

Dear Senate Inquiry - Shared Parental Responsibility Bill 2005

This is a my submission to the Senate Inquiry into the provisions of the Family Law Amendment (Shared Parental Responsibility) Bill 2005

Honorable Senators, I am a Non Custodial Male Father. I submit that whilst reasons can be advanced to exclude any group within society it is not appropriate to categorise 'Fathers' for seclusion. A presumption in law that 'children are entitled' to equal time with both parents does not in itself put any person at risk. Common sense must prevail.

If parents are sensible then 50/50 sharing happens without notice within the community. The essence is that parents ordinarily part company as a consequence of 'bad blood' between them. This is the stage for 'abuse of children'. The one party wielding the power to do this is the Custodial Parent. This parent may withhold, delay, denigrate or otherwise interfere with the other party's relationship with the children with effect. 'Effectively', because the practical 'time is available'. Common sense must prevail. Although the opportunity still exists with 50/50 shared parenting, it is greatly nullified as the practical time needed to accomplish this is not available to either parent in the course of bringing up the children.

The matter of domestic violence and other abuse is a very relevant concern for both parties. I am a retired long serving Police Officer. I am aware through active service that statistics do not reflect the true proportion of women who resort to domestic violence. The reason is simple and perhaps archaic. However, men just don't seem to want to report it or proceed to court with it. Men have been taught throughout time that they are by design of nature, the providers: the physically and emotionally stronger role model. Hence, succumbing to putting a woman before the court for domestic violence against them, although irrational, instinctively opposes the very essence of their being.

The 'fears' presently being generated are simply addressed. Provide within the legislation, the mechanism for any party to advance in a timely fashion and, prove to the satisfaction of a 'Judge' the reason/s as to why 'the presumption of law' should be overturned. The reality is that where either party is an abuser of any description, having this 'aired in court' is something they will shy away from.

Times have changed and the law has not changed with it. Realistically look at how many 'both parents' working families exist. No matter the reason, it is fact now that parents of both genders are interchangeable within parenting roles. Within our modern times it is mainly when the emotional side of parenting is evoked, through separation of the parties, that a parent hastens to be seen to be adopting a singular parenting function; either provider or nurturer. This formula does not apply in our society today. I fail to see how any person can support any other person or group that simply will not recognise that times have changed and, the law has not.

Draining resources with the current inquiry is without moral. The inquiry should be directing itself at devising the mechanism of 'How to serve our children' by providing them, in the first instance, equal time with both parents in matters of separation of parents. The last and saddest reality is that the balance for children, in the main, to have the equal influence of being mothered and fathered as nature intended by a 'natural parent'; in today's society, is only going to be brought about by legislation of a kind equivalent to 50/50 shared parenting, post separation.

Thank you for reading my submission

Name: Ron de Mouilpied

Postal Address: Thornlands, Qld.