 hours	1300 782 200	Crisis counselling, support and referrals to safe accommodation and other services.
Child Abuse Report Line (SA) 24 hours	131 478	24 hour service for reporting child abuse or neglect.
Parent Helpline (SA) 24 hours	1300 364 100	Information, counselling and support to parents, including advice about common parenting issues.
Youth Healthline (SA) Mon-Fri: 9am-5pm	1300 131 719	Counselling and information for young people aged 12-25 years.
Mental Health Crisis Service (SA) 24 hours	13 14 65	Support and referrals for all mental health emergencies.
Legal Advice (SA) Mon-Fri, 9am-4.30pm	1300 366 424	Free legal advice service operated by the Legal Services Commission. Preliminary advice is available for a range of legal issues.
Alcohol and Drug Information Service (SA) 24 hours	1300 131 340	Confidential counselling, referral and information service for all drug and alcohol issues.
Gambling Helpline (SA) 24 hours	1800 060 757	Confidential counselling, referral and information service for all issues related to problem gambling.
Emergency Accommodation Service (SA) 24 hours	1800 003 308	Information, referrals and support for all housing, accommodation and homelessness issues.

Grandparents for Grandchildren (SA) 102-104 Wright Street, Adelaide 5000	8212 1937	GFG provides advice, information, referrals and support to grandparents seeking assistance in relation to seeing or caring for their children in family law matters.
Women's Healthline (SA) Mon-Fri, 1pm-4.30pm	1300 882 880	Up to date health information from a registered nurse, including referrals to counselling.
Family Relationships Advice Line (National) Mon-Fri, 8am-8pm, Saturdays, 10am-5pm	1800 050 321	Information, advice and referral service for anyone affected by family relationship or separation issues.
National Sexual Assault, Family and Domestic Violence Counselling Line 24 hours	1800 RESPECT (1800 737 732)	Counselling, information, advice and referrals to any Australian who has experienced or is at risk of family violence or sexual assault.
Lifeline (National) 24 hours	13 11 14	Crisis counselling and referral service for all issues.
Lifeline Suicide Helpline (National)	1300 651 251	Specialist counselling and information service for people who are feeling suicidal, who are concerned about someone who may be suicidal, or who have lost someone to suicide.
Mensline Australia (National) 24 hours	1300 789 978	Counselling, advice, information and referrals for men facing family relationship, health or other issues.
Kids Helpline (National) 24 hours	1800 551 800	Counselling, support and information regarding all issues for young people aged 5-25 years. Online counselling available on weeknights and Saturdays.

