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House of Representatives Standing Committee
on Family and Community Affairs

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**Committee Secretary
Standing Committee on Family and Community Affairs
Child Custody Arrangements Inquiry
Department of the House of Representatives
Parliament House
Canberra ACT 2600**



Dear Sir or Madam:

As there has been some considerable discussion in the media of recent weeks over the Family Court and child contact issues. Also the fact that I have been involved in an extensive pilot study by the Department of Family Studies. I feel there's a window of opportunity to put my account forward now, as a case study to accelerate well overdue reforms to The Family Court system, the practices of the Child Support Agency, and Child Custody Arrangements.

The following submission may be longwinded, however it needs to be absorbed to fully appreciate the gravity of my current position and long term health and wellbeing.

Whilst you are inviting submissions specific to child custody arrangements, I feel it important to take a holistic approach in some circumstances. My case by all accounts has been described by many in the legal profession as "quite shocking".

We need to go back to the cause of my situation, then chronologically move through the subsequent events.

Regards,

Robin Verity

Introduction

The most basic and ancient of all institutions is the family, and it remains the fundamental social unit in every society. Yet the family system in today's world such as in Australia is under extreme pressure, which could ultimately lead to it a complete break down.

The Policy makers such as the Federal Government and the Family Law Court play a crucial role regarding the mechanisms for an efficient, effective and equitable outcome for those families seeking legal separation and divorce.

Divorce for many families is an emotional time of conflict and possible turmoil especially when children are involved.

Is the Family Court Effective?

A fundamental, albeit controversial, question must be asked...

Has the Family Court since it's conception been a voice for the Feminist Movement? It appears to advocate strongly on women's rights, often at the expense of the man's rights and under the illusion in the 'Interest of the Child'.

The effective outcomes by the Family Court and the lawyers arguing on either side of the matter for their client usually means that the woman is likely to be granted a fair outcome. Whilst the man is likely to be burdened not only with the break down of his marriage, the probable cause for the break down, the encroached decisions of the way he will be to able to have contact with his child or children, but is further burdened to give financial payments to decisions he may not agreed upon. For example: it is often argued the ex-wife should be compensated for staying home and caring for the child. Whilst the husband is penalised for undertaking employment during this time to ensure that his family was well cared for and financially secure.

The physical cost factor of the husband undertaking employment seems to be disregarded whilst the wife's time at home is factored as a reason that she is payed an increased amount of money.

Does Equity Exist?

The legal fraternity and those usually women that have been given a positive decision by the Family Court would argue that it is a good representative of equity. However anecdotal evidence show that there is no real justice in many of the outcome especially for fathers and their children.

- Father's are more likely to be declared the non-custodial parent.
- Father's are more likely to be burdened by high expectation of the Child Support system.
- Father's are not given the same respect and equal worth as the mother.
- It is understood that some men are abusers. However in many situations it is not unusual for the ex-wife or some member of her family to declare some form of violence perpetrated by the ex-husband although he is innocent of such an accusation. This usually is often apart of the woman's argument when seeking custody of the child or children.

The Rights Of the Child

The child is usually the innocent victim when the family is broken down. The child is likely to not always be heard. But rather the parents via their lawyers will argue which parent should be given majority of time to care for the child.

In most cases the mother is granted the core time of custody of the child whilst the father is granted a certain amount of time. And this is often effected by constrains the female may attempt to impose.

It could be argued that the time factor for the child with their father is often done in a manner that is of little respect to the actual needs of the child. Yet the Family Court and the legal fraternity would argue it is done in the interest of the Child.

This outcome for the child especially if the Father has developed a strong bond with him or her can cause the following:

- **Emotional Trauma**
Separation anxiety
Loss of self-confidence
Loss of identity
- **Social Trauma**
Removal of the Father for the child's role modelling may effect their development of exploring relationships with other people.
- **Psychological Trauma**
Australia has a high suicide rate in the world, which could be linked to the loss of the importance of the community putting great or equal importance of the man's role as the Father.
- **Cognitive Development**
It is often difficult for a child to concentrate and learn when they no longer have the continued relationship with both parents.

Please Case Study My Story

Effects on Welfare

Australia has

- High suicide rate
- High increase in mental issues such as depression by young person.
- Children may find it difficult to emotionally develop.
- Possibly increase of young people and drug use.

What can be done?

Federal Government and Parliament can make changes to policies regarding the following:

- The Family Court in its decisions must be under review and changed to reflect equity and justice rather than reflect an imbalance that favours the Feminist Movement's objectives.
- Father's be treated with dignity and respect equal to that of the mother.
- Child Support Agency must be redesigned. As the system is cruel, nasty and often mishandling the issues of the family. For example: father's are often spoken to with contempt and demanded to fear retribution if they do not meet the expectations placed upon them.
- In some cases the Child Support Agency via it's staff's attitude to clients could be argued caused further distress to the situation leading to the man committing suicide.
- And in some cases it is apparent the Child Support Agency's approach is not correct to begin for example calculation of payments. Yet the Agency does not factor in this crucial point. And often is fairly heavy handed.
- Intense review of all cases brought before the Child Support Agency
- Welfare Services to be improved to assist families who are effected by the break down of the marriage.

Conclusion

It is vital that equity exist for all members affected by the break down of the family unit. Rather than the continued trend by the Family Law Court and legislation that currently exists regarding an outcome served of injustice. This has contributed to the increase outcome in the welfare of our community.