

## Family Dispute Accreditation



We are pleased to announce that our principal, Mark Davies, has recently been accredited as a [Family Dispute Resolution](#) Practitioner and a Nationally Accredited Mediator.

He has also become a member of the Australian Institute of Family Law Arbitrators and Mediators.

With over 25 years of experience as a lawyer, working in the area of Family Law, Court proceedings and Disputes, Mark felt that the time was right to expand the service he could offer to his clients – by acting as an [independent Mediator](#), to help them to try and resolve their disputes in an informal manner and avoid the need for court proceedings.

Mark's accreditation comes at a time when the Australian Law Reform Commission has recently published a report titled *Family Law and the Future – An Inquiry into the Family Law System* which makes the following recommendations (amongst others) in terms of proposed amendments to the *Family Law Act 1975* (Cth) (Act):

1. The Act should be amended to require Family Dispute Resolution Providers to provide a certificate to the parties in all matters where some or all of the issues in dispute have not been resolved.
2. Sections 10H and 10J of the Act which provide for confidentiality and inadmissibility of discussions and material in Family Dispute Resolution in

relation to parenting matters, should be extended to Family Dispute Resolution for property and financial matters.

3. The Act should provide an exception for a sworn statement in relation to income, assets, superannuation balances, and liabilities that each party signs at the start of Family Dispute Resolution, which should be admissible.

If the Commission's recommendations are implemented, the parties to a family law dispute, will be required to attend [Family Dispute Resolution](#) in relation to both child and property/finance related disputes prior to commencing Family Court proceedings and more family law disputes will be resolved outside of the Family Court process. Implementation of the recommendations will also reduce acrimony, cost and delay.

The existing requirement of the Act, for the parties to a child related dispute to obtain a section 60I certificate from a Family Dispute Resolution Practitioner, prior to commencing Family Court proceedings, were recently considered by the Full Court of the Family Court of Australia in the matter of [Ellwood & Ravenhill \[2019\] FamCAFC 153](#).

At Davies & Co Lawyers, we can provide Family Dispute Mediation (parenting and property/finance), Commercial Dispute Mediation and Lawyer Assisted Mediation. For more information about our [Mediation and Family Dispute Resolution services](#).