

**SUBMISSION TO SENATE INQUIRY INTO THE PROVISIONS OF THE FAMILY
LAW AMENDMENT (SHARED PARENTAL RESPONSIBILITY ACT) BILL
2005.**

I am writing in support of the changes contained in the Family Law Amendment (Shared Parental Responsibility Act) Bill 2005.

My former wife decided to end our marriage just over 6 years ago. For a period of two and half years I was the sole carer of my children who were aged 5 years and 18 months at the time we separated. Their mother unwell for much of this time and the children spent 4 to 6 weeks each year with her.

Since June 2002, my former wife and I have shared the care of our children on the basis of 4 nights per week with me and 3 nights per week with her. It is from this experience, along with my involvement in men's support groups that I make this submission.

It is abundantly clear to me that my children are now much happier and settled as a result of shared parenting. In my view regular, predictable, stable contact with each parent allows for the development and maintenance of a healthy ongoing relationship with each parent. This requires some sacrifices by parents to live in reasonably close proximity so that the children can attend the same school with minimum inconvenience.

Personally, I am much happier and healthier now that I do not have sole responsibility for the care of my children. Being able to share the responsibility of parenting with my children's mother allows me to have a more balanced life.

When I was the sole carer, I also worked 3 days per week, was on the management committee of my son's out of hours school care service and spent one afternoon per week as a volunteer at school sports activities. I found this to be exhausting and stressful and had no time for my self. Nowadays, I believe I am a much better parent because I have time to work, study as well engage in occasional social activities. When I do have my children I am more available emotionally as a result.

For shared parenting to work it takes a genuine commitment of both parents to work together in the best interests of their children. I have undergone counselling to help me to do this and to separate the issues between myself and my former wife from those that affect our children. This is not always easy, however the new legislation through the establishment of Family Relationship centres is a positive step towards assisting parents develop shared parenting agreements that are in the best interests of the child.

Another reason that I believe shared parenting is necessary is the impact on boys of losing an ongoing relationship with their father. There is much research that shows that boys thrive when they have a healthy relationship with their father. Under the current arrangements, fathers often only see their children for one weekend per fortnight. It is much more difficult for a father to develop a close bond and provide positive role modelling with such limited contact.

Over the past 2 years I have been involved with Men's Health and Well Being, an organisation which runs a men's group called Common Ground. I have heard men talk with despairing heartbreak about the loss of contact with their children following separation from their wives/partners. I know of men who have committed suicide after

unsuccessfully attempting to have the Family Court grant them access to their children. I also know of men who have been bankrupted by legal fees (only women seem to qualify for legal aid in the Family Court) in seeking to have access orders enforced. In addition I have witnessed the devastating emotional impact of false allegations made against fathers of sexual abuse of their children or domestic violence.

The implementation of the Family Relationship Centres is a great step forward in taking issues concerning parenting and children out of the adversarial legal system and into a mediation environment. In my view it not appropriate for the Family Court to be determining allegations of sexual abuse or domestic violence. Each state has criminal legislation to address these areas.

In closing, I implore you not to water down this legislation and to leave it unchanged. It is a significant step forward in addressing the best interests of children \\once their parents separate. Supporting parents to put in place arrangements that allow their children to have meaningful ongoing relationships with both parents will enable children to cope most effectively with the emotional impact of divorce. At the same time, fathers and mothers can benefit through sharing the responsibility of parenting.

Ian Lee

NSW