

Family law reform outcome not as expected

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Family photo. Credit: Thomas Leth-Olsen on Flickr

Separated families in Australia are living with less parental conflict, an outcome likely to have been brought about by increased relationship services, not parenting time arrangements.

Changes to Australia's [family](#) law in 2006 encouraged a shift towards shared-time, or tag-team, parenting, where a child spends equal or near-equal time with each parent.

However, ANU Associate Professor Bruce Smyth says new data, compiled from a random sample of separated parents from across Australia, suggests differently.

"Surprisingly, we found that since the family law changes, the prevalence of shared-time parenting in Australia has plateaued at about 15 per cent," he says.

Smyth says Government commitment in 2006 to fund and support mediation services is likely to have been the cause of this parental shift, especially among high-conflict families.

"The introduction of family relationship centres seems to have offered new opportunities for courts and community-based services to work constructively together for the good of the children of separation and divorce," he says.

"A cultural shift for the better appears to have occurred, moving away from lawyers and the courts as a default starting position for many separated parents, and moving towards the use of community-based family relationship support services."

The research found that equal time arrangements were ordered by judges in less than 10 per cent of Family Court cases in the past five years.

"Shared-time arrangements can work well for some families, but badly for others," joint author Professor Bryan Rodgers says.

"Rigid arrangements between warring shared-time parents are likely to have a [negative impact](#) on children.

"So, the expansion of family support services, allowing families access to good information, is likely to have helped steer some entrenched high-

conflict families away from shared-time arrangements."

Smyth and Rodgers are researchers at the Australian Demographic & Social Research Institute. They were part of a team of four ANU researchers who compiled the study.

Associate Professor Smyth will deliver the findings of this Australian Research Council funded study today at the [Australian Social Policy Conference](#) in Sydney.

Provided by Australian National University

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