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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

House of Representatives Standing Committee on Family and Community Affairs	
Submission No:.....	738
Date Received:.....	8-8-03
Secretary:.....	

This submission supports the proposal that children of seperated couples would presume to spend equal time with each parent and that extended families are not excluded from contact.

Dear Sir/Madam:

Thank you for the opportunity to address this committee.
I would like to request an extension of time for my submission and submit the following nearly as a summary of the various points I wish to make.

Since the introduction of the FLact of 1975 and the Family Court of Australia (FCA) it is my strong conviction that minority groups have been actively involved in manipulating the system for financial, political or moral advantage. Manipulation is sourced at the highest levels of government on both sides of politics, is entrenched in the legal fraternity (including the FCA Judiciary), the administration of the FCA, CSA, FACS, HRAEOC and related community organisations.....maybe even this committee.

The Biblical account of Eve being created from one of Adams ribs, is I believe a beautiful reflection of Gods ideal that man and woman are equal. Eve was not made from a bone of Adams foot, ie being under Adam nor was she made from a bone of his head ie, being over Adam, rather she was made from a rib, ie beside and equal with Adam. Also "woman" means of man and of course we are all born of a woman...a perfect balance. Gods intention that when a man and a woman "know" eachother they become one flesh is enshrined in most wedding ceremonies. I think we can loose sight of the truth when we don't include God in our workshop manual for children and families. Proverbs 14:12 says "There is a way that seems right to a man, but it's end is the way of death."

The all too common outcome of the current system is that the mother is elevated to the status of a goddess while the father is branded a criminal. It has been suggested by FCA staff that women do better in court only because they prepare better submissions. If men had access to unbiased, free legal services, as women do, maybe men could at least feel they are getting treated equally. I am not aware of any independent research that concludes that children are better off without their biological father and yet this system has, under the

smoke screen of "in the best interests of the child" in the vast majority of cases both contested and uncontested, excluded and ostracised fathers from their children. The phrase "in the best interests of the child" is I believe nearly a convenient method of circumventing a fathers common law ownership of his children. The phrase has also been used to maintain the false public perception that children are the paramount consideration.

The truth of the matter is that children want and need their father and fathers want and need their children and those who oppose this point of view should be removed from office. If this is not the truth, why is middle aged male suicide 4-5 times higher than women, why would, on average 700 men commit suicide each year and why are so many young people dropping out of society and also committing suicide???????

The Chief Justice of the Family Court has already sealed his own fate by his comments that this presumption is "unworkable"...to use his own words.

Children have a basic right to contact with both parents but unfortunately the current system doesn't penalise parents who deny contact with the other (non resident) parent even though there are severe penalties for restricting or denying contact. It has been my experience and the experience of many others that the current system actually rewards, protects and encourages parents who hinder or deny contact with the non resident parent. The FCA is itself manifestly guilty of restricting or denying a child's right to contact by virtue of the orders that it makes. In virtually all cases there is no reason sort by the court when awarding one parent total control at the forced exclusion of the other parent. It is my belief that separating couples should in the "normal run of cases" work things out themselves and only in extreme circumstances should a court become involved. An example of an extreme case may be a history of abuse of the spouse or children. I believe that people need to take responsibility for their own actions and when deciding to separate should consider the cost and the implications involved. I do not believe the taxpayer nor a former partner should bear the financial burden of what is often nearly a "lifestyle choice". In my humble opinion the so called pension should be reserved for the elderly and those who are at a physical or mental disadvantage in our society. It should not be available to people who make a "lifestyle choice" to have a holiday on the taxpayer.

The current CSA formula is, in the words of the 1994 JSC Report "excessive and difficult to justify". I believe, anything that is compulsory should be a minimum rather than the maximum. The current formula and administration of the CSA is based on the philosophy "make the bastards pay". The JSC recommended that the government commission a study into the cost of raising children so that the CSA formula could be critically evaluated and underpinned. The BSU Report was the end result and was published in March 1998. It represents the most detailed study into the cost of children (and others) ever undertaken in this country and yet still hasn't been tabled in Parliament.

The CSA formula may work very well for the resident parent but does not work well for the majority of low to middle income non resident parents. Contrary to the objectives of the CSA formula it does cause a disincentive to work and many non resident parents find they are actually better off not being employed.

I believe there was and still is public support for a system that helps, those parents who have chosen to abandon their responsibility, come to realise the importance of their continued financial and moral support following separation. However I don't believe the current system has the support of the vast majority of the population and as Mr Howard so correctly identified in his answer to a question in the house by Mr Bartlett (Hansards pp16213 of 24 June 2003) "there is a level of concern and unhappiness" within the Australian community. He goes on to say that "The government wants to respond to that concern because we believe that these are issues that go to the heart of personal happiness for millions of Australians".

I believe that there must be accountability and although "no fault divorce" is a preferred option, where there are children involved and one party wishes to make a claim for support to the taxpayer and/or the other parent, there must be justifiable reasons for such a claim. I do not believe "a lifestyle choice" is sufficient grounds for a claim. One of the main problems with the current system is that it makes no distinction between those parents who chose to neglect their responsibilities to their children and those parents who through no fault of their own making were excluded and ostracised from their children by a cruel and vindictive "family" court system.

I have no doubt that you will receive a large number of submissions opposing the idea that in the "normal run of things" children would presume to spend equal time with both parents. Unfortunately men like myself who have been treated as criminals by the various parts of this cruel regime and who now lack any trust in authority to produce just and equitable outcomes will probably just say what good will it do for me to lodge a submission. Therefore those who should be most vocal will be swept aside by the wave of indignation and drowned out once again.

Thank you again for the opportunity to address some of the issues confronting this committee and I hope you are able to sort out some of the mess that has caused such trauma for so many people for such a long time.

Yours sincerely



Robert Weekes