

House of Representatives Standing Committee  
on Family and Community Affairs

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Secretary: .....

**From:** [REDACTED]  
**Sent:** Thursday, 7 August 2003 7:51 PM  
**To:** Committee, FCA (REPS)  
**Subject:** Family Law Court Changes

Standing Committee on Family and Community Affairs  
 Child Custody Arrangements Inquiry  
 House of Representatives  
 Parliament House,  
 Canberra ACT 2600.

To whom it may concern

We would like to take this opportunity to comment on the unfairness of the Family Law Court System having experienced its unfairness first hand. We, through no fault of our own have not seen our two grandsons for over three years. Our son (the boys father) separated from the boys mother and was unable to pay the large legal costs to fight for contact and custody of the boys. Therefore we do not see them either. This is very difficult for us as prior to the separation we had a very close relationship with the boys. The boys spent much time with us - much more than an average grandparent/grandchild relationship. Yet when things ended bitterly between my son and his wife, the court did not take into account that by awarding custody to the mother, they were effectively cutting off any contact the boys had with their fathers family. The boys do not see their father, their cousins, their uncle and aunts and their grandparents all of whom they were very close with because the mother refuses us any contact. When she was awarded custody no stipulation was made that contact with the paternal family be maintained. This is very wrong.

Because we feel so strongly about maintaining contact with our grandsons and want to keep track of their welfare and whether their needs are being met, we are now involved in a costly legal battle with the mother to gain any sort of contact we can with the boys. However, as our solicitor says, this may all be a big waste of time and money as the court has granted us reasonable contact but the mother and children cannot be located.

We have learnt much about the legal system through our painful experience and we sympathise with those who have had similar unjust experiences. We strongly believe that the family court system needs to make urgent changes for the sake of the children involved. It has to change in the following ways ;

- the family court needs to not so readily award custody to the mother as is most often done. Fathers can make excellent single parents as well.
- the family court system needs to make every effort to ensure that children have the opportunity to maintain contact with both sides of their family
- the family court system needs to be affordable to all people. A father should not lose contact with his children because he cannot afford to engage in a costly legal battle with the woman who got most of his money
- the overall length of time from the start of a custody battle to the end result needs to be significantly shortened

We hope the system changes soon as we are a retired couple with health problems who are praying to see their grandsons someday soon.

Yours sincerely

[REDACTED]