

Submission No: 1494
Date Received: 26-8-03
Secretary:

From: Committee (REPS)
Sent: Tuesday, 26 August 2003 4:43 PM
To: Committee, FCA (REPS)
Subject: FW: I oppose a presumption of joint custody!

-----Original Message-----

From: Richards, Shona (C. Sciacca, MP)
Sent: Tuesday, 26 August 2003 4:14 PM
To: Committee (REPS)
Subject: FW: I oppose a presumption of joint custody!

Mr Sciacca has received the attached email from Kay Boulden of 66 Sunshine Drive, Cleveland Qld 4163. I was wondering if this was too late to be accepted by the Committee Inquiry into Child Custody Arrangements in the event of Family Separation?

Regards.
Shona Richards
Office of Con Sciacca MP
Telephone: (07) 3245-5777

-----Original Message-----

From: Kay Boulden [REDACTED]
Sent: Thursday, 31 July 2003 4:37 PM
To: Sciacca, Con (MP)
Subject: I oppose a presumption of joint custody!

11 SEP 2003

Dear

As you know, the Howard government is currently considering the introduction of a rebuttable presumption of joint custody following family breakdown. A Committee of the House of Representatives is investigating the proposal, and will report to the Parliament in December. I'm writing to let you know that I am strongly opposed to the introduction 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 parents who have sacrificed careers and education to be a stay-at-home or primary carer;
 - * it will provide some parents 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 some families; 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.
Yours, Kay Boulden

Postal address, 66 Sunshine Drive Cleveland, 4163, Qld.