

I hereby request that the names of the persons in this submission be kept confidential.

To the Inquiry into child custody arrangements in
the event of family separation

Honourable Committee,

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| House of Representatives Standing Committee on Family and Community Affairs | |
| Submission No: | 872 |
| Date Received: | 9-8-03 |
| Secretary: | |

The break down of a family unit is obviously damaging to all those involved, especially the children. I congratulate the Hon Larry Anthony MP, and the Attorney General, the Hon Daryl Williams AM QC MP, for asking the committee to inquire into child custody arrangements, it is definitely long overdue.

The current system I believe is very partial towards the Mothers' in the granting of custody of children after separation of the parents. I am unaware of the actual percentages involved but within my own local community, I know very few cases of where the Father has been granted custody.

I do not concede that the children should be automatically put into the custody of Fathers' just to appear politically correct. However, our society has changed considerably and along with it Australian men's values towards the care and upbringing of their children.

I appreciate that each custody matter is different, and all circumstances must be taken into account to ensure what is in the children's best interests. The option, and one the committee should be seriously considering in its recommendations is "shared care" between parents.

Briefly, I would like to convey my experience with you.

I meet and latter married a single mother [redacted] who had two children [redacted] 2 years and [redacted] 4 months) [redacted]. We had two more children together [redacted]
[redacted]

Our marriage broke down irretrievably [redacted]. I kept in contact with my four children as often as possible over the next 4 ½ months. In that time [redacted] had meet a new partner and they began co-habiting in mid-late November bringing two extra children into our previous marital home.

The tension between [redacted] and myself increased over several issues, the main one being access to the children. I continually sought legal advise from the Chamber-Magistrate and local Police at the time to check my rights and avoid any situation that could jeopardise seeing them in the future.

In March 2002, [redacted] and her new partner, picked up and move from [redacted] (Northern NSW) to [redacted] (Qld). Thanks to many factors I was able to obtain a recovery order within 24 hours and I picked the children up from [redacted] four days later. I was granted temporary custody soon after, pending a further hearing set down

for July 2002. At the July hearing [REDACTED] was granted full custody and I was granted visitation of 2 days per fortnight. I believe that this discission reflects the general attitude of the legal fraternity towards Fathers currently in this country.

At the appeal of this discission in August 2002, I was granted a further 2 days a fortnight (4 days per fortnight total) with all four children and additional contact involving a number of extracurricular activities. I was informed this was probably the best I was likely to expect from the present system.

The happy ending to this situation is that in September 2002 [REDACTED] asked me to take care of the two youngest children, [REDACTED] (7 years) and [REDACTED] (5 years) on a full time basis. In addition I still get to see the older two children [REDACTED] (10 years) and [REDACTED] (8 years) at least 4 days a fortnight. The children are kept together on weekends, either being with their Mother or myself on alternating weeks and get to see each other almost every day due to school and other activities.

We have been fortunate that the children have been shielded from the vast majority of disputes between [REDACTED] and myself. We both realised early in the break-up that denigrating each other in front of them would not only be hurtful, but also counterproductive to any outcome that may be achieved in the short term. We have both found the children are happy with this arrangement and have coped excellently. This is one example of a shared care arrangement that is very workable and definitely in the children's interests.

Regrettably, not all Fathers' are as fortunate as I have been. Not only are we seeing a growing number of Dads being driven to the most devastating ends, but also their Children are missing out on valuable and necessary parenting.

Children should expect to be raised and nurtured by both parents. The breakdown of a relationship between parents that love their Children is a horrible experience to those Children. It need not necessitate removing either of those parents from their lives. A shared care arrangement in my opinion should be considered as the basic model in any future custody decisions.

Yours truly,

[REDACTED]

Concerned Father.

[REDACTED]

[REDACTED]