



Australian Government

Attorney-General's Department

Deputy Secretary

**Legal Services and
Families Group**

Tas Larnach
Acting Committee Secretary
Joint Select Committee on Australia's Family Law System
PO Box 6100
CANBERRA ACT 2600

Dear Mr Larnach

Correction to and clarification of evidence given at Estimates

Having examined the draft transcript, I wish to correct evidence I gave to the Joint Select Committee on Australia's Family Law System at a hearing on 23 November 2020.

At page 13 of the draft transcript I said:

Mr Anderson: Of course, the proposal didn't go through parliament; in the end it was withdrawn by the government. But, if it were to be put forward again, the proposal did involve initially testing in three pilot sites and then an evaluation, and if it was proving to be effective then it would be rolled out more broadly.

The proposal involved testing in two pilot sites, not three.

At page 23 of the draft transcript, I stated:

Mr Anderson: ...However, it's still the case, particularly with young children, that it's more likely that mothers will spend more time looking after their children and are less likely to be in full-time work, and therefore the parents are unable to give the same amount of time to the children. That's just a fact. I've got a figure in my mind – it's something like 95 per cent of men in family law situations have full-time work, as opposed to 79% of women. All of these things play out in terms of how parties agree to share custody...

The figures I was thinking of refer to labour force participation, rather than to full-time work.

The Australian Law Reform Commission noted in its report "Family Law for the Future – An Inquiry into the Family Law System" at page 178 that "The maintenance of patterns involving majority time with mothers in post-separation contexts is consistent with evidence of the continuing persistence of gendered patterns in work and parenting populations at large. In Australia, men with children tend to be more engaged with the workforce than women with children."

The report cited (on page 178, at footnote 138) the Australian Bureau of Statistics report *4125.0 – Gender Indicators, Australia, Feb 2016*, which states that in 2014-15 men with children aged 0-5 years had a 93.7% labour force participation rate, and women with children aged 0-5 years had a 59.7% labour force participation rate. For parents of children aged 6-14 years, men had a labour force participation rate of 92.5% and women had a labour force participation rate of 77.7%.

Yours sincerely

Iain Anderson
11 December 2020