

Submission No

826

Date Received

8-8-03

Secretary:

Thursday, 7 August 2003

Mr Ken Phelps
7 Nixon Court
TRARALGON VIC 3844

Age: 47
Children: 1 (7 years)
Divorced

Re: Inquiry into child custody arrangement in the event of family separation

Dear Sir/Madam

I would like to make a contribution to the child custody arrangement in the event of family separation.

I have been separated for the past 6 years and was just granted a divorce in March 2003. I would like to outline a few points for possible consideration as follows:

1. The child/children(s) wellbeing should be paramount in that the parents should not be forced into a 50/50 custody arrangement. Consideration should be given to the parents availability and if this first proposal is not suitable then the parents should have a third party involved to find a suitable resolution that suits both parties. (happy parents equals happy children).
2. Lawyers/solicitors/courts should be kept out of the equation. Involving the legal system only increases the tension between the feuding parents. The financial drain on the parents who enter into a legal battle only increases the disadvantage to the children in the long run, where the parent cannot provide a suitable social/family/economic environment for the child/children.
3. Grandparents should be given consideration in assisting separated families if they reside in close proximity and if they are available to assist in the minding and care of the children should both parents work. It is vital that children continue to have a strong family connection. Generally the grandparents of the father suffer the most.
4. Another point I would like considered which directly affects the children(s) and family's future after separation is the inequity of division of property and finances, it appears that the father generally has to receive the lesser share of the family possessions but has to forfeit all monies he had to the ex wife, under the pretext that is for the benefit of the child, it would appear that the mother does not have to contribute to the child's welfare at all. The father should not be forced in to giving the mother a percentage of his earnings after the separation, it should be half the amount deemed it costs to bring up a child/children, if this formula were applied then the father would be able to maintain his self-esteem and enjoy real quality time with his child/children when he has access to them, if the father has any assets of perceived value he has to pay the mother the increased value which puts a great strain on the fathers ability to support any children after the separation and decreases his

chances of ever forming a loving and secure relation ship for himself in the foreseeable future. In my experience the woman who gets the lions share of assets and monies remarries in a very short time after such division and gets on with her life with her new partner leaving the man to struggle and feel less than a second class citizen.