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Secretary: .....

Standing Committee on Family and Community Affairs  
Child Custody Arrangements Inquiry  
Department of the House of Representatives  
Parliament House  
Carberra ACT 2600  
Australia  
August 7, 2003



Dear Sir or Madam:

Please make all names confidential.

I am 35yrs old and have a 2 1/2 year old daughter from a 5 yr relationship. Both myself and partner have been married before, myself once and her twice, having two children from her previous marriages. We have been separated for 6mths and I have been trying to get a custody agreement between us using solicitors advice and going to relationships Australia.

On going into the relationship I discussed with her a number of things. That we both wanted out of this relationship, both career and children, and it was agreed in the event of us separating 50/50 of any children would be the only way to go. At nine weeks after the Birth of our Daughter she went back to work as a teacher, I along with my mother looked after our daughter while she was at work. It worked out well as I am a farmer in family business so I could help my mother who was 65yrs of age at the time, as much as I possibly could, everyone was happy and my ex-partner got to pursue her career as well.

Our relationship failed when our daughter was just over 2 yrs of age, my ex took my daughter as she was still breast feeding morning and night and maintained that she needed to be with her. This has ceased since meeting her new partner.

I have tried to get a 50/50 agreement with her but she will not agree, it is take what I give or not see my daughter at all. At the moment I have my daughter Sat night and Sunday for a period of 22hrs, Mon, Wed, Fri while my ex is at work where my daughter stays at my mothers. I try to look after her as much as possible but I have to work as well. I know this is a lot more than a lot of fathers get, but is only possible with the help of my family, as my work is being sacrificed and is having a detrimental effect on our family business, but it is a sacrifice I have to make to make a relationship with my daughter. I try to make the most of the situation for my daughter sake but feel that I'm not much more than my ex's baby sitter. Now that she has met someone else her new partner gets more time with my daughter than I do.

I feel the best outcome of a 50/50 agreement would be that it would take the control out of a relationship; at the moment my only choice is to go to the court at a great cost and a waste of the court's time to achieve this. The down side of this predicament is that the court will have its say not us as parents. Our daughter would be more than happy with that situation and has a great rapport with both of us, because we have played both mother and father roles to her. Our only problem is her mother does not want to share the time with our daughter.

At present when a family separates, one partner has to sacrifice more than the other. I know that I would have to be the one as a father in this circumstance although I was the one trying to save the relationship. It is in my opinion if 50/50 existed either parent would be not be so quick to leave. The sacrifice should be made by both parties on behalf of the Childs benefit, there will always be exceptions where extreme cases exist and the family law court would deal with them no matter what the legislation is as it has done in the past.

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I have friends that have practiced 50/50 and the kids are happy and well adjusted, the parents are happy and more importantly the kids are happy that the parents are happy. The one thing that I have asked when trying to make an agreement "don't ask me to do or give something that your not prepared to do yourself" when making an agreement I feel you should be able to put your self in the other persons shoes and not feel disadvantaged, only when this happens a fair and equable agreement will be made for the benefit for the child. Sacrifices have to be made by both parents to achieve this, something that is part of separation.

If we start off with 50/50 there will be always those who do not wish, or cannot of their own desire to maintain an agreement like this, these are the ones that will come to their own agreement without arguments. It will also take a lot of the problems out of child support and contact with other persons, as I feel that they will start on a level playing field.

I, as a loving Father only wish to be a parent to our child, an equal parent in the raising of our child whom was conceived in love, and now through the fault of her parents has to be raised in this unfortunate circumstance.

Sincerely,

[REDACTED]  
Father,  
[REDACTED]