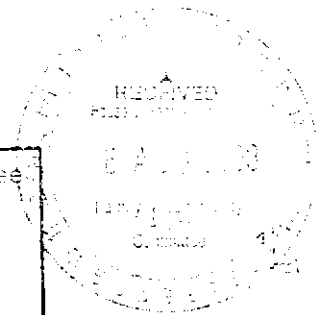


Committee Secretary
Standing Committee on Family and Community Affairs
Child Custody Arrangements Inquiry
Department of the House of Representatives
Parliament House
Canberra ACT 2600
Australia.



House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 269

Date Received: 6-8-03

Secretary:

Dear Sir/Madam

Please find enclosed my ~~Submission on~~ **INQUIRY INTO CHILD CUSTODY ARRANGEMENTS IN THE EVENT OF FAMILY SEPARATION.**

As a mother of four children, a grandmother of seven and a great-grandmother of one. I hope my submission may be of some assistance.

A child usually loves both parents until the actions of either change that love.

What is meant by 50/50 time?

Can a child be expected to happily go between Mummy and Daddy living - week about, six months alternatively, or year about! What instability this would breed especially if the parents find it impossible to communicate except through the children or written word. Where children are severely chastised if it is revealed they have confided in the opposite parent certain aspects of care they did not like.

We have fathers who want to be part of their children's lives.

Fathers whose only interest is to thwart the mother but refuse to shoulder any other responsibility.

Mothers whose only interest is to thwart the father.

Mothers whose only interest is the maintenance money they receive, but who fail to give tender loving care.

Having watched three out of four of my children go through broken marriages the heartbreak on the WHOLE family is tremendous.

From observation it is impossible as the system stands for judgements on care of the child to be given fairly or in the best interest of the child as very little investigation if any is given to the stability and compassionate caring of the parents or the wider family.

Counselling seems to fail as a Counsellor is not always impartial and many parents are very good actors in front of a Counsellor

I note in the FLPAG – overview and recommendations – WHAT IS MEANT BY THE FAMILY LAW SYSTEM there appears to be an overwhelming amount of help available but when one is torn apart and in emotional turmoil how does one find this help?

When a man is in a fulltime job most of these services are available from 9am to 5pm. I feel this is an area like the medical field where flexible hours of access should be available and parents given full information on this help the very first time they come into contact with the Lawyers, the Court, or other Agencies, at the moment it is all too confusing.

Children need SECURITY AND LOVE, LOVE, AND MORE LOVE.

It is very hard to express in writing the heartfelt feelings one has on this subject.

Yours sincerely,

INQUIRY INTO CHILD CUSTODY ARRANGEMENTS IN THE EVENT OF FAMILY SEPARATION.

(A) given that the best interests of the child are the paramount consideration –

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:

50/50 time spent with each parent would be ideal in an ideal world but the wellbeing of the child has to be the first consideration.

Consideration must be given to –

The emotional instability that would be created in the child by consistently moving from one household to another.

The interest a parent shows in the development and future education of the child. Child before self.

If a parent marries or takes on another partner what consideration is given to the relationship of the natural parent.

Where there has been the slightest doubt of sexual interference of a child very intensive investigation should be made as to the mental stability of the parent.

2. In what circumstances a court should order those children of separated Parents have contact with other persons, including their grandparents.

Grandparents, Aunts, Uncles and Cousins make up a child's rounded family and when before the breakdown of a marriage a child had constant contact with the whole family it is very important they still have the opportunity to feel the love and support of this family. It quite often happens that the parent who is granted Residency Rights and marries again, influences the child to think of the new husband or partner's family as the child's, forgetting the natural fathers or mothers family.

Grandparents are a plus in a child's life and a good relationship of love and trust very desirable. It should be made possible for a grandparent to have some visitation or outing rights.

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

As far as the financial support of a child under the present system it seems to penalise the parent who is responsible and willing to meet the orders layed down by the Court.

In all fairness there should be a standard criteria for all children for the cost of food, clothing, education, housing and medical expenses, all children being judged equally. If a supporting parent improves their income or is very comfortably off any extra money should be paid into a trust account for the benefit of the child to contribute to their education or emergency medical expenses. This fund only accessible after due consideration by the Child Support Authority and consultation with both parents. Supporting parents would then know the money was being used in the best interest of the child thus cutting down the animosity that is created by the constant appeal for more money by some parents with Residency Rights. Accountability from the receiving parent would clear a lot of hard feelings on the part of the parent paying the Child Support.

In the case of contact – if a parent fails in their responsibilities (i.e. paying the awarded Child Support) they should forfeit their rights of access until they are willing to show responsibility and not expect the taxpayer to shoulder their responsibilities. Circumstances taken into consideration by the Child Support Unit.