

Submission to Family Law Review

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Secretary:

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As discussions are underway which may increase custody rights for fathers, some thought might be given to ensuring who IS the father, since the DNA test is clearly failing. (Letter from Chief Justice's office 31/3/03 [REDACTED])

Bungling, buckpassing and indifference to fraudulent paternity test results is causing intense suffering and loss to victims. See my story and others at [REDACTED] Increased rights for fathers will bring even more pressure than there already is to falsify DNA parent tests. While currently all of the cases I have personally come across have been fathers paying insiders to switch samples to give a negative result, my knowledge and experience of other sad cases, and just how corrupt the scientific fraternity is, leads me to believe there is very real potential for paedophiles to fraudulently obtain a positive result. Mothers too might feel driven to falsify the test to give a negative result, but for different reasons of course than those behind current frauds.

Contributing to lack of interest in fraudulent results are several things. These include,

- The indifference of the Federal Attorney General and others to the suffering of women and young people. .
- Blind reliance on science (lack of investigation and therefore lack of accountability)

- Fears by some victims of reprisal if attempts are made to expose fraudulent results
- Desire to protect children and students (teenagers) from media spotlight
- Relief the other party will not have access rights.
- Media bias (██████████ & other journalists continually claim in articles “the DNA test proved “ the person named was not the father. All the DNA test “proves” is that a DNA test was conducted. One might think lessons would be learned from the Anderson debacle.
- The ease with which the system, including the media, is so readily sucked in by lies of fathers and scientists. The Genetics Inquiry, the police, family court and so on, made no attempt to meet with, much less listen to victims of fraudulent results - women who not only had the courage themselves to try to get something done but were blessed with VERY COURAGEOUS TEENAGERS WHO HAVE SUFFERED HUMUNGOUSLY

██████████ as well as myself suffered terribly at the hands of the media, derided and sneered at despite the fact the evidence and therefore truth was obvious to others from the outset We seek an opportunity to personally present this evidence – something we have never been given despite various so called non event inquiries.

There are already several other proven cases of fraudulent results, e.g. Long, and Anderson, so why is there no inquiry into HOW and WHY tests are giving opposing results?

I've included a brief synopsis of evidence of false results in my case. Any other supporting documentation (evidence) sent on request

In two overseas cases sent to me since establishing my website and circulating my story ██████████ having suffered the humiliation, financial deprivation and ongoing injustice of a fraudulent result by the real father, scientists have then colluded to falsify results to falsely prove a previous partner as the father.

In one case, ██████████ the FALSE FATHER sued for access rights. DING DING. Wake up Williams – wakeup.

The Family Court now (over ten years on) admits DNA tests claimed as 100% are giving opposing results (as in my case) and has been shown to be inaccurate on a number of occasions. There is no concern by the Federal Attorney General, the Chief Justice, the ALRC Genetics Inquiry nor others with status and clout, MUCH LESS THE MEDIA to establish HOW and WHY these tests go wrong, nor the effect of false results. What is worse, the recognition that tests go wrong is a very recent change of attitude and does nothing to address the terrible injustices of the past, nor prevent them in the future.

The strange outcome of the ALRC Genetics Inquiry – particularly as regards NATA, is difficult to understand. Self Regulation clearly does not work. The Federal Attorney General has continually referred me back to NATA, who oppose

the views of those lawyers and police who say other significant evidence is being ignored, and make no attempt at a genuine investigation, yet continually claim there is “no evidence” The police are clearly the appropriate ones to investigate, not NATA, but failure of the FAG to deal with the Family Court aspects, including not allocating appropriate funding, hampers lawyers as well as police or any other genuine investigation. .

I respectfully ask members of your committee to take the time to read my second submission to the ALRC Genetics Inquiry, included here on disc. It was totally ignored. In view of your current deliberations, I hope you will consider what should be done. No one else has.

The recommendations by the ALRC Inquiry which went to the Federal Attorney General still include claims there is “no evidence”. The most cursory investigation by those with the wit and will, shows there is significant evidence. There just has not been any appropriate action relating to fraud issues so corrupt individuals go on their merry way..

My local police (who, like me, consider themselves country bumpkins of course and are therefore not listened to), lawyers and others confirm the view there is significant evidence in my case not only that my daughter and I suffered a gross injustice as a result of fraudulent DNA tests, but also that there is evidence of “insider” fraud which should be more closely investigated. The trivialisation of the issues by the Federal Attorney General, the ALRC Genetics Inquiry and others is beyond belief. I am hoping that as your committee is focussing more exclusively on Family Law issues you might make a strong recommendation to the FAG or whoever you see as appropriate to ensure closure of this serious matter..

You may be aware that in various discussions by parliamentary fraud inquiries and others, it is indicated that appropriately, in types of fraud, the police first do the investigation, (which they of course are trained to do) and this enables a civil action. Courts are not run or equipped to “investigate” This is

particularly necessary in DNA fraud because the public cannot get a DNA test ordered in criminal or civil matters when the parties will not agree to one. So why isn't it happening? And why are governments so unconcerned?

It also raises another issue which should be of grave concern and which has already been highlighted by the media from time to time – the inability and unwillingness of the Family Court to appropriately deal with frauds, blatant lying on oath, and other crimes arising in family matters = crimes which – like every other type of fraud – cost taxpayers dearly, not to mention the victims. Regardless of which partner commits the fraud – the victims and losers are always the youngsters involved.

The police have dragged their feet over our case for two reasons. The first, and most significant, is the fact that they clearly do not want the public to be aware of how easily DNA tests can be falsified and how impossible it is to prevent it, particularly as the police lab itself is involved. (And yes there is evidence of this) The second is that traditionally, the police do not see it as their role to pursue crimes arising from Family Court matters, no matter how serious. (Law Report, RN) This is a costly attitude.

ONLY when governments at State and Federal level (State because of the criminal aspects, Federal – Family Law aspects) recognise the false economy as well as intense suffering this strange indifference to serious crimes causes will something be done.

It's beyond comprehension why neither Hulls (state attorney general, nor Williams have made any attempt to ensure a genuine inquiry into our case, or to ensure lawyers trying to assist us were appropriately funded to take it to appeal or the High court as a public interest matter. I have gathered far more evidence than any of the other victims yet cannot get justice. The inane excuses, trivialisation and buckpassing throughout the

system is criminal negligence in itself. Governments are far, far more to blame than the police for the terrible injustices which arise from their indifference, bungling and buckpassing.

I hope your committee will address this – at least by way of strong recommendations for DILIGENT police investigation, AND/OR legal funding PLUS a genuine inquiry where victims can be present in an eyeball to eyeball question and answer type situation as happened in the US with such outstanding results for victims – including of course the media finally woke up to the truth. The police made it clear that even if they were allowed to be involved, we would still need to have the original unjust ruling overturned by the High Court.

MANY now see that what I claimed at the outset – that the police are dragging their feet over the issue is true. My local police say that because of the failure of the family court to appropriately address the issues, only “those at the top” can do anything to ensure a genuine investigation. In other words, those whose indifference, bungling and buckpassing has ensured not only that innocent mothers and teenagers continue to bleed to death but that corrupt insiders remain in the system. The broader implications of this seem to fall on deaf ears Ignoring the significant public interest aspects of ensuring our case is resolved is beyond belief.

There are simple solutions which would not only ensure justice for my daughter and I but would minimise the chances of such injustices in the future for several reasons.

Other victims with less evidence than I (in some cases no other evidence than the DNA tests exists) would benefit.

The corrupt individuals in labs would be weeded out and made an example of

The media would wake up to the reality of DNA as evidence

Respectfully, therefore, I would like to ask for a personal meeting with your committee for my daughter and I with a view to establishing what could and should be done to bring about closure of this painful issue. For us, and other victims I have met with this means financial compensation from scientists and their removal from the system, and media exposure of the problems with DNA as evidence.

Many in positions to know, e.g. academics, Vic Legal Aid, Justice Action and others have written to various law reform committees expressing concern at growing evidence the DNA test is not the magic bullet it was claimed to be. Surely it is important to look beyond the false claims of science to establish how and why tests are going wrong before even more damage results? Only when science itself, and especially forensic science, is brought under scrutiny and thus made accountable, will heinous false claims and the resulting cost as well as damage - be stopped.