

Family Law: Joint Parenting

To Whom It May Concern

As a stepmother for the past six years I have witnessed an excellent man who holds a very good job and who also has more than a total of six months off per year denied the right to father his own children. He has been given the stock standard of every second weekend, and half the holidays. By the courts implementing this standard on so many fathers and children it is denying the father the right to be involved with their own children's schooling and education and normal day-to-day activities and also denying the children their own father's involvement in their lives.

For many families the weekends are a very busy time with sporting activities and birthday parties. They are quite often rushed with very little down time. It is therefore very difficult to have sufficient time to actually communicate and get to know one another. Even keeping every second Sunday as family only time, this only allows two Sundays per month in which to discover your own children and for them to be able to discover their own father.

We talk of the stolen generation in relation to Australian aboriginal children taken away from their birth families. While this happened some years ago we are still today continuing the same damaging practice with children and their fathers. Surely by now the evidence speaks for itself in that the best chance for a child to grow up happy and emotionally well balanced is to have substantial contact with both their mother and their father. Very few fathers are trying to deny the mothers involvement in their children's up bringing so why is it that so many mothers are trying to deny the fathers involvement. Do the mothers genuinely believe that it is in the children's best interests to have very little, or in some cases, no involvement, with their father. I do not believe so.

Please also do not allow the campaigners against abuse to children to be able to hoodwink the whole proceedings. While abuse must be stamped out, if possible, it must be understood that mothers and stepdads perpetrate a very large percentage of abuse to children. (I apologise that I do not have the statistics to hand but as a joint parenting inquiry has already be held across the nation I am aware that you have already been given figures in relation to this point.) So the whole concept that joint parenting can't work because of abusive fathers is nonsense.

Of course safe guards need to be put in place to protect children from abusive parents, both mothers and fathers, but do not allow that to prevent the vast majority of good parents from both having substantial contact and input into their children's lives. Instead the safe guard measures should be developed. The equal parenting time from both parents should be every child's right and then changes should be made according to evidence showing that it is not in the child's best interest or perhaps where it cannot operate due to either parents work commitments or living locations, etc.

Please also be aware that this may lead to a rise in false child abuse claims in order to prevent the father having contact. In this situation more stringent investigations need to be carried out not only into any sexual or physical abuse allegations but also into mental abuse of the child on the part of the mother, (or father if the roles are reversed). There also needs to be some kind of penalty to the party who has blatantly made false allegations. This could be in the soft form of the time the child/ren were withheld during the investigation be made up to the party denied the time, possibly with even extra time given, to harder forms of financial fines.

Joanne Gurney
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These people who make false allegations, and we know that a large percentage of the complaints that come through DOCS are false, swan into these offices making all sorts of horrendous claims, and then swan off again. All of a sudden an innocent person's life is thrown into turmoil with calls and interviews with the police, investigations from DOCS, denial of contact with their own children, and of course the damage the false allegations have on their reputation as schools, sporting organisations, neighbours and friends can all be interviewed.

And of course the most damaging of all, what does this parents own child now believe. If one parent has been able to make a child falsely believe that their other parent has abused them in some way, what kind of shattered world must that child be living in? How is this relationship repaired and what prevents the badly behaved parent from continuing this behaviour and continuing to put these thoughts into the child's head? How does the child learn to trust either parent or develop healthy relationships later in life? (Please remember I am not referring to genuine cases of abuse only those falsely made for malicious reasons.) Surely this must be recognized as severe mental abuse of the child by the parent making the false accusations.

Unfortunately this extremely important aspect is still not taken into consideration. Badly behaved parents are not reprimanded in any way, shape or form. Many repeat the process over and over and when they are not at the police or DOCS they are still trying to instill fear in the child of the other parent. Perhaps these parents can be ordered to attend newly developed (or perhaps existing) courses explaining to them the importance of both parents in the children's lives and the detrimental effects on a child when false allegations are made. Perhaps in other cases some form of psychiatric assessment and monitoring is required.

You finally have the opportunity to do the right thing by the children and the right thing according to many countries around the world (again I know you have already been given this information). Please, many children are counting on you to help them see both their mother and their father an equal amount of time, which is what they feel is fair, and what they actually want. Many children are not in a position to make these requests for fear of hurting one parent's feelings, that is the one they are presently living with, which is usually the mother. I have seen my own stepchildren go from repeatedly asking why they can't see more of their father and actually saying they believe that fifty fifty time is fair, to telling us there is no point to asking anymore because their mother always says to them, "Don't you love me", and then walks off. This process has gone on over approximately six years.

I find it astounding that in the 21st century we are actually having to fight for these children's rights and that there would be people fighting against them. Please put an end to this very damaging practice of denying the children the right to have an active, loving, participating father in their lives. Fathers are not trying to deny the mothers involvement; they just rightly feel that it is in the best interests of their children to have good and substantial contact with both parents.

I am happy to be contacted if need be.

Yours faithfully

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