

28 November 2006



Legislative Council
Standing Committee on Law and Justice

Final Report: Impact of the *Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)*

The Chair of the Law and Justice Committee, the Hon Christine Robertson MLC, has announced that the Committee's Report into the Impact of the *Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)* has been tabled today.

"The *Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)* continues the Commonwealth Government's attempt to encourage parents who are separating to use non-court based dispute resolution rather than costly and time-consuming litigation. The majority of family break-ups are already resolved outside the court system, and these amendments will consolidate that trend. While we support the general aim of moving away from litigation in family matters, we are concerned that the unintended effects of these latest amendments to the *Family Law Act 1975* may result in harm to women and children in New South Wales," Ms Robertson explained.

"The possibility that these amendments may expose women to family violence and may subordinate the best interest of the child to the interests of the parents is the most concerning element of this Inquiry. The Committee has made recommendations to the NSW Government that will attempt to address these concerns."

"These recommendations focus on improving the processes for proving, identifying and dealing with family violence issues, improving access to Family Relationship Centres for all NSW residents and monitoring any change in the incidence of Apprehended Domestic Violence Order applications."

"The *Shared Parental Responsibility Act* has only been in force for a short period of time, and the full impact of the changes is not able to be determined at this point. The Committee has recommended that another review be undertaken in the future, which will allow the full impact of the changes, and relevant research and decisions of the Full Court of the Family Court of Australia, to be considered."

A copy of the electronic report can be obtained from the Committee's website at www.parliament.nsw.gov.au/lawandjustice. Hard copies are available on request from the Committee Secretariat on 02 9230 3311 or email lawandjustice@parliament.nsw.gov.au.

*For further comment please contact the Hon Christine Robertson MLC,
Committee Chair, on 0428674310*