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From: Manly Warringah Family Support Service [mailto:fss2@optusnet.com.au]

Sent: Thursday, 31 July 2003 4:29 PM

To: Committee (REPS)

Subject: Letter regarding joint custody inquiry

Committee Secretary
Standing Committee on Family and Community Affairs
Child Custody Arrangements Inquiry
Department of the House of Representatives
Parliament house
Canberra ACT 2600
Australia

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 1285

Date Received: 31-7-03

Secretary:

Dear Committee

This letter is a submission to the Committee's Child Custody Arrangements Inquiry.

Family Support Services work involves the needs of families who are often disadvantaged and have limited access to valued resources. In the case of parental separation, there is usually a greater vulnerability resting with the main child carer as they lack financial independence due to giving up work to care for the children.

As the Burden of proof falls with the person applying for residency, this is potentially already

sabotaged by the lack of resources available to the full time unemployed carers. This could therefore result in further long and arduous legally aid funded battles, compromising the availability of the parent for the child.

The presumption of a 50-50 joint custody arrangement would inevitably have a negative impact on the child, whose best interests should be paramount.

For instance; the child may need to attend two different schools or daycare centres, develop disjointed friendships and lack essential consistency.

A further cost would occur with lower socio economic families who would need to provide two separate family homes, with two separate applications for the Parenting Payment Single.

Equal residency does not necessarily mean equal responsibility; i.e, one parent tends to attend to practical day to day parenting issues and acts as a point of reference for the many services the family becomes involved with. In the case of the proposed legislation this could become diluted and cause unnecessary confusion and stress for all parties concerned.

In the case where child neglect or domestic violence may be occurring, these indicators are extremely difficult to prove. If the proposed amendment is passed, children may continue to suffer neglect and violence on an even greater level, which is simply unacceptable.

Family support services are often witness to non residential parents who claim to want increased contact with their children, but are actually seeking increased financial support from the government, without adhering to their co-parenting responsibilities, thereby causing further hardship to the residential parent, due to Centrelink reducing their benefits. In the case of the new legislation, this would need to be policed more closely, once again draining resources.

Yours sincerely

Ashleigh Woolridge
Manly Warringah Family Support Service