

## 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**