

From: [REDACTED]
Sent: Friday, 1 July 2005 4:50 PM
To: Committee, LACA (REPS)
Subject: Submission - Family Law Amendment (Shared Parental Responsibility) Bill

[REDACTED]
1st July 2005

To Committee Secretary
House of Representatives Standing Committee on
Legal and Constitutional Affairs
Parliament House
CANBERRA ACT 2600
AUSTRALIA

Submission No.....	3
Date Received.....	01.07.05

Dear Sirs,

I wish to make a submission in relation to the provisions in the exposure draft of the Family Law Amendment (Shared Parental Responsibility) Bill 2005.

The Family Law Amendment, Explanatory Statement, raises a lot of concerns of violence and abuse in the home. It is far too easy for women to raise false allegations in an attempt to get the upper hand in the conflict.

For too long now men have unfairly born the worst from marriage breakdown from the Police, Courts and the media by a system that is totally biased towards women. It has always been far too easy for women to gain the advantage on the man with the slightest hint that the woman and/or their children may have been physically and/or sexually abused, even if the offence has not been proved in court.

I am one of those men who have been falsely accused of violence by my spiteful wife. It has taken, [REDACTED], to get the Interim AVO dismissed, [REDACTED] to be cleared of the assault charge. It has been [REDACTED] since I had face to face contact with my children. I have been to court on [REDACTED] and spent in excess of [REDACTED] in an attempt to resolve these matters. However I am still stuck in this extremely slow court system. There has to be a quicker, less expensive and fairer system to settle these family matters.

I believe that the overload court system needs to be address urgently. Why do we have a system such that it takes [REDACTED] (still not finished) in court and there is still no final solution? The only winners out of this incompetent system are the legal people involved. The legal brains of our society should be put to a far better use than trying to prop up a failed Family court system.

Another waste of money and resources is the appointment of separate legal representation for the children. In the [REDACTED] I have seen them in operation first hand, they have failed to turn up at court dates and done nothing to promote and encourage equal parenting by both parents. They have done nothing to ensure that my children still have access to their grand parents, uncles, aunts and cousins.

Children's views in my case have been severely biased by [REDACTED] separation from my side of the family and by false allegation by the wife and her mother.

Surely there can be no reason that there should be 6 legal people before a Judge arguing a custody and property case. This situation only lengthens the court case, which clogs the court system and costs the parents more, leaving the children worse off.

When will women learn that they are not the number one priority, the children of the relationship should be the number one priority! Women should no longer be

allowed to take advantage of the lengthy delays in the court system to disadvantage the man.

However difficult, mediation sessions must be begun for the children's sake. The children's relationship with both parents is one that is life long and the children should not be made to suffer just because the parents cannot get on.

Many books have documented the concept of Parent Alienation, eg Co-Parenting Survival Guide by Dr E S Thayer & Dr J Zimmerman. It is most common in cases where parent alienation is apparent that allegations of abuse are made because one parent believes that the child does not need to be parented by the other parent.

I agree with the new objects provision, "both parents having a meaningful involvement in the children's lives".

I agree with the introduction of the new factor that the court must consider the willingness and ability of each of the child's parents to facilitate and encourage a close and continuing relationship between the child and the other parent. My wife has done everything she can to destroy the relationship I had with my children for a perceived monetary gain at the final court hearing. She has also denied access to my children by their grand parents, uncles, aunts and cousins.

I believe an easy way to reduce the reports of abuse on women in relationship breakdowns is to take away the monetary advantage they invariably seek from a court settlement, while still making both parents accountable for the financial cost of raising their children. This would then have a flow on effect of reducing the workloads of both the Police and the court system. There would then be less false allegations of family violence.

Men should not be disadvantaged by the court system until a case of abuse has been proved, which is not the case at present. The Judicial Registrar failed to grant me face to face contact with my children even though there was no evidence of family violence, just the vindictive lies of my wife. The laws must change to bring back equality.

The courts should punish the resident parent for breach of custody and parenting orders. It should not take [REDACTED], [REDACTED] appearances and [REDACTED] to get one breach processed. My wife is still breaching parenting orders even though she has been found guilty in the past because the court does not take a strong position.

Why not take the Child Support Payment from the resident parent so that the non-resident parent can spend the money directly on the children? Also as a way of strengthening the compliance regime I ask you to consider that a substantial bond be issued when a parent has been found guilty of non-compliance. This would be used to pay for the legal fees the next time there is a breach of compliance.

I believe the monetary cost of raising should be born equally by both the man and the woman. If either party refuses to work full time then the other party should not suffer by paying more Child Support payments. Child Support payments should be capped at a much lower level, equal to half the reasonable cost of raising the child.

I believe that the children should be worse off when living with a single parent. Our society and laws must encourage dual parent parenting as the preferred model. Women must not perceive that they will be better off as single parent, which is the case now. Current laws lead women to believe that they should get the house and a monthly allowance from the male. This must change!

I believe assets should be divided in the first instance with the consideration that both parent need to establish homes for the children on a 50-50 shared custody arrangement.

The Child Support Agency is totally against the male and some changes urgently need to be made to create a fair system. I have formally requested [REDACTED]

██████████ in the last ██████████ only to be told there is nothing I can do about until the Judge settles the property issue. My wife can tell lies she in her tax return which causes me to pay too much Tax and Child Support. My accountant also says there is nothing I can do about until the Judge settles the property issue.

It is my view that the Child Support Agency currently acts in ways to discourage workforce participation of both the mother and the father. This must change!

I ask you to do everything possible to reduce the delays in the court system when concerned with family matters, because I feel this will have further grave consequences for our society in future if action is now taken.

I urge you to introduce this urgently need reform package.

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