

August 8, 2003

Committee Secretary  
Standing Committee on Family and Community Affairs  
Child Custody Arrangements Inquiry  
Department of the House of Representatives  
Parliament House  
Canberra ACT 2600  
Australia  
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| House of Representatives Standing Committee<br>on Family and Community Affairs |
| Submission No: <u>842</u>  |
| Date Received: <u>8-8-03</u>   |
| Secretary: _____   |

Dear Committee

This letter is a submission to the Committee's Child Custody Arrangements Inquiry.

I am an accredited social worker, Coordinator of a woman's refuge for women and children escaping domestic and family violence, and a children's contact supervisor.

I have two points to add to this discussion:

- 1. Too often Interim Contact Orders are broad and vague.** If there is any violence and abuse in the relationship, more investigation is required to ascertain children and parents' safety. The first 18 months after separation is the highest risk period for heightened violence. Many times women report giving in to random wishes for contact with the father "to keep the peace". Often it is during this period that fathers express their concern and love for their children, by not returning them to their mother, an experience that terrifies most children. Children need structured support during this time to reassure them their world is not falling apart. To abandon parents to McDonalds is not a satisfactory option.  
**The access to Children's Contact Services should be increased, more services available and better funded to support and accommodate complex demands.**
- 2. The Safety of Children should be the Rebuttable Presumption not parental rights!** At the contact service, parents often say to me that they have a "right to see my child" whether the child wants to see them or not. A handover even at our service is often a contest of wills between parents and children together. When this occurs outside available support or in emotional charged family environments, children are always the victims. The use of child support payments as a bargaining chip in children-parent contact is immoral, and not relevant to children's mental health.  
**Children should have a secure home, in their best interests.** For many children it is not suitable to be expected to move back and forth like objects. It is not in their interests to presume that they will cope. Many children of conflictual families are used to minimising and subjugating their needs to keep peace. **If parents are not in a situation to attend to children, and many are not, then faced with the additional stress of weekly relocation, children's needs will not be met, and children will be at risk of serious stress and trauma.**

In conclusion, as only 1 in 4 domestic violence crimes are reported, there are many women and children whose families have separated without the support of women's services. These women are seeking consent orders often at the request of their solicitor, or pressure from the partner to "see the kids". The mothers often wish paternal contact to continue but when the father has challenges in accepting the separation, or disputes the mother's ability to "handle the kids", then the atmosphere in which contact and handover occurs is often charged and dangerous. **Parents and children in conflictual separation need greater amounts of support, including sensitive monitoring of their safety, and speedier response when risk occurs.**

There is already provision in current legislation for shared parenting if ex-partners feel that arrangements suit themselves. Unfortunately not enough care is given to arrangements that suit the children.

I would be willing to speak to this submission given notice.

Thank you,

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