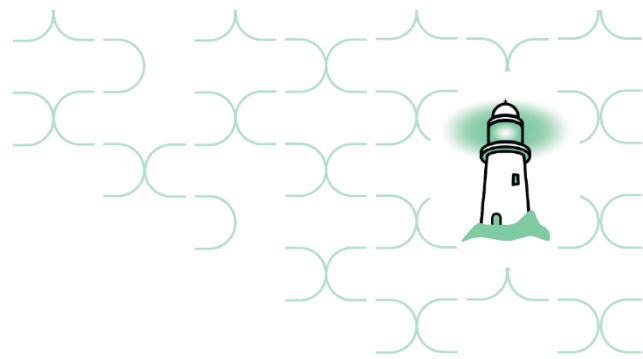




FEDERAL CIRCUIT
AND FAMILY COURT
OF AUSTRALIA



27 October 2022

Expansion of the Lighthouse Model

New court process focused on the safety of children and their families by identifying and addressing issues of family violence and other risks

Following Tuesday's budget announcement, and [FCFCOA media release](#), the Federal Circuit and Family Court of Australia (Division 1) and the Federal Circuit and Family Court of Australia (Division 2) (the Courts) have been working on the expansion of the Lighthouse model to 15 family law registries.

The safety of children and families is the highest priority for the Courts and this new process is being implemented to improve outcomes for families in the family law system. As I detailed at the National Family Law Conference in August the Courts' focus and priority is squarely on family violence, and the Courts have made significant changes to address the seriousness of the issue. Some of those changes and initiatives include:

- the Mandatory filing of a Notice of Child Abuse, Family Violence or Risk in every parenting proceeding
- comprehensive family violence and trauma informed training for Judges, Registrars and Court Child Experts
- a clear and consistent case management pathway focused on early resolution if safe to do so
- the triage of all cases at the earliest stage
- a digital transformation that enables vulnerable and regional litigants to have access to justice from their homes or safe environments

From 28 November 2022, the Courts will make further changes to continue this focus, expanding the Lighthouse model, including the Evatt List, nationally. Please see below an overview of these changes.

Lighthouse Model Expansion – Identifying risk at the point of filing

The Courts' are ensuring that family violence considerations are embedded in all of our practice and procedure. The introduction of the Lighthouse model and risk screening nationally strengthens and assists the Courts' ability to identify risks early, and respond to those risks. It will improve the safety of litigants who may have experienced family violence and the safety of children who may have experienced associated risks such as child abuse.

The expansion of Lighthouse will mean that risk screening, triage and differentiated case management, including the Evatt List will be:

- available in 15 family law registries, increasing from 3 during the pilot period; and
- offered to any party filing parenting only, and parenting and financial orders.

The Lighthouse Project has been very successfully piloted in Adelaide, Brisbane and Parramatta since December 2020, receiving positive feedback and strong support from the legal profession and key stakeholders. The Lighthouse model builds on the success of the Project and places significant attention on the support, safety and wellbeing of families who enter the family law system. During the Pilot period the following benefits and outcomes to families in the family law system have been observed:

- Responsiveness to serious risk issues through the introduction of Family Counsellor involvement (including safety planning and referrals) and the Evatt List, a specialist list with a focus on family violence and family safety risks;
- Better understanding, through data, of the risks and cases that are in the Courts, leading to targeted resourcing and training;
- Close case management of high risk matters, with tailored, safe and appropriate orders; and
- Enhancement of the Courts' response and understanding of family violence and other risks which affect family law matters.

The family law case management pathway will include additional steps for Initiating Applications filed on or after 28 November 2022, and corresponding Responses, to identify and triage risk as follows:

1. **Risk Screening:** Parties filing an eligible Initiating Application or Response, will be asked to complete a risk screen via a confidential and secure online platform. Family DOORS Triage has been developed specifically for the Courts and can be completed safely and conveniently from any device; computer, mobile phone or tablet.
2. **Triage:** A dedicated, specialised team, made up of highly skilled Judicial Registrars, Triage Counsellors (psychologists or social workers acting in the role of Family Counsellor), and support staff with detailed knowledge in family violence and family safety risks, will assess and direct cases into the most appropriate case management pathway based on the level of risk. The team will triage matters and identify parties who may require additional support and safety measures. This may include online referrals or interviews with those most at risk.
3. **Case Management:** Those matters with the highest levels of risk will be referred to be placed on the Evatt List, the specialist court list developed and designed to assist those families that have been identified as being at high risk of family violence and other safety concerns. The Evatt List focuses on early information gathering and intervention from the very commencement of proceedings. The team, including Judges, Senior Judicial Registrars and Judicial Registrars, has specialised training and is experienced in working with families where high risk safety issues have been identified. Lower risk cases will be considered for a range of case management pathways, including dispute resolution, in accordance with the level of risk and the [Central Practice Direction – Family Law Case Management](#).

At the earliest stage of a matter coming before the Court, parties will be encouraged to undertake the screen. It is imperative that practitioners discuss the importance of risk screening with their clients when providing advice and the benefits that flow from completing a risk screen. Lawyers and parties are also reminded that screening responses, triage interviews and referrals are confidential and inadmissible in court under Part IIA *Family Law Act 1975*.

For more information on the Lighthouse model and Part IIA *Family Law Act 1975* see the [Lighthouse expansion fact sheet](#).

To support the introduction of these changes, amendments will be made to a number of Practice Directions including:

- Central Practice Direction – Family Law Case Management
 - Core Principle 1 – Risk, paragraph 3.2: description of new approach;
 - Core Principle 4 – Approach to case management and Section 4 – Triage and Assessment: inclusion of new paragraphs under to describe the new approach.
- Family Law Practice Direction – Parenting Proceedings
 - Introduction: new paragraphs after paragraph 1.7 to describe and define eligible proceedings for risk screening process at the point of filing;
 - NEW Section 4 – Family Safety Risk Screening Process and Section 5 – Family Safety Risk Screening Process – Confidentiality and Inadmissibility: describes the process and requirements for risk screening as well as the supporting legislation; and
 - NEW Section 6 – Case Management options: describes the case management of eligible proceedings that have completed the risk screening process.

What to expect upon commencement

From 28 November 2022 in Adelaide, Brisbane Cairns, Canberra, Dandenong, Darwin, Hobart, Launceston, Melbourne, Newcastle, Parramatta, Rockhampton, Sydney, Townsville and Wollongong, in both parenting, and parenting and financial cases, parties will observe two changes when commencing or responding to proceedings:

1. When filing via the Commonwealth Courts Portal parties will be asked to provide their preferred personal email and mobile number to enable the Court to invite parties to screen; and
2. Within 2 business days parties will receive an email with the personalised link and login details to complete the risk screen.

The Evatt List

Matters are eligible to be placed on the Evatt List where the application to the Courts is for parenting orders, or parenting and financial orders only and at least one party has completed the Family DOORS Triage risk screen. The Evatt List will be supported by a new Practice Direction, Family Law Practice Direction – Evatt List (FAM-EVATT). The Practice Direction will cover the following:

- eligible proceedings;
- criteria for the Evatt List; and
- case management of Evatt List matters.

Further information on the Evatt List can be found in the [Lighthouse expansion fact sheet](#).

Information Sessions

The Courts will be conducting three live streamed national webinars in the lead up to commencement as follows:

- **Thursday 10 November 2022 11.30am ACST/ 12pm AEST/ 12.30pm ACDT/ 1pm AEDT**
- **Wednesday 16 November 2022 4pm ACST/ 4.30pm AEST/ 5pm ACDT/ 5.30pm AEDT**
- **Tuesday 22 November 2022 3pm ACST/ 3.30pm AEST/ 4pm ACDT/ 4.30pm AEDT**

The webinars will be streamed live on our YouTube channel: <https://www.youtube.com/@FCFCOA>.

The Courts welcome questions for the presenters in advance and these can be sent to Lighthouse@fcfcoa.gov.au.

Over the coming weeks we will be providing detailed updates on the following topics:

- Lighthouse risk screening
- The Evatt list
- Summary of changes and information session opportunities

Information on the current Pilot can be found on the Courts' website:

<https://www.fcfcoa.gov.au/fl/fv/lighthouse>

These amendments to the case management pathway is a significant occasion for the Courts in its continuing commitment to the protection of vulnerable parties and children in family law proceedings.

I ask that you distribute this information to your members at the earliest opportunity to ensure that they may prepare themselves, their clients and matters accordingly.

I want to thank you in anticipation of supporting and assisting this next step in the Courts' commitment to focus on family violence and improve outcomes for families in the family law system.

The Honourable Justice William Alstergren AO

Chief Justice – Federal Circuit and Family Court of Australia (Division 1)

Chief Judge – Federal Circuit and Family Court of Australia (Division 2)