

House of Representatives Standing Committee on Family and Community Affairs	
Submission No:	1320
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Secretary:	.....

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House of Representatives Committee on Family and Community Affairs  
Parliament House  
Canberra ACT 2600

ATTENTION: Policy Advisor

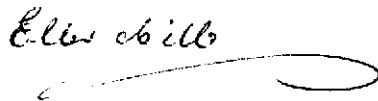
RE: Article by Stephen Bourke "No need to alter Family Law Act"  
Published in the Canberra Times 1 July 2003

I read the material put together encompassing the abovementioned and your response (dated 15 July). As a person who has been interested in and spoken to many people regarding parenting responsibilities following a family breakdown I would like to add another point of view.

- \* Changes do need to be made to the existing Family Laws relating to shared parenting - in theory it may be seen to be adequate but in practice it will only work if both parents make the children's needs the ultimate priority, but unfortunately, this is seldom the case.
- \* In a large percentage of cases the father of the children is not seen to be of much importance - except in a providing role. Even when he [the non custodial parent] is granted joint custody by the Family Court there is no follow-up to check if the directive has been honoured by the custodial parent.
- \* More investigating needs be done by the Family Court into who is the most responsible person to take on the role as 'custodial parent' not as it now stands - just assume that in most cases the mother is.

I find many of Mr Bourke's statements quite amazing for a person who held such a high standing as Head of Family Law Division in the Commonwealth Attorney General's Department, it is obvious he never did learn much about the emotions of children. Adults cannot tell them how to control their feelings - that is something they learn for themselves - even at a very early age. I have seen all too often the distress some children go through when being denied their father's guidance and company.

Finally: The Family Law Act needs some changes made starting with enforcing those who become parents to take full responsibility for what is before them [excluding exceptional cases] not - if it gets a little difficult - opt out and expect it then becomes a problem for the courts and/or government. The problem in our society today is there are too many people who cannot or will not accept responsibility for their own actions, and unfortunately, it works for them.



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