

From

Bill Healey

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 841

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Phone

Secretary

Attention: Mr John Howard and all of Federal Cabinet,

The cost of not doing the right things by our children

1998-1999, I wrote to all of you being the Federal Cabinet.

I now thank those, kind enough to address my letters in person. Many did not even bother, some just brushed it aside, or declaring they were too busy with other issues. **Seriously short of our Australian Children needs.**

The Heart of all our vital Australian society is our family. I believe charity starts at home. I have experienced why our children suffer & at lose, it is due to negative ownership

Since I last wrote to all of you, I have again had to go back to the Family Court & the Federal Court. At a cost to our Taxpayers being some **HALF A MILLION DOLLARS**, Yet I was self-represented! I proved the Family Court and Federal Court, seriously failed the Australian Constitution, the Federal Laws, the United Nations Convention, and I also proved Solicitors and Barristers seriously failed their code of Ethics and duty of care to none-clients. This child again suffered. The flaws and problems in the first place are still not resolved, just brushed aside. The court again failed the child's moral and legal rights, **where is child protection?**

The cost to our vital and Australian Children? There is no dollar value to compensate a child lose of a Daddy and causing serious gruelling pain. **It is time to make serious changes and (grow) remove the negative of ownership and by law**. Each parent by law, has responsibilities to their children, each child by law has a right of shared custodian, its time to stop our children being relocated to other states, its time to **firmly & truly protect our children and their legal**

& moral rights. Our children by law must be given a voice, see UN law Article 12 The Federal Cabinet is seriously and by law that voice. It is seriously your responsibly to do so!

I know sadly some are of the negative & there are issues. Support for some in true form, is needed from vital utilities. No not just to simply allow negative ownership by a Court.

I know factually some like me (Proudly Australian) are fair dinkum and not of the negative, we are victims who seriously pay the cost, our children seriously missing out because many are cunning and use the system (which is seriously proven flawed) to gain that negative ownership.

There is an answer, firstly, Australian children firmly by law given shared custodian. **This must be firmly enforced by law**. If there are problems, utilities such as contact centres, Docs, family health services etc, should do the sorting out and educate. I know from experience the serious flaws & breakdowns, they do not have correct directions, they shift the responsibility, off loading expenses, the innocent pay.

Only in extreme cases, the matter should end up in Court or the custodian rights be removed, the above-mentioned utilities, should be the front line to resolve issues. Sadly, DOCS recommended to this family to take the matter to court, there was a distinct lack of support and education.

At present, others know how to get around the system. The mother in most cases easily gets custodial care, ownership. It was flaunted supported by Court & utilities such as DOCS

DOCS told this family "the Family Court would sort it out"!

The Family Court 97(proven via Appeal 98) handled vital evidence with deficiencies. Some six years latter, that evidence, treated deficiently in the first place by the Family Court, finally tested! Evidence displaying the child was abused and by whom! The Court has repeatedly failed this child. I became a holiday Dad, at much expense; the child relocated to another state QLD, of which is also a breach of

vital Court Orders. The Court seriously repeatedly failed to order the child back to NSW and much much more. This child has seriously suffered and sadly now drugged to keep him under control (ADHD or is it **DDD Dad Deficient Disorder** note psychologist Mr Biddulph book raising boys)

It is now acknowledge by the family Court 2002, I did nothing wrong. The Court has repeatedly done the wrong things, and the child further suffered in the hands of the Family Court, his rights still today removed by others and now supported by the Court, I became a holiday dad.

The Family Court today still support negative ownership, doing more damage, the child's rights removed, rights not protected! Only the mother's rights, desires got protection.

It took the family court 6 years to admit I did nothing wrong

There are serious flaws, and many children are suffering.

I now plead with you all to please make the following a law ***Every child by Law has the right, entitled in full and firmly protected shared Custody; of which must not be removed, unless there are extreme (not based lightly) reasons for doing so, being the welfare of the child. No not upon issues such as simply the parents, do not get on or one party choose to make it difficult (to gain ownership). Moreover, children's custodian rights by law is to be firmly protected and in full. To be removed not lightly but only upon serious grave welfare issues. No not based on issues of communication breakdown, the utilities should educate, give support to resolve the issues.***

The negative my child & I have seriously been a victim off.

Sincerely

William John Healey.

Extremely concerned Australian Father. Vital changes are needed for our vital Australian families. It is time to grow.

Further,

After receiving your letter last night and then viewing the aph and linked web sites, I have some more input;

1. I noted point (b) re: child support formula. Firstly, I don't have an issue with paying maintenance for the upkeep of my child, prior to the heavy handed tactics from the CSA, I had an arrangement with the child's mother that I was living up to, the CSA involvement removed my democratic rights and of doing it myself.
2. The CSA repeatedly performed some serious wrongs, and I did eventually get a letter from the CSA, acknowledging their wrongs and that I was right with expecting better service from CSA (The damage was already done).
3. I have attended Centrelink on several occasions. I have observed the manner of which they deal with customers (single mothers). I have listen to what I call black mail, "if you tell us who the father is you might be able to get more money" (and I think there is a discrimination issue). I have heard this repeated statement on several occasions. I recall only one lady refusing to give those details.
4. **Prior to the CSA** being involved I did manage with lots of difficulty to be seeing the child some 3 to 4 nights per week, but when the child support agency got involved the mother cut contact down and even stoped it, **hence our first appearance at Court**. The Formula is an issue, you see the mother worked out that if I saw the child less, the mother got more money! Instead of allowing me to see the child, the mother got others such as my neighbour to baby-sit, and told the neighbour I wasn't allowed to see the child, yet I had a bed for him in my home, his other home and parent, with abundance of cloths toys books and kids video's.
5. Although I have experienced the above-mention, CSA is not my main complaint.

6. **In fact, The System did the damage to me, not separation or a divorce.**
7. **I was not married nor did I have a defacto relationship with the child's mother.**
8. **Upon serious need (child welfare issues) to approach the system and request its support, because the child had been abused!** Finally the evidence tested 6 years later (damage done), displaying he had been abused and by whom.
9. **The system now involved, the real conflict started,** because the mother was now enabled powerfully by the system to do what the mother wanted (short of the Child's legal rights and needs (contact stoped)). The system legally failed to protect the child. I was told to take the matter to the family court to have the matter resolved. The outcome, please see my letter dated 25/6/03.
10. The child's welfare by law must be given the Paramount Consideration, but with the serious flaws of the system, I saw my child further suffer and not protected and I got a hiding and damaged for trying to protect my child.
11. I did what I was told; I had the strength and courage to stand up and face the system, because I got little support, I ended up feeling, the system was attacking me, a child's father! I felt like I was repeatedly slapped, kicked, not forgetting the financial commitment and loses of quality of my own life. I know why so many males are loosing the plot! And children miss out!
12. Even before any court orders the system failed the child, but protected the mother first. One evening when the child was staying with me, his father, I had fed and put the child to bed. The mother had some issue, and was at my front door acting in a manner that I find frightening. I called the police requesting support, the police attended and I was told to hand the child to

- the mother, even though, I had said the child is asleep and that I would deliver the child in the morning. The police officer told me that I had to hand over the child to the mother and he even agreed that it was morally wrong, and he also said that's the way it is.
13. Another episode I also recall when the system got involved; I was attacked by the mother and partner, with the child in my arms. The police on request of the mother took AVO out on me, I said "I hope you took out AVO on them, because I have done nothing wrong, they attacked me", and I even said this is discrimination. A week later the police officer apologised and said "yes the mother is trying to stop you from seeing the child" but I still had to clear my name and fight the AVO at a cost to me. I did manage to remove the AVO and reverse them in my favour to protect me at a cost.
 14. Then another issue, a family friend of the mother worked at a NSW family Health services, that person being a friend of the mothers family rang DOCS and reported negatively (Hearsay) about me, the child's father.
 15. Then there is also a doctor who wrote in a letter about me, the child's father, seriously in the negative, yet he had not even met me.
 16. The list goes on and on and on, I have had over some 7 years of Hell to face, the child lose and suffering has been huge, No one but me put the child first, to truly protect the child's and his legal rights. Others (the system) removed his legal rights.
 17. Even though I have had a hiding and I have expended enormous amount of money and quality of my own life, I myself to some degree have protected the child, simply by facing the system I have let others know that I will stand to protect the child, it is documented that others have to watch what they are doing, and at least now, I do get to see the child but only a little.
 18. There is so much more, and I have hardly scratched the surface. All the energy, and money miss directed by the system, would have been much better spent on protecting the child first. I believe children's rights come first, and by right of birth, children have the right of shared parenting. This needs to be enforced and by law. This in return instead of all the miss directed energy and money spent by the system, the system would be spending it on educating and enforcing the importance of shared parenting, protecting the child's legal rights first.
 19. And others won't have the system to support their negativity.

I also bring your attention to the UN convention, about equality, children, discrimination ect, the system (in Australian) seriously fall short of the laws.

Further I would also like to point out I have exhausted all local remedies, to have the errors corrected, if the child's legal rights are not corrected I only have one more course of action to take to corrected it and be compensated for our lose.