

Submission No: 362

Date Received: 6-8-03

Secretary: [REDACTED]

4 August 2003.

To the Secretary,
Family and Community Affairs Committee.

Dear Sir or Madam:

I am a Contact Parent, not by choice but by court orders made in the Parramatta Family Court on 12 August 2002. My children have endured many changes to their care arrangements since their father and I first separated in November 2000. All family members (my new partner included) are extremely angry at the court system for our unnecessary suffering. I have heard views from parents who have not been through a separation and it is clear to me you need to experience this trauma yourself to really understand what's wrong with our system.

When separation first occurs many couples cannot look after their children effectively. You can put on a brave face, even smile a little but the kids sense the storm is arising. My youngest that was 3 years old at the time of separation told me in his own words "I feel like a big storm is coming mummy." He is now 7 years and has the speech development of a 3-4 year old. This child is now in yr one and is not progressing. His teacher has told me in an interview that his problem is emotional and she cannot assist him anymore than she is.

What can we do to avoid this suffering?

Long drawn-out court battles are the cause. When children view one parent discussing tactics with friends and family with the intention to damage or disturb the other parent great trauma occurs. Especially if this goes on for a long period of time as it did in my case. My case was extended by two factors: large property ownership and the other parent adjourning on various occasions to establish the status quo.

Well I estimate the trauma time can be reduced by up to one year just by separating the property ownership from the custody dispute.

What's wrong with the present family orders?

The family court promotes Win/Lose when children want and need to experience Win/Win. And parents need Win/Win. When there is Win/Win for everybody there is no battle. Win/Win means 50% financial and 50% Share custody.

Of course we need to look at what the parents want individually, what time they wish to invest in their children. For if the parent doesn't want to spend half time with the children then it wont be of quality and as beneficial to the children. However if the parent doesn't want to spend half time with the kids they should remain 50% financially responsible for all care costs in relation to those children.

What about after the Court Orders are made?

The court should never send these kids off with new family arrangements without checking up on them occasionally. I have asked the court on two occasions since the final orders were made to order family counselling and they have let my kids down.

Gradually my children are forgetting my family and me. I have accepted that I will not be able to repair the damage done by the family court orders and I will probably not receive any form of apology or compensation for my losses. But my kids cannot accept these things.

What about grandparent's rights?

Well my parents have no rights as far as Parramatta family court is concerned. I only have contact with my children once a fortnight after being their sole carer for nearly six years.

I am interested in attending the Public Hearings and would appreciate it if you would send details of the various locations where they are to be held.

Yours Sincerely,

[REDACTED]