

More help needed for grandparents in child custody matters

An increasing number of grandparents are being denied contact to their grandchildren due to family breakdown, parental drug use and domestic violence, according to Queensland's peak body representing community legal centres.

Community Legal Centres Queensland is calling for seniors legal services to be expanded throughout Queensland to help those most vulnerable in the community.

The renewed calls for funding come after the attempted drowning on Friday of two boys by their mother in Moama soon after her release from jail.

Kirsty Mackie, Solicitor, Suncoast Community Legal Service and Chair of the Queensland Law Society's Elder Law Committee said in recent times grandparents had been forced to take on a larger role in their grandchildren's lives due to working parents and increasing costs of childcare.

Ms Mackie said grandparents were also being relied upon by the Department of Child Safety as alternatives to parents who had substance abuse issues, were in prison or who were experiencing domestic violence.

Without a formal parenting order in place they can't obtain financial family assistance, access Medicare, open a school banking account, obtain a passport or even be authorised to apply for a birth certificate.

"Part of the problem is the growing issue of drug use in regional Queensland, in particular ice which causes parents to completely disengage from all activities including being a fit and proper parent to their children," said Ms Mackie.

"Sometimes parents are in prison or 'disappear' due to drug taking binges and don't participate in mediation or consent to formal parenting orders.

"The grandparents are left with no option than filing a contested application in the Federal Circuit Court for parenting orders.

"This is complex, time consuming and can take up to 18 months to finalise as the parents often engage in the court process and then disengage which causes multiple adjournments of the court process."

Ms Mackie said it was not uncommon for DVO's between grandparents and their own children when grandchildren were involved.

"In some instances, parents turn up to then grandparents' home, leave the children and often don't return for several months and when they do they demand that their children be returned to them," she said.

"Parents often become violent when under the influence of drugs and alcohol and grandparents are exposed to family violence when they try to step in and protect their grandchildren from their own parents."

"Unfortunately only half of the people who contact one of our community legal centres are able to get the help they need," she said.

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“The remaining 50% are turned away because we just don’t have the resources we need to provide help for everyone who qualifies.

“In July this year the Commonwealth Government will cut almost 30% of funding to community legal centres across Australia.

“Community Legal Centres Queensland is calling on Malcolm Turnbull and George Brandis to reverse this decision to ensure grandparents get the legal help they need and the protection they deserve.”

Ends

NOTES:

1. Community Legal Centres Queensland Inc (formerly QAILS) is the state-wide peak body representing community legal centres in Queensland. Queensland community legal centres have 40 years of service delivery experience providing free information, advice and referral, casework and representation to the community. www.communitylegalqld.org.au

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