



MURRAY LYONS  
SOLICITORS  
Est. 1899

House of Representatives Standing Committee  
on Family and Community Affairs

Submission No: 248

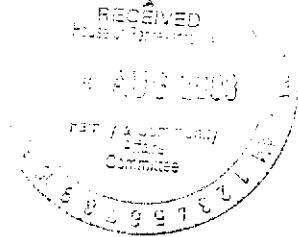
Date Received: 4-8-03

Secretary: .....

Our Ref: CMW:DMP:Misc  
Your Ref:

30 July 2003

The Committee Secretary  
Standing Committee on Family and Community Affairs  
Child Custody Arrangements Enquiry  
Department of the House of Representatives  
Parliament House  
CANBERRA ACT 2600



Dear Sir/Madam

**ENQUIRY IN CHILD CUSTODY ARRANGEMENTS IN THE EVENT OF FAMILY SEPARATION**

I am a Family Law Practitioner in regional Queensland with 20 years experience in family law litigation.

My thoughts on the presumption that parents as a right should have equal time with the children are that it would very rarely benefit the children. My experience is that children need to have one (1) home not two (2). If they were spending equal time with both parents then obviously although that may benefit the parents in that they are sharing the children equally it will not necessarily benefit the child.

My experience again through my work and as a 42 year old father of three (3) is that most fathers are not in a position to care for the children on an equal basis and if given the opportunity to do so while many would take it up because they wouldn't want to be seen as rejecting more time with their children they would not be prepared or indeed able to make the sacrifices necessary to get children to sporting, social and other extra curricular activities. I believe it would lead to parents being in great dispute over what are the appropriate ways to raise their shared children. Given the best will in the world there is going to be disputes as to how best to do things and accordingly one person needs to have the greater say. This may not be philosophically acceptable to many particularly in the father's groups but it is a reality. Any variation from that would be putting the rights of the parents ahead of the rights of the children.

I would be happy to be contacted to discuss this further if my input could be of any use.

Regards



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