

House of Representatives Standing Committee
on Family and Community Affairs

From: [REDACTED]
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 To: Committee, FCA (REPS)
 Cc: [REDACTED]
 Subject: Child Custody Arrangements Inquiry

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 Secretary: [REDACTED]

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I am a separated parent with a 5-3/4 year old daughter. I separated when my daughter was 4 months old, and recommenced graduated parenting time with my daughter from 7 months old through to present day. My ex-partner has never made it easy for me to have valued parenting time and has fought me every step of the way to stop my endeavours. I now have three (3) days a week plus half of the school holidays.

Preamble, separated parents have responsibilities with duty for maintaining their child/ children existing family, social and educational networks. Where separated parents continue to live within close proximity of each other and desire and want to continue active parenting participation in the full range of day-to-day activities such as providing a loving and supportive home environment with lifestyle stability with predictability; house keeping, shopping and meal preparation; assisting and providing support with school activities and homework; and involvement in social and sporting functions; then 50/ 50 parenting is highly recommended.

The aims of all vested interests groups is for the interests of child/ children welfare. Whilst this sounds wonderful in theory it is fraught with many pitfalls for the unwary separated parent that ventures to maintain some type of family function intact. The pathway that I have experienced is a continuous emotionally draining, financially exorbitant, and legally frustrating roller coaster ride. It has cost \$13000.00, money that has allowed for the evolving positive rewarding father daughter relationship that is a beautiful experience. Money that has been spent on legal counsel that could have been better used for family needs.

In seeking valued parenting time with my daughter, I have put forth my case to...

- (1) Family Law Court Counselors, ex-partner refusing with no valid rational
- (2) Legal Counselors, ex-partner refusing with no valid rational
- (3) Ex-partner granted Legal Aid
- (4) This system is wrong! Why?
- (5) Court, same case presented, parenting time with my daughter granted

The existing separated parenting formula whilst it continues on in its present format serves only to create and achieve sheer utter frustration with animosity between separated parents. Adverse harmful situations have been created and are well documented by the media. Child/ children unfortunately become unwitting victims of an unreasonable parent! I have have been the victim of an unreasonable ex-partner!

Considerations for 50/ 50 shared parenting...

- (1) For shared parenting to work respective parents need to...
 - Be committed to their child/ children ongoing life development
 - Be reasonable, consistent and reliable with child/ children and ex-partners
 - Consider its the parents that have separated for their own reasons, and child/ children have not separated from either parent
 - Be flexible with the needs and requirements of child/ children and ex-partners
- (2) The child/ children right to be known and care for, and to have equal time with respective parents should be regarded as a right and not a privilege! As it is a parents right and not a privilege to continue as an ongoing active parent for their child/ children
- (3) Child/ children have right to know who they are and where they belong with both mother's and father's families
- (4) Shared parenting of child/ children would ensure equality of time minus the inevitable negative harmful emotional wrangles that ensure when separated parents consider their own needs over their child/ children needs

- (5) The 50/ 50 parenting formula has favourable merit, however there are adverse pitfalls that will always need to be considered per individual case
- (6) Every case is individualistic and should never ever be subjected to the unfair, adverse, misrepresented, misleading gender labeling that occurs and that is applied by various vested interest groups
- (7) Where it is shown that the child/ children safety, welfare and interests are maintained, and reasonable arguments put forth for change, the 50/ 50 parenting formula should always be considered
- (8) Mediation is much more preferable than court. Family Law Court Counselors should be given the authority to trial changes with the view for permanency. However, if through mediation that child/ children emotional, psychological and physiological welfare and safety is considered at risk, then court referral is paramount
- (9) Consenting orders are civil orders that are oftened contravened by one or the other parent. The only recourse being the local court. Police should be given the authority to enforce civil orders. If the Police are satisfied that the child/ children safety and welfare is not at risk, then Police enforcement would reduce frequent unnecessary frivolous court appearances because of one parent wanting to be unreasonable
- (10) Sadly, there will never be total agreeance with whatever parenting formula that is in place. There will always be varying degrees of separated parent conflict. If whatever proposed parenting formula requires no conflict to work, then...
 - Why have the parents separated!
 - If the caring/ residential separated parent is not supportive of the shared parenting concept, then the child/ children become unwitting tools to be used for creating situations of potential conflict through unreasonable action with the aim to elicit a potential reaction, conflict!
- (11) The present Family Law system is a lucrative financial earner for lawyers that can charge non caring parents up to approximately \$2000.00 just to hopefully achieve everyother weekend access
- (12) My initial experiences with lawyers were that I had no rights and I would be wasting my money. Information sites are available so that separated parents can become more informed of their rights, however lawyers are quick to point out that these information sites sound wonderful in theory and are not worth following. Well I have three days a week with half of the school holidays through my own tenacity and eventually finding a lawyer that has belief in family values