

Submission No: 39

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Secretary: 430



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Glenthorne

23. 7. 03

Comment on 'A legal Presumption of Joint Residence'

Dear Sir,

I am against changes to the Family Law Act that would legislate for a legal presumption of Joint Residence.

I have worked as a Psychologist - Registered in NSW - since 1991. Much of my work involves working with children of separated families. Research consistently shows that the biggest single factor damaging to children is not the separation of parents per se, but ongoing conflict between parents. If you legislate for joint residence, it will put many children in situations where they regularly experience conflict between their parents. Many parents are unable to control their anger and distress about separation and children should not be put in a situation where they regularly witness this, as their parents are forced by law to have regular contact.

Studies in Australia have found that there is often violence during contact change over. For children to witness

continual violence between parents, is very damaging for them. It often results in the child becoming violent - often at school - or becoming withdrawn. The majority of children who become violent at school are children who come from violent domestic situations, often involving separation of parents.

I urge you most strongly, for the well being of children, to not introduce a legal presumption of joint residence.

If you have no choice, then families where there is an Apprehended Violence Order taken out by either parent, the presumption of joint residence should be rebutted.

Thanking you for this opportunity,

(Mrs.) Helen Hannah
NSW. Registered Psychologist 4615