

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Sub Program 1.1.1**

**Question No. 66**

**Senator Siewert asked the following question at the hearing on 19 October 2009:**

How are the principles of the new national child protection framework being implemented in family law reforms?

**The answer to the honourable senator's question is as follows:**

The Australian Government regards family violence and the protection of children from abuse as priority issues. The *National Framework for Protecting Australia's Children 2009-2020* (National Framework) was endorsed by the Council of Australian Governments (COAG) on 30 April 2009 following extensive consultations with government and non-government stakeholders. Supporting outcomes targeted by the National Framework are aimed at improving the well-being of all children, including those who have been abused or neglected.

Under strategy 2.4 of the National Framework, the Government has committed to undertaking a comprehensive evaluation of the family law reforms designed to strengthen family relationships, including:

- research into the characteristics of shared parenting arrangements that work in the best interests of the child, and
- research into the impact of family violence on relationship breakdown.

The Australian Institute of Family Studies (AIFS) is currently undertaking an evaluation of the 2006 family law reform package. The evaluation will consider the impact of changes to the law, changes to the courts and the role of new and expanded family relationship services in achieving the objectives of the 2006 family law reforms. AIFS is due to report on its findings by the end of December 2009.

The Attorney-General's Department has also commissioned two independent research studies that focus specifically on the issue of shared care and family violence:

- The University of NSW, University of Sydney and AIFS are researching the circumstances under which shared care parenting arrangements works, or does not work, in the best interests of the child, and
- Monash University and the University of South Australia are examining how family violence has affected parents' access to courts and services.

The final reports for both of these research projects are due in March 2010.

COAG has charged the Community and Disability Ministers Conference with responsibility for implementing the National Framework. The Department of Families, Housing, Community Services and Indigenous Affairs established a working group to support and co-ordinate the Commonwealth efforts in implementing the National Framework. The Attorney-General's

Department is represented on the National Framework Commonwealth Working Group. The working group will progress the implementation of the Commonwealth Government's responsibilities under the National Framework, including those strategies impacting the family law system, and provide a forum for discussion regarding the safety and wellbeing of Australia's children.