

The Australian Parliamentary Survey on Equal-Shared Parenting



In late 2005, a survey of federal parliament was undertaken in order to determine the views of each lower house and upper house member on the topic of shared parenting. Every member of parliament was approached as much as three times to provide a response.

Some of the members surveyed provided an immediate and explicit response, others were undecided, and yet others simply refused to respond.

Eventually, all the received responses were collated and reviewed against the parliamentary record, in order to determine the overall views of that parliament.

In this way, it was determined what the ultimate outcome may have been, if a family law amendment incorporating a "legal presumption of equal parenting time as a starting point for child residence negotiations", was voted on in parliament as a conscience vote.

The responses were overwhelmingly in support of a 'legal presumption of equal parenting time' as a starting point for child custody negotiations, by a factor of two to one. The Senate count was **just 3 votes short of an absolute majority, with 24 votes unaccounted for**, while the house of representatives was **just 5 votes short of an absolute majority, with 48 votes unaccounted for**.

House of Representatives:

- 69 would vote for an equal time presumption amendment
- 33 would NOT vote for an equal time presumption amendment
- 4 is undecided
- 44 unknown

Senate:

- 37 would vote for an equal time presumption amendment
- 15 would NOT vote for an equal time presumption amendment
- 1 is undecided
- 23 Unknown

What do these results mean? Quite simply, if good laws in this country were decided upon by modern day community standards, as represented by the "unfettered" majority view of our elected officials, or otherwise by the overwhelming views of the Australian public, we would now have family laws genuinely designed to protect the best interests of the child, rather than laws reflecting a by-gone era that have no place in modern day Australia.

Unfortunately, in some cases at least, the laws of a democratic country are ultimately determined by unrepresentative pressure groups who have the resources and influence to promote their vested interests only, at the expense of everyone else. **This is one of those cases.**

▼ **WOULD VOTE FOR Shared Parenting Amendment**

53

▼ House of Representatives

38

Alan Cadman

Liberals

House of Representatives

1

Alby Shultz

Liberals

House of Representatives

1

Andrew Southcott

Liberals

House of Representatives

1

Barry Haase

Liberals

House of Representatives

1

Barry Wakelin

Liberals

House of Representatives

1

Bob Baldwin

Liberals

House of Representatives

1

Bronwyn Bishop

Liberals

House of Representatives

1

Bruce Billson

Liberals
House of Representatives
1

Christopher Pyne
Liberals
House of Representatives
1

David Fawcett
Liberals
House of Representatives
1

David Tollner
Nationals
House of Representatives
1

De-Anne Kelly
Nationals
House of Representatives
1

Dennis Jensen
Liberals
House of Representatives
1

Jim Lloyd
Liberals
House of Representatives
1

Joanna Gash
Liberals
House of Representatives
1

John Murphy
ALP
House of Representatives
1

Judi Moylan
Liberals
House of Representatives
1

Kay Elson
Liberals
House of Representatives
1

Kay Hull
Nationals

House of Representatives

1

Kelvin Thomson

ALP

House of Representatives

1

Ken Ticehurst

Liberals

House of Representatives

1

Kerry Bartlett

Liberals

House of Representatives

1

Kym Richardson

Liberals

House of Representatives

1

Malcolm Turnbull

Liberals

House of Representatives

1

Michael Ferguson

Liberals

House of Representatives

1

Michael Johnson

Liberals

House of Representatives

1

Pat Farmer

Liberals

House of Representatives

1

Patrick Secker

Liberals

House of Representatives

1

Paul Neville

Nationals

House of Representatives

1

Peter Dutton

Liberals

House of Representatives

1

Peter Slipper

Liberals

House of Representatives

1

Sophie Panopoulos

Liberals

House of Representatives

1

Steve Georganas

ALP

House of Representatives

1

Stuart Henry

Liberals

House of Representatives

1

Tony Abbott

Liberals

House of Representatives

1

Tony Windsor
Independant
House of Representatives
1

Trish Draper
Liberals
House of Representatives
1

Warren Entsch
Liberals
House of Representatives
1

▼ Senate
15

Alan Ferguson
Liberals
Senate
1

Barnaby Joyce
Nationals
Senate
1

Bill Heffernan

Liberals

Senate

1

Brett Mason

Liberals

Senate

1

David Johnston

Liberals

Senate

1

Eric Abetz

Liberals

Senate

1

Gavin Marshal

ALP

Senate

1

George Brandis

Liberals

Senate

1

Jeannie Ferris
Liberals
Senate
1

Nicholas Minchin
Liberals
Senate
1

Paul Calvert
Liberals
Senate
1

Russell Trood
Liberals
Senate
1

Steve Fielding
Family First
Senate
1

Steven Parry

Liberals

Senate

1

Ursula Stephens

ALP

Senate

1

▼ **WOULD VOTE AGAINST Shared Parenting Amendment**

25

▼ House of Representatives

21

Annette Ellis

ALP

House of Representatives

1

Anthony Albanese

ALP

House of Representatives

1

Carmen Lawrence

ALP

House of Representatives

1

Catherine King

ALP

House of Representatives

1

Chris Hayes

ALP

House of Representatives

1

Chris Pearce

Liberals

House of Representatives

1

Duncan Kerr

ALP

House of Representatives

1

Jennie George

ALP

House of Representatives

1

Julie Owens
ALP
House of Representatives
1

Kelly Hoare
ALP
House of Representatives
1

Kevin Rudd
ALP
House of Representatives
1

Kim Beazley
ALP
House of Representatives
1

Lindsay Tanner
ALP
House of Representatives
1

Nicola Roxon
ALP
House of Representatives

1

Peter Andren
Independant
House of Representatives
1

Sharon Grierson
ALP
House of Representatives
1

Steve Gibbons
ALP
House of Representatives
1

Sussan Ley
Liberals
House of Representatives
1

Tanya Plibersek
ALP
House of Representatives
1

Wayne Swan
ALP
House of Representatives
1

Wilson Tuckey
Liberals
House of Representatives
1

▼ Senate
4

Andrew Bartlett
Democrats
Senate
1

Andrew Murray
Democrats
Senate
1

Claire Moore
ALP
Senate
1

Ruth Webber

ALP

Senate

1

▼ **UNDECIDED**

5

▼ House of Representatives

4

Bruce Scott

Nationals

House of Representatives

1

Chris Bowen

ALP

House of Representatives

1

Maria Vamvakinou

ALP

House of Representatives

1

Sharon Bird

ALP
House of Representatives
1

▼ Senate
1

Kate Lundy
ALP
Senate
1

▼ **LIKELY TO VOTE YES - but unconfirmed**
53

▼ House of Representatives
32

Alexander Downer
Liberals
House of Representatives
1

Alexander Somlyay
Liberals
House of Representatives
1

Andrew Laming
Liberals
House of Representatives
1

Andrew Robb
Liberals
House of Representatives
1

Anthony Byrne
ALP
House of Representatives
1

Bob Katter
Independant
House of Representatives
1

Danna Vale
Liberals
House of Representatives
1

David Jull
Liberals
House of Representatives

1

Don Randall
Liberals
House of Representatives
1

Gavan O'Connor
ALP
House of Representatives
1

Greg Hunt
Liberals
House of Representatives
1

Ian Causley
Nationals
House of Representatives
1

Jackie Kelly
Liberals
House of Representatives
1

Joe Hockey
Liberals
House of Representatives
1

John Anderson
Nationals
House of Representatives
1

John Forrest
Nationals
House of Representatives
1

John Howard
Liberals
House of Representatives
1

Julie Bishop
Liberals
House of Representatives
1

Kevin Andrews
Liberals
House of Representatives
1

Louise Markus
Liberals
House of Representatives
1

Luke Hartsuyker
Nationals
House of Representatives
1

Mal Washer
Liberals
House of Representatives
1

Mark Baker
Liberals
House of Representatives
1

Michael Keenan
Liberals
House of Representatives
1

Peter Lindsey
Liberals
House of Representatives
1

Peter McGauran
Nationals
House of Representatives
1

Phil Barresi
Liberals
House of Representatives
1

Philip Ruddock
Liberals
House of Representatives
1

Ross Vasta
Liberals
House of Representatives
1

Steven Ciobo
Liberals
House of Representatives
1

Tony Burke
ALP
House of Representatives
1

Warren Truss
Nationals
House of Representatives
1

▼ Senate
21

Alan Eggleston
Liberals
Senate
1

Amanda Vanstone
Liberals
Senate
1

Chris Ellison
Liberals
Senate
1

Concetta Fierravanti-Wells

Liberals

Senate

1

Gary Humphries

Liberals

Senate

1

Grant Chapman

Liberals

Senate

1

Guy Barnett

Liberals

Senate

1

Helen Coonan

Liberals

Senate

1

Helen Polley
ALP
Senate
1

Ian Campbell
Liberals
Senate
1

John Hogg
ALP
Senate
1

Julian McGauran
Liberals
Senate
1

Mark Bishop
ALP
Senate
1

Michael Forshaw
ALP
Senate
1

Michael Ronaldson

Liberals

Senate

1

Rod Kemp

Liberals

Senate

1

Ron Boswell

Nationals

Senate

1

Ross Lightfoot

Liberals

Senate

1

Sandy Macdonald

Nationals

Senate

1

Santo Santoro

Liberals

Senate

1

Steve Hutchins

ALP

Senate

1

▼ **LIKELY TO VOTE NO - but unconfirmed**

23

▼ House of Representatives

11

Anna Burke

ALP

House of Representatives

1

Bernie Ripoll

ALP

House of Representatives

1

Craig Emerson

ALP

House of Representatives

1

Harry Quick
ALP
House of Representatives
1

Jenny Macklin
ALP
House of Representatives
1

Jill Hall
ALP
House of Representatives
1

Julia Gillard
ALP
House of Representatives
1

Julia Irwin
ALP
House of Representatives
1

Kirsten Livermore
ALP
House of Representatives
1

Peter Garrett
ALP
House of Representatives
1

Roger Price
ALP
House of Representatives
1

▼ Senate
12

Bob Brown
Greens
Senate
1

Chris Evans
ALP
Senate
1

Christine Milne

Greens

Senate

1

Dana Wortley

ALP

Senate

1

John Faulkner

ALP

Senate

1

Kerry Nettle

Greens

Senate

1

Lyn Allison

Democrats

Senate

1

Natasha Stott Despoja

Democrats

Senate

1

Penny Wong
ALP
Senate
1

Rachael Siewart
Greens
Senate
1

Robert Ray
ALP
Senate
1

Stephen Conroy
ALP
Senate
1

159

Survey Question:

Date: November 2005 Dear [Name] Please consider answering the following question which would lead our group (Fathers4Equality) to a better understanding of your views on this very important issue. You may choose to answer with one of the following five choices, in response to the below comment:

"Should an amendment be submitted to the family law act to incorporate a 'legal presumption of equal parenting time in the event of separation, ***rebuttable*** if child abuse can be reasonably substantiated, or if the parents mutually agree to an alternate arrangement.', then if it went to a conscience vote, I would vote for the amendment."

- (A) I agree
- (B) I disagree
- (C) I withhold my view
- (D) I am undecided

Please understand that this is not (as commonly mis-represented) a one size fits all approach. This is merely a starting point for child custody negotiations that would begin on a level playing field but the outcome would be determined by either the rebuttal, or the practical realities of the parents' circumstances. It would deny a winner takes all mentality, and re-focus efforts on arrangements that best meet the child's best needs.

If you are honestly uncertain, then you can choose option (E) for a more detailed view of our proposed joint residence amendment.

Responses - Upper House

Liberals Senate:

Vote YES Confirmed: 11

Vote YES Likely: 14

Vote NO Confirmed: 0

Vote NO Likely: 0

Nationals Senate:

Vote YES Confirmed: 1

Vote YES Likely: 2

Vote NO Confirmed: 0

Vote NO Likely: 0

ALP Senate:

Vote YES Confirmed: 2

Vote YES Likely: 5

Vote NO Confirmed: 2

Vote NO Likely: 6

Democrats Senate:

Vote YES Confirmed: 0

Vote YES Likely: 0

Vote NO Confirmed: 2
Vote NO Likely: 2

Greens Senate:
Vote YES Confirmed: 0
Vote YES Likely: 0
Vote NO Confirmed: 0
Vote NO Likely: 4

Independants Senate:
Vote YES Confirmed: 0
Vote YES Likely: 0
Vote NO Confirmed: 0
Vote NO Likely: 0

Family First Senate:
Vote YES Confirmed: 1
Vote YES Likely: 0
Vote NO Confirmed: 0
Vote NO Likely: 0

Senate Totals:
Vote YES Confirmed: 15
Vote YES Likely: 21
Vote NO Confirmed: 4
Vote NO Likely: 12

Senate Combined Totals:
Vote YES Totals: 36 /**76**
Vote NO Totals: 16 /**76**

Responses - Lower House

Liberals Reps:
Vote YES Confirmed: 30
Vote YES Likely: 22
Vote NO Confirmed: 3
Vote NO Likely: 0

Nats Reps:

Vote YES Confirmed: 4

Vote YES Likely: 6

Vote NO Confirmed: 0

Vote NO Likely: 0

ALP Reps:

Vote YES Confirmed: 3

Vote YES Likely: 3

Vote NO Confirmed: 17

Vote NO Likely: 11

Ind Reps:

Vote YES Confirmed: 1

Vote YES Likely: 1

Vote NO Confirmed: 1

Vote NO Likely: 0

Reps Totals:

Vote YES Confirmed: 38

Vote YES Likely: 32

Vote NO Confirmed: 21

Vote NO Likely: 11

Reps Combined Totals:

Vote YES Totals: 70 /**150**

Vote NO Totals: 32 /**150**