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To: The House of Representatives,
RE: THE CHILD CUSTODY ARRANGEMENTS INQUIRY
Parliament House,
Canberra,
ACT
2600

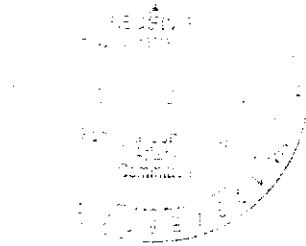
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House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 325

Date Received: 6-8-03

Secretary: [REDACTED]



To the Most Honorable House of Representatives,

It is my belief that it is not in the interests of the children's psychological health and emotional stability to be in equal shared custody.

This is based on my experience with my older three children for a period of approximately four years following the divorce of my self and my husband. Following the initial separation we as parents had a similar set of values and household rules for raising the children. As time went on the divergence between the two households became extremely different. We as parents became less able to work successfully with agreements we had previously made in areas such as the children's health, their diet, their behaviour, and developed difficulty agreeing how to meet bills regards the children's needs. We both had new partners, and although the two of us sought counseling to resolve problems one of the new partners was unwilling to cooperate with these agreements. The children moved between both homes every few days, and one child became unwilling to pack and unpack the moving bags because of being constantly on the move. Another child exhibited apathy and expressed "I feel like a ping pong ball".

The custody access arrangements was changed to one parent having week day custody, and the children had an alternating weekend with each of us and half the holidays with each parent. The children's behaviour stabilized and they have all done well at school since.

In the interests of the child I believe this is the best arrangement.

If it is changed to the King Solomon Rule of 1/2 each it is to please one of the parents and not the child's best interest. I believe if each case was to be examined that there would be fiscal advantage to what would now be the non-custodial parent but that the children's emotional stability would be the price.

I am concerned that there would be a flow on of these 50/50 custody changes to de facto couples and single mothers. Many men are unwilling to commit to marriage, and I am concerned that these men can get a women pregnant without going through any kind of agreement as to what values the child is raised with, be given equal standing in these legal issues as those that do.

Avoidance of maintenance is a big problem. Male stand-over behavioural tactics are a problem. Alcohol use is a problem. Domestic violence and spousal rape are problems. I think if you did a study of the males agitating for these changes some may be in fact sincerely committed and dedicated parents; but before making these changes I ask that you sincerely consider the consequences.

In the Gold Coast Sun Dierdre Smith in the article "Custody law set for big changes" p 24, July 30 2003 quotes MP for McPherson, Margaret May as saying 'There wouldn't be a week or even a day that I don't get a call from a non-custodial parent'. A point I'd like to make is that just because these people are obsessively occupying her time does not necessarily imply that their point of view

is correct or the only one to be considered. If these people are in fact ringing and harassing her at such a high rate perhaps it is worth considering how much harassment and coercion they are attempting to exert on the custodial parent. This group of "FOUR M.P.'s" (ibid.), who are agitating for custody law changes, would do well to weigh up whether in trying to get these 'non-custodial parents off their case', they are in fact aiding them in unhealthy bullying: and that as a direct result a lot of children who are currently doing quite well may in fact be subjected unnecessarily to further instability, turmoil and vitriolic chaos.

If the problems are that some women don't co-operate with the access arrangements, set up a system to examine each case and sincerely look at how much interference that the males are causing in their new lives, or other reasons that they may have for not complying, and act on your findings case by case. Don't tar all single female parents as doing this. A safe visitation house per council area, would allow a way for access visits of children for fathers with behavioural aberrations (: read violent, abusive, addict, controlling, alcoholic etc), and offer a viable alternative to those women who want to see no more damage take place in their lives or the lives of their children.

If there are problems with men avoiding maintenance examine each case and sincerely look at how much effort that the males putting into supporting their child, and act on your findings case by case. By the Child Support Agency placing capping on wage amounts for assessment, and allowing people owning their own companies, to avoid paying fair support of their non-custodial children, it results in the children not being able to benefit from their fathers efforts.

The article states that the men want to be involved in the decision making. Perhaps there can be supported conflict resolution provided by the State, around the issues in question but if they can't agree then let the custodial parent decide, after all they broke up because they couldn't live together and decide things together, and it's unlikely that things would improve after separation. It didn't improve in my case as the involvement of new partners complicated things even further.

The creation of the sole parent pensions have meant that a lot of custodial parents no longer have to be fiscally dependant and stay in destructive and abusive relationships. Government supported Childcare has allowed many to get on with their lives working and studying. Healthy sole parents are more able to meet the needs of their children, which in turn creates a healthy populace, than compromised and coerced partners who have their own emotional needs unmet and who in turn are less able to raise healthy children.

I hope that my opinion is of some assistance with this issue that will affect all divorcing couples if allowed to be endorsed and put in place.

Yours sincerely,

Carolynn Newport

