

Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011
Committee Secretary
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Dear Members:

I write to your committee because I believe in a just society you cannot implement laws that are unjust. Therefore I would be greatly concerned if you were to recommend laws that are based on an assumption that one adult in a family is better able to care for the young because of their gender. Since the changes of 2006 there have been fewer children die at the hands of parents. Records show that a child is at greater risk from a mother or her partner that is a non genetic parent. So if you were to base the legislation on fact rather than opinion you would assign a bias to the right of the father to be custodian. A law passed on this basis would still not be proper because a law assigning greater rights to one parent on the basis of gender immediately restricts the discretion of a Judge or arbitrator to make decisions based on what is best for the families and individuals in our community, in particular children and the elderly who are at the most risk, as they make up the largest number of individuals without independent resources and ability to guard their own safety. As there is a range of good and bad parents of both genders the Judge must have the discretion to deal with each individual family to achieve the outcome that is best for the children concerned. To achieve best outcome the starting point must be fair and unbiased which I believe the current legislation guarantees.

Sincerely,