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Assessing Changes to the Family Law System

Crucial questions and facts politicians and policy makers need to be aware of when considering any changes to the Family Law System

Changes to the Family Law System proposed by the Federal Government were presented to Parliament on 8 December 2005 and are likely to be debated in February 2006. Women's Legal Services Australia (WLSA) is concerned about the direction the Government is taking in family law because of the potential negative impact on women and children in separating families.

WLSA wants all politicians and policy makers to be committed to ensuring that the changes *improve* outcomes for separated families.

WLSA has developed a set of questions for politicians and policy makers to use when determining the final changes to the Family Law System.

Will the proposals provide solutions that:

- Truly promote the best interests of children?
- Ensure the safety of children and their family members?
- Are fair, accessible and appropriate for Indigenous and culturally and linguistically diverse ('CALD') communities and for rural and remote families?

Crucial facts politicians and policy makers need to be aware of when considering any changes to the Family Law System

- 23% of women who have ever been married or in a defacto relationship have experienced violence. Children witness that violence in nearly half of those cases and child abuse is more likely to occur in families where there is domestic violence.
- Aboriginal women in remote communities are 45 times more likely to be victims of abuse than other women.
- Witnessing parental domestic violence causes a range of behavioural and emotional problems amongst children and is the strongest predictor that young people will later use violence in their own intimate relationships.
- Positive quality relationships between children and parents are not dependent on parents having equal time with children.
- Substantially sharing parenting time is only successful in some limited circumstances - including where parents can communicate well about their children, live close together and respect each others views about parenting issues.
- Families in rural and remote areas have less access to services and support.
- Women in rural and remote areas have limited access to protection.

WLSA is concerned that the proposed changes could see

- The best interests of children being overridden by parents' 'rights'.
- Children's safety and the safety of their family members being jeopardised
- The new system not being able to provide the right support for Indigenous and CALD communities or for families from rural and remote areas.

If you share our concerns and are not happy with the answers to these key questions we ask you not to support the changes. Australian families, particularly vulnerable ones, need you.

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