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Secretary:

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Committee Secretary
Standing Committee on Family and Community Affairs
House of Representatives
Parliament House
CABERRA ACT 2600

19 OCT 2003

To The Committee Secretary,

Please Note My Late Submission, as informed by me via email on the 8th August 2003.

I wish to make my contribution into the inquiry of the child custody arrangements in event of family breakup by the parliamentary committee.

If firstly I could inform you of my own personal situation, in that I am a single mother of one child aged five. My child, a daughter, has not had contact with her father. That has been her fathers choice, not mine. Although I am disappointed about this situation, I know that it has not had any negative effects on my child in that my child has had a very stable upbringing. She has not had to deal with any conflict between her father and myself. She is a well balance, social and intelligent child.

Although I understand that when a (healthy) bond has been established between a child and her/his father it is quite different to my situation. And in separation I do see that it may be important for the child to have contact with both parents. My point is that it is not vital for a child to have a father, when the child's needs are being met adequately.

My experience of being a single mother and the many barriers that we experience has been catalyst for the setting up of a resource center, and a support group for women that are pregnant and alone to solo mothers with children up to the age of 5. (Which I presently undertake on a voluntary capacity). Therefore I have had the experience of dealing with many single mothers and their issues. I would like to add, a major issue for these mothers is actually trying to get the fathers of their children to take some responsibility for their babies/children, this includes physical, emotional and especially financially.

I am also presently undertaking undergraduate studies at Murdoch University working towards an Arts Degree while also planning to move into a social work degree. Most of my academic research is directed towards single parent issues, in particular single mother's issues.

So with this background information I now wish to make comments to the inquiry committee. In doing this I wish to make comment on each point to be investigated by the committee.

- (a) Considering that the best interests of the child are paramount:
- (I) I do not agree that there should be a presumption that children will spend equal time with each parent in the event of family separation and my reasons.

I would argue that:

1. Fathers are important although they are not vital to the well being of children. "One large for the American National Institute of Child Health and Human Development, concluded that the presence or absence of a father mattered less to cognitive development than 'the quality of the child's environment - the presence of caring individuals.'" (McMahon 1999)
 2. It would appear to me that poverty issue that single mothers experience is being incorrectly blamed on lack of a father figure, when in fact the family maybe struggling because of financial burdens. "One large study of divorced found that - children's educational and psychological outcomes were not correlated with fathers' level of child contact, though they were correlated with father's level of economic support." (McMahon 1999)
 3. (a) The reality parenting is a gender job - let's leave it that way. "Another study tellingly concluded that research into the effects on children of father involvement was unlikely to show much difference between father-absent and father-present simply because 'too few father show the high level of involvement needed for a reliable difference to emerge.'" (McMahon 1999)
- (b). Mothers have a much more physical bond with children, taking into consideration pregnancy, childbirth and breast-feeding, and in that they are the parent that usually stays at home with the child/ren.
- (c). Although women are moving back into the work force, it is still on a part time basis, and the child related activities are still carried out predominately by the mother.
- (d) Mothers are a lot more aware of their children's emotional well being. In a honors thesis about shared care by Murdoch University Student Carol Lacriox (2001) found that father's were unaware of their children's emotional needs, and mother's still had to be available for these needs, even when the children where with their fathers.

(e) Mother's are more prepared to educate them to become more effective parents. These holds true to all parenting courses I have undertaken, always the majority of participants are mothers. (One or two men may attend in comparison to 18 women.)

(f) Safety issues, I am recently aware of a young girl being raped by her father's best mate while in her father's allotted contact time. I would suggest that mother's are more aware of child protection issues than fathers would.

4. (a) The thesis as mentioned previously by Lacroix also found that even though there was a presumption of shared care between the parents that were involved with her studies. When the activities that the parents undertook in relationship to the child/ren was looked at closely, it became very obvious that the mothers still did the majority of child related activities. One mother still picked up and dropped off the children from school even when it was the time the children spent at the fathers.

This allowed the father to continue working, while the mother because of the commitment to her children could not work to the same extent as the father.

(b). This study also investigated the catalyst for the parents establishing shared care It was found that the reason's for the mother's, having shared care for their children is very different to that of the fathers. While the mothers saw it in the best interest of the children to have equal contact with their father's. The father's saw it in their own interests, it may have fitted into their work commitments or that they did not have to pay as much child support and presently the situation suited them. Fathers also seemed to have the understanding that they could cease this arrangement any time they wanted. Mother's appeared to have to facilitate the agreement to keep it in the best interest of the father. Mother's were concerned about how any rejection would effect the children.

(c) The precedent for 50/50 shared care is not being reflected in our community, shared care is defiantly not the norm. If shared care wasn't established by a couple prior separation, why should it be post separation? I do not see the dramatic changing of children's routine after separation as beings beneficial to children.

5. In fact our father's are rapidly loosing contact with their children after separation. The statistics aren't very favorable for Dad's - 1 in 3 father's completely loose contact with their children after separation while 1 in the remaining 2 has limited contact. (McMahon 1999)
6. Routine for especially babies/young children and school-aged children is paramount. Living between two houses does not provide this.

7. The practicality of sharing care of the children, it is difficult to facilitate. In the proximity of parents practically living close to each other, also to school and after school activities.
8. We do not have family friendly workplaces. How can both parents participate in the workplace and also care for children at the same time. Also the account to the difficulties of changes to work locations and situations need to be taken into consideration.
9. If there is continuing conflict between parents after separation the children will be continuously subjected to this friction.
10. The infrastructure that is needed to facilitate the change over of children is not adequate to meet the present needs. (When parents do not want to have contact with each other)
11. Shared care is difficult to facilitate, even with good communication. When communication is toxic between parents it will just add extra stress to all concerned.
12. The under valued essence of child care needs to be clarified, I feel our community and society feel that single mothers have it on easy street because apparently all we have to do is look after our children! When the reality is childcare is very important, also very time consuming and at time difficult.
13. The presumption of shared care when there may be issues of domestic violence or long term mental abuse which may be difficult to prove is too scary for words.
14. A mother may stay in a relationship that is detrimental to herself and her children for the fear of her partner establishing shared care if she leaves. Where she considers the children will be in the not be safe in the presence of the father without her.
15. For my understanding the majority of parents can work out parenting contact after separation by themselves (95%) granted it may not be what each parent specifically wants. Although hard and fast rules being established because of a minority (5%) is unrealistic.
16. The Prime Minister's public statement about this inquiry in that it only mentions "the concern he has for boys not having contact with their fathers" Is a comment about the boys for the boys.

17. If the father happens to be the better parent, shared care does nothing to protect the children when other considerations are taken into account.
- (ii) I do not feel that the court should order parent's to have contact with other person's such as their grandparents
1. Once again I feel it is important that children have contact with their grand parents although I do not find it necessary. I also feel that the family court should not have too much control over which children should see post separation other than their parents.
 2. Also I feel that contact between the father's parents should be facilitated by the father not the mother.
- (b) in relationship to the existing child support formula and if it works fairly for both parents, and contact, with, their children
1. In my experience separated mothers continue to have difficulties in obtaining financial assistance from the fathers of their children.
 2. Because of this single mothers continue and their children live in poverty.
 3. I feel that it will be detrimental to children if a \$ value is put on the amount of time children spend with their parents
 4. If any changes are to be made I feel it is important to consider the above statements.

Kind Regards,
Kathy Smith

Reference

Lacroix Carol, *Sharing Caring: Negotiating Parental Responsibility After Separation*, Thesis submitted in partial fulfillment of requirements for the degree of Bachelor Of Arts (Honors) in Woman Studies of Murdoch University, 2001.

McMahon Anthony, *Taking Care of Men Sexual Politics In The Public Mind*, Cambridge University Press, Melbourne, Australia, 1999.