

Forbes, Bev (REPS)House of Representatives Standing Committee
on Family and Community Affairs

From: [REDACTED]
Sent: Wednesday, 29 October 2003 8:30 PM
To: Committee, FCA (REPS)
Subject: Child Custody Arrangements Inquiry

Submission No: **1674**
 Date Received: **29-10-03**
 Secretary:

Please note; I wish to submit the following confidentially and would appreciate being authored as anonymous to protect the interests of my child.

30 OCT 2003

Dear Sirs,

I submit to you my account of the current injustice relating to the state of affairs with the family court and contact/residence orders and how it relates to equal & shared contact arrangements for children.

My situation is recent, my former partner has ended the relationship and engineered sole primary care of our 19 month old daughter at the time. Within 4 months of our separation she was expecting a child of another relationship and marriage later in the same year. We were a defacto relationship. Although the actions leading up to the separation are seen in the courts eyes as trivial, they do impact emotionally on the climate surrounding the separating parties, nonetheless.

In this case, my relatively new role as a father has been compromised as the significant male in my young child's life. My attempts at obtaining for my child a fair and just contact arrangement have been futile. My former partner is able to unilaterally withdraw prearranged - mediated contact, if she feels it is in my child's best interest to not have contact with her biological father. There is no section under the family law act preventing this type of action. Add to this the limited options for denied fathers in my position having to reluctantly pursue legal avenues which creates an adversarial context that compounds the already immense tension and emotion of a separation.

My current contact arrangement of alternate weekend and one week day contact is viewed in the eyes of the law as generous, in relation to a benchmark that was achieved 25 years ago, that does not take inconsideration contemporary male paternity.

I am therefore in support for an equal and shared parenting arrangement for children that is implemented immediately upon the official separation of parents.

I firmly believe that Parental Co-operation can only be compelled to succeed if the importance of such an arrangement is cemented in state legislation and is enforceable through our common law.

I wish to submit the following poem I read recently in relation to shared custody

30/10/2003

arrangements:

Our Shared Role

I dreamed I stood in a quarry
And watched two sculptors there,
The ironstone they used was a young child's mind
And they fashioned it with care.

One was a stonemason, the tools they used
Were books and music and art;
The other was so gentle a blacksmith,
both worked with guiding hands and loving hearts.

Day after day the sculptor's toiled
With a touch that was deft and sure,
the sculptors laboured both by each side
and polished and smoothed the ironstone pure .

When broke the plinth on which the ironstone lay
The stonemason and blacksmith were torn
For both had acquired position to hold
the plinth against full weight of the form.

Their tools lay grounded on the earth,
out of their masters reach
To make matter worse a dark crack appeared
on the stone, in their hands, near the peak.

As arguments brewed for who should let go
both arms of the sculptures were held
For the work on the stone had suddenly stopped
and the plinth had begun to unweld.

An instrument common to both lay close
the tool who was most true and just,
It suggested they place the stone on the ground
and to work in co-operation they must.

They placed the stone on the soft soiled earth
and told they the instrument all was not fine,
For to mould the stone now was a delicate task,
for the dark crack was now hairline.

The instrument sort to deliver to them
a new method for moulding the stone,
It involved supporting the form for the other
to now share work in turn, on the stone.

When at last their task was done,
They were proud of what they had wrought,
For the things they had both moulded into the child
Could neither be sold nor bought.

And each had agreed they would have failed
If they had worked alone,
For the child, now stood with extended arms,
and embraced them both as his one and own.

thank you