

Committee Secretary
Senate Legal and Constitutional Committees
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Canberra ACT 2600

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Jan Pickard Family Day Care Educator :

Dear Committee Secretary,

Family Law Legislation Amendment (Family Violence and Other Measures) Bill

I am writing to express my support for the changes to the *Family Law Act* proposed in the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011, and to recommend that further changes be made to the Bill to ensure that the family law system does not jeopardise the safety of women and children.

I strongly support the measures proposed in the Bill to provide better protections for people who have experienced family violence within the family law system and believe that the proposed amendments are essential to placing the safety and protection of children and family members at the forefront of the *Family Law Act*.

I am a Family Day Care Educator; I have great concerns about the safety of children. The Family Courts are certainly not listening to the cries for help from children whose lives are in great danger. Several Mothers have informed me that when preparing their case for the Family Court they are being counselled not to raise allegations about violence or abuse as it could jeopardise them with the result being the children are taken from them.

Why does this happen?

My understanding of The Family Law Act is to have at the forefront, when making a decision about custody that it is the rights of the child to have a meaningful relationship with both parents'. The concern with this act as it stands is, it has put judges under pressure to make orders that in many cases could have children in danger of being placed with abusive parents.

As a mandatory reporter I am obligated by law to report to CARL (The South Australian Department for Families and Communities' **Child Abuse Report Line**) any suspicion of child abuse.

(...)

How many families are going through divorce or separation *in the knowledge* that their ex-partner is harming their children?

Unfortunately, this scenario is not an isolated case.

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How can an ICL defend a child they have never spoken to or met?

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All I can say is that any child who is being abused and asks for help from an adult within the current Family Court System is in a position of never been heard.

Our court system just does not work in the best interests of the children involved!

Are we protecting our children and are their cries for help being heard?

Does the present Child Protection Act really protect them from perpetrators?

We need to

- Promote all children's rights in society as a whole.
- Work towards and promote better outcomes for all children living in crisis.
- Educate the community and Raise awareness on the lifelong effects of child abuse and neglect.
- Promote and encourage prevention of all forms of child abuse and domestic/family violence in any form.
- Advocate for better support and understanding for victims.

Please let children be heard and listened to,. We can't keep teaching children that they all have the right to say NO and speak out if they are being hurt if we are not going to listen to them and act to protect them when they do.

We need to make changes to the law and changes to the policy and practices of people in the system, including lawyers, ICL's, mediators and judges.

Thank you for taking the time to read this statement. Please help parents and carers to protect children, educate and inform Magistrates, Judges, Solicitors, ICLs so they can always act in the best interests of the child, ensuring the protection and safety of every child within the Family Court System, help bring changes to the system where required to ensure that children are always protected.

(...)

Kind Regards

Jan Pickard

Family Day Care Educator