

House of Representatives Standing Committee on Family and Community Affairs	
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Submissions on how the government can improve upon the current situation.

Many people marry based on emotional love alone, it is often only when they have lived together for some considerable time that they learn of their partner's true patterns and lifestyle. They often then choose to continue on in the marriage but do not seek counselling until the marriage is already in deep trouble, consequently an increasing number of marriages fail.

On this issue I believe that the government must investigate making marital education counselling readily available and probably compulsory for people intending to marry or even live together in a de facto relationship. This counselling should be done with a view to both parties taking an extended and realistic look at their future life partner, their views on such topics as likes, dislikes, strongly held beliefs, children, fidelity, outside friendships, relatives, ethics, household workload and child care etc to name but a few issues, before they are permitted to move onto the next point.

The present system whereby one partner of the failed marriage has day-to-day care of the children is realistic when the children are young and require constant supervision, this allows the other partner to continue to work and provide maintenance for their children. The problem with this system becomes clear when issues such as the ones I have outlined in my history, post marriage, come to bear. It is at this point that the scales of justice tip decidedly in favour of the day-to-day caregiver.

On this issue the government needs to look at providing the non-custodial parent with more rights to provide input such as the imposition of rules on the children's upbringing. More leeway on non-custodial parent access to the children, provided that such access does not interfere with the child's balanced lifestyle, a requirement on the custodial parent to advise the non-custodial parent of health, schooling and other important issues etc.

Research has proven that male children who do not have a constant male role model in their lives are much more likely to find themselves in trouble. Both male and female children from broken homes do not experience 'Normal family' lifestyle, therefore how can they be expected to succeed in their own relationships when they have not had any examples to learn from. "Children learn from their parents and strongly tend to follow their traits" (The Schemer Theory)

Custody and other disputes need to be taken to the Family Law Court as an absolute last resort. The Court System is so expensive to use when legal practitioners become involved that it is beyond the reach of the average person. I discovered this when I utilised a solicitor to prepare an application for Children's Orders. The cost just to get the matter to first mention date was \$6,000.00, 50% greater than quoted and would have cost many thousands of dollars more had I not decided to represent myself from that point onwards. This money came from an account that I had intended to use to take the children overseas and was lost for that purpose.

The traditional adversary system of Court Trials needs to be overhauled. The purpose of a Family Court hearing is to obtain the best outcome for the child. The present system concentrates on each party demeaning the other and causes terrible damage to what otherwise may have been an amicable relationship.

The Inquiry into shared care of the children of a failed marriage is an excellent concept, it would however require both parties of the marriage to live within close proximity and legislation to that effect would be required. Current situations where the former marriage partners live significant distances apart would require careful consideration and special legislation to ensure that the interests of the children were not placed secondary to lesser matters.

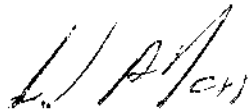
As a male parent I have always felt like a second rate citizen because of the current system which gives the day to day care of the children of the marriage to the mother on an almost exclusive basis. Equalling childcare arrangements up, even if it was on a lesser than 50/50 basis would certainly help to alleviate this issue.

The final matter with which I wish to take issue is that of the payment of maintenance by the non custodial parent, whilst I have always paid maintenance and see it as my moral duty to do so I would like to see a system whereby I could pay maintenance on

my primary income but be permitted to retain income from secondary employment for the purpose of re establishing myself. Like many others I gave my former wife the majority of our joint assets and transferred superannuation so she could comfortably care for the children. Nine years after the break up of my marriage I have no house and no hope of being able to purchase one until all of the children are financially independent. On the other hand my former wife owns her residence and has an investment property as well.

If I can be of more assistance please do not hesitate to contact me.

Yours Sincerely



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