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Secretary: .....

Committee Secretary  
Standing Committee on Family and Community Affairs  
Child Custody Arrangements Inquiry  
Department of the House of Representatives  
Parliament House

We are concerned grandparents who are putting forward a submission in support of rebuttable joint custody. This submission will outline the reasons for our support.

From our personal experience we strongly believe that as a starting point in a custody case, there should be a presumption that a child should spend equal time living with both parents unless there are strong reasons against it.

We find ourselves in a situation where our 2 year old grandson (our son's child) was taken out of the family home, by his mother, where he had lived with both parents since he was born. Our grandson went from seeing his father every day to now having limited contact with him.

We strongly believe in rebuttable joint custody for the following reasons:

**1. Inequality in custody deprives a child from enjoying the extended family of the non resident parent.**

An extended family offers a child a sense of stability, love, support and role models which are crucial to a child's development. In our situation our grandson was taken away from a loving extended family including grandparents, great grandparents, aunts, uncles and cousins, to a single mother whose family is dysfunctional and estranged, with a history of emotional and physical abuse. Since our son's contact with his child is limited, it is impossible for our grandson to enjoy this loving family as much as possible. Why should he be deprived of so much love because of the current system?

*Is this in the child's best interest?*

**2. Equal custody would mean a smoother transition from one house to the other.**

If a child is spending the majority of time with one parent, in the one house (such as a week straight with the mother) and then gets dropped off to spend a weekend with the non resident parent, in a different house, not only is this a major transition, by the time the child adjusts to the new environment it is time for the child to return to the resident parent's house. Not only is the current system disruptive, it also prevents the child from developing a strong relationship with the non resident parent.

*Is this in the child's best interest?*

**3. Equal time with the child would lead to equal financial responsibilities.**

This would relieve the burden from the government having to recover child support payments. The focus should be on the best interests of the child, not the mother losing government benefits, as a result of less contact with the child.

**4. Joint custody would allow fathers to still remain an important role model.**  
The father plays an important role in a child's life, especially boys who need the influence of their father when growing up. Many personal and social problems that adults face can be traced back to being fatherless, more than to any other factor. Children should not be forced into having a part time or a weekend father. They deserve to have their father part of their day-to-day life. Fathers also deserve the right to be part of every aspect of their child's day-to-day life. It should not be a right they have to fight for.  
*Isn't that in the best interest of the child?*

**5. The law should look at the merits of each person as a parent, and not just assume that the child would be best in the mother's care.**  
Every day we see in the news cases of child abuse, both physical and sexual. In most of these cases the abuse has been committed by the mother's defacto husband or boyfriend. These mothers have not only placed their children in life threatening situations, but also allowed the abuse to occur.  
*How can this be in the child's best interest?*

Joint custody does not mean two schools and two doctors; it means allowing a child to share equal time with both parents, and giving a child a chance to build substantial relationships with both parents.

Every child deserves the right to have equal time with both their parents. It is not something you should have to go through a traumatic court case to achieve.

The law has moved in every other area to ensure that there is equality amongst man and woman to prevent discrimination. However Family Law has failed to move with the times. Fathers have failed to achieve equal rights.  
*Isn't that discrimination?*

Shared custody may not suit every situation, but it should be the norm, rather than the exception. Fathers should be given the CHOICE.

Submitted by

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