

House of Representatives

Parliament House

Canberra ACT 2600

Dear Mr Howard

RE: Enquiry into Child Custody Arrangements

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 1288

Date Received: 11-8-03

Secretary:

I am writing to support the Government's enquiry into child custody arrangements as I believe that the current adversarial system is severely hurting Australia's children.

Having observed both fathers and mothers deal with separation with great difficulty, I have been witness to decisions and disputes that are not in the best interests of the children.

The current legal system encourages disputes over the number of custody nights for financial reasons. Instead of encouraging good relationships between parents and children, the current system encourages parents to battle with each other over the number of access nights for financial reasons and this discourages fair child contact with both parents.

It is abhorrent that one parent is allowed to make all the decisions affecting the children over the other parent, I have seen the children being used to continue the "battle" that resulted in the relationship failure. In addition to custody rights, there are often arguments over Child Support payments. On many occasions there is an expectation from the mother for additional financial contribution, but not permitting the father to claim these additional costs as his contribution towards the children's welfare. If the father is unable to afford these additional costs due to the present unfair Child Support System, whereby large sums of money are being transferred to the mother, it is often the children who are used as a weapon and access is often denied. Why should money be transferred automatically to one parent, whereby the estranged parent has no knowledge of how this money is being spent? and not to a joint account where both parents can participate in the decision making process? or perhaps the paying parent should be responsible for costs relating to medical and school expenses and a percentage of clothing costs. This would be a fairer system and the children would be able to see the parent from whom they have been separated actually participating in their upbringing. The current system does not encourage fathers to earn reasonable incomes as they are "penalised" greatly for doing so.

Why should a father have to go to court to see his children? Where are the penalties for mothers who deny access? Who do the children have to go to in order to see their fathers when they need them?

I see time and time again mothers refusing child access to fathers for reasons that have nothing to do with the children. This is terribly hurtful to the children.

I agree that joint custody should firstly be assumed so that children have access and support from both parents.