

# Families and Social Responsibility

**T**he National Council for the International Year of the Family was appointed by the Minister for Family Services as an advisory body to consult with the community and provide advice to the Government on issues relevant to Australian families.

Within the overall theme of 'Supporting the Many Faces of Families', the Council identified ten key issues for community discussion and recommendations during the Year: the diversity of families; the value of caring and nurturing provided by families; partnerships between families, governments, business and community organisations; the needs of disadvantaged families; balancing work and family roles; gender equality; the needs of families facing personal crises; family violence and abuse; the rights of family members; and the need for affordable and secure housing for families.

*Creating the Links: Families and Social Responsibility* is the Council's final report to government. It is based on information gathered during 70 days of public consultations held around Australia and 550 written submissions to the Council, as well as the Council's own policy research. The report closely examines each of the ten key issues and makes 20 recommendations related to them.

**T**he aim of the Council was to place 'families at the centre of public policy', and its work was underpinned by several principles, namely: 'that supporting and empowering families and individual family members to carry out their work of care and nurture is a fundamental form of social investment: that the wellbeing of families and society are inextricably linked and that there is a social responsibility which rests alike on governments, community organisations, business, unions, religious organisations, and the education system to respond to the contributions which families make to us all'.

Three themes dominate each of the ten key issues under discussion: the relationship between social and economic policies as they affect family wellbeing; the connections between private family responsibilities and public obligations to support family contributions to society; and the necessity to intensify resources and services for



**ILENE WOLCOTT**  
discusses the major report,  
'Creating the Links', issued  
recently by the National Council  
for the International Year of  
the Family.

families to assist them in their caring and nurturing roles.

Each section of the report stresses the particular inequities confronting Aboriginal, Torres Strait Islander, sole parent and non-English-speaking background families. The Council saw it as essential that additional resources be provided to low income families and those in disadvantaged circumstances to 'redress the disadvantages which affect the life chances of children'.

**I**n presenting the report to the Minister, the Chair of the Council, Professor Bettina Cass, stated that 'the issue for the Council is

social justice for families'. According to the Council, the parameters of social justice encompass intergenerational equity, gender equity and social equity.

- The attainment of *intergenerational equity* (where material and emotional resources flow across the generations) requires public contributions in the form of family payments, child care provision, maternity and parental leave, and adequate remuneration for employment.

- The attainment of *gender equity* requires that contributions of unpaid care (child care, domestic services, elder care) and paid employment are more equally valued and shared between men and women. New economic and social structures that support this reciprocity, including those mentioned previously, are necessary.

- The attainment of *social equity* requires measures similar to those needed for the attainment of intergenerational and gender equity. The right to adequate employment or income during times of unemployment or to 'fulfil family caring responsibilities' is advocated, along with access to affordable housing. Family income, especially for low income families, would be enhanced through family payments that support families who provide care for dependent family members.

**T**he Council's recommendations exhort all government bodies to incorporate the principles of social justice and equity into all policies and programs to ensure that the contributions of all family members to the wellbeing of their families and the community are valued and supported.

The Commonwealth is urged to maintain and strengthen its national responsibility for establishing unified and consistent policies and standards in regard to services and programs. Flexibility in access to services and community participation in program design and implementation is endorsed. To promote this objective, the Council recommends that the Commonwealth establish a National Office for Family Policy and local Regional Family Support Councils (see Christine

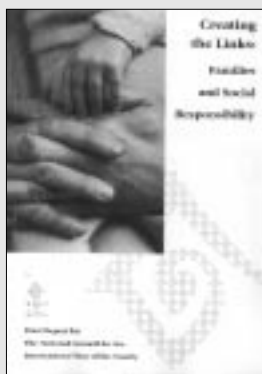
Kilmartin's discussion of the latter elsewhere in this issue).

On the more personal issue of public and private roles, expanded and innovative provision of education for family life was a subject of the report's submissions and recommendations. These avenues of human relationships education, marriage education, marriage counselling and parenting education were seen to underpin support to families and their caring roles.

The important role that families and other organisations such as business can play in creating a family supportive environment was acknowledged. Community submissions mentioned a desire for a sense of belonging to community/neighbourhood, and the Council noted the importance of encouraging social participation by family members in community institutions, with schools as a vital focal point.

**T**he Council recognised that its recommendations regarding the allocation and distribution of resources to families will have revenue implications. The report is emphatic: 'We must ask, not What does it cost? – but What does it cost *not* to make these social investments?' This is the question that will be addressed in the Government's 'Agenda for Families' and its response to the Council's report. It is also the question we all must ponder as individuals, family members and constituents of the wider social community.

The report provides an excellent background, statistically and philosophically, to the complex and interrelated issues of family, social responsibility and economic policy. The questions it raises are not new and the recommendations are familiar. The 'heart of the matter' is how we as a community wish to 'create the links'.



*Creating the Links: Families and Social Responsibility*, Final Report by the National Council for the International Year of the Family, AGPS, 1994 (320 pages). The report is available from the Family Services Branch, Department of Human Services and Health, Canberra. Phone: (06) 289 3736.

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# Children's Rights in Family Law Disputes

## Issues of Process and Outcome

**W**ithin the Judeo/Christian Old Testament the story is told of a dispute over the welfare of a child. Two women, resident in the same household, both claim to be the true mother of an infant. When King Solomon decrees that the baby should be cut in half, the real mother is prepared to give up her child, rather than see it die. The imposter is exposed as evil and at the same time, Solomon enhances his reputation as a wise ruler. A most satisfactory conclusion – one for which many family court judges would no doubt be prepared to give their eye teeth!

A more contemporary account of this story is told in Bertolt Brecht's *Caucasian Chalk Circle*. In this version, two women are asked to tug at the child over which they are in dispute. Whoever pulls the child across a chalk line will be deemed to be the true mother. Once again the 'real' mother relents rather than have her child injured or torn apart. Once again, the imposter is exposed.

### The Classification of Women and Children

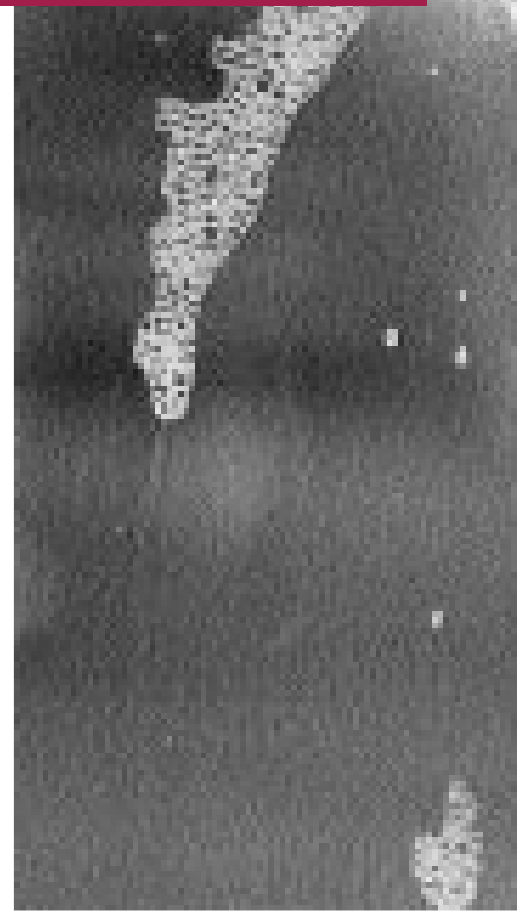
The story is of course archetypal. Like all good archetypal accounts, it invites a simultaneous consideration of several morals.

First, real parenting is seen to be about biology. In each account, the real parent turns out to be the biological parent.

Second, the true biological link is between *mother* and child. In each account, the fathers have no stake in the action.

Third, the determination of custody necessitates the exposition of an imposter. Moreover, the imposter clearly has such evil intent that she is prepared to see the child killed or seriously injured.

Fourth, the sign of a true mother is that she is prepared to sacrifice all for the sake of her child. This spirit of sacrifice is rewarded by the wise and independent arbitrator who grants her possession of the child.



Fifth, the judge of the truth of the situation in each case is objective, detached and male. Parenting disputes may be resolved according to clear principles which are largely a contextual.

Sixth, the truth is viewed as an either/or proposition. One outcome excludes the other; only one claimant can be the true custodian.

Seventh, truth is arrived at by the use of clever devices via which an unsuspecting villain is tripped up and exposed.

Eighth, the subjects of the disputes, the children, need no special pleading or independent representation because in each case, a wise and benignly disposed system will take care of them. (Penelope