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(articles and book review included in this part are linked to the LexisNexis platform)

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Articles

[The High Court's contribution to parenting law](#)

— *Richard Chisholm and Belinda Fehlberg* 105

This is the third of a series of articles examining the contribution made to family law by the High Court of Australia. It deals with what we now call parenting law (formerly custody and guardianship). We analyse eight early decisions and six decisions applying the Family Law Act 1975 (Cth). We hope this discussion, together with the other articles in this series, will contribute to an understanding of the role and significance of the Court as the ultimate Australian court of appeal, and the nature of its contribution to family law.

[Simultaneous relationships and the Family Law Act](#)

— *Michelle Fernando and Courtney Dolphin* 133

Subsection 4AA(5)(b) of the Family Law Act states that a de facto relationship can exist even where one of the parties is legally married or in a de facto relationship with someone else. We explore the meaning and operation of that subsection including how it has been applied by the courts. We discuss the legal and societal implications of the legal recognition of simultaneous relationships, including whether it could lead to the legal recognition of multiple-partner relationships or a child having more than two legal parents.

[Comparing apples with oranges? Practitioner perspectives on the inconsistencies between family law and child protection](#)

— *Tamara Walsh, Karen Healy and Jemma Venables* 154

The recent introduction of Queensland's Human Rights Act led child protection practitioners to consider whether human rights arguments could make a difference to client outcomes. We interviewed lawyers and social workers who support parent respondents in child protection matters to ascertain the role human rights arguments could play in child protection matters. Overall, the lawyers were not optimistic about the capacity for human rights arguments to assist their clients. Instead, they believed that parents had more to gain from accessing the family law system to achieve reunification, increased contact with children, or secure kinship care arrangements. They also argued that aspects of the Family Law Act 1975 (Cth) should be adopted in child protection contexts, particularly its emphasis on the benefit to children of maintaining a meaningful relationship with their parents.

Coercive and controlling behaviour — Literary, psychological
and legal interpretation and *The Man Who Loved Children*

— *Melanie L Williams*

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The identification and visibility of offending behaviour is dependent upon cultural norms. Recent jurisprudential and statutory developments reflect an expansion of potential understanding of forms of domestic abuse hitherto unrecognised, namely ‘coercive and controlling behaviour’, nevertheless full appreciation of the harms inflicted by such behaviours requires continued understanding, particularly in relation to what may appear to be the ‘milder’, more insidious forms. A prescient illustration of the subtle nature of coercive control and of its association with narcissistic personalities is provided by the novel *The Man Who Loved Children* by the Australian author Christina Stead, published in 1940. Whilst caselaw and juristic commentaries work to engage the concept, this novel anatomises how seemingly benign behaviours and personalities may subject those close to them, especially mothers and children, to serious psychological harm. In particular, the novel illustrates the operation of narcissism and contextualises the difficulties confronting family members, courts and academics attempting to capture, linguistically, these subtle behaviours.

Book Review

*Understanding Sharia Processes: Women’s Experiences of
Family Disputes*, Farrah Ahmed and Ghena Krayem

— *Federica Sona*

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