

**INQUIRY INTO IMPACT OF THE *FAMILY LAW*
AMENDMENT (SHARED PARENTAL RESPONSIBILITY)
ACT 2006 (CTH)**

Organisation: National Council of Single Mothers and Their Children
Name: Ms Jac Taylor
Position: Executive Officer
Telephone: 08 8226 2505
Date Received: 23/10/2006

NCSMC

National Council of Single Mothers and their Children Inc.

220 Victoria Square *Tarndanyangga* Adelaide SA 5000 Ph: 0882262505 Fax: 0882262509

ncsmc@ncsmc.org.au

<http://www.ncsmc.org.au>

Standing Committee on Law and Justice
Parliament House
Macquarie St
Sydney NSW 2000
lawandjustice@parliament.nsw.gov.au

20 October 2006

Dear Secretary

Please find attached NCSMC's response to the Committee's **Inquiry into the impact of the *Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)***.

Thank you for the invitation to provide a response. NCSMC would be pleased to provide oral evidence in support of the submission.

Yours sincerely

Dr Elspeth McInnes AM
Convenor NCSMC

Ms Jac Taylor
Executive Officer NCSMC

About NCSMC

The National Council of Single Mothers and their Children Incorporated was formed in 1973 to advocate for the rights and interests of single mothers and their children to the benefit of all sole parent families, including single father families.

NCSMC formed to focus on single mothers' interests at a time when women who were pregnant outside marriage were expected to give up their children for adoption by couple families and there was no income support for parents raising children alone. Today most single mothers are women who have separated from a partner. Issues of income support, child support, paid work, housing, parenting, child-care, family law, violence and abuse continue as concerns to the present day.

NCSMC has member organisations in states and territories around Australia, many of which also provide services and support to families after parental separation.

NCSMC aims to:

- Ensure that all children have a fair start in life;
- Recognise single mother families as a viable and positive family unit;
- Promote understanding of single mothers and their children in the community that they may live free from prejudice;
- To work for improvements in the social, economic and legal status of single mothers and their children.

Terms of Reference

- (a) The impact of the *Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)* on women and children in NSW; and;
- (b) The impact of the *Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)* on the operation of court orders that can prevent family violence perpetrators coming into contact with their families.

SUBMISSION PART A - Sections of the *Family Law Act* creating concern (Cited extracts of the Act appended in Appendix One)

NCSMC is concerned about changes which are expressed in the following selected sections:

- Section 61DA sets out a presumption of equal shared parental responsibility when making parenting orders except where there are reasonable grounds of concern due to child abuse or family violence.
- Section 65DAA goes on to detail that where a presumption of equal shared parental responsibility applies, the court must consider equal time or substantial or significant time with each parent.
- Section 60CC sets out the principles for determining a child's best interests. There are two primary considerations which may conflict – the child's right to a meaningful relationship with both parents and to be protected from violence. An additional consideration is which parent will facilitate a relationship with the other parent.
- Section 117AB provides for costs for falsely alleging violence.

Mothers with abusive or violent ex-partners will have to choose between naming their experiences and risking penalties and being named as an unfriendly parent and treated adversely in court orders, or somehow 'prove' violence in a context where evidence of violence and abuse is routinely discounted or disregarded.

The changes to the *Family Law Act* have included a new secondary criterion, which is the willingness to facilitate a relationship with the other parent (s60CC (3) (c)). Section 60CC (3) (c) talks of the willingness and ability of a parent to facilitate and encourage a close and continuing relationship between the child and the other parent. By definition parents who fear violence will be trying to act to protect children from harm and not be willing to facilitate a relationship with the other parent. The parent who has genuine concerns about violence or abuse or neglect and therefore has concerns about ongoing contact with the other parent runs the risk of being a "non-facilitating parent".

Together these provisions direct decision-makers to ordinarily decide children should spend as much time as possible time with each parent – wherein a logical conclusion is that half-time with each parent is the new ideal. Separating to protect family members from violence is increasingly difficult.

When a mother decides to leave a violent relationship to protect herself and her child/ren she can expect that the Family Court will require the child to spend time with the violent parent, thereby requiring her to make the child available and continue to support contact with the violent parent.

Allegations of child abuse in the family law system must be reported to state authorities; however there is no requirement that these reports be actively investigated. Unmet

demand on child protection systems across Australia highlights the large numbers of reports which are not classified as the highest priority and effectively receive no investigative action.

When child abuse allegations arise in the midst of divorce proceedings, there is some evidence that they are treated as a revenge strategy by parents, rather than a child abuse report (Brown et al 2001). The practical outcome is that many allegations are never investigated and are thus designated as unsubstantiated, without any attempt at investigation (Brown et al 2001). Even when an investigation does take place, and if the young child does manage to talk about abuse during the investigation, young children's statements of abuse are typically challenged in the adversarial court system as being potentially coached by the mother. Further, the conclusions of child protection workers may be accepted or ignored depending on the judge's disposition towards such issues. With no workable system for investigating allegations of violence or abuse, allegations will inevitably be construed as false, given that they cannot be proved to be true.

Case Study 1

4 year old child revealed sexual abuse by father to mother. Investigation was conducted by police who were very scathing of mother. The JIRT made assumption from start that mother had coached the child. No proper investigation was conducted. Assumptions were made that the mother was falsely alleging abuse and she was threatened with police action for making a false report. There were 10 DOCS complaints of physical abuse yet no investigation was conducted. Mother faced 8 contraventions of Family Court orders. Contact between the child and the father has been re-established. The child continues to disclose physical, emotional and sexual abuse to the mother. Mother is now reluctant to

report these to the child protection authorities and has been warned that residence of both her children may be awarded to father if she continues to allege child abuse.

Case study 2

5 year old boy. Mother reported child abuse – physical, sexual, emotional and verbal abuse of child. Father immediately put in application to Court for residence of child. Given child's developmental delays, child protection services could not substantiate abuse. Child has since made disclosures to a number of professionals who have all put in reports to child protection services. There has been no follow up to these reports. The child is refusing to go on contact and has to be physically made to go. He has become increasingly aggressive and, agitated. Child protection services have threatened the Mother that if she continues to report she may lose residence of the child.

The problems of the intersections of child abuse and family law have been documented by the Family Law Council in its report Child Protection and Family Law

http://www.ag.gov.au/agd/WWW/flcHome.nsf/Page/Publications_Reports_to_the_AG_All_Reports_Family_Law_and_Child_Protection_-_Final_Report

Section 60K requires the court to respond promptly to allegations of violence or child abuse. Section 60CG requires the court to protect a child from an unacceptable risk of violence and a new Section 69ZW provides that state agencies such as schools, health services, criminal justice system, child protection and police must provide information about family violence with respect to the parties, on request of the Family Court. Section 60CG allows the court to make orders that are inconsistent with existing family violence orders, provided the reasons are explained to all parties (Section 68G). A new Section

117AB provides the court with power to order costs against a party falsely alleging violence.

The Family Law Act includes in its additional considerations on the best interest of the child the Existence of a Family Violence Order but only *if final or contested order*. “The intention of this subsection is to ensure that the court does not take account of uncontested or interim family violence orders. This should address a perception that violence allegations are taken into account without proven foundation in some family law proceedings”.¹

In combination these provisions offer some improved access to evidence under Section 69ZW, however there are increased risks for women whose experiences of violence have not been documented by state agencies. The section responding to false allegations of violence has been inserted in response to widespread claims by fathers’ rights groups that mothers falsely allege violence to gain advantage. However, women often find that family violence allegations are often dismissed in family law proceedings, and there is no advantage to women in raising allegations of violence, and in fact may now be penalised for raising such allegations if they are unable to satisfactorily prove these allegations.

Separation is often the most dangerous time for women and children, with an escalation of violence. It is often at this time that a woman will apply for an ADVO. She may not have a final ADVO in place when Parenting Orders are made. In order for ADVO’s to be considered by the Family Court, there will be an increase in the number of interim orders going to a final hearing. This is likely to create delays within the court system, and increase

¹ REVISED EXPLANATORY MEMORANDUM page 18 available at <http://www.ag.gov.au>

costs. The workload of the Local Courts is also likely to increase. On the other hand, some perpetrators of violence may agree to ADVOs by consent, so that there will be no finding against them to be used in Family Law Court proceedings. The allegations of violence will not be investigated and women and children may be put at risk through unsafe parenting arrangements.

Under Section 68R and Section 68T of the *Family Law Act* the State courts have the power to vary, revive, discharge or suspend a Parenting Order while making an ADVO. However a significant new provision is that these powers can now only be exercised where the Court “has before it material that was not before the Court that made the order”. Local Courts have not used these powers very often, and it is concerning that this new provision may decrease the already low rate at which these powers are used. There is a need for Police prosecutors and Local Courts to receive training in relation to these powers and their responsibility to ensure safety for women and children by varying potentially unsafe parenting orders, if new violent incidents occur after the family law proceedings.

Case study 3

8 year old boy. Parents had reached an agreement, privately arranged for 12 months with the father having contact 2 nights per week. Mother expressed concerns about father's contact – past history of drug and alcohol abuse. Neglectful of child on contact visits. Since changes to Family Law Act, father is now seeking joint residence. Recent history of domestic violence and stalking behaviour.

Case Study 4

Allegations of physical abuse against both children and sexual abuse of daughter by father. Mother was also subjected to domestic violence, both during the relationship and following separation. Mother continues to be harassed and stalked by father. Family Court have ordered her not to make any further reports to child protection services.

Given that referral to supervised contact is the most common response to proven family violence, and that supervised contact is relatively expensive and difficult, there is no evidence of any advantage from alleging violence. An evaluation of contact services found that most clients had serious complex problems including violence and that in around 10 percent of cases, centres withdrew services due to the violence of clients – leaving mothers and children to cope with contact without support (Sheehan et al 2005).

Allegations of child sexual abuse in family law are subjected to a higher standard of scrutiny, known as the *Briginshaw* test, which actively directs judicial decision-makers away from making ‘positive findings’. In a recent full court decision of the Family Court *Re W*, the judgement read in part:

*‘A false negative finding accompanied by appropriate safeguards as to the future relationship between parent and child, such as adequate supervision to guard against possible abuse, **may** be far less disastrous for the child than an erroneous positive finding that leads to a cessation of the parent-child relationship’ (Monahan 2005, 67).*

Rephrased, the judgement is in fact speculating that a child who is being sexually abused by a parent will be better off seeing that parent under supervision, than risking a child being prevented from a relationship with a non-offending parent who has been falsely

accused. There is no research evidence to support this speculation. In effect, children's experiences of violence are being subordinated to the requirement that the child have a relationship with their parent.

References

Brown, T., Frederico, M., Hewitt, L. and Sheehan, R., (2001) 'The Child Abuse and Divorce Myth' *Child Abuse Review*, 10: 113-124.

Sheehan, G., Carson, R., Fehlberg, B., Hunter, R., Tomison, A., Ip, R., Dewar, J., (2005) *Children's Contact Services: Expectations and Experiences*, Brisbane, Griffith University Socio-Legal Research Centre.

APPENDIX ONE

FAMILY LAW ACT 1975 - SECT 61DA

Presumption of equal shared parental responsibility when making parenting orders

(1) When making a [parenting order](#) in relation to a [child](#), the [court](#) must apply a presumption that it is in the best [interests](#) of the [child](#) for the [child](#)'s [parents](#) to have equal shared [parental responsibility](#) for the [child](#).

Note: The presumption provided for in this subsection is a presumption that relates solely to the allocation of [parental responsibility](#) for a [child](#) as defined in section 61B. It does not provide for a presumption about the amount of time the [child](#) spends with each of the [parents](#) (this issue is [dealt with](#) in section 65DAA).

(2) The presumption does not apply if there are reasonable grounds to believe that a [parent](#) of the [child](#) (or a person who lives with a [parent](#) of the [child](#)) has engaged in:

(a) [abuse](#) of the [child](#) or another [child](#) who, at the time, was a [member](#) of the [parent](#)'s family (or that other person's family); or

(b) [family violence](#).

FAMILY LAW ACT 1975 - SECT 65DAA

Court to consider child spending equal time or substantial and significant time with each parent in certain circumstances

Equal time

(1) If a [parenting order](#) provides (or is to provide) that a [child](#)'s [parents](#) are to have equal shared [parental responsibility](#) for the [child](#), the [court](#) must:

(a) consider whether the [child](#) spending equal time with each of the [parents](#) would be in the best [interests](#) of the [child](#); and

(b) consider whether the [child](#) spending equal time with each of the [parents](#) is reasonably practicable; and

(c) if it is, consider making an order to provide (or including a provision in the order) for the [child](#) to spend equal time with each of the [parents](#).

Note 1: The effect of section 60CA is that in deciding whether to go on to make a [parenting order](#) for the [child](#) to spend equal time with each of the [parents](#), the [court](#) will regard the best [interests](#) of the [child](#) as the paramount consideration.

Note 2: See subsection (5) for the factors the [court](#) takes into account in determining what is reasonably practicable.

Substantial and significant time

(2) If:

(a) a [parenting order](#) provides (or is to provide) that a [child](#)'s [parents](#) are to have equal shared [parental responsibility](#) for the [child](#); and

(b) the [court](#) does not make an order (or include a provision in the order) for the [child](#) to spend equal time with each of the [parents](#); and
the [court](#) must:

(c) consider whether the [child](#) spending substantial and significant time with each of the [parents](#) would be in the best [interests](#) of the [child](#); and

(d) consider whether the [child](#) spending substantial and significant time with each of the [parents](#) is reasonably practicable; and

(e) if it is, consider making an order to provide (or including a provision in the order) for the [child](#) to spend substantial and significant time with each of the [parents](#).

Reasonable practicality

(5) In determining for the purposes of subsections (1) and (2) whether it is reasonably practicable for a [child](#) to spend equal time, or substantial and significant time, with each of the [child's parents](#), the [court](#) must have regard to:

(a) how far apart the [parents](#) live from each other; and

(b) the [parents'](#) current and future capacity to implement an arrangement for the [child](#) spending equal time, or substantial and significant time, with each of the [parents](#); and

(c) the [parents'](#) current and future capacity to communicate with each other and resolve difficulties that might arise in implementing an arrangement of that kind; and

(d) the impact that an arrangement of that kind would have on the [child](#); and

(e) such other matters as the [court](#) considers relevant.

Note 1: Behaviour of a [parent](#) that is relevant for paragraph (c) may also be taken into account in determining what [parenting order](#) the [court](#) should make in the best [interests](#) of the [child](#). Subsection 60CC(3) provides for considerations that are taken into account in determining what is in the best [interests](#) of the [child](#). These include:

(a) the willingness and ability of each of the [child's parents](#) to facilitate, and encourage, a close and continuing relationship between the [child](#) and the other [parent](#) (paragraph 60CC(3)(c));

(b) the attitude to the [child](#), and to the responsibilities of [parenthood](#), demonstrated by each of the [child's parents](#) (paragraph 60CC(3)(i)).

FAMILY LAW ACT 1975 - SECT 60CC

How a court determines what is in a child's best interests

Determining [child's best interests](#)

(1) Subject to subsection (5), in determining what is in the [child's best interests](#), the [court](#) must consider the matters set out in subsections (2) and (3).

Primary considerations

(2) The primary considerations are:

(a) the benefit to the [child](#) of having a meaningful relationship with both of the [child's](#) [parents](#); and

(b) the need to protect the [child](#) from physical or psychological harm from being subjected to, or exposed to, [abuse](#), neglect or [family violence](#).

Note: Making these considerations the primary ones is consistent with the objects of this Part set out in paragraphs 60B(1)(a) and (b).

Additional considerations

(3) Additional considerations are:

(a) any views expressed by the [child](#) and any factors (such as the [child's](#) maturity or level of understanding) that the [court](#) thinks are relevant to the weight it should give to the [child's](#) views;

(b) the nature of the relationship of the [child](#) with:

(i) each of the [child's](#) [parents](#); and

(ii) other persons (including any grandparent or other [relative](#) of the [child](#));

(c) the willingness and ability of each of the [child's](#) [parents](#) to facilitate, and encourage, a close and continuing relationship between the [child](#) and the other [parent](#);

(d) the likely effect of any changes in the [child's](#) circumstances, including the likely effect on the [child](#) of any separation from:

(i) either of his or her [parents](#); or

(ii) any other [child](#), or other person (including any grandparent or other [relative](#) of the [child](#)), with whom he or she has been living;

(e) the practical difficulty and expense of a [child](#) spending time with and communicating with a [parent](#) and whether that difficulty or expense will substantially affect the [child's](#) [right](#) to maintain personal relations and direct contact with both [parents](#) on a regular basis;

(f) the capacity of:

(i) each of the [child's](#) [parents](#); and

(ii) any other person (including any grandparent or other [relative](#) of the [child](#)); to provide for the needs of the [child](#), including emotional and intellectual needs;

(g) the maturity, sex, lifestyle and background (including lifestyle, culture and traditions) of the [child](#) and of either of the [child's](#) [parents](#), and any other characteristics of the [child](#) that the [court](#) thinks are relevant;

(h) if the [child](#) is an [Aboriginal child](#) or a [Torres Strait Islander child](#):

(i) the [child's right](#) to enjoy his or her Aboriginal or [Torres Strait](#) Islander culture (including the [right](#) to enjoy that culture with other people who share that culture); and

(ii) the likely impact any proposed [parenting order](#) under this Part will have on that [right](#);

(i) the attitude to the [child](#), and to the responsibilities of [parenthood](#), demonstrated by each of the [child's parents](#);

(j) any [family violence](#) involving the [child](#) or a [member](#) of the [child's](#) family;

(k) any [family violence order](#) that applies to the [child](#) or a [member](#) of the [child's](#) family, if:

(i) the order is a final order; or

(ii) the making of the order was contested by a person;

(l) whether it would be preferable to make the order that would be least likely to lead to the institution of further [proceedings](#) in relation to the [child](#);

(m) any other fact or circumstance that the [court](#) thinks is relevant.

(4) Without limiting paragraphs (3)(c) and (i), the [court](#) must consider the extent to which each of the [child's parents](#) has fulfilled, or failed to fulfil, his or her responsibilities as a [parent](#) and, in particular, the extent to which each of the [child's parents](#):

(a) has taken, or failed to take, the opportunity:

(i) to participate in making decisions about major long-term issues in relation to the [child](#); and

(ii) to spend time with the [child](#); and

(iii) to communicate with the [child](#); and

(b) has facilitated, or failed to facilitate, the other [parent](#):

(i) participating in making decisions about major long-term issues in relation to the [child](#); and

(ii) spending time with the [child](#); and

(iii) communicating with the [child](#); and

(c) has fulfilled, or failed to fulfil, the [parent's](#) obligation to maintain the [child](#).

FAMILY LAW ACT 1975 - SECT 60K

Court to take prompt action in relation to allegations of child abuse or family violence

(1) This section applies if:

- and
 - (a) an application is [made](#) to a [court](#) for a Part VII order in relation to a [child](#);
- and
 - (b) a document is filed in the [court](#), on or after the commencement of this section, in relation to the [proceedings for the order](#); and
 - (c) the document alleges, as a consideration that is relevant to whether the [court](#) should grant or refuse the application, that:
 - (i) there has been [abuse](#) of the [child](#) by one of the parties to the [proceedings](#); or
 - (ii) there would be a risk of [abuse](#) of the [child](#) if there were to be a delay in applying for the order; or
 - (iii) there has been [family violence](#) by one of the parties to the [proceedings](#); or
 - (iv) there is a risk of [family violence](#) by one of the parties to the [proceedings](#); and
 - (d) the document is a document of the kind prescribed by the [applicable Rules of Court](#) for the purposes of this paragraph.

(2) The [court](#) must:

- (a) consider what interim or procedural orders (if any) should be [made](#):
 - (i) to enable appropriate evidence about the allegation to be obtained as expeditiously as possible; and
 - (ii) to protect the [child](#) or any of the parties to the [proceedings](#); and
- (b) make such orders of that kind as the [court](#) considers appropriate; and
- (c) deal with the issues raised by the allegation as expeditiously as possible.

(2A) The [court](#) must take the action required by paragraphs (2)(a) and (b):

- (a) as soon as practicable after the document is filed; and
- (b) if it is appropriate having regard to the circumstances of the case—within 8 weeks after the document is filed.

(3) Without limiting subparagraph (2)(a)(i), the [court](#) must consider whether orders should be [made](#) under section 69ZW to obtain reports from [State](#) and [Territory](#) agencies in relation to the allegations.

(4) Without limiting paragraph (2)(a)(ii), the [court](#) must consider whether orders should be [made](#), or an injunction granted, under section 68B.

- (5) A failure to comply with a provision of this section in relation to an application does not affect the validity of any order [made](#) in the [proceedings](#) in relation to the application.

FAMILY LAW ACT 1975 - SECT 60CG

Court to consider risk of family violence

(1) In considering what order to make, the [court](#) must, to the extent that it is possible to do so consistently with the [child](#)'s best [interests](#) being the paramount consideration, ensure that the order:

- (a) is consistent with any [family violence order](#); and
 - (b) does not expose a person to an unacceptable risk of [family violence](#).
- (2) For the purposes of paragraph (1)(b), the [court](#) may include in the order any safeguards that it considers necessary for the safety of those affected by the order.

FAMILY LAW ACT 1975 - SECT 69ZW

Evidence relating to child abuse or family violence

(1) The [court](#) may make an order in [child](#)-related [proceedings](#) requiring a prescribed [State](#) or [Territory](#) agency to provide the [court](#) with the documents or information specified in the order.

(2) The documents or information specified in the order must be documents recording, or information about, one or more of these:

- (a) any notifications to the agency of suspected [abuse](#) of a [child](#) to whom the [proceedings](#) relate or of suspected [family violence](#) affecting the [child](#);
- (b) any assessments by the agency of investigations into a notification of that kind or the findings or outcomes of those investigations;
- (c) any reports commissioned by the agency in the course of investigating a notification.

(3) Nothing in the order is to be taken to require the agency to provide the [court](#) with:

- (a) documents or information not in the possession or control of the agency;
- or

(b) documents or information that include the identity of the person who [made](#) a notification.

- (3) A law of a [State](#) or [Territory](#) has no effect to the extent that it would, apart from this subsection, hinder or prevent an agency complying with the order.

FAMILY LAW ACT 1975 - SECT 117AB

Costs where false allegation or statement made

(1) This section applies if:

(a) [proceedings](#) under [this Act](#) are brought before a [court](#); and

(b) the [court](#) is satisfied that a party to the [proceedings](#) knowingly [made](#) a false allegation or [statement](#) in the [proceedings](#).

(2) The [court](#) must order that party to pay some or all of the costs of another party, or other parties, to the [proceedings](#).

FAMILY LAW ACT 1975 - SECT 68P

Obligations of court making an order or granting an injunction under this Act that is inconsistent with an existing family violence order

(1) This section applies if:

(a) a [court](#):

(i) makes a [parenting order](#) that provides for a [child](#) to spend time with a person, or expressly or impliedly requires or authorises a person to spend time with a [child](#); or

(ii) makes a [recovery order](#) (as defined in section 67Q) or any other [order under this Act](#) that expressly or impliedly requires or authorises a person to spend time with a [child](#); or

(iii) grants an injunction under section 68B or 114 that expressly or impliedly requires or authorises a person to spend time with a [child](#); and

(b) the order [made](#) or injunction granted is inconsistent with an existing [family violence order](#).

(2) The [court](#) must, to the extent to which the order or injunction provides for the [child](#) to spend time with a person, or expressly or impliedly requires or authorises a person to spend time with the [child](#):

(a) specify in the order or injunction that it is inconsistent with an existing [family violence order](#); and

(b) give a detailed explanation in the order or injunction of how the contact that it provides for is to take place; and

(c) explain (or arrange for someone else to explain) the order or injunction to:

(i) the [applicant](#) and respondent in the [proceedings for the order](#) or injunction; and

(ii) the person against whom the [family violence order](#) is directed (if that person is not the [applicant](#) or respondent); and

(iii) the person protected by the [family violence order](#) (if that person is not the [applicant](#) or respondent); and

(d) include (or arrange to be included) in the explanation, in language those persons are likely to readily understand:

(i) the purpose of the order or injunction; and

(ii) the obligations created by the order or injunction, including how the contact that it provides for is to take place; and

(iii) the consequences that may follow if a person fails to comply with the order or injunction; and

(iv) the [court](#)'s reasons for making an order or granting an injunction that is inconsistent with a [family violence order](#); and

(v) the circumstances in which a person may apply for variation or revocation of the order or injunction.

(3) As soon as practicable after making the order or granting the injunction (and no later than 14 days after making or granting it), the [court](#) must give a copy to:

(a) the [applicant](#) and respondent in the [proceedings for the order](#) or injunction; and

(b) the person against whom the [family violence order](#) is directed (if that person is not the [applicant](#) or respondent); and

(c) the person protected by the [family violence order](#) (if that person is not the [applicant](#) or respondent); and

(d) the [Registrar](#), [Principal Officer](#) or other [appropriate officer](#) of the [court](#) that last [made](#) or varied the [family violence order](#); and

(e) the Commissioner or head (however described) of the police force of the [State](#) or [Territory](#) in which the person protected by the [family violence order](#) resides; and

(f) a [child welfare officer](#) in relation to the [State](#) or [Territory](#) in which the person protected by the [family violence order](#) resides.

(4) Failure to comply with this section does not affect the validity of the order or injunction.