

Supp.

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Secretary:

Atkin, Margaret (REPS)

From: Freda Briggs [Freda.Briggs@unisa.edu.au]
Sent: Friday, 21 November 2003 7:09 PM
To: Committee, FCA (REPS)
Subject: PRINTED MA: RE: Submission - sub 1152 refers

Dear Bev

Thankyou for the reminder.

I am very happy for you to use this.

These two cases have not been resolved. I should have been in court as a witness for the baby with the drug addict dad this week but for the fourth time this year he put himself into hospital and the judge postponed it yet again. The child psychologist employed by the Court has made it quite clear that this child is adversely affected by the stress to the mother (who was recently raped by the father and has charges to face). The case has now been postponed until next February. The costs to date exceed \$200 000.. paid by the maternal grandparents.

An interesting aspect of the AIDS case is that, having 2 convictions for sex offences, this man would not even be allowed to work with other people's children but the Court takes a 3 year old from a safe mother and hands her over to a father who had no history of primary caregiving. Again that has not been resolved.

But how about this: A woman had an affair with a drug addict no hoper and became pregnant. The husband said he loved her but wouldn't rear someone else's child. She went to live with lover and took their 3 year old. They didn't go to the Family Court because there was no disagreement. Dad had access to his child whenever he wanted and they chose her pre-school together.

Mum gave birth and suicided a month later. Dad went to collect his daughter and the lover refused to hand her over: she wasn't even there. She'd been removed from the kindy and enrolled elsewhere with a change of name. Dad called police. Police said, "Sorry sir, we cant help because this was your child's residence in recent months. You will have to go to the Family Court. They did, imagining that the Court would see sense. No way! The lover argued that the 3 year old had bonded with the baby (which translated means he leaves the baby with the 3 year old). A psychologist was called in by the Court and she said the child should be returned to her dad. HOWEVER, lover had now succeeded in getting 100% child support allowance from father AND legal aid to fight this in a trial. Grandad contacted me because he has had to withdraw his super to pay the legal fees.

In the meantime the child has been sick, dad looked after at home for 2 weeks and successfully applied for an increase in custody .. to 50%!!! And he still has to pay 100% child support to the other man who has no blood relationship whatsoever.

I write an article about this case which was published in the Advertiser. No-one could believe it! "Surely there must be a problem with the dad", they said. There isn't. FAYS wont intervene and the only person who has seen the child is the psychologist. Her living conditions haven't been investigated.

As I said, the Family Court has a lot to answer for. By the time the trial occurs, this child will have her deceased mother's lover as a primary caregiver for a year .. and she's only three. Unfortunately bizarre decisions can occur because the media dare not report what happens. I hear about them all the time. Desperate parents come to me as a last resort to see if I can think of something they have overlooked.

Yours,
Freda