

Revision Activities

□ ***Key Legal Concepts and Features of the Legal System***

1. What is the basic definition of a family?

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2. Why does the law have so much difficulty in providing a legal definition for family?

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3. Explain the different functions of a family as dealt with by law.

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4. Explain why marriage is considered both a legal and social institution.

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5. Outline the significance of *Hyde vs. Hyde (1866)* to the definition of marriage.

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6. Explain the requirements of a valid marriage, making reference to age, parental consent, prohibited degrees of relationship, notice of marriage, requirements for a valid marriage ceremony and marriage licence.

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7. Explain the legal consequences and responsibilities of marriage, making reference to mutual duties of husband and wife, maintenance, property rights, agency, wills and family provision legislation.

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8. Outline the following legal rights and obligations between parents and children.

Care and control

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Education

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Discipline

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Medical treatment

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Autonomy of children

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Inheritance

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9. What is the dissolution of marriage?

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□ ***Legal Issues and Remedies***

1. Explain the following alternate family arrangements, and explain their legal standing.

ATSI Customary Marriages

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Single parent families

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Blended families

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Same sex relationships

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Polygamous marriages

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De facto relationships

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2. Explain the family agreements that exist in all arrangements.

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3. Outline the significance of the *United Nations Convention on the Rights of the Child (CROC)* to relationship between parents and children.

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4. Explain the causes of problems in family relationships.

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5. Describe the legal response to violence between spouses, by and against children and children in trouble.

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6. Explain the role and function of the Children's Court.

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7. Describe how the Children's Court improves access to the law for young people.

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8. How does the Children's Court protect the rights of children?

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9. Explain the provision of legal aid for young people.

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10. What is the legal dissolution of marriage?

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11. What was the effect of the *Matrimonial Causes Act 1959* on Family law?

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12. Complete the following table to outline the development in Family law since 1975.

Legislation	Effect on Family Law
<i>Family Law Act 1975 (Cth)</i>	
<i>Family Law Reform Act 1995 (Cth)</i>	
<i>Federal Magistrates Act 1999 (Cth)</i>	
<i>Family Law Legislation Amendment (Superannuation) Act 2001</i>	
<i>Family Law Amendment Act 2003</i>	
<i>Family Rules 2004</i>	
<i>Bankruptcy and Family Law Legislation Amendment Act 2005</i>	
<i>Family Law (Shared Parental Responsibility) Act 2006</i>	
<i>Family Law Regulations 2007</i>	

13. Outline the role and function of the Family Court of Australia.

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14. Outline the role of counselling in Family law.

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15. What are the limits of the court's discretion in Family law?

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16. Explain the various parental responsibility and parental orders available, making reference to residence, contact and child maintenance.

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17. Explain the meaning of property allocation and spousal maintenance.

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18. What are the problems of enforcement of property allocation and spousal maintenance?

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19. Explain the parenting plans, cohabitation agreements and pre-nuptial agreements available in family law.

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4. Explain the issue of **compliance** and **non-compliance** to Family law.

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□ ***Effectiveness of the Law***

Complete the following table to describe the factors to be considered when evaluating the effectiveness of Family law in achieving justice for individuals and society.

For Individuals	
Factor	Meaning
Equality	
Accessibility	
Enforceability	
Resource Efficiency	
Protection	
Recognition of Individual Rights	

For Society	
Factor	Meaning
Resource Efficiency	
Opportunities for Enforcement	
Appeals and Review	
Balance of Individual Rights and values and community rights and values	

□ **Law Reform**

1. Complete the following table to compare the agencies of law reform for Family law.

Agency	Role in Law Reform	Limitations of Effectiveness
Law Reform Commissions		
Parliament		
Courts		

2. Complete the table to compare the conditions which give rise to law reform for Family law.

Condition	Explanation	Effect on Law reform	Example
Changing Social Values			
Changing Composition of Society			

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