

House of Representatives Standing Committee on Family and Community Affairs	
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From: [REDACTED]
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14 Lancett Court
 SORRENTO WA 6020

17 August 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

Dear Sir

CHILD CUSTODY INQUIRY IN THE EVENT OF FAMILY SEPARATION

The best interests of the child should be fully defined such as (a) physical mental and emotional safety; (b) free from fear, stress and guilt (c) needs taken care of (d) stability and consistency of care (e) each case to be accessed individually.

- In the first instance, the most stable and caring parent should look after the child.

We have witnessed a family where the father has been irresponsible and bizarre in behaviour, and supervised access has been necessary. **Legislation must be framed so that, in such cases, the other parent will not need extensive expensive court cases to secure the safety of the child.** Unfortunately, there have been many cases of an unstable parent taking the life of the child(ren).

- The proposal being on one parent to prove in court that the other is unsuitable to care for the child is unworkable. A better solution is to screen and assess parents on whether their parenting has been proven to be caring and stable already when there was a relationship - this should be an easy guide on which to make a decision. This is a character assessment.

We have also witnessed cases where the child is very traumatised as a result of access with the non-custodian parent, resulting in bed-wetting, loss of speech, bad behaviour and low school performance.

We consider it is **totally absurd that children spend equal time with each parent** for these reasons:

- there may be reasons such as drugs, alcohol, gambling, abuse issues that would make it unsafe for the child to be with one of the parents;
- a lifestyle where a child is constantly moving from one house to another causes disruption (alternating each week or month) and would be upsetting and dysfunctional to the child; changes of routines bring insecurities and instability;
- children like consistent boundaries and they would have alternating lifestyles which could bring confusion and disorientation;
- it would be difficult to operate such a system;
- avoidance of spiteful court cases (which damage all parties involved);
- consideration of wishes of the child and where he feels most safe and secure.

Yours faithfully

Paul Davies

Diane Davies

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