

Mrs. Elaine Brown,  
BENDIGO, VICTORIA

Wednesday, 22nd February, 2006

Committee Secretary,  
Senate Legal and Constitutional Committee,  
Department of the Senate,  
Parliament House,  
CANBERRA, ACT 2600  
Email: Legcon.sen@aph.gov.au

SUBMISSION DUE 24TH FEBRUARY 2006

Dear Committee Members,

Re Proposed Family Law Amendment Bill

Thank you for the opportunity of contributing the following personal Submission.

POST DIVORCE ANOMALY: Too much emphasis is routinely placed on the mother as resident parent of children, thereby financially and generously rewarding her - irrespective of her state of mental health, and/or an established history of serial desertion, prior marriages, and the children of those deserted marriages.

CUSTODIAL FATHER PARENT: How can it be said that "the best interests of children" are being served, when well-loved and cared for children are permitted to be taken from the home of a stable and non-judgemental, Custodial father parent with proven parenting skills over several years standing, by a dysfunctional, irrational parent, acting in the grip of heightened mania?

Where no legal permission is sought from the Family Law Court, to remove the children and impulsively take them to reside interstate, would this action not fall within the category of "Contempt of Court"?

Where an unrelated, third party person is the driver of the motor vehicle involved in the removal of children from the parental home, would this not constitute the criminal act of "abduction"?

What penalties are supposedly incurred for such behaviour?

MEDICAL AND/OR PSYCHIATRIC ASSESSMENT: In order to ensure "the best interests of children" are carried out, and to protect children from the aberrant moods of dysfunctional parents (based on ill-founded decisions by Family Court personnel), it is suggested that the following matters need to be thoroughly examined, questioned and addressed by competent medical and professional personnel in the Family Court of Australia, viz:

(a) Serial Desertions: In order to protect the "best interests" of children, it is imperative that the marital history of both parents be permitted to be examined and scrutinised by the Family Court of Australia;

(b) Dysfunctional Familial Background: The grave incidence of successful suicides and/or other attempted suicides within a parental family, to be taken into consideration;

(c) Psychiatric Reports: Where there is evidence of familial and/or parental mental illness, then medical and/or psychiatric reports to be ordered, and fully explained to Court by a medical practitioner, for proper consideration by FCA;

(d) Mental instability to be taken into consideration in relation to Manic Depressive mood swings;

(e) Where compulsive, monetary squandering is known to be a recognised symptom of a particular type of mental illness, then the sudden and urgent desire for children and associated CSA payments that those children would attract, needs to be seriously questioned;

(f) Where an earlier, over-generous property settlement has been granted to a deserting spouse, amounting to many, many tens of thousands of dollars, an explanation ought to be called for by FCA, as to the spending and/or squandering of these funds over time, or to show evidence to the Court, of assets that may have been acquired by such expenditure.

(g) Property Settlement funds are the rightful inheritance of the children. These funds may have been accumulated by the father parent, for the future needs and security of his children. Such important funds ought not to be gifted to a mentally unstable, serial deserting mother parent, by ill-informed, medically ignorant, pro-feminist FCA personnel. This is a deliberate and provocative action taken by the Family Court, against the future welfare of the child.

(h) The inalienable rights of all children, is to be reared in a stable, non-judgemental home environment, by an emotionally stable and devoted parent, with proven parenting skills, in preference to any of the above ill-conceived scenarios, motivated by personal, monetary greed;

(i) Children so mistreated, and misplaced with unstable parents, by misguided authorities and Courts, suffer destruction of their childhood, and long term destruction of their former parental and extended family connections. This is particularly relevant in the case of boy children, who may have been separated from stable, devoted, sole father parents, who have played a pivotal role in protecting and guiding young lives.

(Cont.../3)

(3)

Child Support Agency:

This iniquitous, Statutory Authority deserves to be immediately abolished and its staff dismissed.

Following the implementation of Family Relationship Centres - which are anticipated to be staffed by competent, non-discriminatory personnel - it is a welcome relief that the

pro-feminist, anti-masculine, anti-child CSA personnel may no longer have any future, large scale, destructive role to play in the lives of divorcing couples and their natural children.

The establishment and running of these discredited Agencies - motivated by their own social, sexist and political agenda - must have already cost the Government countless millions of dollars in wasted taxpayer funds.

A recent, independent report, furthermore, has claimed that, when all direct and indirect costs are taken into account, every one dollar collected by the CSA, has actually cost the taxpayer over five dollars.

Under these circumstances, and apart from all other objections, the discriminatory CSA is shown not to be a well-run, cost-effective department.

How is Government able to justify this continued misappropriation of the people's money?

Need for An Equitable Solution:

Contemporary Society is an angry society.

This anger is exacerbated by divorce, legislation, and abuse of power through the Family Court of Australia, and the CSA.

An equitable solution, enacted by Government, could largely eliminate divorce-associated anger and violence, and thus restore a level of societal peace, viz:

(a) Abolish the detested, abusive, interfering and costly CSA. The overall, beneficial result would be less distress, less angry retaliation sought by aggrieved parents, and less family-alienated, bewildered children;

(b) Recognise that outdated, discriminatory child support calculations are both unjust and too high;

(c) Recognise that child support is the largest area of dispute following divorce, which in itself, is the largest distressful event in the life of citizens;

(d) High child support demands, contributes to all forms of violence in society;

(e) High child support induces the alienation of children from the father (i.e. children are prevented from seeing the father, by the mother, so that child support payments are maximised);

(f) Child Support is factually recognised as being ex-spousal maintenance. There is no accountability for the disposal of Child Support payments, which brings the Government and Judiciary into conflict and disrepute with citizens;

(g) Dispose of the "father must pay, and pay, and pay" mentality;

(h) Bring skilled men back into the workforce, and improve national productivity by eliminating the odious garnishment of wages;

Cont.../4

(4)

(i) Dispose of the outrageous financial incentives for women to irrationally desert their stable marriages and homes;

(i) Recognise that single parents and their children ought to be financially support by Government, and Child Support payments abolished.

SUMMARY:

Investment v Cost: Forget the cost to taxpayers! Forget the desired accumulation of high budget surpluses! Just spend the money! Clean up the mess!

This angry society, with its tens of thousands of broken marriages, and family-poor, deprived and alienated children, are a product of thirty disgraceful years of federal government interference and mis-management, into the private lives of citizens.

Single parents and their children have the right, as natural citizens of this country, to be financially supported by Government, where needed.

The on-going transfer of the multi million dollar savings made from the abolition of the Child Support Agencies, to fund dependent families, should largely prevent children being used in the future, as emotional weapons by warring parents.

This is not a cost. This is an investment towards a peaceful society.

Recognition - Legal Status of Custodial Father Parents: Boy children, in particular, need the continuing, long-term guidance of stable, responsible father parents - particularly where the second parent is shown to suffer from a mental illness.

More attention needs to be paid to the genuine welfare of a man's children (both boys and girls), rather than the short-term, monetary gain by a dysfunctional ex marital partner.

Societal Future: The probability of another generation of alienated, angry young men and women, treading the same divorce-strewn path as their parents before them, is abhorrent in the extreme.

As a (now) largely estranged society, we do not need another maturing generation of hurt, angry, unloved and family-less young people running rampant throughout society.

Our children - particularly our boy children - need all the loving protection and justice that their families, their paternal parent, and their country's judicial system, can give them.

Genuine Family Law Reform, for men and their dependent children, is paramount.

Thank you for the opportunity of expressing the above views.

Yours faithfully,

ELAINE BROWN (Mrs)  
BENDIGO.