

Submission No: 1602

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Secretary:

To whom it may concern,

Each case should be based on the individual circumstances of the parties involved, at all times with the best interest of the child being the highest point of concern.

My own case has been particularly frustrating. I am the mother of three children, now aged 15, 13 and 10. their father has full custody of the three children and up until recently I had access every second weekend, first week of school holidays and 1 afternoon a week and special occasions, although to have that access was a constant battle with my ex husband.

I don't see my children because my ex husband made it very difficult during pickup and drop off times, he would change days and times without any notice (I am a shift worker and work a rotating roster) he would be very verbally abusive and aggressive and at one stage I began action to take out an AVO (apprehended violence order) against this abuse.

We made an out of court agreement in December 2002 that I not see the children. I agreed to this because the continuing verbal abuse, mind games and aggression were damaging our children, emotionally and psychologically. The last day I went to pick them up I didn't even get to say goodbye – my ex husband came out of his house and told me they refused to see me and didn't want to come out with me (it was my access time with them).

Whilst I acknowledge I may have made some bad choices, I am a good mother – I never abused nor neglected my children I left their father not them. The way the court system is set up makes it very hard and frustrating when the custodial parent doesn't follow court orders and plays power games using children to manipulate the situation to their advantage. I feel that provided that the children's best interest and welfare are taken into consideration, they have the right, without fear, to see whom they like if their relationship is a positive one eg: parent, uncle, grandparent.

The circumstances now are that I continue to pay maintenance of \$550 a month and do not see my children. I acknowledge that I have a legal and moral responsibility to support my children financially, once again I am frustrated by the fact that my ex husband continually pushes the child support agency for my payments when I have paid them regularly but occasionally have fallen a week or two behind. The CSA caseworker that handles his case, I feel, also unfairly pushed me to pay my two weeks arrears by threatening my wages to be garnisheed. She left a message on my phone requesting that I phone her by the end of the day or she would contact my employer to arrange my wages to be garnisheed. My employer phoned me that same day before I even had a chance to speak to the CSA even though I left a message returning her call.

I feel that even if my case can not be changed, that this is an opportunity to support changes in government that could positively impact on future cases and that all children will be able to have healthy relationships with both parents and extended families. Please use my experiences to advocate for these changes and fight for the rights of all people so that justice prevails.

If I can be of further assistance please contact me.

Yours faithfully,

