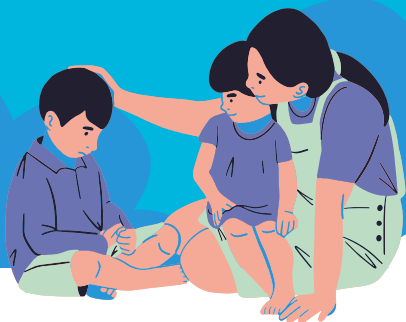




Recent Changes to the Family Law Act



Determining the Child's Best Interests

The amended section 60CC simplifies parenting order decisions, removing the hierarchy of factors for determining the child's best interests. Now, it emphasises child safety, relationships with family, their views and needs, and carer capacity.



Equal Parental Responsibility

The removal of equal shared parental responsibility presumption shifts focus to children's best interests in court orders. Variations in registrar interpretations create uncertainty in joint decision-making and consent orders.

Addressing Family Violence

Amendments to section 60CC prioritise safety in parenting arrangements, protect victims from abusers, and mandate training for legal professionals to address family violence effectively in decision-making.

The Independent Children's Lawyer

Independent Children's Lawyers are now required to meet with children over five, barring exceptions like the child expressing wishes against meeting with the ICL or if they have had meetings with too many other legal professionals.

Reducing Re-Litigation

Section 65DAAA codifies the *Rice v Asplund* rule, requiring significant changes in circumstance before orders can be revised. This prioritises the children's best interests and protects against perpetrators of family violence who may be misusing the legal system to further traumatise the victims.

