

Wednesday, 6 August 2003

Frank and Zoe Butler
Unit 115 / 101 Red Beach Road
Red Beach
Whangaporoa
New Zealand 1461

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 1399

Date Received: 8-8-03

Secretary:

[REDACTED]

To the (Secretary) Standing **Committee on Family and Community Affairs**
Inquiry into child custody arrangements in the event of family separation
Department of the House of Representatives
Parliament House
Canberra ACT2600

Fax 02 62774844

Dear Members

Our son lives in Tumby Umbi NSW and was separated in October 2001.

We are the Grandparents of our son's child and reside in New Zealand.

We strongly support a presumption that children will spend equal time with each parent as it will most certainly allow us contact with the little boy.

Prior to our son's separation we have at regular intervals played a loving and active part as his Grand Parents in his upbringing.

On separation that contact was stopped by the mother.

In our particular case the mother has openly declined all requests for contact outside of minimal interim court orders made some years ago and we are currently part of our son's legal action to be considered for additional contact.

We are elderly and the frequency of trips to visit our son is very limited and we find it extremely difficult to fit with limited contact order dates.

We welcome the government inquiry into child custody arrangements in the event of family separation and strongly urge the committee to consider and to recommend substantial changes to the existing family law so that grand parents can be included in the Child's life after separation.

Factors that should be taken into account are:

- The health of the Grand Parents because it is often difficult to have contact in times of ill health and such contact periods are then lost.
- The ability of the Grand Parents to be mobile should the mother have moved some distance away.
- The fact that elderly Grand Parents do not want to partake in the extremely difficult process of litigating contact through the Family Law courts and should not have to fight for every single piece of contact.

We believe it should be automatically the right of Grand Parents to continue proper contact after separation.

This will recognise the important part that Grand parents can contribute if they can be included.

Frank Norman Leslie Butler

Zoe Edith Butler