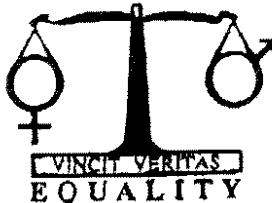


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# Men's Confraternity Incorporated

mensconfraternity.org.au

"A Group Of Men United For a Purpose"



(Western Australian Branch)

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To Provide: Mutual support and self-help in Family Law matters  
To Promote: Justice, equality and harmony within the family and community and maintain a balance between men's and women's rights.  
To Create: Awareness of social issues and affect social change.  
To Address: Areas of discrimination, citizens' rights, law reform and relevant social issues.  
To Preserve: Social ideals, standards, morals, and ethics.  
To Serve: The community, family, men, the confraternity and its helpers.

Our Ref 01/267782

February 23<sup>rd</sup>, 2006



Committee Secretary  
Senate Legal and  
Constitutional Committee  
Department of the Senate  
Parliament House  
Canberra  
ACT 2600  
Ph 02 62773560 Fx 02 62775794

{ Inquiry into the Provisions of the Family Law  
Amendment Shared Parental Responsibility Bill 2005 }

Sir,

Question. How can we encourage parties to divorce or separation proceedings in our Family Court to reach an agreement on all relevant matters related ?

Answer ? Follow the practices of some of the Cantons in the country of Switzerland ?

When a couple front up before a Judge seeking a divorce, the judge asks the question. Have the parties to proceedings reached agreement on all related issues, e.g. Residency, visitation rights property settlement, child support ? If the answer is yes, a divorce nisi is granted. If the answer is no, there is no divorce granted. The couple are informed that until such times as an agreement on all said issues is reached, there will be no further proceedings.

Question, why have I raised the above scenario.

Answer. It gives both parties to divorce proceedings a bargaining power of some sought of equality.

In one party has all the power and the other party is powerless, as is the case more often or not, the one who has that power is unlikely to agree to any settlement on related matters.

It is the Men's Confraternity Inc view that the Swiss example as show would be an improvement, baring in mind that { There never will be a perfect system of Family Court rulings } and suggest it should be encompassed into our Family Law Act.

Yours sincerely. M. Ward. Convenor.

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