

House of Representatives Standing Committee on Family and Community Affairs	
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To be submitted 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

Re: All Voices Must be Heard in Child Contact Inquiry

As a Single mother with two children, a boy 6 years old and a girl 3 ½ years old I would like to make a response regarding your Media Release on the above subject from my own personal experience and in my children's personal experiences.

I am in total agreement that both parents have contact with their children, but the first issue on "in the best interest of the child" should be a safety issue and not just that the parent is entitled. Each family separation is different from any other separation, and most adults after separating act like adults and do what is in the best interest for the child. But in other separations where "domestic violence, drug and or substance abuse has been the major factor for the separation, adults do not behave like adults and the children are then ordered by the courts, for what seems to be in the interest of the parent.

For the children on custody disputes, it is my experience that the background of the family relationship is an issue, which should be reviewed to ensure the "best interest of the child". Therefore it would be unjust for all children to go through custody on one custody law, as this does not take inconsideration the background the child has had to endure.

I am still going to Family Court regarding my 3 ½ year old daughter and am trying to point out to my solicitor "the best interest of the child", which does not seem to be heard in the Family Law Court so "infact" it seems to be "what's in the best interest of the parent" seems to be the issues and his rights, not the safety, consistency, health and wellbeing issues.

In my own case, my former partner was a Youth Worker, the children and I experienced domestic violence daily. Although the violence was not physical the environment that we lived in was all emotional, verbal and psychological torture. After the children and I were thrown out of our environment, we were placed in the

Women's and Children's services where for the first time in their lives the children felt safe and showed feelings without being verbally abused.

At this time my 3-year-old daughter and 6-year-old son develop a more emotional love, respect and protection towards each other. The need for counselling has also been required to ensure that they are all right and to know that they are safe and secure. But their sibling relationship is at times stronger than their ties to either mother or father, even at this early age.

In the best interest of the child does not consider Siblings regarding consistency, security, safety or well-being. The Court does not consider siblings and there routine to be as important as Mother or Fathers. Yet my siblings constantly support, console, help and interact as a bonded family unit, independently from the adults. When they are away seeing their dad's fortnightly at the same time they cope reasonably. When my ex-partner and solicitor included that he sees her every 2nd fortnight and every Thursday from 4pm and hand her over Friday morning at 10am, my daughter has suffered severe emotional behaviour problems, which inturn has effects on her brother.

This additional Thursday is definitely not in "the best interest of the child", as she has had separation anxiety, inconsistent routine, tantrums, emotional outbursts, hysterical crying and frustration, disrupted sleeping patterns and even wetting the bed.

On handover with my daughters father, I have had to consider the safety issues as being a first priority, yet the court's does not see this as there problem.

I agree that there are Fathers that genuinely love there children, and that some contact for keeping a relationship with their children is a important, but, "For the Interest of the Child" the safety issues should be a priority issues above all, and the family background is one way to review the "best interest for the child".

My only fear for my children is that my ex-partner after being in detox three times in his adult life, twice since my relationship, should lapse and fall into his old habits after his supervision is over, for the court cannot supervise him all the time. And Society would again consider him to have made amends.

Policies and Act should not been made for Family Law, each family situation should be assessed separately by the Courts and other welfare groups, counselling to be able to conclude the best interest of the child. Although Legal Aid has been wonderful in helping me, it is very hard to compete against other solicitors who are being paid and seem to work harder for their client than mine is and she is apparently "Working In the Child's Best Interest".