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Hearing the voices of children in the Family Court

Children should have the right to express their own views and opinions in family disputes, according to a new online survey conducted by Relationships Australia.

The survey, conducted through Relationships Australia's websites in September, found that 92 per cent of women and 88 per cent of men believed children should be able to have their views and opinions heard in family disputes.

Experts and scholars have argued that the family law system has not always been good at finding the safest and most effective ways of hearing children's voices, said Relationships Australia's National Executive Officer, Alison Brook.

"One of the terms of reference for the current Australian Law Reform Commission Review into the family law system is to consider the paramount importance of protecting the needs of the children of separating families," Ms Brook said.

"With a view to understanding the contemporary opinions on the issue, Relationships Australia's September 2018 online survey was designed to capture current community views on how the voices of children could be heard in family disputes.

"Our survey found there were significant differences between the opinion of men and women on the question of the types of participation that would be appropriate for children.

"Of the 950 respondents to the survey, a substantial majority of men (92 per cent) and women (94 cent) considered that children should directly participate in mediation and other forms of out-of-court family dispute resolution.

"One third of male and female survey respondents reported that children should directly participate in mediation or other forms of out-of-court family disputes without the need to consider age or maturity.

“Men were more likely than women to agree that children should directly participate if they were a certain age or maturity (men 40 per cent; women 32 per cent).

“Women were more likely than men to report that children should only participate indirectly such as through a report from a child psychologist or youth worker (men 28 per cent; women 21 per cent).

“A smaller, but substantial majority of men (86 per cent) and women (89 per cent) reported that they considered children should directly participate in Family Law Court proceedings.

“Just under one-quarter of survey respondents reported that children should be given the chance to directly participate in Family Law Court proceedings regardless of age or maturity.

“Men were more likely than women to agree that children should participate directly if they were a certain age or maturity (men 36 per cent; women 28 per cent).

“Women were more likely than men to report that children should only participate indirectly such as through a report from a child psychologist or youth worker (men 29 per cent; women 38 per cent).

“Relationships Australia works with separating couples through its services to reach agreements that are in the best interest of their children.

“We are also engaging with the Australian Law Reform Commission Review into the family law system,” Ms Brook said.

You can read more about our survey on our [website](#).

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