

Submission No: 196

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Secretary: _____

A concerned community member

_____ we married after 4 ½ years in a defacto relationship. In March 1987 we celebrated the arrival of our daughter. In December 1988 things took a turn for the worse and I lined up for a divorce in January 1989. My ex-husband wished to stay in his home town with his family to support him. I needed to move to _____ (9-11 hours drive away) to be with my closest family members.

I am very grateful that there was no requirement about the equal time as this would have meant me staying in a location which was **not socially or emotionally or long term professionally supportive**.

I have always endeavoured to have our daughter maintain contact with her father and his family with regular visits (up to 4 per year for 1-2 weeks at a time) at my expense. I have been able to complete a degree in Social Science and two post graduate qualifications at the University _____ and taken up a career option in regional NSW. **NONE** of this would have happened if I was forced to stay with in visiting distance of my ex-husband.

This is the object of being the custodial parent I have the right and obligation to do what I consider to be in the best interest of our daughter. I feel strongly that each case should be taken on its merit and my concern is what would be required to rebut this presumption. I can remember people talking about having to prove grounds for divorce and the heart ache that this caused as the adults tried to prove that the other parent was not worthy of being part of the children's life. **IF** this was the case what would I and our daughter have needed to endure to be allowed by the Family Law court to live where I chose to. Does it go back to the 1970 -80 where by I would have needed to evidence grounds for wanting to live elsewhere.