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House of Representatives
Senate Committee on Family and Community Affairs
Enquiry into Child Custody Arrangements
Parliament House
Canberra 2600

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 1346

Date Received: 16-9-03

Secretary:

Dear Sir/Madam

I realize I may be late with this submission, but my personal experience with **Shared Parenting** is one that may be of particular interest to you.

My son is now 15 years old. He is a stable, well balanced boy, doing well at school, never been in trouble with the police, drugs, or even any suggestion of any wrongdoing. He is in year 10 at high school and intends obtaining a university degree

He lives alternately weekly with his mother and with me. He has two "homes." And this is his choice.

And **there was nothing amicable about the separation and divorce of his parents.** Lawyers and other "experts" made \$500,000 out of our four and a half year war, which went all the way to the High Court. So please remember this when those with some other agenda suggest that Shared Parenting cannot work unless there is co-operation between the parents. That is hogwash.

It is true that packing his bags each Friday is somewhat "destabilizing," but it is by far the lesser of the two evils when the alternative is alienation of one parent, usually the father, as is so often the case under the Family Court's destructive "live with one parent - visit the other" starting point. Whoever invented that obscene, bizarre concept must surely have been from some other planet. It is contrary to everything that is common sense about family relationships to even the village idiot. Why anyone should be surprised at the devastating crop of social disorders it has produced is beyond me.

Since the age of four our son said he wanted to live with Dad. But the Family Court squashed his clearly expressed wish. A psychiatrist **appointed by the Family Court** said he had never been so moved by a child so young expressing so consistently and unwaveringly such a profound clear wish. He said if the child did not get his wish he believed it would be an act of cruelty. The psychiatrist said the mother had a personality disorder and that her parenting (or lack of it) was toxic to the child. He even said he believed the child was in danger in his mother's care. He said the child received 100% of his nurturing from me, even though I had him less than 30% of the time. He said I was an excellent father. I had been his primary caregiver prior to arriving home one afternoon to find him gone. The Family Court rubber stamped this legalized kidnapping. I never considered taking him from his mother. But if I had, I wonder would the Family Court have gone against all the evidence to allow me to retain stolen custody. But that's another subject.



After I failed, in 1996, in my application to the High Court for Special Leave to appeal the Full Court of the Family Court's dismissal of my appeal, all legal avenues had been exhausted, and I was left with the "standard" two days/three nights a fortnight "contact" with my son., who was eight years old by this time.

As he got older he toned down his expressed wish to a preference for "50/50" – equal time with both parents, whom he loves. His mother, of course, would not hear of it.

When he was twelve years of age, and about to start high school, he took a stand with his mother, who wanted to start him at a school a long distance from my home. He told her that unless she allowed him to attend the school near my home and agreed to alternately weekly residence with each of us he would go and live with his father. I do not know whether she took advice, but she agreed. And we have had Shared Parenting ever since, with no likelihood of that changing before our son is at least eighteen, when he will make his own choices.

I cannot find one negative about Shared Parenting. It should never have been otherwise in our case. On the other hand I cannot find one positive about the disgracefully counter-productive Custody/Access regime enforced by the Family Court. Giving it a prettier name (Residence and Contact) does not change its lethal nature.

The best parent is both parents. When those parents split up, **the child needs both of them even more.** Without some other agenda I can't conceive of how any human could countenance any alternative. The Family Court is a tragic mistake of monstrous dimensions. Nearly all social disorders can be sheeted home, directly or indirectly, to fatherlessness. This syndrome has been **created** by the Family Court, of the lawyers, by the lawyers, for the lawyers.

I do hope your enquiry finally brings some meaningful change to the destructive debacle forced on us in 1975. I trust my experience may be helpful and wish you well.

Yours sincerely



Graham Dyer