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House of Representatives Standing Committee on Family and Community Affairs	
Submission No:	504
Date Received:	8-8-03
Secretary:	

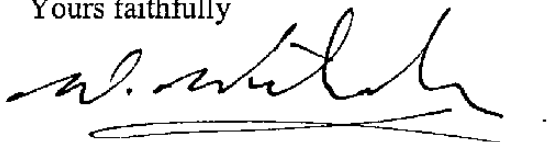
Committee Secretary
Standing Committee on Family & Community Affairs
Child Custody Arrangements Inquiry
Department of the House of Representatives
Parliament House
CANBERRA ACT 2600

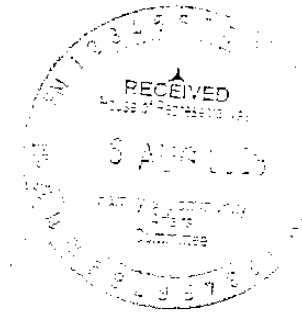
Dear Sir

CHILD CUSTODY ARRANGEMENTS INQUIRY

Attached is my submission to the Inquiry

Yours faithfully


WAYNE NICHOLSON



**SUBMISSION TO THE HOUSE OF REPRESENTATIVES
CHILD CUSTODY ARRANGEMENTS INQUIRY
PARLIAMENT HOUSE**

Having been separated for the last 3 years it is extremely welcoming to hear of this inquiry and I submit the following information.

It would seem unfair that the primary care giver should be nominated with such circumstantial evidence i.e. circumstances created by the "**normal**" and often consequential day to day life of a family and the time span after separation prior to the court proceedings for custody arrangements. Such circumstances as:

- The absence of one parent due to that parent being the primary money earner.
- The bond between one parent and children with absence of the other due to that parent being the primary money earner.
- The presumption by courts that the actions of a parent, and children under their direction, leaving the other partner, creates a span of time that gives credence to them becoming the primary care giver.

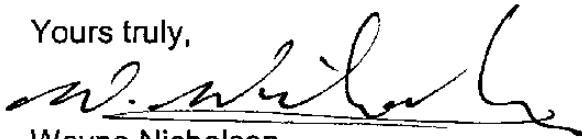
When considering the "**the best interests of the child**" I believe the following must be considered in regards to the span of time from the day of separation to the court custody hearing and from that day till the children's coming of legal age.

- What effect the absence of one parent will have on the children.
- The effect of an absent role model.
- The real but unconsidered effects of a child's developing mind controlled by one parent who may believe that it is in the "**best interest**" of the children not to know the realities of the other parents wishes and apparent absence.
- The abilities of the primary care giver (due to the extent of contact) to create within the children, a mindset or picture of the other parent, be it purposely or subconsciously.
- The problems created with the absence of a child's genetically favoured parent.
- The psychological torment to the non-primary caregiver created through the consequential dominance of the primary care giver.
- The inability of the non-primary care giver to oversee the monies paid to the primary care giver, and the hardship created for the non-primary care giver to afford a reasonable standard of living for themselves and their children when access is gained.
- If a court should order that a 50 – 50 custody arrangement be made then it would seem unnecessary to order that time be spent with "**other persons**" eg grandparents, as it would be the right for either parent to organise those times of family union.

The only matter that would appear to me unfair with the "**child support formula**" in a possible 50-50 arrangement for child custody, would be the topping up of one parents wage by the other when the lesser paid parents wage may be due to their unwillingness to take on permanent employment.

I would like to add that I believe the current arrangements for child care and custody without a real chance of a 50-50 arrangement, create a situation whereby the leaving parent taking the children from the family home stands the greatest chance of becoming the "**primary care giver**". I would urge parliament for the good of all parents and children to make haste with amendments to the family law court act and child support agency laws for a possible 50-50 arrangement. Surely this would help adults/parents to consider their future and that of their children much greater than it would seem at the present time.

Yours truly,

A handwritten signature in black ink, appearing to read 'Wayne Nicholson', written over a horizontal line.

Wayne Nicholson
Father of two children

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