

From: [REDACTED]  
Sent: Sunday, 24 August 2003 3:42 AM  
To: Committee, FCA (REPS)  
Subject: Child custody hearings

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Secretary: [REDACTED]  
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Dear Ms. Aitken,

I would like to attend the public hearing on Thursday 28 August 2003, 2:00pm - 5:00pm at the Hungarian Community Centre 760 Boronia Road, Wantirna, VIC.

I wish to offer a presentation along the following lines. I did not make a formal submission to the Shared Parenting Enquiry because I thought I had nothing different or of value to contribute.

But having attended today, the taping of "A Current Affair" special on this topic at Ch9, I have changed my mind.

I am now gravely concerned that the topical debate on child custody and related issues remains as polarised and as nasty as ever. It is my educated guess that during your enquiries, you have seen the same phenomena as I shall describe.

Having watched how this 90 minute taping session developed, I wish to submit that one very significant reason for the socially damaging polarisation that repeatedly emerges is the consistent public affirmation of, and prominence given to those with sad stories and angry complaint. Please do not take my observations as a heartless dismissal of human suffering.

However, the inevitable result was and is, that those with rationalised polarising opinions and emotional outbursts tend to dominate such debates.

Such repeated public affirmation encourages uncharitable behaviour, leading to more publicity, more affirmation, more polarisation and so on. The potential for other (charitable and potentially effective) options recedes both for affected individuals and for the whole of society. Any success story is typically portrayed as an aberrant curiosity. It is therefore easily overshadowed by those competing with their dramatic horror stories or sectarian prejudice.

The reality is that nothing of substance is actually challenged. Nothing is actually resolved. Such debates become nothing more than a moderated competition for greatest victimhood -- a truly pointless exercise. And this process is reflected in the typical introduction which suggests that mere debate is enough for the time being and that someone else or an enquiry will rank the competing victims and thereby magically find solutions!

Distressed divorcees understandably get stuck because they are, quite simply, not presented with any attractive or viable alternatives.

Well-intentioned politicians are rightfully wary of doing anything positive for fear of offending negative and noisy lobbies and their associated vested interests whether publicly funded or not.

I have long observed too, as I did again at this taping session, that those who already despair quietly are driven even further into silent despair.

Somehow this socially damaging cycle needs to be broken.

Were more publicity (for want of a better word) to be given to those largely unacknowledged but numerous couples and individuals who behave honourably, then a whole new paradigm is more likely than not to emerge. We, as a society need to be presented, nay flooded, with practical examples of good rather than horrible post-divorce behaviour. A concerted emphasis on honourable role models would surely encourage others to follow the good example. There are no potential downsides that I can see.

I therefore suggest that media guidelines, similar in intent to those already in place for reporting on suicide, ought to be devised to define the manner in which divorce, separation and custody should be handled by the media. And I include radio and print

as well as the TV.

The media really does need to recognise its past (often well-meaning but ultimately damaging) contribution to ongoing and sometimes lifelong post-divorce conflict. I would hope that many of those in the media would welcome such socially responsible guidance. It may apply a much needed brake on copy-cat, attention-seeking, nasty, post-divorce behaviour.

Having been a keen observer of social trends for many years, it is my belief that almost every facet of the present government sponsored systems relating to human relationships, divorce and child custody result in exacerbating conflict. In a similar manner to that at this taping session, they all tend to reward in many different ways those who fight dirty, complain the most loudly and behave vindictively.

These systems, from noble beginnings, have become huge and complex instrumentalities focussed on dealing only with the recalcitrant.

The evidence is unarguable -- those who wish to separate amicably avoid them all! Moreover, as you are undoubtedly already aware, there are even procedural barriers to registering amicable settlements and child care arrangements with these instrumentalities.

The most plausible reason for all this is that there are quite literally, no formal models offered by the whole 'Divorce Industry' for separating couples to behave decently. Its recently acquired label, 'The Divorce Industry' is a testament to its poor record. Despite the best intentions and hard work of individuals within it, several legislative modifications and hugely expensive additions, its outstanding social influence has, over many years, actually become a powerfully negative one.

The Industry is expanding not contracting. Destructive post-divorce interpersonal behaviour remains hugely problematic with predictable, typical and readily identifiable cascading effects on children and others.

The Industry's counselling arm (including its mediation branch) is worthy of special mention here because, despite what might be expected of a professional group claiming to teach charitable insight to others, it lacks insight into its own prejudiced frames of reference.

The Industry is not doing its job which surely is to help its clients by example, with honourable behavioural models to emulate and with timely education.

Perhaps offering monetary rewards for those who settle their post-separation difficulties amicably may help too.

Just as good parents do consciously and routinely, our society should strive to honour and reward decent human behaviour. Affirming those who behave dishonourably has not worked -- it never will.

In 2003, we are still failing to help all those in need.

Richard Millicer (Dr.)  
199 Lower Heidelberg Road  
Ivanhoe Vic 3079  
[REDACTED]