

Forbes, Bev (REPS)

From: [REDACTED]
Sent: Thursday, 21 August 2003 7:55 PM
To: Committee, FCA (REPS)
Subject: INQUIRY INTO CHILD CUSTODY ARRANGEMENTS IN THE EVENT OF FAMILY SEPARATION

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 1416

Date Received: 21-8-03

Secretary: [REDACTED]

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

I wish to pledge support and give my opinion on the child custody arrangements and the discussion of reform on the aforementioned issue.

I don't want to give you my life-story, but I would like to explain that I am a single father, and am troubled by the current family-law system, which I believe unfairly disadvantages fathers. I understand that there are many bad fathers and that the current laws are in place to ensure that those fathers meet responsibility requirements. However, the current laws also seem to disadvantage those fathers who actually want to be good fathers. A child should have the right to have a nurturing and loving relationship with both the child's parents. Sometimes, the father doesn't want anything to do with the child. But all too often, the father is not able to have much to do with the child even if he wants to because more often than not, the mother holds all the power and can deny access or make it as difficult as she pleases for the father to see their child. And there is nothing that the father can do about it. Even getting a court order does nothing because they are not enforced.

I am in the predicament where I am only able to see my son a few times a year because his mother decided to move 1,500 kilometres away to a remote town in central Queensland [REDACTED]. The only way I can see him is if I travel up there, but I can't do it too often because it is expensive to fly (tickets are around \$700 from Brisbane). I have to fly because it is hard to get enough time off work to travel by car, bus or train. So not only does the father have to pay a considerable amount of money out of his own pocket for child support (which I still think is in essence a good thing), but I have to pay for flights to see him, arrange accommodation and arrange transport. Then while I am up there, it's not friendly nor nurturing environment for the two of us; I cannot have any quality time with my son because I don't own or rent a house in Longreach.

Have I considered moving to [REDACTED]? Yes, but the mother has expressed to me that she would much rather if I kept away, also, it would mean a complete career change for me as I cannot get work in [REDACTED] in my line of work.

The mother used to live in Brisbane and that is where I grew to know her. However, a few months before my son was born she decided to move to [REDACTED]. This, as explained above, has effectively removed any possibility for my son to have a loving and nurturing relationship with both his parents, and has removed the possibility for me to see him regularly. This hardly seems fair, especially since there was no great reason for the mother to move to [REDACTED]. So because of the mother's whim decision to move to [REDACTED] I have to pay a lot of money to see him, and when I do, it's not the best environment for a loving and nurturing relationship to develop. This is not in the best interest of the child, yet there is nothing I (nor other fathers in similar positions) can do to bring about a change for the better for the child. This is where I hope the committee will see a need for reform and bring about laws that encourage fairness and the opportunity for a child to receive his right to a loving and nurturing relationship with both his/her parents.

So there is an example of how a child and a father can be separated from each other. I don't think it's right that a mother can take a child and remove the regular contact that child has with his/her father for no reason. A child, as I have said should have the right to access to both parents, and the right to a loving and nurturing relationship with both parents. I as a parent desire this for my son, but the mother can decide to make it very difficult, and hence effectively remove that right from the child.

I believe it is in the best interest of children to be given the right to have access to both parents, and a nurturing and loving relationship with both parents. If one parent is the primary care-giver, then much of the

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responsibility to meet the child's rights should fall on those parents' shoulders. The only exception would be if the other parent either moves away or does not want access. I don't know why any father (or mother) would not want access, but you cannot force the primary care giver to give access to someone who does not want any. But if the primary care-giver is the one taking away that right from the child (and hence disadvantaging the other parent), then this becomes an issue which should be addressed. This is the case with my son and I.

I think that a presumption of close to equal parenting responsibility and time be given to both parents. I also think that contact with other parties involved, for example grand-parents, would be presumed. I don't think that the current system is fair for both parents. The current system unfairly disadvantages one parent. I believe that if you unfairly disadvantage one parent, then this is not in the best interest of the child.

Please accept this letter and the opinions within and consider them closely. I thank you for your time and effort in this matter.

Yours sincerely

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