

Submission No. 72

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Secretary

Sent: Wednesday, 9 July 2003 4:54 PM

To: Committee, FCA (REPS)

Subject: Submission to the Inquiry - Standing Committee on Family and Community Affairs

Dear Sir/Madam

I totally support the concept of Shared Parenting. It is what most children want if the Courts were to ask them. The rebuttable presumption of Equal Shared Joint Parenting is not about Fathers' Rights. It is about the CHILD'S Right to know and love BOTH parents without the fear of disapproval from the other parent.

Sole custody is a breeding ground for Parental Alienation and no matter what the terminology, Prime Care is just another name for SOLE CUSTODY. The problem of delinquent juveniles on our streets at night will largely diminish when we return FATHERS to the Family equation.

In order for boys to grow up to be a man, or girls to grow up to eventually live with a man, they have got to know what men are like.

Whatever youth problem you look at - teenage pregnancy, drug abuse, violence, crime, suicide, low self-esteem and school dropouts -is directly linked to family breakdown and the absence of fathers. The presence or absence of a father in the home is a better predictor of these pathologies than any other factor, including income and race.

Roughly two-thirds of high school dropouts, juvenile delinquents and youths who commit suicide are from fatherless homes, as are nearly 90 percent of runaway children and children with behavioural disorders.

Every moment a boy spends with his father, the father is teaching him how to be a man. Whether it's watching him shave, maintain the family car, rake the yard, doing the dishes and especially witnessing how to love and respect his wife, he's seeing what it's like to be a man.

Children need BOTH parents to grow into well-balanced adults.

I am one of the minority in that I have "Sole Custody" of my 13 year old son (since April 2001) and for very good reasons as "Custody" was taken away from the mother by Family Services with the recommendation of the Child Representative after diagnosis of her mental illness. I suffered hundreds of denied Contacts when he was in her "Custody". Since being in my "Custody", I have allowed him ALL Contact with his mother that was Court Ordered.

I don't wish any change to my case obviously but for the thousands of dads in Australia who rarely see their children because of the mother's animosity towards them, I implore you to initiate changes to the Family Law System. The changes should also include giving "teeth" to the Family Court (and FORCING the Family Court) to punish parents who do not comply with Court Orders by fining them or ordering community service e.g. for denial of Contact. In my situation, the Family Court twice told my ex-wife that she was naughty and to not do it (Contact denial) again - well she just laughed at that and immediately recommenced denial of Contact. This is a massive problem in the Family Court where thousands of dads find that their ex-wife repeatedly gets a "slap on the wrist" for denial of Contact over and over again.

Too frequently, the custodial parent (usually the mother) denies Contact to the father for a myriad of usually false or exaggerated reasons and in the process is teaching the child that this is normal behaviour. The child is alienated from the father frequently by this type of mother denigrating him, poisoning the child's mind against the father.

Thousands of fathers often are denied copies of school report cards and newsletters and even school photos because the mother has told the school not to send them to the father. Often, these fathers send a birthday card and present to their child at the school to ensure it is received by their child only to be told by the school it has to get the permission of the mother to forward the present. These mothers are using the schools to help alienate the child from the father and the schools err on the side of caution as the mother often threatens/intimidates the school stating that the Family Court Order does not allow the father any form of communication with the child through the school.

The majority of family law lawyers will strongly oppose the changes you are looking at because it is their livelihood at stake. Many lawyers all too often stir up divorcing parents simply to line their own pockets. They are not always acting "in the child's best interests".

Children need the positive influence of a father and no matter what stats people use to refute it, the majority of fathers who don't go through with the Court process are convinced by their solicitor that to push for anything more than normal Contact will cost them \$10,000 plus and that their fervent attempts will be met with claims from the other side of harassment and placing undue stress on the mother etc and the father will invariably get minimal or no Contact ordered with their child. In these cases, the father usually reluctantly agrees to Consent Orders which, if he is lucky, will allow for Contact every second weekend. Frequently, the mother then denies Contact or impedes it but jumps up and down if the father were to then be late paying Child Support. Anyway, back to the point - children need the influence of both parents.

Yours sincerely

[Redacted signature]



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