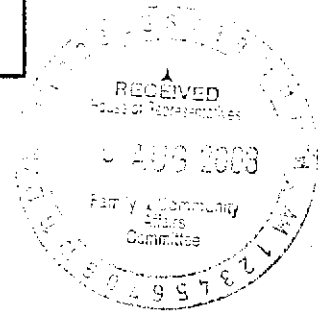


House of Representatives Standing Committee
on Family and Community Affairs

Submission No: **315**
Date Received: **6-8-03**
Secretary:



PO Box 284

KATOOMBA NSW 2780

2nd August 2003

The Committee Secretary
Standing Committee on Family and Community Affairs
Child Custody Arrangements Inquiry
Department of House of Representatives
Parliament House
CANBERRA NSW 2600

To Whom it May Concern,

I am writing to you re the proposed new parenting law for 50/50 custody. Although I agree that children have a right to know both parents I feel that children also have a right to a life that is safe physically, mentally, spiritually, morally and socially for them.

Unfortunately I have been witness to a number of parents who don't provide a safe environment for their child. Most parents separate due to one of them being abusive to the other parent and child/ren.

The abused parent and child/ren live in constant fear of the abusive parent returning and/or going through court

proceedings again. Many children do not wish to see their abusive parent, predominately the father, for good reason.

I have heard the males, pushing for 50/50 custody, complaining about paying maintenance for the child/ren. It is a parent's responsibility, or legal duty, to maintain their child/ren. If a parent doesn't provide financially for their child/ren then they don't really care for that child as they are not providing adequately for the child's welfare, have virtually abandoned the child and have, therefore, no real right to their child/ren as they have neglected their duty to care for the child.

A child has a right not to be abused physically, socially or emotionally. A child should not be placed in the care of a parent who is likely to abuse them and not provide adequately for them. A child would be emotionally distraught and unsettled if they had to keep moving from home to home, school to school, etc. The constant movement between homes/parents would make it difficult for the child to make friends, do well at school, develop social skills, etc.

Courts are a horrendous place for children and it would be awful if a child had to face another court case.

However, if they do and this law is passed then the children need to be given a chance to express their views about where they would like to live.

In 1990/91 the Australian government members signed the UN Convention of Rights of the child. I would like to remind you that this article included that all court/legal/political children's decisions should be made in the best interests of the child; children have the right to express their views about decisions being made about them if they are capable of expressing these views; children have the right to a standard of living that is adequate for their physical, mental, spiritual, moral and social development and not to be abused physically, socially or emotionally.

Please continue to consider the child and their rights when deciding upon the passing of this new parenting law. Children are Australia's future and it would be terrible to see the life of these children violated and possibly growing into misfits socially as adults because their rights and wellbeing has not been adequately considered now.

Yours faithfully

Julianne Ivins