

Facilitating the Participation of Children in Family Law Processes

The role of the Independent Children’s Lawyer (ICL) is not always well understood by children or their parents. The nature of the ‘best interests’ role can be especially confusing because it differs from parents’ own experiences with legal professionals and from images of lawyers children may have seen on television. This discrepancy between expectations and experience may result in a disappointing or negative experience for children engaged in legal matters. It can also mean that children may not share information that could help determine what would be in their ‘best interests.’

This project aimed to identify practices and approaches to child legal representation that potentially enhance children’s experience of participating in family law matters. It involved three aspects:

1. An extensive literature review to identify existing evidence about children and young people’s involvement with a child representative during legal processes and to identify elements of good practice.
2. The development and piloting of a feedback survey for children and young people asking about their experiences of the legal process and of lawyers who work with them when their parents’ separate/divorce.
3. The development of a ‘Good Practice Guide’ for lawyers working with children, drawing upon integrated data from the literature review and the survey.

Research Team

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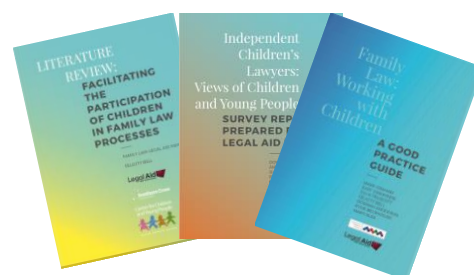
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Outputs to Date

Project Reports



Good Practice Guide

Literature Review

Survey Report

Other Publications

In the Family Court... (May 7, 2018, The Conversation)

