

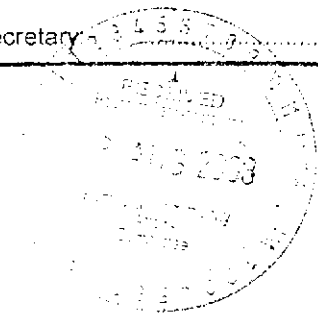
Submission No: 210

Date Received: 2-8-03

Secretary: [Signature]

SUBMISSION

To:
Committee Secretary
The Standing Committee on Family and Community Affairs
Child Custody Arrangements Inquiry
Department of the House of Representatives
Canberra ACT 2600



In Reference To:
Inquiry into Child Custody Arrangements in the event of Family Separation

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This submission deals with:

- 1) Term of Reference 'a(i)': "what other factors..." (the time each parent spends with his/her children);
- 2) Term of Reference 'b': "whether the existing child support formula...";
- 3) Family Studies in Senior High-Schools in Australia.

OTHER FACTORS

This submission calls for legislation that specifies that children should spend equal time with both parents unless there are compelling circumstances to decide otherwise.

- This submission recognises that stability is paramount for children's welfare.
- This submission recognises that moving between households constitutes instability.
- This submission claims that time in the care a parent is the single most important contributor to the relationship of the child with that parent. This claim is based on personal and work experience.
- This submission refutes the notion held by some experts in some cases that any given relationship would not be affected by frequency of contact. This submission claims that all relationships are affected by frequency of contact. This claim is based on common sense. (See appeal no. SA61/2002 of file no. ML7015/1998 D and SV)

- This submission claims that the financial support offered to single parents acts, inadvertently in most cases, as financial incentive to separate and, upon separation, to demand full residence. This claim is based on personal and work experience.
- This submission claims that financial greed and the desire to dominate relationships of one of the parents take the place of best interest of the child in most cases of family separation. This claim is based on personal and work experience.
- This submission assumes that greed and domination in broken families are not in the interest of children.
- This submission claims that the effects of greed and domination are more harmful to children than the instability of moving between households. This claim is based on personal and work experience.
- This submission claims that the classification of the parents into Residence Parent and Contact Parent, inadvertently, encourages the Residence Parent to move away from the Contact Parent by applying for, and being granted, relocation [REDACTED] [REDACTED] This claim is based on personal and work experience.
- This submission agrees that the presumption of 'equal time' may be rebutted under one or more of the following circumstances:
 - One of the parents applies for less than 'equal time';
 - Child abuse;
 - Child neglect;
 - Prohibiting physical distance between parents' residences;
 - Child testimony.

Therefore, this submission deducts that a law that calls for equal time with each parent, unless there are compelling circumstances to decide otherwise, would be the lesser of the two evils, i.e. the evil of lack of apparent stability as the lesser evil than the evil of unequal contact with both parents.

CHILD SUPPORT FORMULA

This submission calls for the Social Security Act's Parenting Payment to be abolished and be built into the Family Assistance scheme on proportional basis, as is the case with the Family Assistance itself.

- This submission claims that the Social Security Act's Section 500E (1) that states that "A child can be a PP child of only one person at a time" is unfair. This claim is based on common sense.
- This submission claims that the Act lags behind the Family Assistance' fair distribution of benefits that takes into account the proportion of the child's residence with each parent. This claim is based on common sense.
- This submission claims that Parenting Payment is an English acronym for Family Assistance, i.e. in the English language they both mean the same thing.

Therefore, this submission claims that PP should become a component of the Family Assistance.

EDUCATION

This submission calls for Family education in senior high-schools in order to prepare young people to family life as parents.

"The [Family Law Pathways] Advisory Group found that the right sort of help and information was not always available to families at the time and place they needed it most. It found that some people managed their separation with little interaction with the system at all. Others felt frustrated by it, believing in some cases that the system was biased against them. It found that there was little assessment of all of the needs of separating families and too much adversarial behaviour. Some parts of the system work well, but overall it is not as effective as it could be, or should be. It is clear that a more coordinated and integrated approach to helping families in distress is needed." (Government Response to the Family Law Pathways Advisory Group Report May 2003, p.7)

"Early help: connecting people to information and services (p.8) The Government will continue its commitment to family relationships education to help couples and families strengthen their relationships by learning and applying new skills. Relationship education, family skills training, parenting education and adolescent mediation and family therapy services offer a range of practical assistance with improving family functioning and strengthening relationships." (p.9)

"The Government will continue its commitment to family relationships education to help couples and families strengthen their relationships by learning and applying new skills. Relationship education, family skills training, parenting education and adolescent mediation and family therapy services offer a range of practical assistance with improving family functioning and strengthening relationships." (Chief Justice Alastair Nicholson at The Royal Society London, 27 mar 2002. P.4)

- This submission assumes that an important role of schools is preparing children to life as adults.
- This submission assumes that the creating and maintaining a family is an important part of life as an adult.
- This submission calls for the knowledge of the known benefits derived from and difficulties that arise in creating and maintaining relationships and children be taught in schools.

Therefore, this submission calls on the Departments concerned for the establishment of Family Studies curriculum in senior high-schools.

End of Submission