

igned a memorandum of  
with Tsinghua University in Beijing  
mber one law school in China.  
UNIVERSITY OF NSW

# THE MARKET

n



## We must arbitrate family law cases

PETER MAGEE



For some, the move to privately operated systems of resolving family law disputes might cause uncertainty. But the reality is that such a paradigm shift is desperately needed.

Under the current system, cases sit languishing in limbo with a three to four-year backlog of disputes that are either not heard or only partly heard.

Recently, the government announced a comprehensive review of the family law system by the Australian Law Reform Commission, and upon making the announcement, Attorney-General George Brandis suggested greater emphasis on "collaborative" solutions — he meant settlements or mediation. This does nothing to address cases that cannot be resolved through settlement or mediation.

Opening a new pathway to halve the backlog of cases awaiting trial requires the government to be bold and progressive by incorporating the privatisation of family law disputes into its overall review.

This can be done by placing greater emphasis on a familiar concept: arbitration. In contrast to mediation, this involves hearing both sides and making a decision, much like a court does, except it is done privately with the parties paying for the cost of the arbitrator and venue.

Arbitration, unlike mediation, has been almost non-existent since its introduction to the Family Law Act 27 years ago.

JOHN FEDER

	Year	Div	P/E	Code	Stock	4pm	Move	Vol	Year	Low	Div	Yield
	High	Low	Yield	Ratio		Close			High	Low		
28	4.71	3.12	5.29	20.6	MNY	Money3 Corp	1.56	-0.3	3277	1.86	1.21	3.62
10	4.3	3.4	5.67	20.6	MOC	MortgageChoice	2.37		371	2.57	1.99	7.98
22	2.38	1.85	4.19	10.8	MITO	MotorcycleHld	4.89	-0.1	165	5.25	3.12	3.06
31	1.23	0.98	7.76	6.0	MNF	My Net Fone	6.19	+0.9	303	6.39	4.03	1.33
22	2.38	1.85	4.19	10.8	MNF	My Net Fone	6.19	+0.9	303	6.39	4.03	1.33
39	2.4	2.05	6.39	12.4	MYR	Myer Holdings	7.1	+0.005	19054	1.39	5.88	7.04
455	4.09	1.6	2.88	20.8	MYO	MYOB Group	3.55	-0.1	18860	3.85	3.2	3.23
812	1.29	0.95	6.17	6.8	MYS	Mystate Ltd	4.78	+0.3	523	5.25	4.11	5.96
873	2.46	1.85	6.88	18.9	NAN	Nanosonics Ltd	2.62	-0.4	1047	3.44	2.15	
707	3.4	1.7			NCC	Nanosonics Ltd	1.45		193	1.49	1.17	4.82
644	3.48	2.63	8.28	10.1	NAB	Nat Aust Bank	29.74	-2.1	53300	34.09	28.31	6.65
237	3.18	2.4			NABHA	Nat Aust Bank	77.81	-1.1	127	83.0	75.23	
1750	9	4.3	2.42	15	NVL	Nat Veterinary	2.67	+0.2	587	2.84	1.85	112
897	1.25	1.04	5.38	11.3	NSR	NationalSHEIT	1.55	+0.1	1470	1.57	1.40	5.91
2657	8.83	6.41	2.98	19.9	NGI	Navigator Global	3.25	+1.2	632	3.4	1.9	5.90
837	3.75	3.17	3.69	7.4	NVT	Navitas Ltd	5.05	-0.2	4036	5.28	4.01	3.86
4058	5.41	4.52	4.67	7.1	NEA	NeaMap Ltd	6.2	-0.1	37779	8	4.3	
38276	10.55	7.82	3.81	14.5	NWC	NetcommWireless	1.24	-0.7	1669	2.85	1.07	
4000	7.35	5.04	3.51	14.9	NWL	Newwealth Group	5.42	+0.5	8526	5.45	4.83	
2587	3.5	3.00	6.21	8.1	NWS	News Corp	21.09	-0.4	116	21.37	15.66	86
2128	13.74	9.43	3.83	14.5	NWS	News Corp	21.09	-0.4	116	21.37	15.66	86
3972	3.33	2.49	5.85	13.8	NXT	Nxt Holdings	5.67	+1.4	1205948	6.97	2.77	
3363	4.39	3.08	1.72	25.1	NXT	Nxt Holdings	5.67	+1.4	1205948	6.97	2.77	
12332	5.24	3.55	6.66	9.6	NCK	Nick Scall	6.85	-1.2	544	7.6	5.62	4.96
31875	2.46	1.60	3.74	29.0	NEC	Nine Entertainment	1.56		2.0	2.1	1.24	2.0
98	5.0	3.53	2.83	26.3	NBL	Noni B Ltd	2.0	-1.3	231	2.4	1.24	2.0
226	5.6	3.7	2.77	12.3	NBL	Noni B Ltd	2.0	-1.3	231	2.4	1.24	2.0
651	3.25	2.56	6.08	4.7	NWX	Novartis	1.26	-0.1	1094	1.45	0.9	
3116	2.97	1.59	4.01	1.0	NWX	Novartis	1.26	-0.1	1094	1.45	0.9	
745	9.72	4.33	26.0		NZK	NZ King Salmon	1.99		6915	10.20	7.80	1.48
349	5.45	3.35	1.05	10.0	NZK	NZ King Salmon	1.99		6915	10.20	7.80	1.48
6747	7.33	5.42	4.52	18.7	NZM	NZME Limited	8.1		14.26	8.9	4.6	10.79
2225	6.25	3.67	21.3	35.1	OCL	Objective Corp	2.81	+0.1	4	2.97	1.73	1.42
2896	1.10	0.54		83.3	OCA	Oceania Health	86			1.02	7.2	
761	2.4	1.56	3.00	25.7	OCP	Oceania Capital	2.79			1.87	2.0	
2401	1.35	0.53			OCX	OCX Group	1.32	-0.5	4583	1.85	1.24	4.01
106797	4.04	3.12	2.37	21.0	OVH	Onevue Holdings Ltd	6.88	-0.005	3671	7.5	4.7	
957	2.68	2.02	7.70	3.9	OML	OGH Media	4.19	+0.5	8912	4.83	3.86	3.46
10077	1.06	0.62	16.8		OPT	Optinea	6.9			1.2	6.7	
604	8.3	6.5	3.79	20.2	ORH	ORH Ltd	0.01			0.01	0.01	
739	2.8	2.41	3.77	18.4	ORH	ORH Ltd	0.01			0.01	0.01	
3829	3.93	2.98	2.5		ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
1081	4.13	2.13	1.71	35.1	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
1593	1.9	1.04	3.76	17.3	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
20090	4.89	4.2	4.38	6.0	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
2372	11.92	12.53	2.00	23.0	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
1574	11.94	8.07	4.85	27.7	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
7077	6.03	4.33	4.0	24.4	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
2022	1.34	10.74	4.00	32.1	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
1895462	2.36	1.27	4.35	18.1	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
8948	2.89	0.4	5.54	11.2	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
612	24.88	22.03	3.56	11.2	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
56	245.24	21.7	1.15	7.2	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
96	346.3	295.63	1.51	8.5	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
42	100.7	84.4	1.04	6.9	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
86	107.65	104.45	2.28	47.3	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
11	117	104.46	86		ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
3852	2.1	1.3			ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
372	2.67	1.93	6.13	18.6	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
8334	23.19	17.03	1.86	28.7	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
1460	49.04	33.85	7.90	28.8	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
3225	2.35	1.63	5.40	18.6	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
5721	30.78	21.2	5.31	14.4	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
1730	1.31	1.15			ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
630	3.15	1.35	2.75	24.4	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
3	1.9	1.45	2.03	31.8	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
2405	2.36	1.57	5.39	12.6	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
176	1.15	0.68	6.60	12.4	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
3771	4.99	1.32	1.82	106.4	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
18310	18.73	13.27	4.14	11.9	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
3721	2.74	2.0	5.09	15.8	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
88	4.95	3.26	7.7	7.9	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
46	4.5	3.4	3.95	18.4	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
140533	8.98	6.77	1.97	39.2	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
3844	1.13	0.27			ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
4663	3.4	3.0			ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
1484	6.24	3.11	2.99	21.1	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
44	4.96	2.48	4.25	15.8	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
7998	2.5	0.95			ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
1	1.36	0.83	5.34	13.3	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
5881	15.0	10.2	3.46	21.2	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
45288	6.26	4.11	3.2	5.5	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
5532	3.04	2.54			ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
2251	2.95	2.153	3.32	22.1	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
908996	1.57	1.50			ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
7705	3.95	2.58	2.82	25.4	ORF	Orica Ltd	17.2	-1.8	34726	21.39	16.66	2.99
462	27.76	23.6	2.58	12.2	ORF	Orica						