



# Understanding the **New Family Law Changes** from 10 June 2025

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# Executive Summary

From 10 June 2025, the Family Law Act 1975 will be amended to require the Court to consider the impact of family violence when determining property settlements. This significant change acknowledges that family violence, including economic and financial abuse, can affect a party's contributions and future needs, and therefore influence the division of assets. Understanding this change is essential to protecting your legal and financial position.

This guide provides general information only and is not legal advice. You should seek legal advice specific to your circumstances.

*References: Family Law Act 1975 (as amended)*



# The New Property Settlement Framework

## The Four-Step Assessment Process

When determining property settlements, the courts follow a structured approach:

1

### Identification of Assets and Liabilities

- Full inventory of all assets, including business interests and investments
- Joint valuations of real estate, businesses, and professional practices
- Full disclosure of all assets and liabilities

2

### Assessment of Contributions

- Financial contributions, including capital, income, and asset acquisition
- Non-financial contributions, including homemaking and parenting
- Where relevant, the economic impact of family violence will be considered

3

### Future Needs Analysis

- Age, health, income capacity, and care responsibilities
- Viability of ongoing business or professional activities

4

### Just and Equitable Determination

- Final step to ensure the outcome is fair and reasonable in all the circumstances




# New Considerations: Economic Effects Of Family Violence

The amended legislation requires courts to consider the economic effects of family violence where relevant. This may include:

- Financial control that restricted business participation or career progression
- Economic abuse impacting business decisions or professional development
- Effects on contributions to asset accumulation
- Ongoing financial disadvantage affecting future earning capacity

If you have experienced family violence, or if allegations have been made against you, please provide detailed information. This helps us understand the full context and develop a strategy that protects your interests.

**\*\*If you have filed your final evidence for trial, ensure that any family violence material is included—the Court cannot consider evidence that is not properly before it.**



This factor may  
materially affect the  
division of the asset  
pool.

# Judicial Interpretation And Case Law Development

While the new provisions establish a framework, how courts will interpret and apply these changes remains to be seen. Key considerations:

**Evolving interpretation:** Application will develop as cases are heard and appealed.

**Binding precedents:** Authoritative rulings will come from the Full Court or High Court.

**Initial uncertainty:** Judicial approaches may vary, especially regarding family violence and pet ownership.

**Strategic implications:** This transitional period brings both risk and opportunity in negotiations.

We will monitor emerging case law and adjust our advice as the law evolves.  
Tailored legal advice is essential in this changing environment.

# Companion Animals

The new legislation introduces specific considerations for family pets, including:

- Animal welfare concerns
- Emotional attachment considerations
- Limitations on joint ownership arrangements

Courts must consider any history of threats or abuse involving the animal, attachment of parties or children, and practical care arrangements. The Court cannot order joint ownership or shared possession of a pet (unless agreed privately). This aims to reduce post-separation conflict.

**The law is changing. Make sure your strategy does too.**

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