

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 937

Date Received: 7-8-03

Secretary:

From:

Sent: Thursday, 7 August 2003 8:23 PM

To: Committee, FCA (REPS)

Subject: Child Custody Arrangements Inquiry

Committee Secretary
Standing Committee on Family
and Community Affairs
Child Custody Arrangements Inquiry
Department of the House of Representatives

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Attached is a copy of an e-mail which I forwarded to the Honourable Ross Cameron MP last year on or about the 13th August 2002.

The e-mail sets out some of the circumstances in my Family Court matter and battle for equal rights to be a parent to my daughter now aged two.

In this email, I made suggestions on how to improve the current Family Law system, including comments about Welfare and Child Support. One of the suggestions was to impliment a default judgement of joint residency at time of seperation.

I trust that you will take the time to read this e-mail.

The following is the result of the trail on 12 & 13 of December 2002.

In final judgement, the judge commented on my evidence being exemplary, and found that the evidence of my wife was somewhat unreliable. I guess that's a polite way of saying, she's wasn't entirely truthful.

Despite proving that my wife lied, despite proving that my wife breached Contact Orders and Injunctions, despite the judge accepting that my wife was trying to exclude me from my child's life altogether, to my horror, she was awarded full residency of our daughter. The truth then took a further slap in the face, my contact with the child was significantly reduced from 3 days per week, to the standard (**inadequate**) one weekend every fortnight. Any parent knows that one weekend every fortnight is not enough contact with a child to form a proper parent - child relationship.

Then to make matters worse, the orders in relation to the holiday periods effectively ensure that I do not spend a christmas with my daughter until 2008, that's right, another 5 years.

If Mother's Day or the child's birthday falls on one of my contact weekends, then I either have to hand the child back at 2.00pm instead of the usual time, or my contact is postponed to the following weekend. **THERE WERE NO SUCH ORDERS RELATING TO CONTACT WITH MY DAUGHTER IN THE EVENT THAT FATHER'S DAY OR THE CHILD'S BIRTHDAY DON'T FALL ON A SCHEDULED CONTACT DAY.**

In my mind, the order is blatant evidence of BIAS towards the mother, but who can afford an appeal against that judgement after spending \$17,000.00 in legal fees and court fees alone in the space of 12 months. I am not on a sole parent pension therefore I am not entitled to Legal Aid and the Government's help.

It would appear that I am just a wallet, given minimal contact with my child, to ensure that the mother remains on welfare and continues to be a drain on tax payer dollars.

I was forced to endure false allegations of innapropriate sexual behaviour towards the child, (of which I was entirely vindicated). When discussing this with the Court's Registry personnel, they informed me that it was a common thing, a tactic to try and make the father give up the proceedings without a fight and that the judge would see right through it. It really saddened me, knowing that many other men were being subjected to the

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same thing. Perhaps the Family Court should crack down on the people that make these types of false allegations.

My battle with the Family Court will continue until I either have sole residency or joint residency. I believe that the child has a right to have equal contact with both parents and that the child needs equal contact with both parents.

And on an even sadder note, my younger brother, father of two, [REDACTED]. He had not seen his children in almost four years due to his separation with their mother, her subsequent relocation and her marriage. He was also being hounded by the Child Support Agency.

I will not be allowing my daughter to grow up without her father in her life, no matter what the cost.

Thank you for taking the time out to read my submission. If you require any further information about my case, I will be more than willing to assist you in any way possible.

I sincerely hope that this Committee will see the inherent unfairness of the current Family Law legislation and recommend the changes that have been suggested.

Kind regards,

[REDACTED]