

House of Representatives Standing Committee
on Family and Community Affairs

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Secretary:

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Subject: Submission To the House of Representatives Standing Committee on Family and Community Affairs

To the House of Representatives Standing Committee on Family and Community Affairs Parliament House
Canberra Act 2600, Email to fca..reps@aph.Gov.au Fax to 0262774844.

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I am an active member of the Lone Fathers Association of SA.

My submission below is taken from my experience as a father who actively was involved in his parenting before separation, but immediately lost that right in South Australia's interpretation of the Family Law Act at the time of separation. It took a lot of time & money that could be better spent on my children in the Family Court system just to attain contact which resembled 33%. I was one of the lucky ones. Legal advice by FC solicitors during this time was that the best that I, as a father, could hope for was approx. 20% based on the precedent that has been set in Adelaide's Family Court.

Presumed Shared Parenting sets a starting point for children to have access to both parents equally.

- In it's current mode, the Family Court system is creating akin to a modern day version of a stolen generation. That is, the court makes or ratifies a decision, which results in a child being torn away from one of their parents.

Presumed Shared Parenting would help eliminate this and would place this blame on the parents rather the court system.

- Generally the reason given for separation is not based on the other parent's style or manner of parenting but one parent's inability or lack of desire to live with the other parent. Separation between parents is just that - between the parents. One or both of the parents decide that they cannot live with the other parent.

Presumed Shared Parenting would help the alignment of the child/children with both parents and not involve them in the parents' separation issues.

- Parental responsibility to the children rests equally on both parents. That is, the responsibility to provide not only financially (indirectly) but also actual care/contact (directly).

Presumed Shared Parenting will better help both parents manage their responsibility to their children, in an equal manner.

- Presumed Shared Parenting has the potential to motivate both parents to enter or remain in the workforce. It has the potential to allow individual career developments for both parents during the whole period of separation.
- **Power & Blame.** Presumed Shared Parenting can be equated to no blame parenting, which aligns with no blame divorce, which when it was introduced, created positive outcomes in the separation process between divorcing parents.

Presumed Shared Parenting is consistent with or compliments the spirit of the Family Law act in attributing no blame.

- In the current interpretation of the Family law, the separating parent dictates or sets the precedent of the amount of contact that the other parent has. Whether that is by leaving the family & taking the children with them, thus denying the other parent contact or by leaving the family, and in effect leaving the other parent holding the baby as such and at the same time shirking their parental responsibility.

Presumed Shared Parenting would allow the child/children to still have equal access to both parents.

- It takes a lot of financial and emotional resource to change the care arrangements using the Family Court. If Presumed Shared Parenting is the starting point, then there is a high likelihood that court battles for contact will be reduced. There are a large number of court battles by one of the parent just to attain contact/care that resembles Presumed Shared Parenting.