

15th April 2011

Committee Secretary
Senate Legal and Constitutional Committees
PO Box 6100
Parliament House
Canberra ACT 2600

Email: legcon.sen@aph.gov.au

Dear Committee Secretary,

RE: 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.

My experience of the Family Court System

I am a mother whose child is, as I write, at grave danger of exposure to violence from his father as a direct result of Shared Parenting.

I live in constant fear that the “something worse” might actually happen to my son and that I will not be there to save him.

I Support key changes

I strongly support the Family Law Amendment (Family Violence and Other Measures) Bill 2011 as it would provide some protections against family violence, by placing a greater emphasis on the importance of children’s safety, and more clearly defining family violence and child abuse. It is particularly important to broaden the definition of “family violence” to include elements of coercion and control which were features of the abuse I experienced. I also strongly support the removal of the “facilitation” aspects of the “friendly parent provision”, and repealing section 117AB about costs orders relating to false allegations or denials of violence.

Further changes that are needed

Whilst the Bill is an important first step, further changes are needed to the Family Law Act to ensure that the family law system is not jeopardising the safety of women and children. The safety of children should always come first and there should be no presumptions in family law with regards to caring arrangements. Every family is unique and should be treated as such. The current Bill does not touch in any way on the presumptions regarding equal shared parental responsibility and the requirement for the courts to consider equal, or substantial and significant time. I would also like to see a mechanism put in place whereby children subject to orders are followed up at periodic intervals so as to monitor how they are coping with arrangements set out by the court.

Based on my own experiences and the evidence presented in numerous research reports over the last few years, I strongly recommend you support the amendments suggested in this letter and the expeditious passage the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011.

Yours sincerely,