

Australian Journal of Family Law (AJFL)
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(articles and case note included in this part are linked to the LexisNexis platform)

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Articles

- [The appropriate forum in international family litigation](#)
— *Richard Garnett* 73

Forum disputes in Australian matrimonial litigation have become very common in the past 20 years, yet there has been little commentary on the issue. This article seeks to address this gap by providing an analysis of the current position and a suggested framework for future development. Primary focus is on cases involving divorce and property settlement.

- [Accommodating violence in the family courts](#)
— *Miranda Kaye* 100

In March 2019, the Australian Law Reform Commission final report, Family Law for the Future, was released. The report made 60 wide-ranging recommendations. However, there is not one recommendation directly dealing with the safety of court users in the report. This article considers that cases involving family violence are the 'new' normal in the Australian family courts and the standard mode of operation in the court should prioritise safety in the court system. As such, the lack of focus of safety in the recent Australian Law Reform Commission final report is extremely disappointing. The article draws upon interviews with children's lawyers to provide the context of how the courts are currently experienced in relation to safety. In particular, the article considers the facilities for the protection of victims of violence within the court precincts and the availability of modified arrangements in court for giving evidence for victims of violence.

- [The egalitarian values underlying the homemaker contribution](#)
— *Elizabeth Shi and Freeman Zhong* 122

Courts have struggled to set out workable principles for the quantification of the 'homemaker contribution' in s 79(4)(c) of the Family Law Act 1975 (Cth), which enables courts in property division proceedings to recognise 'the contribution made by a party to the marriage to the welfare of the family constituted by the parties to the marriage and any children of the marriage'. This article argues that some conception of gender equality underlies the homemaker contribution, and one reason for the difficulty in establishing workable principles is the lack of any clearly articulated conception of equality against which those principles can be assessed. Drawing on feminist philosophy, it seeks to provide such a conception based on an interpretation of the Family Court's 'partnership approach', under which a marriage is conceived of as a socioeconomic partnership between parties who are equal in status.

Case Note

- [Legal parentage and assisted conception following the High Court's decision in *Masson v Parsons*](#)
— *Fiona Kelly and Hannah Robert* 144