

Submission No. 427

Date Received: 8-8-03

Secretary:

DEAR Sir/MADAM,

I'm writing about the possibility of major changes to custody laws, published in one of the major newspapers. I totally agree of the issues that member for M'HERSON, MARGARET MAY, has outlined.

I'm a single father with 3 young children who currently reside with their mother most of the time. Currently I have 25% access.

I have constantly pushed for more time but she refuses, resulting in mediation conferences etc. It has now come down to myself having to lodge an application to this family court hopefully allowing myself to spend more time with my family.

As only working 4 1/2 months a year I have ample time to give further care.

Being confident of having the children in my care, it is true that there is a lot of anger towards the whole system.

Having to pay maintenance and watching the money being spent on other things than the children is upsetting. Also going to court is a very expensive, yet the system allows for my former spouse to receive free representation, whilst I fork out. I have been dictated and threatened, however she still can approach the law when things don't go her way, then the next thing you have restraining orders placed.

I have to pick up and drop the children off at every visit. I ask her too she says no, and if you want to see them you will pick them up. I would welcome changes to the act which would allow fathers the same rights as the mother currently it stinks. My children are 4, and the twins 3 3/4. I have looked after them for 18 months.

WE BOTH AGREED TO HAVE THE CHILDREN SPEND MORE TIME WITH MYSELF AT MEDIATION, THEN IF ALL WAS GOING WELL I WOULD HAVE FURTHER TIME. THE DAILY OF CONTACT WERE OUTLINED, THE EXCUSE I GET NOW IS THAT ANY MORE TIME WITH MYSELF WOULD BE TOO UNSETTLING FOR THE CHILDREN, HOWEVER SHE IS QUITE HAPPY FOR OTHER PERSONS TO CARE FOR OUR CHILDREN RATHER THAN MYSELF. SHE HAS ALSO STATED THAT SHE REQUIRES 48 HRS NOTICE BEFORE I HAVE THE KIDS, BUT TIMES WERE OUTLINED AT MEDIATION. IT IS ABOUT TIME FOR A CHANGE.

MY CHILDREN LOVE SPENDING TIME WITH ME AND THERE SHOULD BE NO RESTRICTIONS IN LETTING THIS TO HAPPEN IF THE FATHER IS CAPABLE. IF IT WAS EVIDENT THAT HAVING THEM SPEND MORE TIME WITH EITHER PARENT AND IT WAS APPARENT THAT THE SAFETY OF THE CHILDREN WAS AT RISK, THEN I WOULD DISAGREE.

IN REGARD TO ALLEGATIONS RESULTING IN ORDERS BEING PLACED I CURRENTLY HAVE A RESTRAINING ORDER AGAINST ME, THIS WAS IN PLACE DUE TO HER LEAVING HER DOG HERE WHEN SHE DROPPED THE CHILDREN OFF EARLY ON IN PROCEEDINGS. I RANG HER TO LET HER KNOW THAT SHE HAD LEFT HER DOG, I PUT HER DOG INSIDE AND LOCKED THE DOORS SO THE KIDS COULDN'T LET IT OUT. SHE ARRIVED AND WENT TO ENTER MY HOUSE, THE DOORS WERE LOCKED. I SIMPLY SAID YOU CAN NOT ENTER MY HOUSE, SHE WENT TO EVERY DOOR. ALL YOU HAVE TO DO IS ASK, SHE WOULDN'T. SHE THEN RANG THE POLICE AND 2 HOURS LATER THEY ARRIVE ON MY DOOR AND SAY IM ARRESTED. NOT BAD, THIS IN FRONT OF THE CHILDREN GO TO COURT AND 12 MONTH ORDER GIVEN. I HAD TO AGREE NOT TO APPROACH HER OR THREATEN MY FORMER SPOUSE THE 14 MONTHS PERIOD TO THIS ORDER I HAVEN'T RANG HER WENT NAKED OR THREATENED HER, BUT THIS DON'T MATTER. I COULD QUITE EASILY DO THE SAME TO HER WITH AN ORDER BUT HAVE BETTER THINGS TO DO WITH MY TIME, REGARDS [REDACTED]