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Secretary:

GRANDPARENTS IN DISTRESS

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2nd August, 2003

Committee Secretary,
Standing Committee on Family and Community Affairs
Child Custody Arrangements Inquiry,
Department of the House of Representatives,
Parliament House
CANBERRA. ACT. 2600.

Dear Sir or Madam:

SUBMISSION RE: INQUIRY INTO CHILD CUSTODY.

Our Group formed last September as a result of suffering and hardships caused by family breakdown and in an effort to make changes that would benefit the whole community and give help to those of us who have been affected. We have enclosed a recent letter to the Prime Minister dated 3rd June and the Aims of our group, which we trust, will be read in relation to this submission (P7, P8 & P9). Though the problems are much wider than the terms of reference allow, we will try to restrict this submission to those points. It has been encouraging to see the effort that others have put into this problem and to see that at last our Politicians are investigating allegations of unfair treatment of non-custodial parents (usually male), children and grandparents rights. There will be many people reluctant to make submissions because of the fear of causing further complications with their particular case, after all we are dealing with an enormous and powerful bureaucracy run by the Taxation Office! Only the courageous, desperate, fed-up and furious will write and of course there are thousands unable to explain their feelings and desperate situations on paper. We believe that the submissions you receive will only represent the tip of the iceberg.

(A) The Best Interests of the child are the paramount consideration:

This is a statement always made by The Family Law Court, Child Support Agencies and Lawyers; but does it really mean anything unless long term studies have been done and it is found that in fact the children and society itself has benefited by the processes of Law. Facts and figures are available from researchers and academics who are in better positions to obtain this information than our group and will undoubtedly be submitted to show that the "No Fault divorce", Family Law Court and Child Support Agency has in fact been disastrous on children, parents and grandparents. This has resulted in cycles of poverty, behavioural problems, juvenile delinquency, lack of self-esteem, depression and suicide in the children of divorce, particularly those who have been forcibly separated from one parent.

Relevant information and statistics on "Experiments in Living - The Fatherless Family" in the United Kingdom are available from The Institute for the Study of Civil Society at: www.civitas.org.uk

Some will want to reject this next section saying “that it is beyond the terms of reference” BUT IT IS NOT, because the “best interests of the child” are directly related to EDUCATION, IDEOLOGY AND PHILOSOPHY OF A NATION. We must choose whether we believe that the “State” or the “Family” is the desired direction of our society. The last 30 years has been a social experiment that has gone wrong and has been based on the Karl Marx Communist Manifesto philosophy of “the dissolution of the family unit,” something that is now being slowly recognised by those investigating these matters. This truth has not, and will not be recognised by Universities/Academics/Feminists since those in charge of the “system of education” are mostly Socialist/Communist idealists and as such would see that adherence to the position of “The State” is superior to that of the family. Those who have been misled in this direction should have another look at history to see where the “theory of Socialism” took China and Russia.

SOCIALISM IS THE THEORY - COMMUNISM IS THE REALITY.

Is that what we want for Australia? If we want our children controlled by the “State” then we should continue in the direction we have been heading these past 30 years as the dissolution of the family unit is almost complete. Some will say “Oooh this is too political; we just want to talk about the kids and the custody problem”. Well that is just like a farmer wanting to know why his cattle get out and refuses to look at the fences or for you city folk “a driver who keeps pumping up his flat tyres and refuses to look for the leak”.

If we truly believe that the Family unit is the utmost Ideal, then we should change direction completely.

“In the best interest of the Child” our society should spend time in educating them in the belief of a God of Creation where every creature is a unique specimen, all important in the preservation of the earth and each one capable of great and wondrous things, in a world of ‘reward for goodness’ and ‘punishment for evil’. Children readily accept a concept of a loving God, but have been educated into the THEORY OF EVOLUTION, in which we are nothing more than animals, where the survival of the fittest is uppermost, where there are no rewards for kindness, no consequence for evil, but only destruction of the weak and underprivileged. A selfish society that puts the “self” before everyone and everything. If you don’t understand this, try throwing one bale of Lucerne hay amongst ten horses and see who comes out best! Our society has been teaching kids that they are nothing but animals and some of them are behaving appropriately. Children in High Schools in USA are now demanding that they are taught both Creation and Evolution, so that they can make up their own minds. So whilst you are giving your consideration as to “the best interest of the child” you should not neglect the spiritual vacuum that is so obvious in Australia at this time.

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(i)

Time with Each Parent after separation.

The Court, Government Agencies and Lawyers should not have to be included in the decision of exactly how much time a child should spend with each parent, or grandparent. This is Communism and does not reflect the freedom that this country once prided itself on. These matters were once decided by the parents and grandparents in cases of separation before the Family Law Court was established and should be a matter of family negotiation, as was the case 30 years ago.

The brainwashing of our young women, through the “Welfare state” ideology and the “Feminist” movement of the 1970’s, has encouraged them to claim all rights and to put children in unsafe conditions where new partners (whether male or female) have full access to the children, and yet the biological parent is sometimes forbidden the same rights.

What is needed is the dissolution of the Family Law Court and Child Support Agency which has become a self-perpetuating monster based on the divorce industry. The money saved by relocating thousands of public servants in this “Industry” should be used instead for relationship counselling and the re-education of our society on the importance of the family unit, of having some morals, responsibility and sensible decision making about who you choose to have children with, because you will have to “SHARE THE CHILDREN”!!!!!!

It should be presumed by Law that both parents should have equal access to children, where possible and in the interest of the child. This process should create access to other relatives who are often kept away from the children, purely on the decision of one parent. This arrangement should not be compulsory in a free country, because it will often not be possible due to work commitments, sickness and distance and would create a nightmare of legal challenge, but it should be a presumed starting point for mothers, fathers and grandparents. Counselling and mediation should be encouraged and perhaps made mandatory where this presumption of access is challenged.

This could be a frightening prospect for some parents where the partner is known to be often affected by drugs or alcohol and the child will be placed in danger, particularly in the case of very young children. In such a case, perhaps 2 other family members could present themselves, with the applicant to the Police Station to instigate an Apprehended Violence Order, such as the present system. However, Statutory Declarations should be signed with penalties for false accusations, which is not the case at the present time resulting in thousands of false accusations being made, purely to keep children away from the other parent and without any foundation. Where false allegations are made (purely to keep the child away from the other parent, and not based on truth) then heavy fines should be imposed for false and misleading allegations.

The ridiculous DULUTH WHEEL that is used now to define Domestic Violence, needs to be thrown away and a realistic criteria for “violence and danger” be created, not something that was instigated by a group of angry radical feminists in the U.S.A. Lets have none of this “dirty looks or gestures” folly. How embarrassing that we have been so foolish to adhere to such a gender biased description of violence! Violence is now carried out by both female and males but males are regarded as “wimps” if they report violence, and are even charged with violence in the act of defending themselves!

Should one parent move away from the “home situation at the time of separation” then the parent moving away should be responsible morally and financially for “regular and frequent access” for children to visit the other parent. We cannot stop people moving (unless we want to become a Communist state) but we can offer disincentives for doing so. There is research done that children living more than one hour away from the other parent are disadvantaged personally, socially and economically.

A whole generation has been ‘conditioned’ into believing that the children belong to the mother and totally ignore the fact that the sperm has come from the father. Now days most fathers are as much involved with their children as the mother. So if we ask ourselves, “How did our society come to the conclusion that the mother was more important than the father???? By the

“welfare state mentality”, education system, universities, television, media, psychologists who tell clients to “do whatever makes you happy - anything is acceptable, as long as it makes you feel good” and by the rejection of God and the Bible as being the “ultimate instruction for right living” (another objective of the Communist Manifesto is to destroy religion). In fact it is right across the Western societies, USA, Australia, United Kingdom, Canada, and New Zealand.

So you see it is no accident, but a deliberate plan to direct our society in a certain pre-planned direction. In order to correct this we will have to use the same tactics to reinstate the importance of the family unit in the minds of all Australians, especially the young.

Two thousand years ago John the Baptist came to “turn the hearts of the fathers to the children” (Luke 1:17) and “turn the hearts of the children to their fathers” (Malachi 4:6). Does this mean that the Roman Empire, 2000 years ago, was in the same social disarray that we find ourselves in today?

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(ii)

Contact with Children by family and Grandparents.

It is impossible in a free society to stipulate by law exactly how much time a child should spend with each parent or Grandparent. Circumstances can change in a day! Does it mean that every time there is a change in circumstances that the case has to go back to Court? Instead of reducing the bureaucracy, it would increase it and the taxpayers and family's finances would be reduced to such an extent that we would all be running around in rags (except judges and lawyers).

The presumption of shared or joint parenting should be sufficient to allow access to children by grandparents. However, in the process of amending the law to presume shared parenting there should also be allowance for grandparents to spend reasonable time with their grandchildren. Grandparents are an important part of any child's development, as we can offer them patience, comfort, guidance, unconditional love, family history and much more, something that is sometimes not available to them by their busy and sometimes overstressed and angry parents. We support any efforts to instigate a “Grandparents Register” where children can locate their Grandparents should the family totally break down and they are unable to find their grandparents.

We are all in a dangerous and precarious position because the majority of people in our country no longer accept the Bible as being the guide to morality. So we are lost in a maze of confusion, wandering in a wilderness that will lead to the destruction of our society.

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(B) Whether the existing child support formula works fairly for both parents in relation to their care of and contact with their children.

Our first response has to be that it DOES NOT and this is the main reason that men are committing suicide, because they are in a financial trap that has no escape and no hope for any future. Even if they work harder, their plight will not improve and their possibilities of starting a new life, with a new partner, are almost nil. We personally know of men who have suicided because of this financial trap and are also aware of many suicidal men, at the present time, including our own sons.

The decision on the amount needed to raise a child is usually estimated by people on extremely high wages. The Judges who hand down these decisions probably earn ten to twenty times as much income as the poor individual standing before him. The amount needed to raise a child should be estimated by "real people on real wages" and not based on the "National Average Wage". Did you know that this title was invented by Stalin to cover up the high wages paid to his "Elite" and to disguise the low wages of the poor ("Stalin's Russia 1948").

Many men are on extremely low and unpredictable wages particularly in Rural Australia as the Labour market has changed dramatically over the past few years and work is either non existent, part time or casual. Job security no longer exists and men in unskilled positions are particularly vulnerable. How can anyone be ordered to pay a certain percentage of his wage, when he doesn't know where the next dollar is coming from, or whether there will be another dollar coming in at all. If he is ordered to pay a certain amount to the Child Support Agency there is constant need to contact them as circumstances change, but he delays, hoping that some work will come his way. When it does not, he becomes depressed, his self esteem collapses and he becomes suicidal and is labelled as "A DEADBEAT DAD"; frowned upon by the media and society itself. It is usually the parents of the male that come to the rescue. If we did not the suicidal rate would double.

When circumstances arise that couples cannot stay together, there has to be a system where both parties are treated equally. In the present formula of child maintenance, these figures are based on Gross salary and not net salary. These figures are probably calculated by people in high positions, who have no idea whatsoever, about the real cost of surviving on lower wages or in most cases, the dole. It is quite ridiculous to use GROSS WAGE to calculate the cost of child support, because tax has to be paid and therefore it is only the NET WAGE that comes into the hands of the wage earner.

Here is an example:-

Gross Wage say \$500, tax @ 20% is \$100, child support say 20% is \$100, Rent \$140, Fuel \$50. Phone/power \$40. Food \$60 for one person leaving \$10 if you can budget carefully, and this does not allow buying or maintaining a vehicle, which is usually imperative if you have to visit the children regularly. Neither does it allow the cost of fuel, fares, food, accommodation or entertainment whilst visiting the children. As you can see, this is only a rough estimate and does not allow for any luxuries whatsoever. It is totally unfair that one partner can get the kids, and live quite comfortably, whilst the other has no chance of survival.

Now why doesn't the mother face the same problems? Because immediately she leaves her partner she receives a regular income, not only for herself, but for all her children. She can take her time about claiming Child Support because she already has enough to live on, especially with rent allowance, pension benefits, free motor vehicle registration. The husband often starts paying cash in hand whilst he can, but if he loses his job or appears to be slackening off, then the mother will usually claim through the Child Support, and so his nightmare begins.

The Story is the same everywhere, (with a few exceptions)

They separate:

She gets government financial assistance, he doesn't (if he has a job)

She gets the kids, he can see them if she agrees

She gets the house and car; he gets the bills

She gets told by the Lawyers to take him for everything.

He gets told by Lawyers "forget it" you can't win.

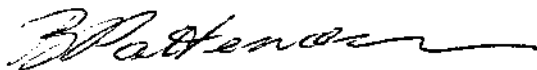
She takes a new boyfriend or lesbian into the house with his kids (or moves away)
 He gets an A.V.O. whether aggressive or not
 He decides not to pay while she's living with someone else
 He quits his job (if he has one) because he can no longer function
 He becomes a "deadbeat dad" or a DEAD DAD

Over the last three decades the "welfare State" philosophy has encouraged women to leave their partners, have children outside of marriage (called Bastards in the bible), and has encouraged both male and female to live separately, because they benefit financially. The GOVERNMENT AND TAXATION System should not offer financial incentives for partners to separate, but should be structured to encourage marriage and to have children born and raised in that partnership. We were once a Christian country trying to convert others how far we have fallen!

Steps should be taken to discourage young girls from having babies outside marriage. This is happening on a large scale in rural areas, where there are no jobs and financial rewards are very tempting when you are "broke and jobless."

Males and Females should be treated equally in our society and every effort made to restore the family unit and the security that we once had. Equal money should be allocated to both genders; Women's funding has flourished over the past 30 years and it is now time to adjust the pendulum to the balanced centre.

You will need the Wisdom of Solomon to repair our broken system, but we pray that your work may help restore some justice into this once wonderful country.



BEV PATTENDEN
 Co-Founder, GRANDPARENTS IN DISTRESS.