

Committee Secretary
Senate Legal and Constitutional Committee
Department of the Senate
Parliament House
Canberra ACT 2600
Australia
Email : legcon.sen@aph.gov.au

1. It's about Children and it's about Time !

1.1. The Richard Hillman Foundation believes that these changes should be for and about children.

1.2. Children request to have a meaningful and loving relationship with both parents on separation and divorce (Parkinson - children respond by saying half and half when asked how they would like to live when their parents separate.)

1.3. The present interpretation of The Family Law Act places children of divorce and separation into high risk pathways for failure and abuse.

2. Parliamentarians and their ' Duty of Care.'

2.1. The Richard Hillman Foundation believes that politicians inspite of ' bravado ' will be subject to ' duty of care ' &/or mutual obligation if they cannot substantiate and prove that they voted on reputable scientific research rather than emotional propaganda.

' In legislating, his SOLE LEGAL DUTY is that, like a judge entering his court, he shall enter his House of the Parliament, each official Sitting day, and with judge-like dignity and decorum, he shall honestly, impartially, and searchingly examine all matters that properly may be placed before him and, with unbiased judgement, vote according to his conscience and his sense of legal reponsibility. (b) Chapter 2; and also

..... " Conscience Vote "
..... This raises the further crucial question of whether, under State Criminal Codes and the Commonwealth Crimes Act, Parliamentary party leaders, and controllers, are not severally and individually guilty of deliberately breaching those codes and statutes, ie. of being guilty of conspiring to prevent back-bench Members of Parliament from fulfilling their judicially defined legal function and duty in their Houses of Parliament.

Source : What is the Legal Function and Duty of a Parliamentarian ? from YOUR WILL BE DONE by Arthur A. Chresby, Research Analyst in Constitutional Law, and published by The Australian Constitutional Education Campaign Fund Committee.)

2.2.The Richard Hillman Foundation directs those Parliamentarians who wish to act and vote responsibly to The Joint Parenting Association submission to The Original Hull Inquiry, and read ' Back to the Best Interests of the Child - Towards a Rebuttable Presumption of Joint Residence by Yuri Joakimidis.

2.3. This manuscript/paper has been around for over 10 years and is yet to be criticised, such is the integrity and presentation of the research.

3. Changes in Law and Procedures for substantive change.

3.1. The Richard Hillman Foundation emphasises the three aspects that must be addressed for responsible ammendments to the Family Law Act. ie. if you REALLY, TRULY and HONESTLY have ' The Best Interests of Children ' in mind, AND not the economy / jobs for mates .etc., as the ' Human Misery Industry' would possibly be in Australia's top 5 Industries.

3.1.1. Equal TIME Joint/Shared Parenting.

3.1.2. Zero tolerance of false or misleading statements.

3.1.3. 'Duty of Care' to all those professionals and their employees who are part of the process.

3.2. The Richard Hillman Foundation directs those responsible parliamentarians to The Family Law Ammendments introduced into the senate by Senator Len Harris. Yuri Joakimidis has further responsible and practical ammendments yuri.joakimidis@bigpond.com & www.jointparenting.org.au

3.3. The Richard Hillman Foundation reiterates that the present system is so systemic in its abuses and biases that responsible changes to the act in association with procedures are required for meaningful change.

3.3.1. For procedural changes The Richard Hillman Foundation recommends the Robert Kennedy model from Lone Father's in N.T.

The Partnership / Bankruptcy Model.

3.3.2. Counsellors and Lawyers have had 30 years to get it right and have failed. They should be replaced with ' hard nosed ' Accountants who will deliver the new realities, responsibilities and dynamics to the separating couple.

3.4. The Richard Hillman Foundation believes that the present proposed amendments are deliberately based on failed models as the Government's sole aim is employment for re-election.

4. MISINFORMATION.

4.1. Domestic Violence is another arm of the government funded ' Human Misery Industry.'

4.1.1. The term ' domestic violence' should be replaced with what it is - assault, attempted murder, murder and dealt with accordingly.

4.1.2. The present practise of removing fathers from families on dubious grounds is the first step in the government funded abuse of children AND setting them up for failure. There must be proof of violence and charge them accordingly as in 4.1.1. above.

4.1.3. 'Domestic Violence' is not gender specific - Heady, B., Scott, D., de Vaus. D., 1999 Domestic Violence in Australia.

4.2. The promotion of ' Failed Models ' , usually from overseas, as panaceas for reform of Family Law is irresponsible as it is inhumane. There is only one new and correct and responsible approach and that is described in 2 above and is being adopted by those who seek responsible change for children of separation and divorce around the world. Dare to lead ?

4.3. The correct figures for sexual abuse and the relationship between perpetrator and victim are not being published. Children are safest with their biological / natural father. Did you know this ?

4.4. The largest group of males suffering depression and committing suicide are separated males in the 25 - 44 year age bracket . (Cantor and Baume, Griffith University, Suicide Research). It is fathers missing their children rather than job loss, family death or relationship breakdown as are commonly promoted (misinformation) by Beyond Blue.

Thankyou for accepting The Richard Hillman Foundation submission. Please provide receipt of delivery.

A. Mark Bourne.
Chairman Richard Hillman Foundation.
rhfinc@airnet.com.au
www.rhfinc.org.au