



Voice 4 Kids

Karla Lee

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My name is Karla Lee and I have been an Advocate of “Voice4Kids” in Australia since 2003. “Voice4Kids” advocates only from the Child’s Perspective after divorce.

The aim is to help parents co-parent parent in a more productive way after divorce with the focus being in “the best interest of the child” always.

I myself was a child of divorce at the age of 9, and for the next 17yrs I struggled with the pain and trauma it personally caused me.

At 26 I found the lack of information to help parents understand how children really feel was shocking to me. Parents were lost with how to communicate to their own children in this situation.

This then led me down the path to help give a Voice to the children, by writing two books and engaging in public speaking events.

I am so glad I personally wasn’t dragged through the family courts as it was already hard enough to cope.

My mission for the past 16yrs has been to give a VOICE to children who don’t have one. I’m now 46, I’ve been married for 18yrs and have two beautiful daughters. This is not how it always turns out for children who come from Divorced families, and I can tell you at times I’ve really hate to fight for mine.

So many children are hurting and no one seems to care. I feel Children who come through a divorce have the right to be interviewed and heard. If they are of an age where they can’t fluently speak and engage in a conversation I feel they have the right to be heard.

Im hearing time and time again that the ICL’s,(Independent Children’s Lawyers) need to hear what some of these children are going through and actually have some compassion. Too many

times I am hearing these ICL's are brushing off what the childrens concerns are and not even hearing what they are saying. In saying that some parents also need to pull their socks with how much their personal bitterness is affecting their children.

I truly feel if one parent is going to continue to play games and Alienate (a well rounded healthy parent) due to their own bitterness their right to be a full-time parent themselves should be questioned.

The only time I feel sole custody must be considered to one parent over the other is when there is DV, Drug Addiction, Sexual Abuse and even in some cases where Child Support Payments are being held off by one parent. In some cases a parent is earning more than they are declaring but the ATO and Child Support don't investigate.

Selfish parents are dragging their children through the family courts, no matter what the cost is to their child's well being.

Greedy lawyers have encouraged some parents to submit false allegations so they can have a house, car, boat and kids. Plus the longer in court the more the lawyers, and barristers make. Disgusting. The Family Court is becoming a money making machine at the cost of lives being destroyed, and let's be honest for some the only way out is suicide.

Barabara Holborow (OAM) the former Magistrate of the NSW Children's Court, endorsed both of the books on wrote about this topic "Please Don't Go!" & "Is It My Fault?", and then opened my book launch in 2003 at Sydney's Parliament House.

Barbara's desire was that every parent passing through the Family Court would have a set of my books given to them so they might just think of the children before themselves.

Since then I have spoken at different relationship conferences and rallies.

Most of the time to crowds of Fathers who have been devastated by the false allegations that the courts have believed without any evidence of prior abuse or neglect ever spoken about. This is wrong. Some are taking the DV card and abusing it. Those who are suffering from DV seem to think this isn't happening, but it is.

Yes, many Mothers have also lost visitation or been alienated as well, but the scale I have found has weighed a lot heavier on the Fathers losing their children.

In 2015 I had the privilege of speaking with Senators and Political leaders at a board meeting in Parliament House Canberra, where we discussed the Family Court and how we could make changes in the best interest of the Children.

The overall view was that the custody arrangements should be finalised before the finances and assets. This way we know who is really after what. Sadly this is still yet to be implemented

Then in 2016 we held the "Voice 4 Kids" Summit in Parliament House, Canberra.

This was very successful and shined a light on how the system has let the Children down and many senators and politicians were supportive that the system needed to change. You can view this on Youtube under Voice4Kids.

“Voice 4 Kids” would like to see changes that are fair to all parties like;

- Children should have the right to see both parents equally if there is no evidence of Drug, DV or Sexual Abuse, and both parties are paying their fare share with child suport.
- Affidavits that claim DV, DRUG or SEXUAL ABUSE should be investigated if no prior claim has ever been made. DV's these days are being handed out like lollies and this is just wrong. This doesn't help the legitimate DV sufferers.
- Child Support payments where one parent is claiming to earn little to no money should be investigated as many are earning but not declaring to the ATO. This means the other parents is suffering under financial strain, and this is unfair. It would also be great if the child support payment issues could be discussed within the family court as many issues related to the divorce are around this issue.
- The finalisation of each divorce case to be finalised within 1-2yrs so that children are not being dragged through the courts for a ridiculous amount of time, and the Children have their time with the ICL to share how they are feeling.
Also “Mediation” to be compulsory after a divorce, and both parties if they are wanting custody to be willing (unless DV, Drug or Sexual Abuse was involved) to sit in a room together to discuss the best outcome for the child moving forward. Eg: a Parenting Plan should be compulsory that works for all. I feel if one parent is too stubborn to even attend mediation they cannot be considering the best interest of the child.

TERMS OF REFERENCE Points answered.

A) In regards to the process of the Domestic violence orders and apprehended violence orders in family law proceedings -

I find that the ongoing issues seem to be false claims against parents without any prior abuse claims or complaints ever submitted to the police prior to the court hearing.

I feel if one parent is going to bring a DV issue up this must then be further investigated if there was never a complaint prior, and for the court to not just take this at face value.

Many good parents are losing the right to see their children for years due to false claims. If supervised visits need to take place for a short time that can be considered, but if the supervisor feels that the parent who has had claims puts against them is a fit parent then 50/50 should be submitted.

B) Parties in family law proceeding to provide truthful and complete evidence -

As stated above I feel Affidavits should be thoroughly checked and investigated not just taken at face value. Many are getting family and friends to write false claims so that the parent can receive full custody and all financial assets.

C) Reform to the family law current structure -

Obviously the structure right now isn't working. The length of time families are waiting on settlements and custody issues is at least 5yrs or higher. Custody issues need to be settled first and within a short time frame as this is very disturbing to the children who are wondering where they are going to live. Then the financials need to be settled quickly after this. Dragging both of these two things out is only putting a huge strain on all parties.

D) Financial Costs of Court Proceedings to Families.

This is where I feel MEDIATION needs to play a bigger part prior to parents who are thinking of heading to the family court.

Parents who choose to drag their ex partners through the family courts are all pretty much losing their life savings in the end.

Parents need to be educated that these court funds could be put to better use (Eg: for their children's future and education) If they could sit down as mature adults and work out a productive "Parenting Plan" with the mediator, this would be a win win for all.

Hence why I am saying Mediation should be compulsory.

Also if many parents could do it this way the family Court would have less cases to hear the parents would have more money in their own pockets for after their separation.

Many parents struggle to get back on their own feet after a divorce as the funds have been diminished through lawyers and barristers, but through MEDIATION they should have more funds to help them set up their new life and raise their children separately.

E) The Family Support services and dispute resolution service -

As previously stated I feel needs to be compulsory that both parties attend (unless Drugs, DV or Sexual Abuse has been a factor) Mediation.

Many parents are refusing to sit in the same room for mediation and this I believe is not in the best interest of the child. Parents need to learn to put their differences aside and work out the best path moving forward for their children. If they can't prioritise this you have to ask yourself who are they really thinking of?

F) Impact on family law proceeding on the health of children & families -

Well this is a given. The impact a divorce has on children even prior to the family court proceeding is undeniable. So many children are suffering already. So being dragged through the court just adds another layer. Children who go through a divorce are at higher risk of; depression, anxiety, early pregnancy, school dropout, introverted, or extremely angry, choose negative relationships later in life, suicidal and most have low self esteem. I've been there. From cases I've heard myself the Children just hate the

courts. It only breeds anxiety in them prior to the day and many are nervous, especially when being interviewed by the ICL as they feel if they speak the truth, they may get in trouble when they get home.

Children need protection in the courts after speaking with the ICL. The judge must make it very clear to both parents that if they at all interrogate the children after the ICL has spoken to them (as parents) about what the children said, they are breaching the court laws and that then may put them in jeopardy of having the children in their care at all. The ICL should be able to sit both parents down and share honestly with how the children feel and the children should feel safe when leaving the court.

Some children will say that they don't feel safe with being with their mother or father or even the parents new partner and this must be taken very seriously. This is why the ICL is so important. This information must be passed to the judge and considered.

Some (3rd parties) being new partners or step-parents are making life worse for children after divorce. Bitter new partners making it hard for the children to have stable relationships with their biological parents. Again this is why I am saying the children who are of an age that can speak for themselves should be interviewed and asked about how they feel with their parents or any new partners. If they feel unsafe then supervised visits should be considered until that child feels safe.

The impact on Fathers and Mothers is also devastating. Fathers are taking their lives every week over lost custody cases, and yes most of these seems to be around the false allegations and Parental Alienation issues.

In some cases women also but the scale seems to fall heavier on the Father's side with this.

When it comes to legitimate DV issues yes the protection does need to be there for that party, and the children should only have supervised visitation with that parent until the judge feels that parent has been through a certain amount of rehabilitation courses and interviews. This would not be an overnight fix.

G) Issues for Grandparents -

Sadly many grandparents are missing out on being in their Grand Children's lives due to Parental Alienation. This is quite sad as grandparents bring a lot of stability to the grand children's lives after a divorce. They did for me. It may be a case to case issue if DV was involved or the partner who may have been violent lives with their parents now. But maybe supervised visits could be set in place for grandparents until both parties are in a better place after the divorce to make it more permanent. I do feel the children could also be asked about how they feel with this by their ICL.

H) improvements to monitoring of professionals - THIS IS MY BIGGEST CONCERN & CHANGE I FEEL NEEDS TO HAPPEN NOW - The ICL'S MUST BE MONITORED.

I'm alarmed and concerned that the ICL is not monitored by video or with a witness in the room with them. This is Child Protection at its worst. I'm absolutely shocked that an adult (male or female) can sit in an enclosed room with one or more children and no-one is there to witness this interview.

I was shocked at a recent ICL interview I heard of where an ICL rudely interviewed 3 siblings. The eldest child was upset and he just laughed at her. She said "why are you laughing?", and he said "well we could either laugh or cry I guess". He then proceeded to tell the oldest Child "Don't worry I spoke to your Father and he doesn't want you anyway, he just wants your brother and sister" - What ICL does this? ALSO the ICL is NOT allowed to speak to either parent prior to interviewing the children (That's why they are called INDEPENDENT Children's Lawyers). I was appalled that this man is an ICL and still is today.

THIS IS WHY I FEEL THESE CHANGES NEED TO BE IMPLEMENTED (IN THE BEST INTEREST OF THE CHILD)

1. Every ICL interview MUST be videotaped, WITH the running numbers under the video so it can not be edited.
2. Every ICL interview must have another Independent Witness (that the ICL doesn't know personally) in the room with them during the interview of any minor.
3. If any Child then feels that they were questioned inappropriately, or felt uncomfortable/bullied, this then can be brought to the judge by the parents lawyer and the judge can ask for a copy of the interview video by the ICL to watch for themselves about the child's complaint.

WHAT WILL THIS DO - This will hold the ICL's accountable for their interview style and questioning. It will also make ICL's think before they speak in an interview with minors and know that they are on watch. It's their job to put the CHILD'S Best Interest first. I don't feel the majority of them have been doing this for a long time.

I feel this may be the only way the Child will have the opportunity and power to speak up if they feel they have not been interviewed fairly.

In regards to this it just saddens me to how many professionals (lawyers/barristers specifically) who are more concerned with making a buck then finding the bet solution overall for the children. Coaching parents to put in claims that are false is wrong. Lawyers and Barristers who are willing to do this and found to be guilty of it should be stripped of their legal rights. If the false claims they are claiming on behalf of their clients prove to be fabricated and false the judge should reprimand him/her of their position as well as the parent losing their custody rights. If this was a law this may just be what these lawyers/barristers need to think twice about what they are willing to do and say in court.

In regards to agencies, I feel the "Child Support Agency" needs a huge overhaul. Some parents are claiming they earn nothing so that they don't have to pay child support.

No child support (No Child I say). - Unless proven documents prove that they parent has nothing or little to give. BUT it must be investigated properly.

Why I say this is I do know of a case where a Father was claiming he only earned a tiny amount so all he had to pay his ex was \$17 a week for his 3 children. This was a bitter attack on the mother.

This Father at the same time is a big business man in the fitness industry and happily prades himself all over social media (still to this day) with his business and how much money he makes. The ATO and Child Support have done nothing about it even though many of us have reported him.

AND in saying that if a parent is paying Child Support and the other parent is still holding that child from still seeing that paying parent (They should then lose their right to have the child also).

People are contacting the ATO to let them know that these parents are actually working, or earning a lot more than they are claiming in their tax return, but the ATO's simple answer is we can only go by what their tax return states.

If strong evidence and been put forward showing that a party is obviously earning more why is this not being investigated immediately?

Some parents are suffering under that strain of covering all the financial outgoings with their children, whilst the other parents (who are not stating honestly what they are earning) still see their children but pays next to nothing to the parent who has the majority of custody.

Why are these cases not being investigated immediately?

I) Improvements between Family Law and Child Support -

I feel communication between the Family Law and Child Support Agency needs a stronger connection and communication. Why? Because in cases like what I have stated above in point (h) above where there is obviously lies and deceit, this information would be transferred and exposed to the judge in the Family Court and then the judge would be able to make a better judgement on the custody case due to this.

I'd just like to close by saying that the "Best Interest of the Child" is paramount in all of this. Children have a right to be seen and heard. Parents who are not focused on this need to be.

EDUCATION is the Key here. More educating tangible material needs to be available to families after going through the courts (Hence why I wrote my books), and Mediation continued even after the divorce is finalised I feel would help parents continue to parent in the best interest of the child for years to come.

I appreciate you reading through my submission.

Karla Lee - Voice 4 Kids Advocate/Author

