



## Crimsafe Security Systems Pty Ltd

House of Representatives Standing Committee  
on Family and Community Affairs

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Secretary: \_\_\_\_\_

Friday, 1 August 2003

Child Custody Arrangement Enquiry  
Department of House of Representatives  
Parliament House  
Canberra ACT 2600



Dear Politicians,

Thankyou for the opportunity for us, as fathers, to express our thoughts on the child custody issues that are being debated at the present time.

For the record, I am a 46 year old divorcee. I would like to express my thoughts on a system, which in my opinion is being exploited by some women as a means of financial gain. In saying this, I also believe that there are many women whose husbands exploit the system and the home situation to their advantage over the wife. In all, the system punishes the honest.

I will qualify this statement in a moment, but firstly, I believe that the root of the failure of the system to be a fair system, lies in the introduction of the "no fault divorce". I think it was the Whitlam government that brought this in, but I could be wrong. Anyway, the idea to reduce the cost of divorce although exemplary in its intent, has made it so easy for couples to call it quits for one menial reason or another, hence contributing significantly to the increase in the divorce rate over the last 20 years other than just the old "oh that's the pressures of society" argument.

Why do I believe the system doesn't protect all parties concerned and how does it get exploited? In my case, I have two young boys whom I am very close to and who rely on me for love and support as they do their mother. I have a successful business, which employs staff in different parts of the country and contributes to employment in other companies around Australia. We are doing our bit for the economy including export.

You would think that my hard working and honest business ethics would contribute a reasonable amount of respect to my persona. This however is not the case. I am made to feel like a criminal who does not deserve his family and further more, because of my hard work, the success I have achieved makes me a tall poppy and an enemy of Child Support, who claim to "help parents manage their responsibilities" when their main goal seems to be to deny me my rights to see my children and milk me of as much as they possibly can and pay it to my former spouse, money which goes to her capital gain and not as it should be intended for the children's survival and future.



OK, I don't have an issue with paying what I have to pay for the betterment and future of my children. My problem is the ease of which my ex wife was able to get me out of the way and take my children and everything that I had worked for since I was 18 years old, away from me!

Her reason? I worked too hard and didn't pay her enough attention! This is also the reason her infidelity was blamed on me. My crime? Trying to provide the best I could for my family and their future. My punishment? I no longer live with my children, who are the reason for my whole existence. Nine years ago I was diagnosed with cancer of the pancreas and was basically given a 10% chance of surviving a year. I believe the love for my children particularly, along with surgery and treatment pulled me through.

Now I am a nothing in the eyes of the law when it comes to custody of my kids. I have no rights. The wife automatically gets custody because she wants out of the marriage. How is that fair? How is it that the law rewards her for breaking up the family on her say so? She gained very well financially because I had a business. She even bragged to members of my staff in front of my business partner that she would be "better off financially" and the law lets women do this in many cases including mine.

I won't go into the stress I had trying to raise funds to pay her out based on the **non liquid** value of my company. Great how you can be measured at a certain value and told to pay up without any regard or consideration as to how you can raise such funds without selling your livelihood.

The reason I have mentioned the financial side is as I have stated. My gripe is not so much that I have to pay, but it is too easy for women to make financial gain without due thought to the most important issue....the children and the family.

I know my children would like to spend more time with me and I would like to regain some of the things I have missed so much over the last 3 years, such as helping them with their homework. I get to see them briefly really in the course of their life and I am just watching them from the outside as they grow. They are entering their teenage years now. You cannot replicate the required input into kids on such a small part time basis. It can't be done. They suffer. I suffer. Why? Because their Mum decided I should leave because she did not get enough attention, in her opinion, from her hard working husband. Don't worry about her financial gain!



On the other hand, I mentioned in my second paragraph that women can be the victims too! I know of a couple of cases. One where the husband is just outrageous in his neglect of his wife and family but will not leave! He deserves nothing yet he has all of the finances tied up. She only gets the child support income and knows nothing of any of the family finances. She has no money and therefore no power to effect what is justly her right. I mentioned that it is the honest ones that are punished. In my case I did what my ex spouse requested and moved out and allowed her to freely instigate her "rights". Other women are not able to do so if they are exploited as in the example I have just given.

It is a very tough subject to debate and you have a very difficult task at hand, but in conclusion, I can only state that the automatic assigning of the children to the mother with no respect of the father's rights is wrong. The system, which allows women to gain financially, to the detriment of truth, is wrong and therefore "no fault" divorce is wrong. The financial entrapment of women in relationships where they cannot exercise their rights is wrong.

I as a father, I should not be treated like a second class citizen and not have the same rights as the mother when it comes to the children. The financial benefit to the mother and financial detriment to the honest fathers has to be addressed. It is too easy for many women to gain financially and it is too easy for the dishonest men to shirk their financial responsibilities.

There has to be a middle ground somewhere that is fair for everyone, but consider this. If the law is so tough, particularly on the males in divorce settlements, why does it show no interest in the reason for divorce. If divorce is such an expensive and undesirable thing, why do we make it so easy? Why is marriage so easy to get into and congruently so easy to get out of? Why does the law leave marriage and divorce open to exploitation and manipulation for financial gain?

You have to either make marriage harder to get into or fix the system. No one wants to see a relationship where there is abuse and so on. But these relationships are the ones that often don't end up in the divorce court because the women are stuck, as in my previous example. There needs to be more help for these type of women and less help for the ones that want to exploit the system. I guarantee that there would be a lot less divorce if the extreme prejudice of financial gain was taken away from women who are automatically given the rights to the children and the major rights to the finances. I can guarantee also, that compulsory marriage counselling will not work. We went through that process and even the councillor gave up on my ex wife who was just determined to get me out. It would be too open to manipulation.



The answers will not be easy. You can only take the results or if you like, the consequences of the current system and work backwards to effect the changes that have to be made to stop the carnage which has resulted in shattered lives for both parents and children. It is wrong, it is wrong, it is wrong and you have to act to change the system before it undermines too much further the true fabric of our free society that is the family.

My life has been shattered and although I have tried to get on with my life, you the law makers don't seem to have enough of an idea of the pain fathers like me and even my parents have gone through and continue to go through. The blood suckers at Child Support do not care about us and the all too frequent moments of pain we feel while staring at a photo of our children. "Just pay up you mongrel bastards.... your not worthy!!"

Thankyou again for this opportunity.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Brabeck'. The signature is stylized and somewhat cursive.

Steve Brabeck.