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Subject: Child Custody Arrangements Inquiry

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 397

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Secretary:

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7th August 2003

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Child Custody Arrangements Inquiry
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Inquiry into child custody arrangements in the event of family separation

(a) given that the best interests of the child are the paramount consideration:

- (i) 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; and

My father was a two nights a fortnight father and I would very much like to be much more than four nights a fortnight to my children.

Being without my children for up to nine days at a time is devastating to me especially as they were so young (the twins were a week past their second birthday and my son was three and a half). To make matters worse, their mother encourages them to call me "Andrew" and her then defacto (now husband) "Daddy" although she has been told by a counsellor not to do so. As I have the children for only four nights a fortnight I seem to have little say in the day-to-day happenings of the children. For instance, the school have suggested on two occasions that it would be beneficial to the twins that they be put into separate classes at school but their mother won't hear of it. My opinion doesn't seem to count and I certainly can't afford Court rulings. A fifty-fifty arrangement would certainly give me more input into their lives.

When it is made law that children spend equal time with each parent it must also be law that the children remain in their current (at time of separation) locality and on the understanding that should one parent move away that parent will miss out on their custody share.

- (ii) in what circumstances a court should order that children of separated parents have contact with other persons, including their grandparents.

My sister and brother-in-law and my mother had intense care and control with my children from when the twins were six months old and my son was just two as their mother had cancer. I believe that it is in the children's best interest that this contact is ongoing in case of a recurrence. Extended family is important to all children.

- (b) whether the existing child support formula works fairly for both parents in relation to their care of, and contact with, their children.

Before separation my then wife and I both worked to support our children. Following separation I work to support her life-style and she doesn't work at all. I don't mind having to pay for my kids but I do resent the fact that the money is not spent on their clothing and well-being. I do think 32% of my gross income is unfair especially for young children. If, before separation two of us supported the children, why, after separation does it fall entirely to the non-custodial parent?

Yours truly,

Andrew Porter