

What Australians Think About Parental Responsibilities

It is often in the face of change that we examine the obvious, the things we take for granted. The introduction of the Child Support Scheme in Australia challenged the common wisdom (which was not, in fact, common practice at the time) that parents give day-to-day financial support to children with whom they may not live.

And so it may be with notions of parental responsibility: everyone 'knows' what parents should do for their children, yet rethinking language and terminology highlights disparities in our understanding.

Imminent changes to family law, set out in the *Family Law Reform Act No. 1 (Children)*, will alter the way the law talks about parental responsibilities for their children after separation. The language of law shifts from using the words 'custody' and 'access', with their connotations of parental rights, to the words 'residence' and 'contact', which carry less baggage from common law notions of ownership and control.

Proposed changes are driven by the desire to place at the heart of the law the child's right to continuing care and nurture, to safety and reasonable peace provided by parents. The converse of this aim is to de-emphasise parental rights except in the service of the child's wellbeing.

The Attorney General's Department has commissioned the Australian Institute of Family Studies to evaluate the impact of the reforms to the Family Law Act on our understanding of parental responsibilities. To understand how Australians view the responsibilities of parents, the Institute is carrying out a random survey of Australian households. The survey will

include parents who have divorced under the current law and exercise their parental responsibilities under various conditions. We know little about what Australians think parents should do for their children; increasing our understanding will give us a yardstick to measure the appropriateness of the Family Law Act 1975 in current circumstances.

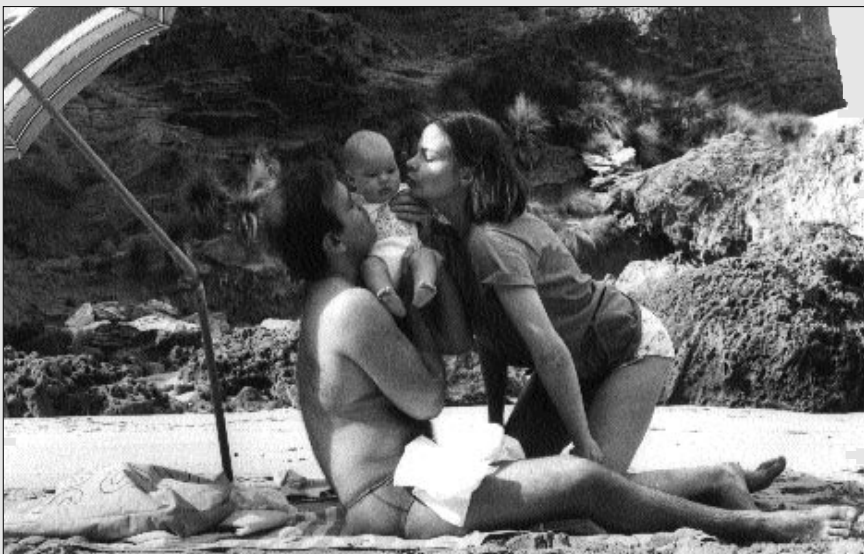
The central purpose is to ask a spectrum of people what they think parents are responsible for under different conditions of residence and contact. For example, they will be asked to consider the responsibilities of biological parents who live with their children and also those who live apart from their children.

When we put together this picture we will have a profile of how Australians expect parents to care for and nurture their children. This might be seen as a benchmark in Australian expectations and attitudes.

From this benchmark picture of parental responsibility, it is intended to repeat the survey to evaluate the impact of changes to the Family Law Act on our understanding of parental responsibilities. To assess changes the survey will be repeated about two and five years after the Family Law Act reforms have been in operation.

Whatever the repeated surveys show by way of change, the initial survey will provide a snapshot of our current understanding which will be a useful baseline for policy makers in a range of child and family services.

— **Kate Funder**
AIFS Principal Research Fellow



Picture: Howard Birnsthil