

Submission to: Standing Committee of Family & Community Affairs,
Child Custody Arrangements Enquiry

House of Representatives Standing Committee
on Family and Community Affairs

" The park is full of Sunday fathers,
And melted ice-cream,
We try to do the best
Within the given time. " Sting.

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Secretary:

As a separated father with long term experience of two radically different styles of parenting arrangements, I welcome this enquiry. Within the current system fathers risk being treated as second class citizens. Children risk growing up with only token contact with one of the two most important people in their lives.

My son, now 23, grew up in a fundamentally shared arrangement, by negotiated agreement. Based with me for most of his schooling, he had plentiful contact with his mother at all other opportunities, weekends, holidays, etc. The arrangement was also reversed for three years. As separated partners, but still as joint and equal parents, we did our best to achieve a balance. It worked extremely well. My son is a fine, happy young man and has an excellent relationship with both his parents.

In contrast, I have a younger daughter from a later relationship with whom I have had minimal contact, much to my regret. The day-care lady has more contact than I do! My daughter and I get on wonderfully well, but our time together is very limited.

Whilst babies and toddlers may have more immediate need of their mothers, in the long term fathers are of equal importance for children. Given the opportunity fathers can be first class in terms of domestic practicalities. Both parents are essential role models. One of the dangers at present is that growing up mostly without a father starts to become an established norm passed on to subsequent generations. Some sort of brave new world, but with half the foundations missing.

In our modern society so much has been achieved in terms of fundamental equalities, yet the bias against men within the family law court persists. Is this a remnant of an outdated attitude that see a woman's place as being in the home and thereby assumes that the children should be with her?

The cost in human suffering of thousand of fathers who get the raw deal would be difficult to measure but must surely be massive. It is only natural and appropriate that any parent be concerned by the imposed absence of their child. Thousands upon thousands of fathers live with an on-going sense of bereavement. Some suffer chronic depression as a result. Many become alcoholic, some end up committing suicide. Those who react angrily tend only to compound their misfortune.

The financial cost of legal action is at best off-putting. For some it is prohibitive. But if the best likely outcome for most fathers is two days contact per fortnight, then court action offers limited prospects at best. That distribution of assets and assignment of financial liability follow in favour of the custodial parent only furthers the imbalance.

Concerns about cases of abuse or neglect cannot be addressed by punishing the majority for the sins of a minority. The risk of abuse exists in non-separated families too. New partners of a separated mother may also be guilty. Unfortunately there cannot be an ultimate safeguard. Each situation must be dealt with on its own merits. In some cases children whose fathers are mainly absent may be more liable to abuse.

If the law is amended to a presumption that children spend equal time with each parent following separation, there will be a significant improvement for the thousands of children who grow up believing on some level that either their father does not care, or worse still that they do not warrant their father's care. It is sad enough that some men are not motivated parents, but it does great damage to our society if we severely disadvantage those who are motivated. Fathers who wish to be fully involved in their children's up-bringing should be, unless there are specific reasons otherwise. Breakdown of a relationship does not equate with disqualification as a parent.

D.H.Melville.
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