

**STANDING COMMITTEE ON FAMILY AND COMMUNITY AFFAIRS**

**Submission to: Inquiry into child custody arrangements in the event of family separation.**

[REDACTED]

House of Representatives Standing Committee on Family and Community Affairs	
Submission No:	1424
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Secretary:	

**Access:**

**Some ruling should be made to ensure that those parents whose employment means that they are unlikely to see their children for extended periods of time are entitled to at least some meaningful contact with their child.**

Especially when the separation was initiated by the mother who 'claims' to have sole custody of the child (a daughter now aged ten) and who actually walked away from the previous marriage on at least three occasions.

A father employed in the Australian [REDACTED] or similar occupation has no control over postings or overseas deployment including in our son's case six months in [REDACTED]. Single male accommodation on army bases is not the place to take a young girl even for a weekend. So for almost three years since his remarriage our son has seen his daughter for only one day and a night when he could bring her to our home.

We have offered to pay some of the airfare to permit the child to visit our son interstate now that he has remarried but this offer was refused. The child is now ten and the flight would not have been impossible. We were actually told last Christmas that our grand daughter had 'commitments to her school friends' and wasn't able to fit in a visit to her father in the six weeks holiday period! Also that the mother needed adequate notice for a proposed visit – this comment was made in July for a proposed visit in December or January when our son has holidays. He was informed that his daughter could see him in September (when he is working) but even this promise was then withdrawn.

Excuses continue to be given for our grand daughter to be kept from her father. The latest is that 'he may not return her after such a visit' – which is sheer nonsense.

In January of this year our son's ex-wife had her phone number changed to a silent number and did not advise our son. He had been transferred from Victoria to New South Wales and we were obliged to drive two and a half hours (a five hour trip in total) to give her our son's new address and phone number and obtain her new number. Even when he rings his daughter the girl is told to 'hang up the phone' after just a couple of minutes.

This appears to us as a deliberate campaign of alienation and has become even more obvious since he remarried three years ago.

### **Financial considerations:**

**There has been no Family Court decision on access because our son cannot afford the legal costs involved to go to court after he meets the required child support contribution.**

Our son also paid in the past ten years for many extras requested by the child's mother. He supported her older son by a previous relationship when she refused to apply for child support from that child's father.

The mother of course was entitled to legal aid as her new third partner was not officially mentioned to government sources (including Centrelink) for a considerable period of time. She also worked full time for a period prior to the birth of her latest third child.

### **Consultation:**

**Parents should be 'consulted' and 'informed' regarding education and health issues of their child.**

**Schools:** should send records of results and advice of events such as parent teacher nights to absent parents if this is requested (i.e. when the custodial parent refuses to forward copies).

Failure to do this can result in further isolation and cause additional resentment and conflict. Proposals for private schooling, scholarship applications and resultant additional costs should be discussed and both parents capacity to pay taken into consideration.

**Health issues:** should be resolved by mutual discussion. When the custodial parent makes no reference to the paying parent on major health concerns except to advise that 'they will need to pay the bill for braces of \$6000' there will inevitably be stress. This amount and other similar demands were made on top of the assessed sum of child support.

The child's mother has twice rung our home to obtain our son's phone number when she claimed she didn't have it. She said it might be somewhere in our grand daughter's room but that she couldn't find it. What would happen in the event of illness of our grand daughter? Would her father not be notified?

### **Child Support Assessment:**

**Some method needs to be arrived at which will permit both parents to move on with their lives on an equal footing.**

In my son's case I am concerned that the mother (custodial parent) has entered a third relationship and acquired yet a third child by a third father. The new male figure in the child's family was not acknowledged to government departments as the mother's de facto partner for a lengthy period of time. He was described as such in the divorce hearings, but he actually used and was listed in official references (e.g. the phone book) with our own family surname for a full year. The mother has, over this time, been variously known by up to four different surnames including her own maiden name. This is certainly a means by which income tax can be avoided and should be immediately rectified.

My son (non-custodial) pays an assessed amount for his ten year old daughter of over \$700 which is close to twice the amount of \$400 received by his new wife for the care of her three daughters (two of whom are teenagers) in their new family situation. The discrepancy amounts to discrimination against his new family.

My son and his new wife are trying to build a happy home environment for her three children who had previously undergone the trauma of an exceptionally violent father and home life and resultant divorce. These children now hear stories that my son's other daughter is receiving private singing lessons, guitar lessons, tennis lessons, holidays at the beach, expensive dental braces, leg waxing and hair dying (on a ten year old), etc.. Their family is struggling just to survive and to have basic health care for their family.

The option of free hospital treatment is not available in States other than Queensland and this financial hurdle is contributing to further pressure when one of our three new step-grand-children and my new daughter-in-law have suffered serious health problems requiring hospitalisation in the past eighteen months. We (pensioners) have been obliged to assist financially and considerably to ensure that the child support payments were made on time.

#### **Grandparents:**

**It is unlikely that we will be permitted much access to our grand daughter in future as we have dared in the past to point out politely the inequity of the present 'custody' and 'child support' arrangements. We have also raised the issue of inappropriate TV and movie viewing when the child was only six, seven and eight also the current issues of hair dying, leg waxing and body piercing which she recently informed us were part of her plans for this year.**

Our chief concern is that pressure and perceived injustice of the levels of child support and ongoing health issues in his present family do not impact so greatly on our son that his marriage and future happiness are destroyed.

#### **Relationship termination:**

It seems important to us from several family experiences of break ups that when a relationship ends there should be a set formula for 'departure and termination'. When someone leaves with no warning and the partner arrives home to an empty house and a call several days later that 'they will not see their child again' it must inevitably lead to the kind of violent situation which can result in death, suicide or despair. Such behaviour will commence the cycle of 'using' children as weapons to punish the other partner.

There needs to be a legal and civilised method where the Family Court is advised within twenty four hours of the child's location and a contact number provided for the remaining parent. Parents need to be reassured that permanent removal of their children to an inaccessible place is not an accepted option. They need to be provided with the means to visit their children with as short a delay as possible. The road to a peaceful and meaningful settlement and a realistic shared role in children's future will be hindered if not destroyed unless this is achieved.