

The following submission to the Enquiry is hereby submitted for your consideration as part of this enquiry. Apologies its done at such short notice.

There is a current attempt being made to rollback the 2006 Shared Parenting Reform.

The Bill in part attempts to do this in an underhanded way.

The operation of the Family Court system is still in time delay crisis which is in itself an abuse on children. Call it system abuse.

Whereby the delays to hear matters relating to contraventions, and family law matters which cannot be heard because of Counselling delays, this in itself has swapped over the Courts backlog to the private Family counselling groups, which now also have a backlog of matters to be Counselling before being allowed to go to the Family Court or Federal magistrate court systems.

This in turn leads to alienation of children of one parent or another (usually the Father) given that Family Court operational aspects still favours the Mother. The shared parenting concept is a better system all round, even if the 2 parties do not meet eye to eye on matters. Otherwise they would not be divorced or separated in the first place if there was some common ground for reconciliation. The system encourages adversarial 'us and them'.

The existing 2006 shared parenting reform already had considered children first, that is, its a child's right to know and grow with both parents, not just one of them (usually the mother over the father). The court should have their own statistics on this, if not why not.

One of the biggest criticisms of the family Court is that there is no auditing of cases other than the one's that go to hearing.

So on what evidence has the Senate to say these reviews are just making easier for the Magistrates to just 'pass the buck' only to have the problems children face deferred until they become adults with all kinds of delinquent and juveniles problems becoming a burden on themselves and society??

The no fault system made it easier to get a divorce back in the 1970's. So where are we now, with a massive, clogged up court system which cannot effectively deal with the real problem of the children it has dislodged by Families splitting apart. The shared parenting reform in 2006 addressed some these problems. Where are your statistics on this? If you have statistics is it complete? Is it a true cross section including matters that do not reach a hearing? That are settled out of Court. or cases where consent orders are made only to be thwarted by a recalcitrant, controlling parent to continue an alienation against one parent. Raising issues in Court that Lawyers are well familiar with to get a result in favour of their client.

I am against this bill if it 'passes the buck' to make it easier to absolve itself of responsibility to our children by subserviently attempting to roll back the 2006 shared parenting reform.

Hear my words

Prof. Stephen J Brown