

Submission No: 1401

Date Received:

My recommendations to improve this situation are:

1. Remove Lawyers from the Family Court in these cases – I would often go have coffee or dinner with my daughter's biological mother but when her lawyer found out and informed her it would hurt her in court, the distance started growing again. Lawyers are poison. By not spending all that money on lawyer you ensure more money for your child. I know the \$40000 on legal bills could have put my child through school... now I don't have it and the lawyers are driving fancy cars. How is that in the best interest of the child?
2. Remember that divorce is not a crime and the non-custodial parent should not be treated as a criminal. All I wanted to do was be a parent. I was denied and my daughter was denied a father.
3. Perjury is a crime and should carry a punishment to match.
4. The best story teller should not be rewarded. I tried to succeed in court by explaining why I was a great parent and the other party did succeed by lying about what a bad parent she thought I was. That is unjust.
5. Each party should pay their own costs. In my case I pleaded time and again to stay out of court but my ex-wife took shelter there and won. Then I get hit with her legal bill. She wanted to go to court, she should pay.
6. The family court has billed me \$6000 for what they consider to be a waste of their time. I just spent four years in a system to get to a point where I lose my child and the courts cannot even enforce their own orders. I see that as a waste of my time and as such I would like all of the money I have spent returned to me. The total is in the vicinity of \$40000.
7. Child support – I describe this as organised crime. If the other party fights so vehemently so as to deny the non-custodial parent access or a portion thereof then they should accept a reduced financial rate. For four years I only even saw my daughter for four percent of her life because of the lies and abuse I suffered at the hands of the Family Court. Therefore as I am portrayed as such an inadequate partner I should have my child support payments reduced as such.
8. You cannot have a system that goes as hand in hand as Child Support and the family Court. The court reduces access to up the Child Support Payments. There exists a conflict of interest.
9. Shared parenting, fifty-fifty access or whatever term we put on it these days would alleviate a lot of this grief. I believe there may be some discord in the beginning but when the dust settles the child will benefit from having both parents close and really that is who we are working for.
10. Finally, make everyone in the system accountable. Judges, registrars and both parties. They have to answer for their actions.
11. Might I recommend the Shared Parenting Information Group (SPIG) website? I found it a good source for both sides of this argument.

I will stress again as I did at the hearing that nothing this committee finds will bring my daughter back. I am doing this for her and for fathers that follow me

into this system so that one day this inequality will and children will be allowed to see both parents.

My lawyer and good friend advises me, as I write, that I could and have considered a law suit against the Commonwealth for their mismanagement of this whole situation and the fact that I have had no rights in this system. However, as I type I know I am tired of fighting. I am frustrated at these inequities. I wonder if I can muster the strength to take on a new battle when all I have sought is a good life for [REDACTED] and to be a decent part of it. In exhaustion I sign off and say thank you for your ear (eyes) and hope that should I take up the pen again that my fight will change forever the sorry lot for fathers in the current sexist climes of the Family Court of Australia.

Sincerely
