

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

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## **Re: No Presumption of shared residency in Family Law**

### To whom it may concern

I am alarmed that shared residency could be introduced as mandatory, into Family Law legislation, this is why: -

It will be in the children's best interests for status quo to remain, unless there is a good reason to order otherwise.

The presumption of rebuttable presumption could conceivably result in greater court intervention.

The present system already allows for shared parenting. Statistics show that the vast majority of family matters settle by consent, or require no orders at all. In many of those matters shared parenting is already addressed and accommodated. The types of cases which require court orders are problematic for a myriad of reasons and so it is foreseeable that shared residency would not be appropriate in those cases which come before the court.

After separation children that are already upset at their parents separating, will be moved from their familiar home/school environment, to a strange place, this will confuse the children even more, and they will also have to adjust to a totally different lifestyle. This is not in the children's best interests. For parenting to be shared equally it will be necessary to maintain 2 homes for the children. These would need to be close together so that the children can attend the same school etc. This is not practical or realistic.

The result of shared parenting will be that the children will be constantly moving between 2 homes. This will potentially be destabilizing, especially where there is disagreement in parenting styles.

Fathers already have the choice of how much of a role they play in the lives of their children. It is not necessary to enshrine this in legislation.

Issues regarding residency and contact should be addressed on a case by cases basis. To do other wise is contrary to the best interests of the children involved.

It is foresecable that shared residency will become a means by which to avoid child support obligations. This is something that has been observed by US researchers. Child support should not be linked to contact.