

Submission No. 1265

Date Received: 8-8-03

Secretary

Committee Secretary  
Standing Committee on Family and Community Affairs  
House of Representatives  
Parliament House  
CANBERRA ACT 2600  
AUSTRALIA

I make the following submission in regard to *"what other factors should be taken into account in deciding the respective time each parent should spend with their children post separation, in particular whether there should be a presumption that children will spend equal time with each parent and, if so, in what circumstances such a presumption could be rebutted"*.

Common sense, as well as reliable research, indicates that children are, on average, at much greater risk from their mother's boyfriends than their father, particularly in the case of sexual assault of girls.

I know others have quoted the research, so rather than repeat it, I will give a practical example.

The residence of my daughter, now 8 years old, is shared in accordance with a FCA Order.

My daughter told me that one of the wife's boyfriends had started "spanking" her severely, at the mother's instruction.

I wrote to the mother requesting she agree to an additional Court Order *"That the husband and wife do not permit any person other than the husband and wife to physically discipline the child of the marriage [REDACTED]"*. I received no reply.

I took action in the FMS and an injunction and Order along those lines was made.

If it had not been the case that my daughter was able to have close contact with me, it is reasonable to assume that the abuse, or similar, or worse, would have been on-going.

*"Given that the best interests of the child are the paramount consideration"*, every child should have the best chance of avoiding abuse after a family break-up, and that is, in my submission, most likely to be achieved by being involved with both parents and that would be, in my submission, most likely to be achieved if there were *"a presumption that children will spend equal time with each parent"*. Parents are the natural protectors of their children, despite the fact that a relative few, (but far, far less than new "partners"), do abuse their children.

