

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 1157

Date Received: 18-8-03

Secretary:

Having regard to the Government's recent response to the Report of the Family Law Pathways Advisory Group:-

I submit the following for consideration, addressing specifically the following:-

(a) given that the best interests of the child are the paramount consideration:

- (i) what other factors should be taken into account in deciding the respective time each parent should spend with their children post separation, in particular whether there should be a presumption that children will spend equal time with each parent and, if so, in what circumstances such a presumption could be rebutted.

I direct the following submission to:-

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

By Fax (02) 6277 4844

Submission by:-

[Redacted Name]

[Redacted Name]



18 August 2003

SUMMARY

Having regard to the Government's recent response to the Report of the Family Law Pathways Advisory Group,

in response to

(a) given that the best interests of the child are the paramount consideration:

I have submitted my paper supporting the belief that children through childhood and into early adolescence need to be, for the most part, under the care predominately of the Mother. PART 1 THE MOTHER

in response to

(i) what other factors should be taken into account in deciding the respective time each parent should spend with their children post separation,

Assuming that the children live predominately with the Mother, I believe submissions from the parents separately and together (if possible) should address the time each parent should spend with their children. The way the family worked before separation seems to be the most important contributing factor. If called to give further evidence I will contribute to this point further.

I have responded to the second part of

(i) In particular whether there should be a presumption that children will spend equal time with each parent and, if so, in what circumstances such a presumption could be rebutted.

No. I do not think there should be a presumption that children spend equal time with each parent. I believe the Mother is the parent most equipped to meet the best interests of the child in childhood and early adolescence. Any deviation from this "Base" should be made by an application by both parents individually and together to the Courts.

And such a presumption be rebutted

WHERE THERE ARE EXAMPLES OF THE CHILDREN FLOUNDERING,
EVIDENCE CHILDREN ARE NOT COPING WITH THEIR PRESENT LIVING
ARRANGEMENTS. (LISTEN TO WHAT CHILDREN ARE SAYING).

WHERE THERE IS EVIDENCE OF ABUSE.

THE EFFECTS OF ECONOMIC, EMOTIONAL AND MENTAL ABUSE ARE NOT
FULLY RECOGNISED BY SOCIETY IN GENERAL OR THE LAW.

COOPERATION ?

COMMUNICATION?

CONFLICT?

[REDACTED]

PART 1

THE MOTHER

From the time of conception a bond develops between a mother and child, the time the beginning of the most intimate connection imaginable.

The process of Birth is the most unique and treasured process, and must be honoured.

To the Mother, after the experience of birth, a whole new world "appears", there is a new depth, a "knowing" and there is an instinct to defend and care for the child "as a lioness would her young".

And it is at this time following birth that women are emotionally and physically at their most vulnerable.

Throughout centuries of humanity and in all cultures around the world the Mother was always the most important element in the years of childhood and into early adolescence. The mother provided the fundamental care and nurturing to the child, ensuring healthy development. There are natural laws, unspoken wisdom, innate knowledge that have always worked for the benefit of our children.

Motherhood was treasured and childhood was holy and it was not even questioned that the male and society would not support the mother in her effort to provide a healthy soul and physical environment for the developing child.

Even in our modern time the law and society naturally accommodated the needs of young children experiencing parental separation and entrusted them into the care of the Mother.

As we know, more and more families are not going to survive the pressures of the modern world. The knowledge seems to have been "lost" and the natural laws which have always worked for the benefit of our children are in the process of being corrupted.

New laws in our society should take into consideration millennia of wisdom and are in danger of following modern trends which, if we fail to address correctly, are going to prove themselves as unsustainable.