

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 1195

Date Received: 12-8-03

Secretary:

From: [REDACTED]
Sent: Tuesday, 12 August 2003 6:36 PM
To: Committee, FCA (REPS)
Subject: Submission to inquiry into child custody arrangements

[REDACTED]

Committee Secretary
Child Custody Arrangements Inquiry

August 12th 03

SUBMISSION RE; INQUIRY INTO CHILD CUSTODY ARRANGEMENTS

(I apologise that this is past the closing date - our local paper has only just released details)

I wish to provide my views on this matter - from the perspective of my own experiences in "Family Court" & "Child Support" & from the reports I have heard from numerous others over the past 4 years.

Briefly - my background in this matter: My marital breakdown occurred 4 years ago ('99) Son 4 yo at time, history of emotional & verbal abuse from husband & limited assistance in the care of our son. I received custody of son through Family Court, I moved to SA, Father had school holiday contact. In 2002 - I made an out of court agreement with the Father to allow a trial period for son to live with Father & have school holidays with me. Later that year I returned to WA - had serious concerns with the level of care the child was receiving, tried negotiating with Father for improvements with no success, - so decided to attempt to get son back into my care (as per the 'Court orders'). Shocked to discover 'Status Quo' in Fathers Favour preventing me from reverting to the Court Orders. Am now back in Family Courts trying to overturn this & to get son back into my care. I have been told my chances of succeeding are not good!

TERMS OF REFERENCE FOR SUBMISSION

a(i) I feel that in general, - EQUAL TIME with each parent is an unworkable, unrealistic situation that would make childrens lives even more disjointed.

Influential factors are: - Working hours of either parent/ Parenting skills (Or lack of) Life Styles/the extent of involvement in the child's life prior to the separation/ Personal habits or problems of either parent ..drug alcohol problems, abuse, anger mgmt

The logistical organisation of childrens possessions, school materials, sporting & social arrangements would be out of many peoples control.

As in my situation, if the level of care the other parent is providing is not satisfactory - there would need to be a streamlined approach for the Courts to deal with it, as in the circumstance where specific life changes are occurring within either household.

* The rare exception where this COULD be workable - would be if both parents were keen on the idea, showing good communication skills & a total willingness to work together....(a very rare combination of qualities in this situation).

a(ii) In circumstances where a Custodial Parent is preventing the child from having contact with persons (ie.family members of non custodial parent) whom child has formerly had a close relationship with - Court Orders should be obtainable.

b I believe the 'Child Support Formula' is working for some people & not for others. There needs to be flexibility for varying situations -

- ie. - where non-custodial parent is making considerably less income than custodial parent,
- situations where Contact Costs are high for the non-custodial parent (ie. living interstate) but have not yet reached "more than 15% of gross income". These persons have considerable hardship - they are paying full child support, they have limited time to see their child, & then they have extra contact costs, ie. phone calls, travel costs....(& in some cases, the custodial parent limits the contact time even more.)

I HOPE THIS SUBMISSION MAY BE OF SOME HELP. PLEASE FEEL FREE TO CONTACT ME IF YOU NEED TO.

