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From: julie.h [redacted]
 Sent: Thursday, 7 August 2003 7:05 AM
 To: Cadman, Alan (MP)
 Subject: Enquiry into Joint Residence Arrangements

Dear Mr Cadman

As you know, the Howard government is currently considering the introduction of a rebuttable presumption of joint custody following family breakdown. I'm writing to let you know that I am strongly opposed to the introduce of this radical change.

Why isn't a presumption of joint custody a good idea?

Mothers and fathers have a very important role to play in raising their children, whether in two-parent families or after family breakdown. When couples separate, there are a number of ways of ensuring that children are appropriately cared for; joint physical custody is one such way, and it has merit in some cases where both parents freely choose it, where there is an absence of conflict and where both parents are financially stable and live in the same general geographic location. However, a forced presumption of joint custody represents a radical change in policy that is not supported by evidence and which will in many cases not be in children's best interest.

I oppose a presumption of joint custody on the following grounds:

- * it privileges the rights of adults over those of children;
- * it denies children the right to unique consideration of their needs and wishes, which may change over time;
- * it is not evidence-based, but rather is driven by narrow ideological and political interests;
- * it will expose women and children to higher levels of conflict and violence;
- * it will disadvantage women who have sacrificed careers and education to be a stay-at-home parent;
- * it will provide some men with opportunities to reduce their child support obligation, while not leading to more equitable sharing of core parenting work;
- * it ignores the evidence that shared residence works for only a small number of families usually those families where each parent respected the other prior to separation and where communication remained a priority; and
- * it will increase litigation (old cases may be opened for re-consideration), and will prolong instability and uncertainty for both parents and children.

I am also concerned that this change is proposed in the context of continuing problems with the management of family law cases involving violence and child abuse and the increased poverty of sole parents arising from split Family Tax Benefits, reduced levels of child support and the introduction of a punishment-based 'mutual obligation' regime.

I urge you to reject this proposal should it come to be debated in the Parliament.

Sincerely,

Name: J. Harrington
 Address: 21 Surrey Street, Red Hill 4059