

Submission
No 7

**INQUIRY INTO IMPACT OF THE *FAMILY LAW
AMENDMENT (SHARED PARENTAL RESPONSIBILITY)
ACT 2006 (CTH)***

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- SUBMISSION -

INQUIRY INTO THE IMPACT OF THE FAMILY LAW AMENDMENT (SHARED PARENTING RESPONSIBILITY) ACT 2006 (CTH)

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EXECUTIVE SUMMARY

The Family Law Reform Association NSW Inc. was established almost 17 years ago seeking sensible reforms to The Family Law Act, as well as providing support for the many thousands of parents and grandparents who find themselves facing the trauma of family breakdown.. We are a non-profit, non-political, non-denominational, self help organisation run entirely by volunteers and funded exclusively by membership fees and small donations. During the past 17 years we have maintained a good working relationship with politicians and the media by disseminating our vast family law knowledge gained through the experiences of our members.

(a) The impact of the *Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)* on women and children

Our association is of the opinion that it is a common myth that more domestic violence will occur if children are expected to spend a significant amount of time with both parents following separation. We believe that if the law acknowledges the right of children to have a meaningful relationship with both parents, then the issue of domestic violence is substantially reduced.

Since the introduction of the Act on 1st July, 2006 we have not seen any increase in domestic violence. To the contrary, it does appear that couples are embracing the new reforms and sorting through their issues, rather than the old system whereby one parent had a decided advantage over the other.

Although these are early days, we are confident that this current trend will continue.

(a) The impact of the *Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)* on the operation of court orders that can prevent family violence perpetrators coming into contact with their families

A concern of our association is that court orders, although thought to be the answer to preventing family violence, can sometimes exacerbate an already delicate situation following family breakdown.

In order to alleviate the strain of changeover at access times, some parents have had to suffer the indignity of having to drop their children off at police stations or McDonalds in order to avoid/defuse conflict. For sometime now, our members have been greatly concerned about the long term effect this will have on children subjected to this trauma.

Since the introduction of the Act in July this year, however, we have seen the opening of Children's Contact Centres, such as the one at Kirrawee, whereby one parent hands over the child/children at the front door. The child/children are then delivered to the other parent at the back of the Centre, thereby eliminating the need for the parents to come in contact with each other. As well as acting as a changeover Centre for difficult cases, they provide supervised access, if ordered by the court. These Centres also provide counselling and mediation to parents who wish to take advantage of this service, in the hope that they will eventually be able to overcome this problem.

Our association applauds the Federal Government for this initiative, which we believe will be the catalyst for the prevention of family violence in the future.

Once again, these are early days, but we are confident that this will eventually become the *norm*, significantly reducing family violence.

End of submission

Authorised by Dr. Jim Turner, President,

19th October, 2006