



THE NOOS



&
THE VIEWS FROM THE

LONE FATHERS ASSOCIATION AUSTRALIA (Inc)

JUNE ~ JULY ~ 2008

National Presidents Report



As I stated in the April/May newsletter, I would be going to Sydney to meet with the Chief Federal Magistrate of Australia. This meeting took place on April 15th and I must say it was a very positive meeting with the Chief Magistrate, a representative from the Family Court, another Federal Magistrate representative, LFA ACT Vice President Jim Carter and LFA Sydney Branch President Dick Honeyman. The meeting was strictly about denial of access to the non resident parent even when they have court orders, how these orders are breached by the resident parent and the failure of the system to uphold these court orders and punish the resident parent in breach of those orders.

There are contravention orders written in the Family Law Act, but the Court in most cases fails to abide by them and uphold them, instead sending a clear message to the resident parent that it is okay to breach the orders as they will do nothing about it. This in itself puts the Court in breach of the Family Law Act.

If the non resident parent has a lot of money they can fight it in court, but it can cost you a small fortune with legal fees and you are never guaranteed of success because what we are witnessing on a large scale all around the country is the bias of court report writers, counsellors and some Magistrates and Judges.

Well, we will be lobbying both sides of Parliament to bring about a change to the legislation, giving the Federal Magistrates more power to be able to punish the parent who breaks the orders by imposing penalties on them under the contravention laws. In all fairness to the Federal Magistrates Court, there have been cases where they have punished the resident parent only to have the Family Court overrule and remove the penalties. For instance, two mothers were jailed for continuous breaches only to have the Family Court over rule the Magistrates Court and let them out

In reality our Family Law Act is not all that bad, it is the bias actions of counsellors, court writers and other officials that don't abide by the Act, and encourage the system to fail. And of course not forgetting the billions of dollars in revenue it creates for the legal industry.

The new Family Relationship Centres have been set up to try and stop a lot of the conflict between parents, and most do try to help both parents. But again, if one parent refuses to attend it can hold up the process and delay the other parent seeing their children. These centres were set up as a better way for both partners to solve their conflict and come to an agreement about their children and parenting orders. There is no doubt it's a better system then giving countless thousands of dollars to the legal professions and the courts. There are very positives outcomes from the centres, but again if the primary carer does not abide by the orders and the courts continue to fail to enforce the orders then the system will remain in the terrible state it is.

A ridiculous and untrue statement was made by a Justice in Brisbane last year during the first part of a final trial on children's matters he stated that Family Courts were doing just fine until the men's groups got involved. This just shows you how people like him are so out of touch with the real issues. There are countless thousands of children in Australia who can't see their Dad more than 4 times a year at the most (and many only once a year)..

Does he really believe what he says? If he does then how can he answer for the hundreds of thousands of calls for help that this organisation has received in the last 15 years, not to mention the hundreds of thousands in the previous 20 years.

Well, I said I was going to name and shame all of those one sided biased people no matter who they are or what office they hold, to date I have not named this justice as I am waiting to see a copy of the transcript.

We are also receiving mixed reactions about the new child support changes which come into effect in July this year, we have received emails and phone calls from Dads stating they will be paying a lot less, we are also receiving calls from others saying they will be paying more. Recently the CSA new assessments were sent out and we were flooded with calls from angry payers many stating their payments had doubled, unfortunately many of these assessments were misleading as they had not taken into account the payee's income. I have brought this to attention of the CSA, if you have a problem with your assessment, the CSA have set up a special team scheme that you can ring the number is 1300 885 437, and remember if you are not happy with the person you talk to at the CSA you have the right to speak to a supervisor, and to go to Social Security Tribunal.

I have questioned some of the new amendments of the child support legislation, especially how they have been written up by the policy writers, we believe that the amendments we are concerned about have confused and destroyed many people's expectations throughout the country. I will be lobbying both sides of the Parliament on these issues requesting that a special committee be set up by the Parliament to review these few amendments.

Kind regards

Barry Williams

Barry Williams (BEM. JP. CMC.)

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LFAA submissions to the “Australia 2020” Conference

The Lone Fathers’ Association (Australia) Inc. (LFAA) congratulated the Government on its decision to hold the “Australia 2020” Conference in April 2008, and prepared a number of submissions.

The LFAA referred to its status as a peak body for separated fathers and their children. It also referred to its strong focus on families as a whole, i.e., including fathers, mothers, children, and grandparents and significant others – as attested by the fact that women account for 30% of its membership and 50% of its office bearers at the national level.

The LFAA indicated its hope that the 2020 Conference would be able to come up with fresh ideas and approaches for the solution of pressing policy problems. Particular optimism was expressed that the Conference might be able to make a positive contribution to the policy objective of “strengthening Australian families”, as the welfare of Australian families is so crucial to the social cohesion of the nation and the happiness and fulfilment of all its citizens.

The LFAA has been influential in bringing about recent important changes in family law – and is part of an increasingly significant movement to encourage men to be more involved in the day-to-day affairs of their families. Submissions prepared by the LFAA for the Conference relating to areas of particular significance to fathers and their children covered:

Australian families in 2020
The need for strong Australian families
Shared parenting
Contact orders
Family law reform and the issue of domestic violence

The submissions are reprinted below.

The LFAA was surprised at the failure of the Government to include in the list of 2020 Conference attendees *any* persons specifically representing the interests of fathers and their children, even though the list included many members of feminist lobby groups. The list of persons purporting to represent “communities and families” was therefore a long way from being representative.

In the event, the most newsworthy new ideas to surface during the Conference in the “Communities and families” area were ideas that the LFAA would be pleased to support, such as the 24/7 use of school buildings for other “education focused” activities, the provision of small low-interest loans to persons excluded from the main finance system, and a national disability insurance scheme. The Prime Minister’s idea (under “Productivity”) of a “one-stop-shop for families”, offering health, development, and learning and care services, is also potentially attractive. And the idea of “golden gurus” as work place mentors is another well worth pursuing

It seems possible, however, that as a result of the lack of balance in the membership of the Communities and Families Group (particularly in relation to family law reform) there may be significant bias in the policy options papers being drafted by the “Community and Families” Group over the coming months. The LFAA will therefore be seeking proper feedback on the development of those policy papers.

Our children are our future. We want our children to grow up in families where they have the love, guidance, and support of their fathers as well as their mothers. The LFAA does not want the present disastrous trend to continue of parents divorcing their partners on flimsy and unworthy grounds, encouraged by overgenerous divorce settlements and taxpayer-funded handouts. This will be fundamental to the shape of our society and our economy in the medium to longer term. Decisions being taken *now* in family law will be foundational to what happens over the next 10 to 15 years. As far as the future shape of our families is concerned, 2020 is almost upon us.

Jim Carter
Policy Adviser
LFAA

20 May 2008

Barry Williams
National President
LFAA

The submissions

Australian families in 2020

Policies affecting communities and families are closely linked to all areas being dealt with at the Conference.

In respect of individual areas:

1, 2, and 3, “Productivity agenda, the Australian economy, and sustainability”. Very heavy investments in housing and public infrastructure in Australia will be required in the period ahead in a society where a very high and increasing proportion of the population will be living in single-person households rather than in stable family units - partly because of the breakdown of traditional family structures.

Strong families, which recognise and support the crucial role of fathers in the upbringing of their children, would be likely to encourage an optimal rate of population growth, rather than continue the present unsatisfactory situation where fertility rates for Australia’s population are well below replacement levels and population growth depends mainly on net immigration, now running at 0.5% per annum.

4, “Rural Australia”. High rates of family breakup and male suicide have been notable in recent times in rural Australia as a result of the effects of drought conditions, and the link between the two issues should be treated as a critical area for policy.

5, “Health”. There is a close link between families and a national health strategy. A comprehensive health strategy has been in force in Australia for women for 20 years, based in part on a longitudinal study of women’s health, but there has been nothing comparable for men. This serious discrimination against men and fathers should be corrected promptly.

6, “Communities and families”. Major reforms to family law in Australia were enacted by the Parliament in 2006. The view expressed by persons

from the previous Family Court that the reforms would have “no effect” on the practices of the Court have, fortunately, proven to be wrong. The reforms must be vigorously pursued.

7 “Indigenous Australia”. The perspectives and status of Indigenous men (traditionally leaders in those communities) need to be respected if there are to be effective improvements in the conditions under which most Indigenous people live.

8, “Creative Australia”. The Government should correct its propaganda campaigns utilising serious misinformation in relation to the supposedly “gendered” nature of family violence.

9, “Australian governance”. An inclusive approach to the assembling of policy ideas is highly desirable. The selection process for participants in the present Conference has left a lot to be desired. The process has provided virtually no voice for persons deeply knowledgeable in the analysis and practical reality of fatherhood issues and influential in the development of recent major policy reforms. This serious omission must be rectified in the remainder of the “2020” process.

10, “Australia’s future in the world”. Future security and prosperity in Australia will depend not only on sound economic growth and a fair distribution of the national income, but also to a very great extent on the integrity and strength of Australian families as the fundamental units of our society.

The need for strong Australian families

Strong families are the basis of a sound and successful society, and the current divorce rate in Australia, at 53%, is an indication of a society which in major respects is dysfunctional and failing its children.

Families do not cease to exist on separation. Divorce is between the parents, not between the parents and their children. The love between the parents and the children does not come to an end, unless parent/child alienation, a very serious form of child abuse, is allowed to occur.

The traditional adversarial model employed in the Australian judicial system, by causing both separating parents to fear that they will lose the children, has compelled many parents to fight very hard, where they can, through the legal system. This has presented to judicial authorities an illusion of parents in sharp conflict – although the conflict would usually subside when the more natural arrangement of shared parenting was adopted. The model of sole parenting created a “win-lose” mentality on the part of parents, with the “loser” often becoming a mere transient in the lives of his/her children, with results that are bad for the children.

Mediation, utilising the new Family Relationship Centres, should in future be the main process adopted in resolving post-separation parental conflict.

Major reforms to the traditional system were enacted by the Australian Parliament in 2006. The view expressed by (some members of) the previous Family Court that the reforms would have “no effect” on the practices of the Court have proven to be wrong. Significant changes in the approach of the Court have occurred - although some court registries are still lagging behind, notably the Canberra registry.

In spite of the 2006 reforms, the present state of family law in Australia continues to provide a strong encouragement to women to separate from their husbands, to the disadvantage of their children, if there are any problems in the marriage. Nearly 70% of divorce applications are currently made on the initiative of the wife, and wives are also involved in a further 20% of applications made jointly.

The suicide rate for Australian men in the prime fathering age groups, i.e., the 20’s and 30’s, is now amongst the highest in the world. The ratio of male to female suicides in Australia rose from 2.1 in the 1980’s to 4.1 times in the 1990s, with a large proportion of male suicides being associated with family law-related problems. And in those cases the children have lost their fathers forever.

Other major problems which must now be addressed include the problem of non-enforcement by the Family Court of its own orders for contact, and the issue of DNA testing for biological fatherhood, which is now more urgent as a result of the High Court’s perverse judgement in the Magill case.

Shared parenting

Children raised by a divorced single parent are significantly more likely than average to have problems in school, run away from home, develop drug dependency, and/or experience other serious problems (Amato and Keith, 1991, Guidubaldi, Clemishaw, Perry, and McLoughlin, 1983, Hetherington and Cox, 1982).

Prima facie, the community should, in the interests of children, avoid having them living in sole custody arrangements wherever practicable. In a large proportion of cases the alternative of joint physical custody (substantial shared parenting time) would be practicable, if it were not discouraged, as traditionally it has been, by the legislature and judicial authorities.

The greater cooperation between parents which necessarily occurs under a shared parenting model improves parental attitudes, in many cases very markedly, and results in great benefits to the children.

Shared parenting:

- * privileges the rights of the children re the rights of the adults, by requiring each parent to recognise the rights of the child to parenting by the other parent;
- * -recognises that children are, in general, much better protected from physical or sexual abuse in shared parenting families than in sole parent families;
- * -allows full scope for consideration of the needs and wishes of the children, through the inclusion, strongly desired by the vast majority of children, of both loved parents in their lives;
- * -enables fathers to help their children by doing more of what fathers traditionally do to support the lives of their children in intact families.
- * -leads to more involved fathers and better adjusted children.

Whichever aspect of poverty is examined, and however poverty is defined, one will keep finding deep connections between poverty and the phenomenon of family breakdown and (often unhelpful) interventions by governments. Young people in low-income households often come from broken families. People with disabilities are often separated from their spouses. And people of workforce age in households reliant on government incomes are often unemployed non-custodial parents, and sometimes unemployed custodial parents. And many indigenous people are also separated parents.

LFSA members believe that it is extremely important that children should be protected from violent adults, including parents.

The issue of violence needs to be properly analysed and understood by defining who is actually committing most abuse against children. An Australian Health and Welfare Report shows that most substantiated abuse takes place in single parent households, followed by blended family households. In the case of sexual abuse, also, children are *least* likely to be abused by their biological father, with less than 1% of this type of abuse being attributable to those fathers. The problem of violence in fact lies, mainly, not in joint parent families but, rather, in sole parent families.

Domestic violence is, in reality, not a gender-based phenomenon, but rather a phenomenon reflecting individual personality and cultural attitudes, and the way in which it is recorded is greatly influenced by the attitudes and actions of agencies and law enforcement authorities.

Contact orders

Where a family court makes an order for contact which is inadequate or unsuitable, or the government fails to provide the administrative resources (e.g., through departmental or agency support) necessary to make the enforcement of these orders a practical reality, an effective support system is not being provided to the families affected.

An effective administrative mechanism for enforcing court orders is essential to restore balance in a family support system which rigidly enforces child financial support obligations, in part for the benefit of residential parents (and with high child support amounts in the case of middle income earners), but effectively ignores enforcement of contact orders designed to provide for the emotional support and guidance of their children by non-residential parents.

Such a mechanism would help to prevent an entrenched pattern of behaviour developing where some residential parents flout court orders from the separation onwards by denying the access ordered by a court. The present situation is one where provision of access by residential parents is essentially optional, because in most cases there is little or no effective follow up by the system, and attempts by an aggrieved parent to obtain redress are extremely expensive and often futile. What is needed is a change in community attitudes which accepts that access of children to the emotional support and guidance of both their parents is an essential human right of the child, and that court orders for access are serious matters and must be implemented.

To bring about this change in community attitudes, and to enforce court orders in relation to access, it will be necessary to make some very substantial changes, additional to those already made with the establishment of the Contact Orders program (which has, at present, far too narrow a geographical scope). Notice should be taken of successful enforcement practices used in other jurisdictions, e.g., Denmark, which work smoothly through prompt and effective decision-making and enforcement via an administrative process. The introduction of a similar system in Australia would bring the enforcement of contact orders onto more of an equal footing with the way in which the payment is enforced of child support.

The effect of the new arrangements would be to integrate much more closely than at present the process by which courts make access orders and the actual process of implementation of those orders, in the best interests of all the members of the family.

The administrative process idea is similar to that put forward in the 2003 report of the Parliamentary inquiry into child custody arrangements entitled "Every picture tells a story" - except that the "Families Tribunal" there proposed would be restricted in the present proposal to contact orders, rather than deal with a much wider range of issues. A similar concept has been put forward for years by the LFAA, and in recent years also by both the Family Law Council and the AIFS.

Family law reform and the issue of domestic violence

While the incidence of domestic violence in Australia is certainly significant, and should ideally be reduced to zero, it is low by comparison with most other countries.

Studies of the reasons why couples break up in Australia indicate that the presence or absence of domestic violence is statistically a minor cause of separations, compared with factors such as wives not "feeling appreciated", a perception of partners "growing apart", a desire for "more space", infidelity, and so on.

Family conflict studies conducted in numerous countries over the last several decades demonstrate that women are at least as likely to initiate and engage in domestic violence as men. These studies have also demonstrated, however, that women are more likely to be afraid of domestic violence, and somewhat more likely to be injured as a result of it.

Crime and quasi-crime studies, by contrast, suggest higher ratios of domestic violence by men relative to violence by women, but very much lower rates of domestic violence over all. Those latter results reflect the reality that actions carried out by a man may be regarded as "criminal" which if perpetrated by a woman may not be so regarded. This reflects traditional community attitudes and beliefs and the activities of the judiciary, the legal profession, and government departments and agencies, reinforced by the dissemination of incorrect information by gender lobbyists and governments about the incidence of domestic violence.

The claim that men typically wish to physically and/or psychologically dominate their wives and children, who are, in consequence, reduced to passive victimhood, is contradicted by research revealing the high incidence of female dominance in families.

The strategies designed by gender lobbyists to make family law reform subordinate to concerns about "personal safety" proposed the creation of "specialist units" within the family court system, making use of feminist elements in the State child protection systems and feminist "investigators", "reporters", and "assessors" who will make decisions about future contact.

Professor Straus, University of New Hampshire (USA), has a pre-eminent international reputation in the area of domestic violence research, spanning 35 years of study and analysis. Straus 2005 is the most comprehensive study of domestic violence carried out to date in terms of the number of countries involved.

The study demonstrated that, for the adults studied, mutual violence between partners accounted for the greater part of domestic violence between adults. The next most prevalent type of domestic violence was found to be violence by female partners only. The least prevalent type of domestic violence was violence by male partners only.

Women are not, in general, less violent than men in the home. As Straus points out, "It is very likely that the pervasive bias amongst interpersonal violence professionals will continue until policymakers at the highest level acknowledge the accumulated body of research that challenges traditional assumptions, and begin to advocate for laws that are evidence-based, to ensure that public policy will no longer be exclusively shaped by ideologically oriented special interest groups".

Jim Carter
Policy Adviser
LFAA

Barry Williams
National President
LFAA



GOVERNMENT & DEPARTMENTAL CORRESPONDANCE



Australian Government
Child Support Agency

Media Release



The new
Child Support Scheme

The General Manager of the Child Support Agency (CSA), Matt Miller, said today more than half of the 1.5 million separated parents in Australia who will be affected by the new Child Support Scheme, have received their new assessment.

"Since the start of March, the CSA has distributed more than 750,000 new assessments to separated parents across Australia, which is about 53 per cent of all active cases," Mr Miller said.

"All remaining parents should receive their new assessments by mid-May so they can plan prior to the start of the new Scheme on 1 July.

"In the meantime, most parents can obtain an estimate of how much child support they may pay or receive after 1 July, using the online Child Support-Family Assistance estimator, available on the CSA, Centrelink and Family Assistance Office websites."

Mr Miller said this is the first time the Child Support Scheme has undergone such huge changes since it was established 20 years ago.

"The most significant change being introduced is a new formula used to calculate child support payments," he said.

"The new formula will better reflect the cost of raising children, treat both parents' incomes equally and better take into consideration the level of care parents provide for their children.

"Parents should check the details of their new assessment carefully and advise the CSA of any changes so that it can be reissued and is correct when the new Scheme starts.

"Customers who do not receive a new assessment by mid-May may need to update their personal details with the CSA by calling 1300 885 437."

For information about the new Child Support Scheme visit the CSA website www.csa.gov.au/schemereforms



**This is a media release issued by
Western Australian Attorney-General Jim McGinty**

WA: Domestic violence legislation achieves results

A review of legislation governing the new on-the-spot police orders has found they have been widely adopted by police - and those working in domestic violence related fields consider them to be successful.

Mr McGinty said the State Government had introduced 24 and 72-hour, police-issued orders in 2004 as part of tough new laws to tackle domestic violence.

"These on-the-spot orders gave police the ability to provide immediate protection to victims of domestic violence, thereby preventing violence from escalating, often with tragic circumstances," he said.

"This was a major achievement because the previous telephone system was cumbersome, with less than one telephone order being issued by police per month in the final year of operation.

"By comparison, between December 2004 and December 2006, 12,296 police orders were issued under the new system.

"We also know that because of these on-the-spot orders there have been more victims seeking court-ordered violence restraining orders (VROs) which provide a much longer period of protection.

"These new police orders, combined with other legislation introduced in 2004, have given victims the confidence to report domestic violence to the police and enabled police to pursue domestic violence cases more vigorously.

"Prior to 2004, there were only 11,000 reported incidents of domestic violence each year. This rose to 17,061 reported incidents in 2005 and 22,205 reported incidents in 2006."

Other recommendations in the review include:

- removing the victim consent requirement from 72 hour orders to protect vulnerable victims;
- defining breaches of restraining orders as a 'serious offence';
- allowing police to issue orders to children under the age of 18 who are living in spousal relationships; and
- giving police more evidence powers to get successful convictions of breaches.

"I broadly support the recommendations in this report, but some will require further consideration," the Attorney General said.

"For instance, recommendation four would prohibit a judge from considering consent as a mitigating factor in sentencing for breach of a restraining order. I would need to be convinced that this is a necessary change."

The Government will make a decision on which recommendations to take forward in the coming months.



Laurie Ferguson MP

Parliamentary Secretary for Multicultural Affairs and Settlement Services



A community education for family law professionals

Tuesday, 20 May 2008

Community members from the Horn of Africa region have participated in a two-way education program with the Family Court of Australia, aimed at making Australian family law more accessible.

A report being launched today showcases the experiences of new and emerging communities in coming to grips with the complexities of the Australian legal system.

The report was developed as a resource for the Family Court, and other organisations seeking to work with similar communities, and provides valuable information on how to effectively engage new and emerging communities.

The Parliamentary Secretary for Multicultural Affairs and Settlement Services, Laurie Ferguson, said the project, delivered by the Family Court of Australia, involved extensive consultation across these communities and the Family Court staff.

'The report is part of the Family Court's Families and the Law in Australia: The Family Court working together with new and emerging communities project which aims to help develop and strengthen relationships between new and emerging communities and the Family Court,' Mr Ferguson said.

'People from the Afghan, Eritrean, Ethiopian, Iraqi, Somalian and Sudanese communities have all been consulted and contributed their experiences and ideas to this project. Their input will assist court staff in providing services that are more sensitive to diversity.'

'Among the stresses of settlement in a new country can be uncertainty about gender roles, parenting practices, fear of losing your cultural identity, and even a distrust of authority.'

'These things can easily add to anxiety and family conflict.'

'It is impressive to see the Family Court's innovation and leadership in building bridges with new and emerging communities through consultation and education while strengthening Australian society by promoting harmony, a sense of fairness and belonging,' the Parliamentary Secretary added.

Families and the Law in Australia: The Family Court working together with new and emerging communities project is supported by the Australian Government through the Department of Immigration and Citizenship, which provided \$133 667 in funding.

Media contact: Khaldoun Hajaj 02 6277 4920 or 0404 078 692

THE LATEST NEWS

The Courier-Mail

Tax blitz on parents

By Renee Viellaris
May 19,

ABOUT 100,000 parents have been caught hiding income to avoid paying more than \$33 million in child support, a Courier-Mail report reveals.

The parents were netted in a two-year Australian Taxation Office operation.

It comes as Human Services Minister Joe Ludwig flagged he was developing "an even more effective strategy" to force separated parents to meet their obligations.

A new child support system will also start from July 1, with Senator Ludwig signalling some parents will pay less but some will pay more.

Many of the parents nabbed in the ATO investigation were suspected of underdeclaring their true incomes, had not lodged a tax return for years and had even argued they had no income.

It prompted a suspicious Child Support Agency into paying \$6.4 million to the ATO to check the financial details of parents who were required to pay child support.

Human Services Minister Joe Ludwig said parents were forced to lodge 30,000 new tax returns in 2006/2007 and about \$16 million extra in child support, which was re-directed to families. And \$17 million more was reaped from July 2007 to March 31, when

support still need to lodge a tax return even if they claim they have no income. 42,571 parents lodged more than 75,300 tax returns. Under laws, parents who are required to pay child

Senator Ludwig, who is based in Queensland, predicted even more money could be netted this financial year.

"These enforcement actions have not only resulted in increased child support payments but have also improved the accuracy and fairness of assessments," he said.

"Too many parents are still trying to avoid making child support payments but we are coming up with new ways to track them down."

He said the program targeted people who could afford to pay but chose not to.

Earlier this month, it was revealed fathers in Queensland were the nation's worst offenders when it came to shirking child-support.

Data showed many parents, most of them fathers in southeast Queensland, had turned their backs on their children.

Senator Ludwig has also pledged to catch welfare cheats who rob taxpayers of millions.

The Courier-Mail revealed on Saturday that banks would give the Federal Government the private account details of 41,500 customers under a crackdown on welfare fraud. From July 1,

Centrelink will receive the balance, interest accrual, regular payments and addresses of the suspected welfare cheats.



Dads4kids Forum

Tuesday 3rd June 2008 - 10 am to 1.30 pm
Theatre - NSW Parliament House
Macquarie St, Sydney



Fatherhood & Family under Threat Children Need a Mother and a Father

'Father to go from Birth Certificate' is the headline of a story in the Herald Sun on 18th May 2008. The Same Sex Relationship Bill 2008 will radically alter 57 pieces of important legislation in a calculated attempt by the NSW Labor Government to discriminate against men, derogate fathers, fragment families and break the hearts of our children.

Children need a mother and a father. To deprive them of that right by government regulation is callous and heartless. Legal advice has indicated that the proposed bill, as it affects Section 24 of the Anti-Discrimination Act (1977), could make the word 'father' discriminatory. Sadly this has already happened in California, USA after the passing of similar legislation.

Studies from around the world show that children raised by their natural biological mother and father fare much better than those who are not raised in a natural-parent family.

A recent Australian study showed that children who do not live with their natural biological father were between 17 and 77 times more likely to die from intentional violence or accident. These facts are corroborated by academics from around the world.

The NSW Labor Government needs to see that you care about your children. Mr Lemna needs to know that the fathers and mothers of NSW will not accept such politically correct madness. Children need a father and a mother.

Come to NSW Parliament House, Macquarie St, Sydney on 3rd June for the **Dads4kids Forum**. Show the government that you care for our children.

Speakers: Warwick & Alison Marsh, Fatherhood Foundation; Wayne Butler, Shared Parenting Council; Richard Egan, Festival of Light; Barry Williams, Lone Fathers Association and many others from within the fatherhood/mens and pro-family movements including pro-family state parliamentarians.



Another feminist nutter has surfaced as having been admitted to the Ruddfest 2020 Summit.

Her name is Robyn Slarke, from WA, and she is a member of the feminist nutter group Global Sisterhood Network, who REALLY hate men.

Slarke has been assigned to the "Australia's future security and prosperity in a rapidly changing region and world" subgroup.

She is in addition to Alastair Nicholson (assigned to the "Options for the future of Indigenous Australia" subgroup), Kathleen Swinbourne (assigned to the "Strengthening communities, supporting families and social inclusion" subgroup) and Joan Kirner (ex-Victorian premier, feminist socialist founder of Emily's List designed to elect more ALP-only feminist socialist women to parliaments). Kirner has also been assigned to the "Strengthening communities, supporting families and social inclusion" subgroup. Also Freda Briggs gets a spot with Kirner and Swinbourne.

Ramona Koval is in there too. She was an ABC presenter some time back, with strong feminist leanings.

No doubt there are more.

There are no known fathers' group participants, especially in the "Strengthening communities, supporting families and social inclusion" subgroup.

See the attached spreadsheet showing the participants in the "Strengthening communities, supporting families and social inclusion" subgroup. It reveals that 62% of participants are females. And quite a few of the blokes are 'academics', clerics (religious) or ethnics (not that there's anything wrong with that; just noting the facts). *(This has not reproduced due to space restrictions but is available on request. Ed)*

I understand that a Margot Cairnes will be attending and that she has some association with Warwick Marsh and the Fatherhood Foundation. However, she is participating in the "Future directions for the Australian economy" subgroup.

Contributors name with by request.

High Court Judge presiding over MAGILL paternity fraud case had a child as a result of affair

High Court Judge, Justice Susan Crennan, who presided over the now infamous Liam Magill paternity case, had herself given birth as the result of an affair, according to the new book, "Days of Tempest" which was recently released in Australia & the US.

Federal Minister for Resources, Energy and Tourism, the Honorable Martin Ferguson, confirmed the allegations were true in a private meeting with Mr Magill & Ms King in late 2006.

The Magill case began following DNA tests in 2000, which revealed Mr. Magill was the biological father of only the first of their three children born to his then wife, Meredith Magill, between April 1989 and November 1991.

After the couple separated in late 1992, Mr. Magill made child support payments for all three children until 1999. At one time, his take-home pay was reduced to about \$130 a week.

He was awarded compensation in 2002, but that decision was overturned in the Court of Appeal. Mr. Magill launched a further appeal to the High Court, which ruled against him in November 2006.

"The High Court's decision should be made null and void. It was a total conflict of interest, and Crennan should have excused herself," said Mr. Magill's current partner, Cheryl King.

Justice Crennan's past was made known to Mr. Magill by Herald Sun columnist, Andrew Bolt.

"A short time before the High Court of Australia handed down their decision, our lawyer received a phone call from Andrew Bolt, a journalist from the Herald Sun Newspaper, in Melbourne. He raised an issue about Justice Susan Crennan and her past adultery/affair, which produced a son," said Ms King.

A short time after the High Court's decision, Liam Magill & Cheryl King met with the now Minister for Resources and Energy and Minister for Tourism, the Honorable Martin Ferguson. Ferguson confirmed that the paternity issues surrounding Susan Crennan were in fact accurate.

"Ferguson said that through information provided by his colleagues, he could confirm the rumors were true," said Ms King. Ferguson used this meeting to remind Magill & King that Crennan was a Howard Government appointee - a fact that was already known to Magill & King. The book, "Days of Tempest" - The Liam Magill Story, by American author Lea Anna Cooper, alleges that Justice Susan Crennan was in a relationship at the time she had this affair, and she already had one son by her then spouse.

Sales of the book **Days of Tempest** soared after its release in February this year. This is an E- Book with unprecedented approval & acceptance from the public on both continents.

Days of Tempest is available online at: <http://leaannacoopereastofeden.com>

Domestic violence Excerpts from Wikipedia, the free encyclopedia

Domestic Violence (sometimes referred to as domestic abuse or spousal abuse) occurs when a family member, partner or ex-partner attempts to physically or psychologically dominate another. Domestic violence often refers to violence between spouses, or spousal abuse but can also include cohabitants and non-married intimate partners. Domestic violence occurs in all cultures; people of all races, ethnicities, religions, sexes and classes can be perpetrators of domestic violence. Domestic violence is perpetrated by both men and women.

Recent attention to domestic violence began in the women's movement in the 1970s, as concern about wives being beaten by their husbands gained attention.

Popular emphasis has tended to be on women as the victims of domestic violence although with the rise of the men's movement, and particularly men's rights, there is now some advocacy for men as victims.

TIME TO END SEXISM IN DOMESTIC VIOLENCE POLICY

On International Women Day 2008, feminist activists and service providers scored yet another victory in their domestic violence campaign. Not only can men accused of domestic violence be expelled from their own houses, but domestic violence in New South Wales is to be made into a specific crime - presumably, one that carries greater odium and stigma than mere assault.

However, for many victims of the most insidious, vicious and hidden forms of domestic violence, this is probably a reason for commiseration rather than celebration.

For years now, domestic violence policy and services in Australia have been based on a 1970s paradigm that, in turn, was based on a 1950s model of Western society. Domestic violence policy and service provision in Australia is overwhelmingly dominated by the "Duluth method" which claims that domestic violence is something that men do to women because of the patriarchal society in which we live and the political, social and cultural control that men exercise over women. Male batterers, they claim, operate from a position of socially-sanctioned power, and therefore, the way to end domestic violence is to end men's sense of privilege.

Few would seriously recognize this model of society as the one in which we live in Australia in 2008. To take an example, if men were "privileged", we would expect them to have preferred access to higher education. Yet there are far more women enrolled in Australian universities than there are men. In respect of school retention rates, the gap is in double figures - around 69% for boys compared to over 80% for girls at the national level. I say good luck to the girls! But it hardly supports the notion of patriarchy.

Similarly, few would accept that in relation to the laws governing the dissolution of marriage, dominant culture and power relationships privilege men over women. If we indeed live in a patriarchal society in Australia, North America and Europe in 2008, it is precisely in the realm of family law, divorce and inheritance that you would expect to find these excesses of male dominance just like in all other examples of patriarchal society.

However, the reality is quite the opposite. Since 2005, the Australian Government has even been forced to spend hundreds of millions of dollars to, in fact, redress the *disadvantages* suffered by men at the dissolution of marriage, including with respect to care and support arrangements for children and alternatives to the court system that were quite literally driving men to suicide.

The changes being introduced to the child support system, in particular, are based on a recognition that Australian society has changed drastically in a period of just two decades since the original scheme was introduced. Biological differences allowing, women are now rightly expected to participate in paid work to help support their families financially. And men are expected to pull their weight in household matters and with respect to the care of children. This is a "win-win" situation that early feminist activists ought rightly to be proud of - not only for the social gains but also for the economic advances made possible as a result of women's open participation in public life.

If we accept these changes to society as self-evident, then we must also accept as dated the Duluth model's diagnosis of domestic violence as resulting from men's socially-sanctioned power over women. Or, to take this model to its logical conclusion, if the laws of marriage, divorce and custody rights are perceived to favour women, couldn't we also expect women to engage in abusive "controlling" behaviour proportionate to the perceived power imbalance and advantages they could expect to obtain in terms of money and custody of children at the end of a relationship? Yes, we could and we have. If this is the case, shouldn't there also be services in places that educate women about the harm caused by their controlling behaviour?

Even if Duluth-modeled family violence service providers accept that changes have occurred in Western society in the last 40 years, they will probably move on to the 'r' word - research. Doesn't nearly all the research support the view that domestic violence overwhelmingly involves male perpetrators and female victims?

Well, not exactly. While cases reported to police and emergency services do mostly involve female victims at the hands of male perpetrators, the more rigorous population-based studies into the incidence and nature of domestic violence in English-speaking countries tend to present a far more gender-neutral picture of family violence.

Probably the best and most recent study of this phenomenon is "Partner Violence and Mental Health Outcomes in a New Zealand Birth Cohort" by Fergusson, Horwood & Ridder published in the *Journal of Family and Marriage* (vol. 67, no. 5, Dec 2005, pp. 1103-1119). This research examines in depth the domestic violence experiences a cohort of young New Zealanders selected at random based on the birth records of a Christchurch hospital. The key findings of the study were that domestic conflict (ranging from minor psychological abuse to severe assault) is common, that men and women report similar incidence and experiences of victimization and perpetration of domestic violence and that exposure to domestic violence is significantly related to increased risk of major depression and suicidal ideation.

This study is hardly a statistical outlier. In fact, Martin Fiebert of the Department of Psychology, California State University, Long Beach has compiled a list of 209 scholarly investigations (161 empirical studies and 48 reviews and/or analyses) indicating that women are as physically aggressive, or more aggressive, than men in their relationships with their spouses or male partners (see <http://www.csulb.edu/~mfiebert/assault.htm>).

Some feminist-orientated academics, faced with the results of population studies such as these, have partially dismissed them by presupposing a somewhat unreal dichotomy between non-gender-based "situational couple violence" to which they claim the studies relate and gender-based "intimate terrorism". But the domestic violence service industry, accustomed to policy victories without the need for rigorous evidence-based research, has mostly just ignored the findings - perhaps in the hope that they will go away.

While there is certainly no harm in making DV services readily available to women in need, there is considerable harm, as the New Zealand study suggests, in invalidating men's experience of violence and abuse in relationships. The inference in doing so is that intimate partner violence and abuse by women is acceptable - or even commendable - as a demonstration of feminine assertiveness in today's society.

Saturation public advertising campaigns such as "Violence against Women - Australia Says 'No'", by deliberately acknowledging only female victims, might be useful in reducing the incidence of male perpetration, but they probably also create more male victims by their implicit message that women are permitted to do whatever they like to their male partners and society will always blame the man.

In the 1950s, battered wives who presented to doctors for treatment were advised to make their husbands happier so that he would stop the abuse. In the present day, male victims of domestic violence - whether physical or emotional - can expect to fare no better and in many cases probably worse. They are often treated with derision or disbelief, or more likely, just ignored. Where men complain of abuse to a counselling industry in Australia built on Duluth philosophy and principles, they can expect to be told that "it's just her way

of getting her needs met" and are told to look for ways they can make their wife happier by taking on more household chores.

If a male victim, as is unfortunately often the case, responds to longstanding physical and/or mental cruelty by retaliating or just defending himself, he could expect to face the possibility of losing everything – his home, his children, his reputation, his job. Domestic violence campaigners who are supposed to be protecting victims have made sure that any pre-existing abuse (physical or psychological) by the woman will likely be disregarded. If this is not a power imbalance, then what is?

At best, male victims of domestic violence will be advised to leave an abusive relationship, but this is often easier said than done. Given that family court judges often haven't caught up with changes in Australian society and assume that women have a domestic role and men a role in the paid economy, men until recently have rarely been granted shared custody and are usually encumbered with unequal property settlements that see them losing the increasingly unaffordable family home. The prospect of being kicked out of a comfortable family home they spent a lifetime working for to live in cramped rental accommodation and loss of regular contact with their children is enough to lead many men to despair. It comes as no surprise that they will often fight to save even a miserable marriage rather than face that prospect.

Newly-enacted humane family law and child support schemes that recognize changes to Australian society are a welcome development. But while our Federal laws are finally catching up with the 21st century, the State and Territory-based laws and the attitudes of the mostly middle-aged women who run domestic violence services in Australia are still, in many respects, stuck in a 1970s time warp.

It is time to remind these mostly fair-minded older sisters in charge of DV services from which men are excluded of the non-discriminatory ideals for which they once fought. To acknowledge the importance of non-discrimination in policy and service provision in no way implies any undermining of support services for women victims – if that is their concern. On the contrary, it recognizes the appalling damage that DV can cause to victims of whatever background.

In 2008, there are no longer any excuses. It's time for Western feminists to move into the 21st century and embrace the ideals of equality that they themselves once advocated. Because at the end of the day, we are really only asking for a simple acknowledgement – 'yes', women do commit domestic violence and 'no' it is not acceptable!

Roger Smith
Canberra



Vic: Panel to review penalties for intervention order breaches

16 April 2008 | Content provided to you by AAP.

Victoria's Sentencing Advisory Council will review court sentences handed down for breaches of family violence intervention orders.

The Victorian Law Reform Commission recommended the review as the state government prepares to introduce a new Family Violence Act.

The council will consider a number of issues including the appropriate maximum penalty for breaching an intervention order.

State Attorney-General Rob Hulls said the new laws aimed to better protect victims of family violence and hold perpetrators to account.

The legislation will be introduced into parliament later this year, he said.

"My department is consulting further with community groups following substantial input from stakeholders who have made 28 written submissions and raised 400 issues on the proposed legislation," Mr Hulls said.

"This input has strengthened the proposed legislation and we look forward to continuing to work with stakeholders."

Key elements of the legislation include a new system of police-issued family violence safety notices; requiring the perpetrator of violence to leave the family home in some cases; and preventing self-represented respondents from personally cross-examining their alleged victims in court.

"Family violence is the leading contributor to death, disability and illness in women under 45," Mr Hulls said.

"This has a devastating impact on the Victorian community.

"In the past, family violence has been seen as a domestic matter.

"It's not - it's a crime and it's a blight on our community, which has a devastating impact on victims and families."

Family Court to relinquish costs regulation

28 April 2008

The Family Court will no longer regulate lawyer/client costs, under amendments to the Family Law Rules which come into effect on 1 July.

According to the Explanatory Statement to the Family Law Amendment Rules 2008 (No 1), the major changes introduced by the amendments to the rules are:

Amendments commencing on 1 May 2008

The Family Court will no longer regulate lawyer/client costs, under amendments to the Family Law Rules which come into effect on 1 July.

1. These amendments restate the requirement to file an affidavit in connection with certain applications, omit the former special filing rule for chapter 16A appeals and amend the bankruptcy rules to accord with recent amendments to the Federal Court's rules.

Amendments commencing on 1 July 2008

1. To amend the costs rules so that the Family Court will no longer regulate lawyer/client costs for;

- (a) all fresh applications (to be defined in the dictionary) commenced after 30 June 2008;
- (b) where a lawyer is first retained by a client after 30 June 2008, even if the case in which the lawyer is retained to act is pending on 30 June 2008;
- (c) where a lawyer and client agree in writing, and free from undue influence, that the old costs rules no longer apply to their financial relationship.

2. Provisions for the new arrangements are in a re-worked Chapter 19 and the Rules to operate for all cases pending or ongoing as at 30 June 2008 (subject to certain exemptions), in a new Schedule 6 to the Rules.

3. To include a new formula for calculating the interest rate in Rule 17.03

The amendments will be consolidated in a forthcoming update of CCH's Australian Family Law & Practice.

09 May 2008

Urgent amendments to the Family Law Act need to be made so that separating couples attempting to settle their financial affairs are not hindered by technicalities in the legislation, according to the Law Council.

In a submission made this week to the Federal Attorney-General, the Family Law Section of the Law Council has recommended a number of amendments that relate to financial agreements, including pre-nuptial agreements.

Law Council President Ross Ray QC said, "For the past seven years, the legislation has allowed separating couples to deal with their financial issues outside the formal court system."

"This provides greater choice for parties in property settlements and a more efficient and less costly means of dispute resolution in property matters than through the family law courts," Mr Ray said.

The Family Law Section of the Law Council endorses the policy behind the legislation, but is concerned that several deficiencies in, and unintended consequences of, the legislation are undermining the legislative intent of the Act.

"This is creating uncertainty and the potential for unnecessary litigation, as well as adding to the cost and complexity of the process."

The Law Council has recommended minor amendments to the wording of the legislation, which should allow pre-nuptial and post-marriage settlement arrangements to continue unhindered.

"When they operate smoothly, financial agreements, or pre-nuptial agreements, are an effective means of allowing couples to avoid or settle a dispute without having to enter the courtroom. This is beneficial to both the individuals involved and the court system in general."

"The Law Council has stressed that it is vital that any loopholes in the legislation are ironed out as a matter of priority," Mr Ray concluded.

Consideration of Rice and Asplund

13 May 2008

A father was entitled to a rehearing of parenting proceedings that had been decided several years earlier, because the Federal Magistrate erred in his application of the rule in Rice and Asplund.

In SPS and PLS (2008) FLC ¶93-363 The father appealed against an order of a federal magistrate dismissing his application that he and the mother share equally the care of their children and, if equal care was not ordered, that his time with the children be increased.

Some years prior to the filing of the application, a final order had been made, after a contested hearing, which provided that the children live with the mother and spend time with the father for four days a fortnight and half of the school holidays.

The father's grounds of appeal related to the following:

- The federal magistrate's application of the rule in Rice and Asplund
- a failure by the federal magistrate to admit into evidence a court ordered family report and an allegedly consequent failure to give any weight to the wishes of the children and the recommendations of the family reporter, and
- a failure to accord the father natural justice, both in respect of the refusal to admit the family report and an asserted failure to sufficiently explain to the self-represented father the rule in Rice and Asplund.

Warnick J made a detailed analysis of the rule in Rice and Asplund, that where a final order parenting order has already been made, the applicant must establish a significant change of circumstance before a rehearing can take place.

His Honour and concluded that a more extensive and subtle consideration of the application of the rule in Rice and Asplund than that given by the federal magistrate was necessary and made the following observations on the rule (at para 48):

"(i) What the application of the rule can achieve if dealt with as a preliminary matter is different from what it can achieve if dealt with at the end of a full hearing.

(ii) In its original formulation, the rule is directed to application as a preliminary matter. Yet, contemporaneously with that formulation the court in Rice and Asplund determined that the rule could equally be applied at the end of a full custody hearing. The consequences of that determination have received little attention.

(iii) At whatever stage of a hearing the rule is applied, its application should remain merely a manifestation of the "best interests principle".

(iv) Discussion in terms that the rule may be applied as a "preliminary matter" or the primary application be first heard "on the merits" may be unhelpful, particularly because of the implication that, if the rule is applied as a preliminary matter, the parenting application is not then dealt with "on the merits".

(v) The application of the rule is closely connected with the nature of, and degree of, change sought to the earlier order.

(vi) "Shorthand" statements of the rule may contribute to its misapplication.

(vii) Any application of the rule must now measure the evidence against the principles set out in Part VII of the Act, in particular the objects of the Part, the presumption of equal shared parental responsibility and the steps required by the Act consequent upon an order made or to be made in that regard."

In his Honour's view, the federal magistrate fell into appealable error because of his:

- misapprehension of the parameters of the earlier contested hearing and the result measured against those parameters
- failure to recognise that the wishes of the children were not an issue in the earlier proceedings
- failure to discuss the children's wishes as they were on the evidence before him, and
- incorrect treatment of the recommendations of the family reporter.

The appeal was allowed and the matter was remitted for rehearing.

The full judgment is available in Australian Family Law & Practice.

Restraining order not for personal protection

14 May 2008

The Full Family Court has overturned an injunction which restraining the wife from entering premises which were not occupied by the husband because the order was not for his personal protection.

The wife submitted that the trial judge had either lacked jurisdiction and power to make the order with respect to the premises or, if the trial judge had jurisdiction and power, that he failed to provide adequate reasons and take into account relevant facts in the exercise of such jurisdiction and power.

The members of the Full Court concluded that the restraining order was not an order for the husband's personal protection and thus was not an order that the trial judge could validly make.

Leave to appeal was granted and the appeal was allowed.

The full judgment of Oates and Crest (2008) FLC ¶93-365 is published in Australian Family Law & Practice.

For more case summaries, analysis, news and more visit the CCH Family Law Resource Centre.

NSW: Magistrates told to speed up domestic violence cases

16 May 2008 | Content provided to you by AAP.

SYDNEY, Magistrates across NSW have been told that defendants accused of domestic violence should be given less time to enter a plea.

NSW Chief Magistrate Graeme Henson has issued a practice notice to magistrates, which sets out measures designed to speed up domestic violence cases brought before the courts.

The aim is to reduce the opportunity for delaying tactics and cut the amount of time from a charge to a hearing before a magistrate to less than three months.

"The court may require the accused person to enter a plea at the first time the matter is mentioned in court," Magistrate Henson says in the notice.

"If no plea can be entered at that time, the court will allow an adjournment of not more than seven days for a plea to be entered."

The practice note came into force in local courts in Sydney's Sutherland Shire and Campbelltown in late March, and courts in Penrith, Blacktown and Mount Druitt followed last month.

Courts in Albury, Forster, Batemans Bay and Bega will follow later this month.

NSW Attorney-General John Hatzistergos announced the move today, saying an earlier trial of the seven-day plea provision had cut court times and increased the number of guilty pleas in domestic violence cases before Campbelltown and Wagga Wagga courts.

The median number of court days dropped from 120 to 56 during the trial, while the number of early domestic violence guilty pleas increased by more than 65 per cent.

"This approach effectively halved the time a domestic violence matter took at court and dramatically increased the number of guilty pleas," Mr Hatzistergos said in a statement today.

"This is a fantastic result and will go a long way to reducing the stress of domestic violence victims by targeting delaying tactics by the accused."

Mr Hatzistergos said the chief magistrate's move also complemented new laws introduced in March, which created a specific offence for domestic violence.



This is a media release issued by the Law Institute of Victoria

Vic: Family law funding in crisis

16 May 2008

The funding crisis in Victoria Legal Aid which is depriving children of legal representation in Family Court hearings will continue because of lack of Budget funding.

The Law Institute of Victoria said today it was disappointed that the Federal Government had failed to provide Legal Aid, and in particular Victoria Legal Aid, with more funding to recognize increased demand.

LIV Acting President Danny Barlow said today that the Federal Government one off \$7 million funding announced for Legal Aid last month did not go far enough.

"Victoria Legal Aid is at crisis point with family law legal aid funding," Mr Barlow said.

"We have supported VLA's request for Commonwealth funding of an additional \$10 million per year"

The Commonwealth announced in April \$7 million funding to legal aid, of which VLA is set to receive a one-off injection of \$1.9 million.

Mr Barlow said this amount, while welcome, fell well short of the \$10 million needed to sustain family law services in Victoria.

Victoria Legal Aid receives the lowest per head funding of any state and territory. Victoria receives \$6.22 per head of population, compared to \$7.23 for NSW and \$8.21 for Queensland. At the same time, demand for family law funding has grown enormously. In 2006-2007 Victoria provided 9636 family law litigation grants (compared to NSW 8006 and Queensland 5856). This year VLA is expected to provide 10,200 family law grants, which is an increase of 1700 grants compared to two years ago.

"We are disappointed that the Government has not taken the opportunity to review the equity of legal aid funding and recognise the increased demand for services in Victoria," Mr Barlow said.

Mr Barlow said Victoria Legal Aid has advised lawyers that it has been forced to cut key areas of funding in Victorian family law matters.

The effects of the cuts are:

- Number of Independent Children's Lawyers appointed will be cut
- Reduction in funding for family welfare reports
- Abolition of funding for solicitors to attend court to instruct barristers and liaise with family

"Families and children going through difficult breakdowns will be the victims of this on going cut in funding," Mr Barlow said.

Don't Give Up

By Clive Purt

It was one of those days that I will never forget sadly, a Saturday in October 2001 and nine months into fatherhood I found my world in a new and completely confused state. My wife had been suffering from post natal depression and I was working around the clock to as supportive as possible. This was a full time job to say the least as well as working another, a very demanding full time job to support the needs of my very much treasured family. My then wife refused to seek any help for her fast failing mental condition, rather she blamed me for not doing more! This I found equally challenging but being the alleged head of the household I just kept on a mission of multi-tasking on almost zero sleep. All the house work, shopping and caring for my very young child, this was on the back of a demanding full time job, so you can get some idea of what my day was like. I now consider that I was dying very fast.

We had an disagreement about something and in truth I do not remember what, she then collected the baby and the car keys and then all my problems started. There is one thing I have to state for the records my son was a product of IVF - five years of being on this program was very stressful but when we hit the jackpot I believed that we were going to have a life of pure joy!

For the next few months I was battling to see my son. The reasons were wide and very creative in nature. I was about to be introduced to the CSA. This was something which was also from 'left field' and this did nothing to enrich fatherhood, like wise the introduction of the Family Law Court. So within a very short time my life had taken a rather roller coaster turn for the worst. All along I was asking my self what happened to the life I once knew or had wished for? To date I have never got any real answer to this question. I now know that I will never get any understanding of the past, and for me my life is in my own hands totally. I had to reclaim my own sense of 'control' in a fair and balanced manner. For me the one thing was to get shared care at any cost, thus to have an effective role in my son's life. Beyond this I had not other goal other than looking after my own inner happiness which had taken a severe turn for the worst and things were not looking like changing soon.



After the usual outcome of a Family Law Property settlement and the regular weekly hits from our friends at CSA, I found a lawyer and attempted to get regular ongoing interim orders on contact, as at that point time their was a lot of very strong talk of a change in the Family Law. I found this movement 'for change' very encouraging in my wish to be a real and active father. Final orders were not the way to way to go, so I was told. My ex wife was self represented so my lawyer was able, due the age of my son, to 'win' this very slow growth of contact. My contact started out as a mere four hours each week and then moved to a one 'overnight' a week. I found this very soul destroying to say the least but I just attempted to stay focused and never to give up on shared care. My ex-wife was never willing to give me any hope of shared care and I had to apply a careful and considered plan to get to this now achieved point. Yes, over time I got more but it was very controlled contact. About two years ago I decided to mount a serious challenge for the care that I had asked for one day after separation. I refilled an application to the Western Australian Family Court. Then the false allegation arrived: the nature of these I never ever considered possible but I as strongly believed that this had no legs I fought on then and it became a case of brinkmanship in a final phone call some three days before a three day trial last Thursday - 08/05/08. My ex asked me if we could jointly decide the care of our child as she did not want a unknown person (the judge) to decide the future of our son! I said that I was happy to do so but it had to be shared care to my liking or the answer was politely no! In the ensuring few hours she contacted my Lawyer and agreed to 99.9% of all my wishes. This was the happiest day of my life, after the birth of my IVF son, and this has taken five years. So this may be part of my own personal journey.

The actual arrival of shared care will be delivered to me over a few months. I currently have 4/14 days and the remaining 3 days will occur over the next three school terms. I found that I could live with this as I now have some certainty when it would be truly shared care. The biggest surprise I received was a phone called the evening after she signed the Final Consent Orders saying: "Thank you for agreeing to not going to trial." - and it was all over some six and a half years later!

I spent the next 48 hours in a state of *happy shock* wondering what it was all about. Maybe I should just get ready for 7/14 (50/50) with a heart of complete joy and get on with my life and Fatherhood.

A number of pieces of advice I tender are:

Stay in contact with your child at all cost

Never ever give up - ever... in spite of the pain and heart ache.

Now my child now has two very active and loving parents and he is the biggest winner in the big picture.

Of the future... I in truth do not know but I am very much stronger than on the day it all happened.

Regards

Clive Purt

Perth - Western Australia.

My Tale of Two Fathers

By Brendan Hayward

There are two men that I would refer to as my father - one is obviously my biological father, and the other is my foster father, who adopted me into his family at age 11. They are two completely different men, yet both have made an immeasurable impact on my life. This is especially true of my birth father, which is a strange thing to say because I've never met him.

From what I understand, my father was a heavy alcoholic at the time of my birth, and this was why my parents separated just after I was born. His alcoholism was sparked when a masked gunman jumped his backyard fence while he was hanging out some washing, shot my father four times and ran. This was in 1981, four years before my birth. He quit the bottle after a few years, but returned to drinking 17 years later when he nearly shot an irate prisoner at work.

My father was a prison officer at Parklea. He worked for the Department of Corrective Services for about two decades. One night, while on duty, the above mentioned prisoner was attempting an escape and was really aggressive and agitated. My father fired some warning shots and took aim

"upon the bulk of the prisoner's body," at which point the prisoner turned and ran.

This incident bought back nightmares of the attempt on his life 17 years earlier. The remaining eight years of his life he battled alcoholism, spiralling downward mentally, insurance claims and workers comp for a back injury, denied promotions and rejection from his job altogether. Before I ever came along, he had two children from a previous marriage, and it is believed that there were two children before that as well. My father's life was definitely not together.



This is in direct contrast to my foster father. Raised in a home of two boys, his father was a successful accountant. As soon as he finished year 12, he went straight into electrical engineering. Nowadays he runs his own business in networks and web design. Married at 24 years of age, still with the same woman (!), three boys plus myself, he is well educated, well travelled, has lots of toys and owns the house they live in up in the beautiful Blue Mountains.

Both men are good men. Though I have never met my birth father, family members have, and though things didn't go well for him, he definitely was not a bad guy. One father was totally removed from my life in every way, and was incomplete in many ways, the other father was there all through high school, and was (still is) complete in many ways.

Despite being adopted, and having a father for my teenage years, there is still a massive gap left by my father that no-one else can replace. I am constantly aware of this gap. No man (or woman) can take this place that belonged, and still belongs to my father. My foster father was at home, always steady and on-track with his life, was never abusive or anything like that, but as much as I would like, he just doesn't take my father's place. It's not even that I don't love him, I do. I'll always be grateful that he gave me a home, but this big gap that I have is the place only my father can fill.

Remember that the next time you think your kids don't need you!



Men Excluded

I have to say it was disappointing to say the least that our new Government kicks off with the 2020 summit last weekend and then excludes representation of any major Fatherhood group. Disappointing but not surprising. Fathers are being forced into redundancy or at least it seems that is how they are feeling. I never applied for the summit, maybe I should of. But for me it was just another talk-fest and to be honest I'm over them. When this Government announced the fast tracking of a national Men's Health Policy in its election run up I was excited and came out in full support. Where is it? What has happened? Nothing.

The Fatherhood Foundation is calling for an urgent National Fatherhood Summit and Dads in Distress Inc would support that fully. I would support that personally. Simply because I know personally what it is like to feel, as a man, as a father, that you are no longer relevant, that you are no longer needed.

I see and hear from men all over the country and from overseas who feel the same way.

According to the ABS our suicide rate has dropped down from 5 a day to 4 a day. Unfortunately I still hear from far too many who have lost loved ones to suicide due to a relationship breakdown. The suicide rate still has a ratio of 4 to 1. That is 4 males to 1 female. There are approximately 28 MALE suicides each and every week in this country. The highest at risk group being 35-50 years. And dads going through divorce or separation. Figures are not complete. We all know there are many suicides that are reported as something else. Death by drowning, single vehicle accidents, death by misadventure etc etc. We all know that people are reluctant to admit suicide due to stigma, insurance etc. But the reality is we are still losing far too many men to suicide, at least 28 a WEEK.

Now, we need a Men's Health Policy. We need to start talking and then ACTIONING some strategies around what to do around men's health. And it's not just about 'visit your GP more often', it's not just about 'check your prostate'. Its about Fatherlessness. Its about Men feeling redundant in today's society. Its about, has this Government given up on men, on its fathers? Its about has our society given up on its men, on its fathers? Its about do Fathers have any relevance in today's family? I am supposedly the leader of one the countries major Fatherhood organisations and I have gotta tell you, I don't know any more!!

Its about the call for a NATIONAL FATHERHOOD SUMMIT. This Government needs to wake up, because every week we wait another 28 MALES will die needlessly, how many children will be left behind without a dad or worst still how many will follow his lead? Believe me too many.

Tony Miller
Dads in Distress

The Lost Boys

A new observational documentary series for TV called The Lost Boys is being produced. It focuses on 5 fathers and their sons who are currently experiencing some type of difficulty or strain in their relationship due to long working hours, divorce, absence etc. We would be taking the fathers and sons away on a cattle drive in Australia for 28 days with the idea that with help and time away together they will hopefully mend problems in their communications and create a new bond between them.

This is a very professional project with backing from relationship councillors and driving experts who regularly host groups of public to take part in a similar experience. There is definitely no voting, panel of judges or elimination in the format. It really is about fathers and sons attempting to re-build their relationship with newly acquired skills through a combined experience.

I am looking for fathers and sons who may be interested in participating.
Sons would have to be minimum age 15 through to 24.

I truly believe it's a really worthy project, but our biggest problem right now is time. We've been working on it for a couple of weeks and still are short of four or five case studies which will effect if we can get the show commissioned and since it's such a worthy cause I'd really hate to have it slip. I was hoping I may be able to speak with you in case you may know of any fathers/sons who may be interested in taking part.

If you are interested please contact

Catherine Cantwell 02 9434 0666 Catherine.Cantwell@fremantlemedia.com.au
Kirsty de Vallance 02 9413 8640 or 0403 182293 kirsty@acastofthousands.com.au

**2020 Summit - a Failure for Working Families
Call for Fatherhood Summit to Help our Children**

The Fatherhood Foundation first raised the need for a National Fatherhood Summit to turn the tide of fatherlessness and family breakdown in 2002.

The Fatherhood Foundation has renewed the call for a National Fatherhood Summit in the light of the dismal failure of the 2020 Summit to provide a voice for the working families of Australia.

Warwick Marsh from the Fatherhood Foundation said, *"The outcomes of the Summit prove our earlier assertion that the 2020 Summit held last weekend was fatally flawed. Seventeen key leaders (including two professors) from the men and father's movement were excluded whilst Labor-friendly politically-correct activist group 'GetUp' had 118 of their members included in what proved to be a stacked deck for summit delegates. Those that suffered from gender disorientation pathology were well represented as well as many other fringe groups such as president of the prostitutes group 'Scarlet Alliance', but where was the voice for ordinary Australian families and more importantly a voice for our children."*

Families are in meltdown with one in two marriages breaking up. Defacto breakdown is even worse. It is ironic that research has shown that many of the problems listed on the background paper of the 2020 Summit are related to fatherlessness.

The increased levels of domestic violence, drug addiction, gambling addictions, alcoholism, psychological problems, homelessness, sexual abuse, child abuse, rape, violence, crime, poverty and the declining birth rate are directly related to the epidemic of fatherlessness that is afflicting our nation.

The very groups that could make a significant contribution to the issues being discussed were excluded from participation.

Warwick Marsh continued, *"The serious crisis in men's health was not even considered at the 2020 Summit and no mention was made of the ALP's promise at the last election to fast track a national Men's Health Policy. According to Professor Freda Briggs, even the subject of ending child abuse did not get any traction at the 2020 Summit. If there is a big idea in Australia today it must be ending child abuse. The fact that the pressing problems that working families face were overtaken by subjects such as a republic, bill of rights and a treaty shows how out of touch the 2020 Summit was with the needs of ordinary hardworking Australians."*

It has been reported in the national press that 2020 Summit facilitators were forced to meld their recommendations in line with ALP policy. This is nothing more than political opportunism by a government bent on bipartisan fraud.

The new government has squandered a wonderful opportunity to advance the cause of working families. The Fatherhood Foundation renews its call for an urgent Fatherhood Summit.

How much longer must our children wait?**You and Your Children's Mother: Overcoming Anger for Your Kids' Sake**

by **Patrick Batchelder**

Getting tired of hearing about how all single dads are angry? If you're like me, you don't even read the "deadbeat dad" articles anymore - it's enough to make you mad!

The real danger of that kind of anger is that it can very easily cloud your thinking and make you temporarily forget one of your most valued priorities in life, your kids. What's really best for you and them? Do you really get that much satisfaction out of hating your former wife? Who's really being hurt here? If there's a constant pain in your stomach, it isn't her that's bleeding; it's you - and the kids.



Like many things in life, hate is a choice. It may seem like an uncontrollable reaction, but in not learning to control your anger, you have chosen to hate. I'm not asking you to love the kids' mom again; that's a choice too. There's a middle ground you have to reach - the lack of anger and hate. It's a very necessary first step in bringing healing to your family.

I'll be borrowing from Ken Canfield's book, *The 7 Secrets of Effective Fathers* - specifically, secret five: Loving Their Mother. I know it may be hard to even think about right now, but force yourself - for you and your children's sake.

Distrust Your Former Wife? Your Kids Will, Too

No one's perfect - including you. Sometimes we're late; we all do things that hurt others, too. With that in mind, let go of all the distrust you can, especially if it's based on old memories. If you choose to re-live that distrust over and over in your mind, it will give you an ulcer.

But, even worse, your children will pick up on the distrust like the smell of hamburgers on the grill. Your attitude won't come back to haunt her, only you and your kids. If you reinforce that she can't be trusted or doesn't keep promises, you'll only create a basic anxiety and fear in your kids' lives.

They may not trust any women. Your son could grow up to have a string of failed relationships with women; your daughter may develop negative views of womanhood or motherhood. They'll learn to distrust you for it too, and that could undermine many of the other things you're trying to do as a dad.

No matter how much satisfaction you may get out of spite, don't do that to your kids. Now that the marriage is over, why not be a little forgiving?

Can't Bring Yourself to Talk to Their Mom?

I remember a grade school program where my son was up on the bleachers, singing his heart out about Frosty the Snowman. His mom and I were sitting on the front row, talking. What did we talk about? My son John, of course. No need to be angry about the past or present. No need to hate anyone. Only a great reason to communicate our mutual love and hopes for the life of this great little guy.

Afterwards, when we were standing around with all the other proud parents, a woman approached me and said, "I was talking to your wife, and she said" Oh boy. My wife! Then I stopped and thought, Of course. It was an easy mistake, but I also took it as a compliment, because it reflected that we were taking a tense situation and choosing to make the best of it. We both hugged John and then went our separate ways. No ulcers, no atmosphere of distrust, no lack of communication, no anger. Who benefited? My son John, myself, and maybe their mom. We all won and it felt great. You can win and bring your kids into the equation too.

Think about the future now. Imagine no hate, anger or distrust aimed at your children's mother. You're there, and there is laughter, affirmation, even love. Your kids see their potential, love their mom for who she is, and give you credit for being the dad all their friends would like to have.

What more can life give in your role as a dad? Not much. Try it!

Patrick Batchelder is a writer and single-father advocate. He lives in Colorado with his son and daughter. Reprinted from www.fathers.com

Open Letter to the Men & Father's Movement of Australia

The family friendly men's movement is deeply concerned with the apparent discrimination in the 2020 Summit process against the men and fathers of Australia. This discrimination is damaging to the families of Australia. We applaud our fellow Australians who are sacrificing to take part in the summit. They are not to blame. Our disappointment is with the Prime Minister and the government who are responsible for the process of the summit selection and briefing papers.

We call on men and father's groups, who are family friendly, to contact their own media representatives and issue urgent media releases to state their own opinions on the adverse effects of this discrimination on the mothers, fathers and children of Australia, and to call for constructive and positive solutions to redress this imbalance.

Our new Prime Minister, the Hon Kevin Rudd, has convened the 2020 Summit for Saturday 19th and Sunday 20th April 2008. The goal of the 2020 Summit, in the Prime Minister's own words is to:

'Harness the best ideas . . . and shape a long term strategy for the nation's future . . . and ensure nobody is left out of Australia's future.'

These goals are commendable but for the Summit to succeed it is critical that the 2020 Summit is representational of Australian families. Men and woman are equal and both are important contributors to the Australian family. Children do best in the natural biological family, in fact each child is created by a man and a woman.

It would seem that this fact has escaped the Summit organisers as the information below shows.

The overall summit has equal female-male representation but the critical Family and community section is very biased. So far the Communities and Families section has 62% females and 38% males. This inequality of balanced representation is also reflected in the fact that it would seem that the Men and Father's movement is not represented at all in this important family and community section of the 2020 Summit. One thousand delegates were chosen out of 8,000 applications. We have record of 16 applications from within the Men and Father's movement as listed below and suspect that there are many more that applied but were rejected. This means that there should be at least a minimum of between 1 and 2 representatives from within the Men and Father's movement for the Communities & Families section of the 2020 Summit.

The tragedy is that men, the largest minority group in Australia, at 49.2%, have been left out again.

Here are the people from the movement who were nominated for the 2020 Summit but were unsuccessful.

1. Professor John MacDonald, Foundation Chair in Primary Health Care, Co-Director Men's Health Information and Resource Centre, University of Western Sydney. President, Australasian Men's Health Forum.
2. Associate Professor Barry Golding, University of Ballarat, Researching Adult & Vocational Education (RAVE) Group. Adult Learning Australia Visiting Research Fellow. Australia's leading expert on Men's Sheds and Adult Learning for Older Men.
3. Dr Arne Rubenstein (MBBS, FRACGP), CEO, Pathways Foundation
4. Barry Williams, President, Lone Father's Association Australia
5. Sue Price, Men's Rights Agency
6. Wayne Butler, Director, Shared Parenting Council
7. Russell Workman, CEO, Mensheds Australia
8. Greg Millan, Men's Health Worker - Men's Health Education & Community Events
9. Greg Andresen, Media Liaison with Men's Health Australia, Researcher and Producer with Dads on the Air
10. Peter Berger, Prison Fellowship & Fatherhood Foundation
11. Simon Hunt, Family Law Action Group
12. John Stapleton, Program Director of Dads on the Air
13. Wanda Taylor, Rural Families, Fatherhood Foundation
14. Ian Purdie, Presenter, Dads on the Air
15. John Flanagan, Fairness in Child Support
16. Warwick Marsh, Director, Fatherhood Foundation

On 8th April 2008 some of the leaders within the men and father's movement convened a 2020 Summit teleconference to discuss the discrimination against men and fathers in the summit. Opinions varied from disappointment to a sense of disbelief and betrayal that the Labor Party who had won so many members of the men's movement vote at the last election through their announcement of a Men's Health Policy, would now sacrifice the needs and concerns of Australian families on the altar of political correctness. Many men also expressed their concern about the Labor Party's apparent disinterest in expediting the desperately needed Men's Health Policy.

According to our projection 115 men have died by suicide since the Men's Health Forum held on 19th March 2008. This number includes many indigenous men and yet nothing seems to be forthcoming in the way of real progress from the Labor Party on a National Men's Health Policy.

The continuing epidemic of men's suicide was one of the more urgent issues at the Men's Health Forum.

The topics for consideration in the Communities and Families section of the 2020 Summit would also indicate that men and fathers are a low priority item in the discussion.

It is ironic that many of the problems listed on the background paper of the 2020 Summit such as:

- Increased levels of domestic violence
- Drug addiction
- Gambling addictions
- Alcoholism
- Psychological problems
- Homelessness
- Sexual abuse
- Rape
- Violence
- Crime
- Poverty
- Declining birth rate

- are directly related to the epidemic of fatherlessness that is afflicting our nation.

In other words the very group that could make a significant contribution to the issues being discussed has been excluded from participation.

Mr Rudd promised that the summit would not have the usual suspects.

The reverse would seem to be the case. The summit delegate list reveals that political correctness has overtaken the selection process. Even noted demographer Bernard Salt in talking about the delegate list said "The first thing it says is that we are a people occupied with political correctness". We believe the summit could well be toxic to families. If you are concerned about the gender bias and its adverse affect on families in the 2020 Summit we encourage you to send out your own Media Release on the subject of anti-family 'Gender Bias in the 2020 Summit'. Perhaps you could contact your own local federal member and alert them to the problem.

Thanking you for your interest in the well being of Australian families - the men, women and children of Australia.

Kind regards

WARWICK MARSH Fatherhood Foundation 0418 225 212

Developing a practical discourse on masculinity

Being a man is dangerous to your health. With over 27 years of experience in health service provision this proposition is still a chilling one for me. Men are over-represented in all pathologies other than female specific illnesses. They represent over 82% of all registered suicides, die up to 10 years earlier than their female counterparts, have up to 10 years of chronic ill-health, represent over 90% of the prison population and over 80% of the victims of crime. This does not even touch the 'life style' issues of alcohol and drugs, problem gambling and relationship difficulties - issues that the professional psychotherapist and counsellor confront on a day-to-day basis in their work with men.

The 'new' branch of health - *Men's Health* - now bandies these figures about with such elan that they have become meaningless. Just more figures, just more statistics. Despite the Men's Health industry little, if any, improvement upon health outcomes for men has occurred.

Much time and energy has gone into examining why men are the way they are, but we still have no true academic discourse on masculinity that converts into sound practice. Despite some attempts to apply academic rigour most of these studies have been subjective, poorly designed and frankly have an axe to grind. Most are from a perspective of historicism or historical revisionism. They approach the issue of what constitutes masculinity from a standpoint of 'what we know already', rather than as a true inquirer. From there we have two opposing camps; *the male apologists and the male warriors*. They are both based in what I term the deficit model of masculinity which views masculinity and maleness as inherently wrong and something that needs to be changed. The proponents of this model 'know' 'why' men are the way they are and 'how' they need to change. This model has been spectacularly unsuccessful in affecting health outcomes in men.

The male apologists are usually seen in academia. Men who want a job in academia must adopt the prevailing paradigm of the institution. These male apologists adopt theories that enhance the 'male deficit model' such as: domestic violence perpetrators are men (the spin off of Andrea Dworkin's statement '*All men are rapists*'); men need to be more like women in their ability and desire to communicate; and women have been oppressed by the patriarchy. We are all familiar with this spurious and fallacious rhetoric that continues to attract funding and places in academic institutions.

The male warrior sees nothing wrong with men and believes they are doing just fine. Men just need to support one another, and the world, to do the same. The problem is that the world has removed the man's rightful place or position. The situation may be rectified only when the place of the man has been reinstated - either actually or psychically. This is based usually in a misappropriation of Jungian theory with strong connections to the mythopoeic movement through Robert Blyth and modern counterparts - works such as 'Iron John' and the male initiation programmes that flourish throughout Australia and the United States.

Both these standpoints have done little to advance the cause of masculinity. Both may be overt or covert, and both use the other's arguments to maintain their own position. I am well aware of my over generalisations and stereotyping, but even when this is factored in, little change has been seen in the average man - health outcomes remain stubbornly unchanged, and for me this is the 'proof of the pudding'. The positions of 'male apologist' and 'male warrior' are not for the average man, one is for the ivory tower of academe and the other for the personal growth industry.

Particularly worrying for the counselling and psychotherapy professions is that health workers appear to fall into one of these two camps. More concerning is that there appears to be little reflection within the worker of their position. We are told that men are difficult to engage in health care and more difficult to engage in counselling and therapy services. Men are voting with their feet when they do not go to services that do not meet a need. The problem is not with the men, but with health care providers.

One example is of the man who was told he 'needed anger management'. When he told counsellors that he didn't want anger management and instead wanted to find out why he was angry, he was told he was 'intellectualising' and 'resisting'. On attending group therapy at one large service provider he was directed to the room with the Sign 'Perpetrators' on the door. Needless to say he did not go in.

These fundamental breaches of professional competence would not be seen, let alone allowed, with other groups in the community. Our approach to men is at best unthinking and at worst negligent and malpractice. One leading academic when hearing of the male suicide rate of 82% said, '*At least men are getting something right!*' She was talking about our brothers, sons, husbands, friends and co-workers who died in anguish. Would that statement be tolerated if it were another community group? The male-as-deficit model is seen in young men who express that there might be something wrong with being a man and that being a woman is better.

What can be done? Little original research addresses men on their own terms, as male affirmative. Most is based in the male deficit model, but it is beginning to change. It is time for a true academic discourse on masculinity. This will, of course, threaten and arouse the ire of the 'male as deficit model' proponents. It is necessary to turn this 'new' theory into praxis. Therapy practitioners need 'new' tools to assist a wider population, and as many health workers as possible are needed to address pro-masculinity.

This is a call to action, or at least reflection. Will you make changes in your professional practice to allow a deeper understanding of your male patients? Will you contribute to this vital area of professional expertise and knowledge?

You never know, you may just make a difference!

Stephen Carroll, Sydney-based psychoanalytic-psychotherapist, is undertaking doctoral research in psychoanalysis and masculinity. To participate in an informed discourse on masculinity send comments to scarroll@ceinternet.com.au

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(Note: I thought this article worthy of inclusion even though it is a bit dated. It is as relative towards attitudes now as it was then. Ed.)



Fathers & Families

"A father for every child"



How Much is Paternity Fraud Worth?

by **Ned Holstein, MD, MS**
April 18th, 2008

Marion, IL—Two mothers are suing an Illinois hospital because their newborn babies were switched at birth. Although the mistake was rectified within hours, Mary Jo Bathon and Kassie Hopkins are each demanding \$50,000 for the mistake.

It is interesting to note the different levels of importance society attaches to mother-child mix-ups versus father-child mix-ups. Hospitals take elaborate precautions to match the right mother to the right newborn — wristbands immediately after birth, footprints, and more.

When it comes to paternity, few steps if any are taken to ensure that babies are matched to the right fathers, even though a simple DNA test, now available for under \$30 from RiteAid pharmacies, will do the trick.

ABC reported the snafu under the headline, "A Mother's Nightmare." When is the last time a case of paternity fraud was reported as "A Father's Nightmare?"

Mothers whose babies are accidentally switched for only a few hours apparently think it may be worth \$50,000 in pain and suffering. Few if any fathers have ever collected a dime for having their children switched away from them for decades, even though it has often been done deliberately. And some fathers are required to pay child support for children fraudulently switched to them, even when the switch is discovered. (Under this line of precedents, perhaps Mary Jo and Kassie should each be required to pay child support to the other calculated according to the Illinois Child Support Guidelines.)

Other fathers turn up when they belatedly learn that they have a baby who is about to be "switched" to adoptive parents. Such men are widely reviled.

Somehow society views mothers whose babies are switched as deserving of great compassion, whereas fathers in the same situation are assumed to feel no pain. They are expected to suck it up, be a man, and get along in life. It is the same attitude that assumes that fathers don't really mind very much if they are reduced to seeing their children only four days per month, or if their children are moved far away from them.

Fathers & Families has filed a bill in the Massachusetts Legislature to prevent the babies of fathers from being "switched" at birth. It calls for DNA testing in all out-of-wedlock births to determine the true paternity of children. We persuaded the Massachusetts Medical Society to endorse the bill by pointing out the increasing importance of genetic-based medicine these days. Despite this prestigious support, the bill's prospects are poor in this session of the Legislature.

Apparently, determining a child's true father is not worth much.

Hi Barry

My name is Andrew M*****h and I have been a separated, single father for approximately six years now. I love my children and spend every 2nd weekend with them both rarely missing an opportunity to see each other. Unfortunately due to work, I cannot live close by to them (they live on Central Coast and I in Sydney) but we manage with the time we have.

I recently got my new Child support assessment from the CSA and I just wanted to say a huge thank you to yourself and your organisation for the countless hours you guys have committed into getting us blokes who try and do the right thing a fair go !!! I have been battling with the system for years now and have been made to pay monies that have almost found me destitute at times and if I wasn't also very lucky to have a supporting family around me, would not have possibly been able to afford to see my kids at times either.

The new system is finally fair, I think you would have heard from thousands of men, "nobody thinks we shouldn't have to pay at all" but let me tell you, I have paid handsomely under the old system. I am not a huge earner but more caught in the middle income bracket \$50-70K and at the moment am paying \$1300.00 a month. Take away Sydney rent, electricity, phone etc it has been a huge whack. By the way, my ex wife has re-married, set up a lovely new house with her new husband from profit she made from the house we had together and drives around in hi end European and American cars. Life is rather tuff for her.

Anyway, it's not my point to whinge about the past anymore, "whats done has been done"... I am just glad that finally a glimmer of light has shone through into the tunnel of financial difficulty that the CSA has put me and I am sure a lot of other men through with such an unfair, unjust and straight out stupid and unethical system. I am glad there are organisations like the Lone Fathers who have lobbied hard and finally gained results.

Once again, many thanks for you great work

Yours sincerely

Andrew John M***h**



THE AUSTRALIAN
AUSTRALIA'S NATIONAL DAILY NEWSPAPER

Joint custody 'can put children at risk'

By Pia Akerman
15 April 2008

Family law experts have called for changes to legislation that emphasises joint custody, arguing it is putting children back into potentially dangerous situations where they risk being abused.

A conference of social policy and law experts and practitioners in Adelaide has heard amendments to the Family Law Act that came in under the Howard government in 2006 have effectively tied the hands of judges who would wish to more severely limit contact between parents and children in high-conflict families.

Dale Bagshaw, conference organiser and co-ordinator of the University of South Australia's Centre for Peace, Conflict and Mediation, said the amendments, which stressed parents sharing duties and responsibilities for children, were having dangerous consequences in some cases.

"It's of great concern that children are now being not only encouraged but in some instances forced by parenting orders to go into situations where there's a risk of either them witnessing violence or being directly abused themselves," Professor Bagshaw said.

"With the changes to the act, there's now more priority given to this notion of shared parental responsibility than there is to the best interests of the child. There's a good deal of disgruntlement amongst practitioners with the change."

Professor Bagshaw, who served three years on the National Council for the Prevention of Child Abuse, said family law practitioners felt the reference to shared time between parents should be removed from the act.

The conference organisers would form a working party to take the outcomes to government and the judiciary.

"We're focusing very much on the outcomes for children," Professor Bagshaw said, "and the outcomes for children have not been positive."

A spokesman for Attorney-General Robert McClelland could not say whether the Labor Government was considering rolling back the amendments, or what Mr McClelland's position was.

Carol Bruch, a member of the executive council of the International Society of Family Law and an adviser on family law to the US Secretary of State, said research showed frequent contact with both parents was not necessary for a child's healthy development, and that the quality of the parent-child relationship was more important.

"All of the pressure towards 50:50 or 35:65 physical care arrangements are quite unusual

in the world, and are of great concern to the people here," she said, warning that the courts could be compounding harm to children in conflicted families instead of alleviating it.

The Sydney Morning Herald

Divorced from wealth

April 19, 2008

Well educated and affluent, these women found poverty is closer than most people imagine,
reports Erin O'Dwyer.

JULIE Di Gregorio used to be a Volvo mum. She managed a business with her husband and lived with their two daughters in an inner-Sydney terrace house. These days, the 50-year-old lives in public housing in Wollongong and sometimes struggles on her \$259 pension.

"Living in Alexandria there was a block of housing commission flats opposite," she sighs, "and I used to think, 'How could they let themselves get so low?' I had no understanding of how anyone could get to that point. Or how your life could unravel."

Carole Ouellette, a former nurse, tells a similar story. She once drove a yellow MG and lived in a five-bedroom home with her husband and three sons. These days, she drives a second-hand Mazda to fetch free bread from a community centre in Wollongong, which she delivers to her friends. Once a week she eats lunch there, too.

"I took my sons recently. They all have university degrees, and they were very uncomfortable," says the 58-year-old softly. "I said, 'You look around because you could be like this one day. You never know what is ahead.'"

It is rare, you might think, to find women like these - once married, now divorced; well-educated, once affluent and successful - community centre lunches alongside some of society's most disadvantaged.

But Australia's traditional middle class is being swallowed up by the higher cost of living. Our so-called "working families" are the working poor. And it is single women who are doing it the toughest financially.

A community paper produced for the Federal Government's 2020 Summit says there will be about 450,000 older single-women households by 2026, compared with about 200,000 lone male households.

This follows a report to the Senate last month which identified single pensioners, in particular older women, as "at extreme risk of falling into poverty". Older women had little or no superannuation and their meagre singles pensions

had to stretch further than couples' to cover basics such as rent, food, petrol, and utilities.

For the next generation of single women, it is about to get worse. Lawyers and social researchers believe changes to the child support scheme which come into force midyear will leave about 60 per cent of single mothers worse off than before. Fathers, in particular wealthy fathers, they say, will pocket the windfall.

"Our preliminary research indicates that a large proportion of our clients who are primary carers will be receiving significantly less child support under the new formula," says a policy lawyer, Edwina MacDonald, from the Women's Legal Service.

Wealthy fathers are already better off, with the first round of changes introduced last year capping payments for non-resident parents who earn between \$130,000 and \$140,000 each year.

Under the complex new scheme, fathers who care for their children at least two nights a fortnight will receive a 24 per cent discount on child support payments.

There is widespread concern that much less money will soon be flowing into single-parent homes - most of which are run by single women. The amount single mothers can earn before child support is cut is reduced from \$39,000 to \$17,000.

A boost for some women in family tax benefits is unlikely to counter the cuts.

A sociologist, Dr Elspeth McInnes, from the University of South Australia, believes the changes herald another generation of poor, single, older women. "It will be compounding the feminisation of poverty," she says.



"It was always the case that the person who had primary care of the children suffered the worse financially. The child support changes will mean there is less income in households where children spend most of their time."

For decades, research has shown divorced

women are worse off than men. They are more often victims of domestic violence, more likely to work part-time than full-time, and more exposed to homelessness and depression after separation or divorce. Australian Bureau of Statistics figures show that one in four single mothers experiences high or very high psychological distress.

"We know that women experience much higher levels of poverty than men in general," says Karen Willis, from the NSW Rape Crisis Centre.

"Often that's because women have been at home instead of working and superannuation doesn't kick in like it does for men. Also, if they leave

a marriage they chose safety over material possessions. So that does lead them into poverty too."

But the housing affordability crisis, with rising food and petrol prices, is compounding the problem.

"The big middle class is being eroded," says Dr Eileen Baldry, from the University of NSW's School of Social Work. "There are more people who were middle class who are finding it harder. Charities are now feeding families who have work but can't make ends meet."

Dr Baldry also points to regime changes under the Howard government that are now starting to bite: welfare-to-work policies that penalised single mothers, and changes to child custody laws that introduced a presumption of shared care - even where there had been a history of violence.

She says it is not surprising that more middle-class women are relying on charities to supplement their weekly food bill.

"This is one of the hidden faces of poverty," she says. "It's been the case for some time that the most disadvantaged group in Australia are unpartnered mothers but it's the cumulative aspect of all this that we are now beginning to see.

"Women and their children have lost their homes and jobs, and been forced into a lifestyle which is often hard to get out of, especially if you are an older woman."

Out in the suburbs, more stories of women in poverty are emerging.

Phoenix van Dyke, from the Tenants Union of NSW, says many older women are struggling to pay the rent in Sydney's northern beaches.

"Some landlords would actually say to them, 'I don't think you can afford to live in this area any more ... Maybe you should move to the western suburbs,'" she says. "It was humiliating for them."

Humbling is the word Tanya Whiteside, 50, uses to describe how she felt when she first joined the Centrelink queue. A businesswoman from a respected family, she worked in fashion, cosmetics and real estate.

"I grew up wanting for nothing," she says.

She and her husband lived in inner-city Sydney and their two daughters went to selective schools. When the marriage crumbled, Whiteside got an office job and moved into a one-bedroom apartment. But her health suffered, and she took a room in a share house. Later she moved in with her daughter in Wollongong.

Now, living alone in a tiny granny flat, she spends \$140 on rent and \$45 on food each week.

Her grocery receipts for the week make a tiny pile of paper scraps: \$23.42 for staples such as tea, coffee, milk and yoghurt; \$13.90 on fruit and vegetables; and an additional \$9.25 on beans and lentils and canned fish from an Asian grocery. Already she is over budget. The remainder goes on counselling and bills.

"I thought I would carve a new life for myself when I left the marriage but my health didn't stand up to it," she says. "Going to Centrelink

was humbling. It was a lesson in learning how to ask. But I've been so grateful for the support."

But Whiteside remains extremely positive. She says she is the happiest she has ever been.

"It's been a journey but I am learning how to be free," she says. "I have my life and it's simple and I'm dealing with only the aspects that matter."

Julie Di Gregorio and Carole Ouellette agree. Di Gregorio left an unhappy marriage with almost nothing but is now starting to return to her practice as an artist.

Ouellette delayed her marriage settlement for 16 years so her children could live in the family home but says the decision empowered her emotionally, if not financially.

"You really start to go back to basics," says Di Gregorio.

"You think, 'It's such a beautiful day today. I'm alive, I'm not sick. I can hang the washing out.' Oh my God, I'm getting off on hanging the washing out. That's what happens."

Ouellette says, "You focus on what you do have, not on what you don't have.

Herald Sun

Australia's biggest-selling daily newspaper

Single mums face big cuts

Fiona Hudson
April 27, 2008

SINGLE mother support groups are being flooded with furious calls from women facing a drop in child support payments as mortgage rates and petrol costs bite.

Many single mothers will receive between \$10-\$50 less each week from their former partner under a system shake-up.

The Child Support Agency has started sending revised payment assessments to 1.5 million parents ahead of reforms to take effect on July 1.

The changes will also affect some lone fathers who are primary carers.

Sole Parents Union president Kathleen Swinbourne said notifications issued so far showed many single parents looking after children would be worse off.

"We're getting a lot of calls from women asking, 'How can this be?' Some payments have gone down so far, it's laughable," she said.

Council of Single Mothers and their Children project worker Jess Permezel said women were getting a rude shock when they opened their assessments to discover they could be out of pocket from July 1.

Changes to the Family Tax Benefit scheme would help offset some of the reduced child support payments, Ms Permezel said, but not completely.

The complex new child support payment formula takes into account the age of the children, the time each parent spends caring for a child, and whether there are other children from another relationship.

The Child Support Agency has fielded 85,000 phone calls so far from parents seeking

clarification about their revised payments.

More than 50,000 of the assessments have been reissued because they were incorrect or didn't take into account the right information.

At least 43 parents have lodged formal legal complaints with many more expected to follow.

Family law specialist Melissa Cantwell, of Hogg and Reid, has advised clients who will be as much as \$1000-a-month worse off under the changes.

"People are receiving the letters and saying, 'Oh my God'," she said.

"I think we are in for a very busy period."

Law Institute of Victoria family law section chairman David Schetzer said for every client who was furious, another was thrilled.

"A lot of people are pleased and an equal number are not pleased," he said.

Lone Father's Association president Barry Williams said most men would be better off under the new system.

But the group had received many calls from men complaining their assessment was wrong.

"Teething problems are causing a lot of headaches," Mr Williams said.

Child support lawyer Simon Bacon, of Manby & Scott, said in an unusual case one of his clients faced losing her house because she would pay more under the new system.

The woman brought up her son alone until he was 13 and didn't receive maintenance.

The son recently moved interstate with his father and the woman would have to pay \$397 a month under the new system.

Child Support Agency deputy general manager Samantha Palmer encouraged parents to check their new assessments as soon as they arrived and to contact the agency immediately with any queries or concerns.

[Contributors comments.](#)

Child support is purportedly meant for children, not paying mortgages (how many men are no longer in a financial position to even have a mortgage?) or for petrol.

Note well the counter nature (opposite of reality) of the examples provided within the preceding article). The only significant increase for a payer is for a women, with a child interstate. Such a case would be insignificant compared to the overwhelming number of similar cases involving men separated from their children, with increased payments.

In the article, there is mention of a case where a woman may face losing her house due to child support 'liabilities'. One wonders how this differs from the vast numbers of fathers who already daily struggle with, and are impoverished by, 'child support' generated 'debt'.

Quote: Child support lawyer, Simon Bacon, of Manby and Scott, said in an unusual case one of his clients faced losing her house because she would pay more under the new system.

Coastal dads top nation's child-pay shame

Renee Viellaris and Melanie Christiansen
May 05, 2008

FATHERS in coastal regions are the nation's worst offenders when it comes to shirking child-support payments.

New data shows many parents, most of them fathers living in Queensland's resort towns have turned their backs on their children.

Child Support Agency statistics show parents in leading tourist destinations including Broadbeach, Mermaid Beach and Palm Beach, on the Gold Coast, and Deception Bay, north of Brisbane, are the least likely to meet their child-support payments.

CSA has ranked the 10 postcodes with the worst payment rates, seven of which are in Queensland.

About 5 per cent of parents across the nation failed to pay any maintenance in the past financial year, even if they only had to cough up \$10 a week.

Commentators said unemployment and the high number of single parents in the region could be the cause.

Human Services Minister Joe Ludwig has refused to say whether the federal Budget, released next Tuesday, will fund more child-support compliance measures.

However, Senator Ludwig said he would crack down on tight-fisted parents ahead of a new child-support formula starting from July.

He said while most people in the identified suburbs did the right thing some were putting themselves first.

"Human relations is a complex area but there's no excuse for parents not to look after their kids," he said.

"I'm determined to make sure as many parents as possible meet their obligations."

Data shows 11 per cent of families on the Gold Coast are single-parent and men are responsible for the majority of child-support payments.

Federal MP for Moncrieff Steven Ciobo said the Gold Coast's population boom also contributed to the disturbing trends.

"There are two very big industries (on the Gold Coast), tourism and retail. These two industries count for a large percentage of employment for single parents with a relatively low skill base," he said.

"People come (to the Gold Coast) for a fresh start and employment."

A CSA spokesman said the data did not prove Queensland parents were the worst parents in the nation.

"There could be many reasons why one community has a higher concentration of fully-paid child support cases than another," he said.

Mission Australia's Brian Saxton-Hillier yesterday said the Gold Coast was a hotspot for financial and family stress.

"It's becoming more prevalent," he said.

"The Gold Coast has this great shiny veneer but underneath it's a different story. There are million dollar houses here on the Gold Coast, where there is no food in the fridge."

According to Mission Australia, the Gold Coast's problems are exacerbated by relatively high unemployment, low wages in the hospitality sector and higher living costs.

Mr Saxton-Hillier said the level of family breakdown on the Coast was inflated by those who arrived seeking a "dream life" that did not work out.

"People are being pushed over the edge," he said. "We're getting to the tipping point here faster than other places . . . because everyone here normally lives so close to the edge."

At the other end of the scale the top paying areas in the nation were Blackbutt - 150km northwest of Brisbane - and Thuringowa (Townsville).

The data comes as the CSA predicts the amount parents pay in child support could decrease under a scheme that starts within weeks.

The new formula will take account of each parent's level of care and how much it costs to care for their children.

However, the CSA said the family tax benefit scheme would compensate parents who received less money.

Plight of single mums 'to worsen' as child support changes

By Melanie Christiansen

STRUGGLING single mums will be even worse off under a new formula for calculating child support payments, according to women's groups who say they have been inundated with calls from worried parents.

The new formula applies from July 1, but the Child Support Agency has started writing to separated parents with an assessment of their new payment.

Sole Parents Union president Kathleen Swinbourne said that in most cases, parents who looked after their children just one or two nights a week would be better off, while those with primary care of their young children - mostly women - would lose income.

"The feedback we've had from mothers who have received letters is that their payments are going down," she said.

"The result is there will be less money in the household where all the bills are being paid. The children will be worse off."

The Child Support Agency says that those parents receiving less in child-support payments would be compensated through family tax benefits.

But Ms Swinbourne disputed that, saying the information provided to individuals indicated single mums could be anywhere between \$5 and \$100 a week worse off, depending on their ex-partner's income.

The Women's Legal Service has also been receiving calls from concerned mothers,

prompting an analysis of the proposed changes.

"The preliminary research shows that most of our clients, who are all women, will be receiving significantly less under the new child support scheme," the group's policy lawyer Edwina MacDonald said.

University of South Australia social researcher Dr Elspeth McInnes predicted the impact on low income single-parent families would be significant.

"I think there will be a lot of distress, absolute distress and shock for the families that have the main care of children," she said.

But Human Services Minister Joe Ludwig yesterday defended the new payments formula, describing it as "more balanced".

"The new formula treats partners in an equal fashion and calculates child support on the basis of each partner's share of their combined incomes and the proportion of caring responsibilities each parent bears," he said.

"The new formula also applies an updated assessment of the cost of raising children, recognises the increased cost of older children and deals more fairly with second families."

Concern about the payment changes emerged as new figures published in yesterday's Courier-Mail revealed about five per cent of parents who are supposed to make child support payments failed to do so in the past financial year.

The Child Support Agency said seven of the 10 areas with the worst payment rates were in Queensland.

THE Daily Telegraph

\$30,000 spent to decide birthday venue for child, 7

By Janet Fife-Yeomans
May 07, 2008

TWO warring parents who can't even agree on the location of their little girl's birthday have asked the Family Court to rule on where her party should be held and who should be invited.

It took a judge, three barristers, three solicitors and a day in court at an estimated \$30,000 to work out where the girl should celebrate her seventh birthday.

"It is clear to me that there are enormous complexities for this little girl," Justice Linda Dessau said.

The parents have been before the court "a number of times" since they split up early last year.

It was just four days before Christmas when they were last before the court and Justice Dessau ordered they both undergo "therapeutic counselling".

Three months later they were back, having done no counselling and at odds over the birthday party.

Her dad wanted to celebrate at McDonald's with gifts, balloons, his relatives, his new partner - and their seven-month-old baby girl.



Her mum wanted it to be on familiar ground at her daughter's usual play centre, with no relatives.

Justice Dessau said if they had undergone counselling, they could have sorted this out there.

"Instead the parties find themselves at court yet again today; another frustration and expense for both of them," the judge said.

A family report prepared for the court showed the girl was extremely resistant to seeing her father. The father blames the mother and her family for influencing her.

"I have a completely open mind about that," Justice Dessau said. "And in due course, if, sadly for the child, her parents are not able to reach some sensible ... arrangements for her, then I will hear the case and I will hear evidence to try and unravel those complexities."

The judge ruled the father could be with his daughter between 3pm and 5pm on her birthday at the local childcare centre - alone. She said the girl should meet her half-sister sooner rather than later but in an orderly and sensitive way and not at a birthday party.

"It is essential to the mother's case that she is stressed and completely overwhelmed by these returns to court," said Justice Dessau.

"It is equally essential to the father's case that he is frustrated by the returns to court and the fact that he is progressing so slowly towards a normal relationship with this daughter."

Family law experts yesterday slammed parents who tie up valuable court time with "trivial" matters. Michael Taussig QC said if somebody came to him asking to run a case in court about a birthday, he would tell them to see a psychiatrist.

"Unfortunately the Family Court has to deal with dysfunctional people constantly and this is just one example," he said.

His suggestion would have been two birthday parties - one with mum, the other with dad.

"Most people would work it out that way," he said.



Single mothers' child payments cut

Patricia Karvelas, Political correspondent
May 07, 2008

SINGLE mothers will receive between \$10 and \$100 less each week from their former partners after the Child Support Agency sends 1.5 million parents new assessments by the end of this week.

By July 1, about 60 per cent of divorced fathers will pay less under the overhaul of the system.

The lobby group representing single parents is urging the Rudd Government to review rules passed by the Howard government two years ago that drastically changed the system.

The previous government's changes, supported by Labor, included allowing fathers who see their children every week to have their support payments cut. For example, the payments of fathers with at least one day a week access are reduced by 24 per cent.

A spokesperson for the Child Support Agency said that since the start of the assessments mailout there had been 97,307 calls related to the new scheme.

Human Services Minister Joe Ludwig said this was a more balanced way of working out child support, treating both parents' incomes equally.

"The CSA is holding community information sessions to help parents understand the new scheme," he said. "I encourage parents to attend these information meetings."

In 2005, John Howard commissioned Sydney University law professor Patrick Parkinson to design a new system to balance the interests of men and women.

Under his plan, custodial parents, mostly women, keep their current family tax benefits, which are shared between both parents under the old scheme. But the parent with custody receives less in maintenance payments.

Sole Parents Union president Kathleen Swinbourne said the "vast majority" of single mothers were facing cuts of \$10 to \$100 a week under the shake-up.

"We've even had complaints from people losing over a hundred dollars a week," she said.

"As nice as the agency might want to be about it, this is the new formula and they are tasked with implementing it. There is no appeal on the formula but unfortunately, it is very, very flawed."

Ms Swinbourne said some mothers were already pulling kids out of private schools to deal with loss of payments. "The Government has to look at this again," she said.



Women told to work longer to get paid like men

By Susanna Dunkerley
May 07, 2008 12:00am

THE pay equity gap between men and women in Australia will not close until women are prepared to work longer hours, an academic says.

Social researcher for the University of Melbourne Mark Wooden said men were earning on average 15 per cent more than women because they put in more time at the workplace.

"All high achievers in all walks of life ... put in long hours into their activity," Professor Wooden said.

"It's (the pay equity gap) got a lot to do with the fact that women are not prepared to work longer hours."

Prof Wooden said even if workplaces were family friendly, "many women would not pursue long-hour jobs".

The only male taking part in a National Press Club panel discussion about the pay equity gap, Prof Wooden's remarks drew gasps from the mostly female audience.

The panel, including federal Minister for the Status of Women Tanya Plibersek, was looking at why the pay equity gap has been around 15 per cent over the past decade.

On average, for every dollar earned by a full-time male employee a female will earn 85 cents.

A recent report by the Equal Opportunity for Women in the Workplace Agency found that female CEOs earned two-thirds of the median

wage of male counterparts.

It also found that female graduates entering the workforce earn around \$3,000 less than their male counterparts.

Prof Wooden said closing the gap would require a change in the traditional family structure.

"The only way we can achieve this is if we have lots of role reversals, lots of men behaving like women and lots of women behaving like men."

"I don't think women in Australia want that, I don't think that women anywhere in the world want that."

Ms Plibersek strongly disagreed, saying it was a matter of role-sharing, not role reversal.

"The idea that high performers are in the office until nine o'clock at night and every weekend ... is something that we need to challenge," she told the panel.

"It is our intention that over time the pay gap will close."

Ms Plibersek said the Productivity Commission's inquiry into paid maternity leave, increasing tax rebates for child care and dismantling Work Choices were policies that would help reduce the gap.

Federal Sex Discrimination Commissioner Liz Broderick said a major priority should be changing workplace culture so all jobs, including senior roles, "come in all shapes and sizes".

"Once we start to do that I think we will start to see a critical mass of women and men with caring responsibilities at the most senior levels of each area of activity in the country," Ms Broderick said.

"And we won't be doing it the same way we are doing it now, hopefully we won't be doing 100-hour weeks, we will be doing it totally differently."

"But what we need to do is really to accept the challenge, step up, actively manage and step forward."



Australian cities top suicide web searches

By Sean Plambeck
May 03, 2008

AUSTRALIA has the dubious honour of having the English-speaking world's first, second and fourth ranked cities when it comes to searching "how to commit suicide" on Google.

A Google Trends report lists Melbourne as having the highest percentage of searches on the topic compared to total searches on the site.

Brisbane is ranked second on the list while Sydney comes in at number four.

University of Melbourne Associate Professor Jane Pirkis, who researches suicide in the media, said pro-suicide websites are banned in Australia and the reason three of its major capitals ranked so highly is unknown.

"It would be interesting to know who is searching for this information," Prof Pirkis told NEWS.com.au.

"If it is people who are physically healthy, then it is quite concerning."

But euthanasia advocate Dr Philip Nitschke believes the popularity of the search was due to a lack of information available to the public.

Dr Nitschke's Peaceful Pill Handbook was banned in Australia last year for promoting suicide, but he said such measures would not discourage people from seeking the information.

"The Howard government went out of its way to restrict the flow of information on people's end of life options," Dr Nitschke said.

"This is an expected consequence when you limit the flow of information."

However Dr Nitschke said there could be problems with the reliability of the information on the internet.

"In some ways if you force this whole business underground people are going to end up with more bizarre and unchecked information and you end up with situations like the man who used a robot to kill himself earlier this year," he said.

Australia has the 44th highest suicide rate in the world according to statistics compiled by the World Health Organisation.

Prof Pirkis said national suicide rates were hard to compare because different countries had different methods for recording and publishing statistics.

The Australian Bureau of Statistics reported 1799 deaths from suicide were registered in 2006, 78 per cent of which were males.

Suicide accounts for 1.3 per cent of all deaths in Australia but for males aged 20-25, it accounted for more than 20 per cent of deaths in 2006.

Lifeline chief executive Dawn O'Neil said there was no publicly available information on prevalence of suicide by city or suburb in Australia.

Ms O'Neil encouraged anyone feeling depressed or considering taking their own life to call Lifeline's confidential counselling service.

"There are people to help and support you and these feelings often pass with time, and here at Lifeline we focus on the reasons for living," she said.

"Often it is very difficult to talk about which is why confidential counselling lines are so highly utilised."

Dr Nitschke said many people interested in suicide or euthanasia were neither terminally ill or depressed.

"A lot of older people are sound of mind and take a more pragmatic view of the end of their lives," he said.

"Often once they have the information they get the peace of mind of knowing they are in control but never act on it."

Anyone with personal problems can contact Lifeline on 131 114, or Kids Help Line on 1800 551 800.

PLEASE NOTE: Newspaper articles must contain the name of the publication, the author & the date of publication or they will not be included. **ED.**

Divorce law robs talented spouses

Kate Legge
May 03, 2008

THE legal notion that sports stars, artists and professionals with exceptional talent deserve better than a 50-50 split in divorce settlements is being watered down under pressure from the equal rights lobby, a top judge has warned.

Speaking before his retirement yesterday from the Family Court, judge Paul Guest said failing to take into account a husband or wife's exceptional talent or skills in divorce settlements risked the "dumbing down of family law".

Justice Guest stressed that special contributions were not relevant to the vast majority of divorces.

"In the case of Mary and Joe citizen where she stays home while the children are young and he goes to work to pay the mortgage, the split of their assets is generally 50:50," he said.

"But there comes a time when you have to look at other areas. If say, Pete Sampras's divorce was coming through, is his wife entitled to half or did he make a special contribution? Our act validates recognition of an individual's right to the value of their innate skills and intelligence.

"But the doctrine's being watered down, weathered away in the push for equal rights.

"It's the dumbing down of family law through trying to make everyone happy, everybody normal, when we're not equal. We're born unequal."

The judge, who accuses "feminists and equal-rights advocates" of watering down the doctrine, denies his view is sexist.

"It's not discriminatory to insist that special contributions should sit alongside the weight given to the contribution of homemaker and parent, a contribution that afforded the other party the chance to pursue his or her endeavour," he said.

"It's fair and just and equitable to take both these contributions into account. We have a contributions-based act. If it just said that marriage is equal then that's fine, but it doesn't."

Under section 79 of the 1975 Family Law Act, both financial and non-financial contributions to a marriage must be considered and assessed on their merits, apart from outside contributions, such as inheritances or gifts.

But in recent years the court has moved to recognise homemaker and parent contributions, usually by the wife, as carrying equal weight to the earnings and accumulation of financial assets by the breadwinner.

Marriage is seen as a shared venture, with both partners sharing losses and liabilities and therefore, the gains and earnings accumulated during the partnership. Only a small number of landmark cases have awarded special loading to an earner who, through entrepreneurial flair and skills, has made a significant contribution.

The decision in Lynch v Fitzpatrick in 2001 is perhaps the high water mark in Australia's legal history on the doctrine of "special contributions".

In that judgment, Justice Guest and another judge replaced the 65:35 division of a \$36.7 million asset pool with a decision to award 72.5:27.5 in favour of the husband, a geologist, who amassed considerable wealth through a series of business transactions.

The wife sought leave to appeal to the High Court, but her bid was dismissed.

Justice Guest told The Weekend Australian this week the husband "found a goldmine with his brains, his geological genius. He found the site. He put together the venture despite knockbacks. He got the finance. And he made a mine".

"You've got to stand up for the doer, the one who tries, the person in the arena," he said.

Justice Guest has long rallied for recognition of exceptional skills and effort being taken into account in divorce settlements.

In a 2005 paper entitled Never Mind the Law, Feel the Politics, he argued the doctrine should be "an orthodox and enduring feature of family law in the Australian and English jurisdictions".

The principle acknowledges that "in some few cases the production of discrete capital or assets is not really a collective effort ... (in) the partnership of marriage," Justice Guest wrote.

During his decade on the court and almost 30 years as a barrister specialising in family law, Justice Guest said he had witnessed a revolution from the days of proving adultery, drunkenness, cruelty or other grounds for marital breakdown to a world of no-fault divorce, mediation and custody cases complicated by gay parenting and sperm-donor children.

THE AUSTRALIAN

Children 'safer with biological parent'

Andrew Trounson May 07, 2008

CHILDREN with a step-parent or no biological parent are significantly more at risk than those with a single parent or both biological parents.

An Australian study of more than 900 coronial inquiries into child deaths from violence or accident appears to bear out theories of the so-called Cinderella effect.

Psychologist and researcher at Melbourne's Deakin University Greg Tooley said that despite sensitivities over the issue, the findings should not be ignored and child-welfare agencies needed to take it into account when assessing at-risk cases.

"It would be very good, I think, if an awareness of this were to lead to better targeted interventions," Dr Tooley told The Australian.

It was possible that sensitivities over targeting children with step-parents might be getting in the way of agencies identifying it as a risk factor, he said.

"It is certainly difficult to talk about because it is such a hot issue," he said.

Dr Tooley's study found that children with a step-parent were at least 17 times more likely to die from intentional violence or accident. A limited version of the study found that the

be as high as 77 times.

It found the risk was higher if there were no biological parents, such children being at least 22 times more prone. Most at risk were children under five.

Overall, Dr Tooley found that children with a single biological mother were no more at risk than children with both biological parents.

But he did find that children of single mothers were three times more at risk of drowning.

Dr Tooley said the findings appeared to back up theories that parents were biologically driven to be extremely protective of their offspring, less so than step-parents.

The theory has widespread parlance in folklore and fairytales, such as that of Cinderella, who is banished to cleaning duties by her jealous step-mother and sisters.

Dr Tooley stressed that the findings were not about attacking step-parents, but simply identifying risk factors.

"We have to look at the flipside, which is all the good that step-parents do," he said.

But he added: "I'd be disturbed if we didn't use the information. The vast majority of step-parents are outstanding, but they aren't as equipped with the same protective drive as a biological parent."

He speculates that this probably becomes more of a factor in child welfare when families are under stress. "I feel these factors are happening at the real edge when families are under a lot of pressure," he said.

politicians in parliament.

One of the group's founders and former Victorian premier Joan Kirner said it was "fantastic" news.

Ms Kirner described Ms Bryce as a founder of the feminist movement in Australia and "one of the most charming and intelligent women I've ever worked with".

"It means we are catching up with New Zealand," she said of the appointment.

"All we have got to have now is a female chief justice and a female prime minister.

"It means, after 200 years we are finally beginning to reflect the diversity of Australia."

Vice president of the National Foundation for Australian Women, Jenni Colwill, said Australia had been suffering from "gender blindness" when it came to roles like the governor-general.

"It's so easy to overlook women in leadership roles," she said.

"There's this thing in Australia I constantly talk about called gender blindness - it's people not knowing the importance of taking account of different sexes in different situations.

"I think it's been very easy to appoint people (to the role of governor-general) who are known and in those circles quite often they are usually a bloke.

"I just think it's wonderful we have at last got a government who's making conscious decisions to include women in leadership roles and congratulations to the government."

Ms Colwill described Ms Bryce as "a woman with enormous experience and good judgment and it's an excellent choice".

his government from future liability, in the wake of the Shella Ward case, by giving legal protection to departments that notify the Education Department that a child is not enrolled in school.

Shella Ward, a seven-year-old autistic girl, allegedly starved to death after being left with her parents, despite her younger sister having already been removed by DOCS.

The new laws include:

- Allowing independent medical experts to assess if a child is too sick to be enrolled;
- New powers to the Department of Education to seek court orders to enforce children to be enrolled;
- Provision for home instruction to children too sick to attend;
- Issuing court orders to force parents of truants to undergo drug rehabilitation;
- Requirements that non-Government schools to advise of unsatisfactory attendance and;
- Providing jail terms for parents who flout court orders.

"We want to give our children every opportunity in life and the twin building blocks are good parenting and a good education," said Mr Iemma.

"This is about parental responsibility.

"They have an obligation to ensure their children attend school.

"We'll take action against parents who fail to either enrol their children in school or ensure they attend regularly.

"The Government is taking action to encourage assist and compel parents when their children are not regularly attending school.

"To make school attendance more likely, magistrates are being given new options to make orders that are tailored to meet the circumstances of each family."



Women's groups hail news of female GG

13 April 2008

National women's groups welcomed on Sunday the news that Australia is to have its first female governor-general - Quentin Bryce.

Prime Minister earlier on Sunday announced that the current Queensland governor would become the nation's 25th governor-general after Major General Michael Jeffery handed in his resignation.

Major General Jeffery's term expires next month.

"In a similar way to the fact that we have a deputy female prime minister, it demonstrates to young women that women can achieve the highest levels of office and their gender is no barrier to that," national co-convenor of Emily's List Australia Hutch Hussein said.

"We are actually starting to utilise the full talents of women at the highest positions and we need to do that more broadly in the community and in business."

Ms Hussein said the federal Labor government under Prime Minister Kevin Rudd was "looking like a 21st Century government".

Emily's List Australia is a national group which aims to increase the number of female Labor

THE Daily Telegraph

Parents face jail for truant kids under new laws

By Simon Benson

April 01, 2008

PARENTS who fail to send their children to school could be jailed for up to two years, under draconian new anti-truancy laws to be introduced to parliament today.

For the first time, powers will be granted to the Department of Education to ask for court orders forcing parents to enrol their children at school.

And magistrates will be empowered to impose jail sentences for parents of habitual truants and fine them up to \$10,000.

In a further plank to a major education reforms, which began earlier this year with the lifting of the school age to 16, the State Government will beef up laws to ensure all children in NSW are enrolled in school, and punish the parents of habitual truants.

Premier Morris Iemma, who announced the reforms during a press conference at Parliament House at 1.15pm, said it was time that the issue of school enrolments and truancy became one of parental responsibility.

However, Mr Iemma has tried to also indemnify

Herald Sun

Australia's biggest-selling daily newspaper

Child sex abuse widespread in SA, report says

By Tim Dornin

01 April 2008

Child sexual abuse is widespread, reporting rates are low and the effects can be devastating and last a lifetime, a report into the sexual abuse of children in state care in South Australia has found.

Releasing the results of his three-year inquiry into the abuse of children in state care, former Supreme Court Justice Ted Mullighan said evidence showed abuse occurred in every type of care from the 1940s onward.

Mr Mullighan heard from 792 people who said they had been abused and determined 242 of those had been in care at the time.

Those in state care made a total of 826 allegations against 922 perpetrators.

The inquiry had referred 170 allegations to police involving 434 perpetrators with two suspects already arrested and 13 reported.

Mr Mullighan found that abuse occurred in large institutional care, in church institutions, in government and non-government homes for children, in youth shelters, residential care units and foster homes.

The inquiry heard from 103 people who said they were abused while in foster care, by their foster parents, other foster children and outsiders including teachers, camp workers, social workers, priests, neighbours and even a taxi driver.

Mr Mullighan said outsiders who targeted children in foster care were often pedophiles who lured children with the promise of money, cigarettes, alcohol, food and shelter in return for sex.

One witness told the inquiry: "This social group absorbed people like myself and you would be passed around between them and paid they were wanting sex, I was paid for it, and everyone went their own way".

Mr Mullighan said the evidence to his inquiry revealed just how vulnerable the children placed in state care were.

"Many said they had already experienced sexual, physical and emotional abuse in the family home, witnessed violence and alcoholism among adults, suffered the effects of poverty including transience or been neglected by their parents for various reasons, including mental illness," he said in his report.

"Some said they developed behavioural issues as children, including being difficult to control, absconding or committing minor crime.

"Their vulnerability arising from the effects of such abuse made them prime targets for perpetrators when placed in a care and protection system that was deficient in its knowledge, understanding and recognition of child sexual abuse."

One witness told the inquiry that being taken from an abusive family and placed in care was like being "taken out of the frying pan and thrown into the fire".

Mr Mullighan made 54 recommendations in his report including legislating for a charter of rights for children and young people and a complete review of the training of social workers in regard to identifying and dealing with child sex abuse.

He also called for an extensive media campaign to educate the community on child sexual abuse with reference to the tactics of pedophiles and others involved in abuse.

Tabling the report in state parliament today, Premier Mike Rann said it had sickened him when he read it.

"The report chronicles account after account of children robbed, not only of their innocence but of their past, their present and their future," Mr Rann said.

"Tragically in many cases spanning decades children placed in care - in a series of government and church institutions suffered sexual abuse.

"Perpetrators have included those charged with the care of children, other children in care, visitors and strangers."

Mr Rann said the government would respond

to Mr Mullighan's recommendations by June 19.

But he said the inquiry was not the end of the story.

"The commission of inquiry has given people a chance to tell their stories, to have their truth about their lives acknowledged," he said.

"It has allowed us as a community to acknowledge a cruel undercurrent in the history of our state."



FAMILY LAW

Paternity fraud punishes the blameless

Husbands have no protection from paternity fraud, thanks to legal rulings by the Family Court and High Court, writes Charles Francis QC
APRIL 26, 2008

At a public function where Sir Owen Dixon, then Chief Justice of our High Court, was present, a guest remarked to him that he must feel very proud to have administered justice for so many years. Sir Owen replied, a little cynically, "I don't administer justice, I administer law".

Sir Owen, probably our greatest jurist ever, knew that judges should determine cases in accordance with whatever our law was, and that did not always mean the decision was a just one. If the law is permitting injustice in a particular area, it is for members of parliaments, not the judges, to rectify the relevant law. Sometimes they don't.

Widespread interest

The case of *Magill v. Magill*, first heard in November 2001 in the Melbourne County Court, illustrates how remote the final judgment of the High Court was from what most people would consider to be justice.

The case concerned paternity fraud and attracted widespread interest, both in Australia and overseas. It led to the publication in the United States of Lea Anna Cooper's book *Days of Tempest: The Liam Magill Story*, a compendium of the facts and matters surrounding the case.

Liam Magill was born in South Melbourne in 1950, the only child of Ralph and Phyllis Magill. The Magills were a very devoted and happily married couple, attending the Methodist Church regularly. Liam was brought up in what was a very happy Christian home. By the time Liam married Meredith McClelland in 1988, both his parents were already dead. He owned his own house and car, and held a good job with the Commonwealth Government.

Almost from its inception the marriage of Liam and Meredith proved a total disaster. Their first child, a son, Arlen, was born in April 1989. Two further children, Heath and Bonnie, were born in July 1990 and November 1991 respectively.

Unknown to Liam, Meredith in 1989 had commenced an affair with Derek Rowe, and Rowe was the father of both these children. In 1992 Meredith deserted Liam, taking the children with her and, in November that year, obtained an order for child support in respect of all three children.

At a time which the Court found was probably 1995, Liam came to the opinion that Heath was not his child. Subsequently, in 2000, DNA established that neither Heath nor Bonnie was Liam's child. In the County Court, Liam claimed damages against Meredith for monetary loss and for his psychiatric disorder suffered as a result of her conduct.

By the time the case was heard, this disorder had kept Liam off work for a period of three years. Liam had poor concentration, low energy levels, severe anxiety and depressive symptoms.

The case was brought on the basis that Meredith had committed the tort of deceit by representing to Liam that Heath and Bonnie were his children. One important matter, alleged to constitute the deceit, was Meredith's filling in of the two birth notification forms naming Liam as the father, which she gave to him to sign.



Meredith McClelland and Liam Magill

On November 22, 2002, Judge Hanlon found that Mrs Magill had had no genuine belief that Liam Magill was the father of Heath and Bonnie, or at the very least was reckless as to that belief. He awarded \$70,000 damages in Liam's favour. Having regard to the evidence, the award seemed moderate.

It would be difficult to assert that any injustice had been done to Meredith Magill.

However, on appeal, the Court of Appeal held that Liam Magill did not rely sufficiently on the notification forms for the purposes of the law of deceit. It overturned Judge Hanlon's award of damages and ordered Liam to pay Meredith Magill's costs.

From this decision, Liam appealed to the High Court. Three of the learned judges decided that the tort of deceit cannot be applied to marital conduct. The remaining three decided it could, but that *Magill v. Magill* did not represent such an instance. Consequently, the law relating to paternity fraud in Australia has been left in a totally unsatisfactory state and cries out for appropriate legislation. Liam Magill had a further order for costs made against him.

Cooper's *Days of Tempest* enables the reader to be taken right to the heart of the saga. The book includes interviews with Liam himself and his present partner, Cheryl King, and such items as the results of the DNA tests. It also includes the entire transcript of the County Court proceedings, copies of letters of support written to Liam, including a number from women, and newspaper articles analysing the issues. It enables the reader to become very fully informed and to consider what solutions there can be for paternity fraud.

DNA specialists estimate that 10 per cent of men in the wider community are unknowingly acting as fathers to illegitimate

children. This raises the question of whether there should be routine testing of all babies.

A recent survey showed that 50 per cent of women said that if they had a child from an affair they would conceal it from their husband. However, there are sound medical reasons for an accurate genetic history for every individual. Furthermore, children have a right to know who their biological parents are. It is inconsistent, when such rights are being granted to children born of IVF and donor gametes, that such rights are not available to all children through DNA-testing at birth.

No-fault divorce has led to a situation in which moral behaviour has been largely eliminated from all family law discourse. For the damage done to Liam and the three children, Meredith has in no sense been held accountable.

Neither the court nor the Child Support Agency properly addressed the parentage of a child when making a determination. As Janet Albrechtsen said: "By denying men the right to know and by not penalising the mother for deceit, we end up giving women the right to deceive."
(The Australian, March 23, 2005).

Lionel Murphy's Family Law Act of 1975 was intended to reduce bitterness between the parties when a marriage was terminated, but we may well think we have created something far worse.

The Magill case emphasises the need for us to rethink much of what we do today, but the nature of the amendments which the legislature must make to the Family Law Act can hardly fail to be a very divisive issue. Inevitably, feminists in parliament and in our community will fight against any attempt to give men the traditional Australian "fair go".

Charles Francis, AM, QC,
is a barrister and former member of the Victorian state parliament.

Lea Anna Cooper's book *Days of Tempest: The Liam Magill Story* is available from the author's web-site at: www.leaannacooperseastofeden.com

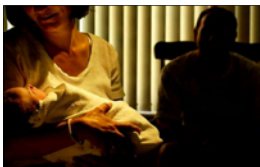
The Sydney Morning Herald

'Father' to go from birth certificates

Heath Gilmore
May 18, 2008

A CONTROVERSIAL new bill that will remove the word "father" from birth certificates to recognise lesbian couples who have children through IVF will be put before NSW Parliament.

Fifty laws across NSW covering the Local Government Act, Industrial Relations Act and the constitution will be amended to include new parental presumption protection for female same-sex couples.



The bill equates the position of a lesbian partner of a woman who has a child after becoming pregnant by a fertilisation procedure, other than sexual intercourse, with the position of a married woman's husband. Lesbian parents will see expressions such as "birth mother" replace "mother" and "both parents" to replace "the father and the mother" on birth certificates.

Lesbian parents will also be given protection for their children under workers' compensation,

inheritance law and parent-teacher nights at school. Schools will also be forced to recognise both partners in a lesbian couple as "parents".

However, a number of NSW Coalition MPs have deep moral concerns about the bill. On Tuesday the Coalition voted to give members a conscience vote on the issue. Shadow Attorney-General Greg Smith said some MPs were concerned that the role of fatherhood was undermined by the bill, which is expected to be debated this parliamentary session. It is understood Mr Smith proposed the conscience vote.

Minister for Women Verity Firth said the Opposition's decision to hold a conscience vote on laws to give equal rights to the children of same-sex couples was evidence of the Opposition's lack of leadership.

The conservative Australian Family Association is campaigning against the change.

Gay & Lesbian Rights Lobby spokeswoman Emily Gray said the changes would give children added emotional and financial stability.

THE Daily Telegraph

Aussie fathers laziest in world

By Ellen Connolly
May 18, 2008

FATHERS across the country will no doubt scoff at the suggestion but, compared to the rest of the world, they are downright lazy.

A study has found that dads in Denmark, France and the US devote many more hours to the physical care of their children than their Aussie counterparts.

"Australian men are not doing much compared to the rest of the world," Dr Lyn Craig, from the University of NSW, discovered.

"I think it shows how difficult it is for mothers here, especially if they want to participate in the paid workforce.

"They're really overworked."

Titled Father's Care, Father's Share: An International Perspective, Dr Craig's research focused on the gender gap between men and women in child rearing.

In all countries, women do much more child care overall than men.

"However, the difference is least in Denmark, where work/family policies are pretty generous."

Dr Craig, from the university's Social Policy Research Centre, said.

The US was next, followed by French fathers, then Italian.

In terms of overall time input with child rearing, Australian men do a quarter of what women do.

"They're low by world standards and it is quite inequitable," Dr Craig said.

Dr Craig also examined the type of care fathers gave to their children.

She found Aussie men spend 40 per cent of their time on interactive care such as playing or reading.

"They prefer to be hanging out with the kids, talking to them or reading.

"It's what's convenient for them. It's more fun to be talking and reading to kids than having to be schlepping them around, or feeding them."

"It's quite a different quality of care."



Sydney father-of-three Michael Costin does a great deal to help his wife.

As well as juggling his job as a fireman and running a motorbike business from home, he finds time to give his daughters a bath most nights, and read them a story before bed.

"I don't have a normal nine-to-five job, so it allows me to spend more time with the kids," he said.

Despite the inequity in child care, Dr Craig found Australian men worked much longer hours than many countries.

As a result, they were very rarely alone with their children.

"It's not really independent care. Dads are either reading or playing with the kids while the mother is doing bathing or cooking," Dr Craig said.

So how could Australia close the gender gap?

"Paid maternity leave would be a good start and affordable and accessible child care," Dr Craig said.

Canberra Chronicle

Men no longer ignored

By Sarah Parkes
March 18 2008



MEN affected by divorce and separation are joining together to offer each other support.

Confrontational workshops will start next month in response to the lack of professional resources available to men.

Robin Catton started the program after he found that many groups were not addressing the key issues.

Mr Catton said he lost everything when he separated and divorced 14 years ago.

"I lost my wife, car, house, kids and a well paying job as well - in six weeks I crashed," he said.

With 70,000 divorces in Australia each year, this is the story of many men.

Statistics also show separated men under 30 are at nearly nine times the risk of suicide.

"I have recovered now, that's why I believe this is valuable - I don't profess to help them, I confront them with the real things that are affecting them in their lives," Mr Catton said.

He said the amount of work for women and children in the same situation was to be commended, but that men needed their own kind of support.

His program addresses practical issues such as personal hygiene, cleanliness, bill paying, organising, the seven stages of grief, suicide, gambling, binge drinking, visiting prostitutes and issues surrounding the children.

Mr Catton, who tested the workshops in Melbourne, said when men are put in a social setting there was little talk of relationships, but in a workshop environment they tended to be less reserved.

The seminars were run on April 11-12 & May 2-3. Call Mr Catton on (02) 6230 9424 for details of any future seminars.



WorldNetDaily®

Daughter fails test, dad goes to prison Pop gets 6-month jail sentence for contributing to delinquency

Posted: May 11, 2008 © 2008 WorldNetDaily
Brittany Gegner (courtesy WCPO-TV)

A northern Kentucky man is in jail today – serving a 180-day sentence – because his 18-year-old daughter failed a math test and didn't get her General Equivalency Diploma, or GED, as a previous court order required.

Brittany Gegner, the daughter, says if anyone should be jailed, it should be her.

"It's like I should, if anybody should be punished for this," Brittany told WCPO-TV in Cincinnati. "I would way rather me go to jail than my dad."

Even Brian Gegner's ex-wife agrees the judge's decision is absurd.

"They probably should have punished me if they were going to punish anybody," said Brittany's mother Shana Roach. "Because she did live with me at the time, but because he had the custody, that's why he's being punished. But I don't understand the punishment altogether because she's going to school, she's been going for four months. The only thing that's holding her back is she can't pass her math test."

Butler County Juvenile Court Judge David Niehaus ordered Gegner to jail for contributing to the delinquency of a minor by not following a court order which required Gegner to be sure his daughter got her GED.

"It's ridiculously wrong," said Brittany.

"Of all the punishments they could have given him, to make him go to jail?" she asked. "I mean, probation – until I get my GED – would be reasonable, but to send him to jail? That's overboard."

The problems began when Brittany was 16 and started skipping classes at Fairfield High School and then, Butler Tech.

Though Brian Gegner had custody of her, Brittany says it was while she lived with her mother that she was truant.

"I'm about to be 19 and my dad's being punished for something I did when I was 16," she said.

Brittany has a daughter who's about 18-months-old. She says she's determined to pass the GED for her daughter – and her father.

The judge says if she passes the test, her father could get out of jail before his six-months sentence is up.

Brittany's stepmother worries the time in jail will ruin their family. She says he could lose the job he's worked for 15 years.

"I never dreamed they would put him in jail for this – for six months – it's crazy," said Stephanie Gegner, Brittany's stepmother.

"He has no control over what his adult daughter does," she said. "He just doesn't."

Court administrators say that even though Brittany is an adult now, the case remains active in their court because she was a juvenile when the problems started.



The Journal

Serving the Eastern Counties of West Virginia Since 1907

Bill would criminalize false abuse charges

By MICHAEL C. LEWIS / Journal Staff Writer
March 10, 2008

MARTINSBURG-Nine times, one aggrieved father says he fought to protect his name and his relationship with his daughters after he was accused of child abuse in a custody dispute.

The man, whose name we will not use to protect the identity of his daughters, said he is pleased that West Virginia legislators last week passed a bill that slaps criminal charges on those who falsely report child abuse or neglect in order to influence a custody case.

On Thursday, state senators passed House Bill 3065, after the measure met overwhelming approval in the House of Delegates last week. The bill charges those who makes a false abuse report with a \$1,000 fine, or forces the plaintiff to pay for the defendant's legal fees. The misdemeanor crime would also carry a punishment of up to 60 hours of community service.

The man, previously a resident of Huntington who now lives in Burlington, Ohio, said in 2003 and 2004, he was accused of breaking and entering, assault and sexual and physical abuse against his two daughters. Faced with serving at least one year in jail and losing custody of his daughters, the man fought the charges.

"They were never proven to be false. They were said to be 'unsubstantiated.' They found me not guilty. But I know I'm innocent. I want the satisfaction of knowing that on my record it was a lie, but I'll never get that," said the man, who said he spent thousands of dollars in legal fees to prove his innocence. "People have no idea how much time and money this wastes in the system."

In West Virginia, from March 2007 to March 2008, West Virginia Department of Health and Human Resources Child Protective Services received and did paperwork on 37,165 incidents of child abuse. From those, 26,904 cases were further investigated, said John Law, spokesperson for WVDHHR. Only 3,998 cases were found to be substantiated, or less than 20 percent of all investigated incidents.

"There are circumstances of false reports. If it's done intentionally, certainly it's wrong. But there are also circumstances where someone says something and it is later found to be unsubstantiated. It doesn't mean people lied, it means they reported in good faith something they perceived as child abuse," Law said.

"A lot of (cases) are proven to be unsubstantiated."

Law said HB 3065 is a bill DHHR will be looking at "very closely."

The lead sponsor of the bill, Delegate Jeff Eldridge, D-Lincoln, said that based on the statistics shown to him, the state spends as much as \$18 million per year investigating and processing false abuse allegations.

"So much paperwork and so many man hours are spent investigating abuse allegations and some of them lack sufficient evidence. This bill makes people follow through with their allegations. If they file charges, then there will be a hearing on it," he said.

Eldridge said the bill is a victory for people who truly are abused, and if passed, would save state taxpayers money.

"If the fathers or mothers are truly abusing the spouse, this bill will hold them accountable. At the same time, if they're not truly abusing them, then there will be penalties for whoever filed it. There are consequences to this behavior." Sen. John Yoder, R-Jefferson, voted in favor of the bill.

"I think it's only reasonable that people who deliberately make false reports of child abuse should be held accountable because it causes a very high degree of disruption to the family and encourages further fighting," Yoder said.

"We hold the people who go into the courtroom accountable for their words and we can charge them with perjury. I don't see why someone who swears out a false complaint should not also be held accountable."

Ron Foster, Region 4 coordinator for Men and Women Against Discrimination, or MAWAD, said HB3065 came about because more and more people have been using false allegations in Family Court to have one or more parents removed from the house.

"This is a huge issue. The children get hurt when false allegations are made because they're denied the opportunity to spend time with the parent at a time when they need the parent the most," he said.

The false allegation sets the stage for how much time the accused parent spends with the child after the alleged abuse occurs, and is a tool used regularly in cases involving sexual abuse, child abuse and domestic violence against the spouse, Foster said.

"This bill will definitely benefit child custody proceedings," he said. "We are wasting an inordinate amount of court time. We believe this bill will have a significant effect on the number of cases that go through the court system."

A study conducted in 2007 by MAWAD reviewed all requests and cases involving protective orders in Cabell County Family Court for 2006. The study determined that 76 percent of all cases were dismissed for one reason or another.

Berkeley County Family Judge Sally G. Jackson acknowledged that some of the allegations of

domestic violence that she hears are proven false, but said that doesn't mean the person making the accusation lied.

"What somebody thinks is domestic violence, I may not, and I may dismiss the case. But that doesn't mean they're lying," she said. "I have to say sometimes there are cases where it seems people file charges not for very good reasons."

Jackson said many times parents bring domestic violence petitions because a child says something about one of the parents and describes the incident different than it actually was. And what a child says to one parent may not be the same thing said to another parent, she said.

It's for this reason, Jackson said, that parents must communicate with one another.

"Generally, the first thing a parent should do if a child comes home from visitation (and says something happened) is call up the other parent to see what happened," she said. "Parents need to keep their lines of communication open. Parents get so wrapped up in hurting each other, that they forget they're hurting their kids."

For the man, the bill may be too little too late, but that's because he now lives in Ohio.

"I have little to no faith in the judicial system any longer," he said. "Every time I turned around I was being arrested for something I never did. I see how easy the system was to manipulate. I don't want this to happen to anyone else. I don't want someone to go through the hell I went through."

He described his relationship with his children as "great," but every now and then, he said, they ask him why he went to jail.

Now, he said he uses the experience as a teaching tool to show his children the problems that are caused when people lie.

"I use it to teach them to be honest," he said. "I went to jail because someone lied."

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TIMESONLINE

New dads to get crib sheets on the joys of parenthood

Rosemary Bennett

May 1, 2008

New fathers will be given wallet-sized information cards from today telling them their legal rights, and how to care for babies, when they visit maternity units.

The "Dad Cards" will tell new fathers that it is a myth that they are less sensitive towards babies than mothers, or that women have any special talent with children. It will also warn fathers not married to the mothers of their child to get their names on the children's birth certificates so that they are legally recognised.

They have been produced by a small group of fathers who run the dad.info website in defiance of the Government. The Department of Health has refused to endorse the scheme or make any financial contribution towards it.

Despite this, individual maternity wards have ordered thousands of the cards.

Senior officials at the Department of Health are reluctant to back initiatives that target fathers specifically, in case it offends the small proportion of single mothers who have no contact with the father.

The cards are being funded by advertising on the website and by sales to local authorities, some of which have bought thousands of the cards.

The cards will emphasise the importance of fathers being involved with their children, saying rough and tumble games help children become popular, and that those in contact with their fathers do better at school.

Readers Comments:

...reluctant to back initiatives that target fathers specifically... What about offending mothers and fathers in a partnership? The DoH is quite happy to target things specifically to mothers.

Greg, Surrey,

I must say, your government astounds me. Making sure new fathers understand their rights does not denigrate new mothers, unless your goal is to keep new fathers in their little corner as secondary parents good for one thing -- money, when mother decides to kick him out of the nest he paid for.

Rufus Peckham, Pittsburgh, PA, USA

The Department of Health is reluctant to give advice to fathers which tells them their rights, because the man-hating NuLab feminists who run this Government think that only mothers should have rights. Vote against the NuLab Experiment - It's the only way for men to get equality. Chris, Wokingham, England

DAILY EXPRESS
THE WORLD'S GREATEST NEWSPAPER

Breakdown of family life has ruined Britain

Tom Whitehead

Home Affairs Correspondent

April 5, 2008.

Family life in Britain is in meltdown on an epidemic scale, a senior High Court judge will say today.

In an extraordinary attack, family courts expert Mr. Justice Coleridge likens the level of breakdown to an out-of-control cancerous body.

He will say it has infected every level of society "from the Royal Family downwards" and is now more of a threat to our futures than terrorism or global warming.

Traditional family life no longer exists, he will say, before attacking the large number of single mothers where fathers take no part in their children's lives.

The family courts are witnessing a "never ending carnival of human misery."

The Government must take its share of the blame and is accused of "fiddling whilst Rome burns" for not doing enough to stop the rot.

It is a huge blow for labour who critics say have helped kill off traditional family values.

Mr. Justice Coleridge says judges have traditionally "kept their mouths shut" but the time has come for them to speak out publicly.

In a no-holes-barred speech, he says: "In some of the more heavily populated urban areas of the country family life is, quite frankly, in meltdown or completely unrecognisable".

"It is on an epidemic scale. In some areas of the

country even including the more urban parts of the sleepy west in which I operate, family life in the old sense no longer exists."

He insists he is "not knocking" single families with some parents doing a fantastic job.

"But a great many, perhaps, through no fault of their own, do not," he says. "A large number of families now consist of children being brought up by mothers who have children by a number of different fathers, none of whom take any part in their children's lives or support or upbringing."

Influence

He goes on: "The increasing incidence of family breakdown is at all levels of society".

"Every level of society from the Royal family downwards is now affected."

He adds: "Parents, whether married or not, are providing no consistent parental influence or authority over their children's daily lives and separating as a matter of course and as part of the ordinary experience of children as they grow up."

Mr. Justice Coleridge, who has 37 years of experience in family law, will deliver his damning speech at a conference in Brighton today, organised by family lawyers organisation Resolution.

And he attacks the Government for not acting effectively, while implementing cuts and policies that have subjected the family justice system to a slow death.

"What is it doing to halt the decline or even reverse it? The answer is: Very little and nothing like enough. It is fiddling whilst Rome burns".

"The Government's treatment of the system is nothing less than death by a thousand cuts."

The judge predicts: "The effects of family breakdown on the life of the nation and ordinary people in this country will, within the next 20 years, be as marked and as destructive as the effects of global warming."

THE TIMES

Vengeful mothers leave good fathers powerless to see child, says judge

Rosemary Bennett,

Social Affairs Correspondent

May 1, 2008

A senior judge spoke out against child access law yesterday, saying that the courts were powerless to help decent fathers to see their children if vengeful mothers stood in the way.

Lord Justice Ward made his comments after telling a father that there was nothing he could do to help him to reestablish contact with his teenage daughter who had been turned against him by her "vicious" mother.

The "drip, drip, drip of venom" poured into the daughter's ears by the mother included accusations of sexual abuse against the innocent father after the couple divorced, the judge said. The former wife's tactics were so successful that the daughter wrote to her father when she was 9 saying that she wished he was dead. The daughter is now 14. The identity of the family must be kept secret to protect her privacy.

Couples with children 'have to work THREE TIMES as hard as single mothers to stay above the poverty line', claims report

By **STEVE DOUGHTY**
6th May 2008

Couples with children have to work three times as hard as single mothers to stay above the poverty line, an inquiry found yesterday.

The findings back up claims of bias in Labour's complicated tax and benefits system.

A couple with children on the minimum wage must put in 48 hours of work a week before their income reaches the Government's official poverty line, according to the Joseph Rowntree Foundation.

But a single mother can reach the same standard of living with just 16 hours a week on the minimum wage, thanks to the effect of tax credits and other benefits.

The calculations are based on the Government's definition of poverty - households which earn less than 60 per cent of the national median income.

This average figure was calculated as £18,928 last year, meaning families earning £11,357 - £218 a week - after tax and National Insurance are officially living in poverty.

The level is adjusted depending on the number of children in a household.

Yesterday's report by the foundation, which has links to Labour, presents powerful evidence of bias towards lone parents in the benefits system.

It means that both members of a low-income couple with young children have little choice but to leave their children with relatives, childminders or in a nursery and go out to work.

If the mother is determined to stay at home, her partner faces the burden of working 48 hours a week - the maximum allowed under current legislation - to compensate.

Tories say that the system effectively encourages couples to split up.

Not only that, but the tax and benefits penalty for staying together is likely to increase without radical reforms to the welfare system.

In 20 years' time, if it is unchanged and if annual benefit increases continue at the present rate, low income couples will have to work an astonishing 72 hours a week between them to beat the poverty trap.

Tory Work and Pensions spokesman Chris Grayling said: "It is nothing short of madness in a country where family breakdown is becoming a real challenge to have a tax and benefits system that actually makes it attractive to live apart.

"If we are going to be serious about tackling family breakdown then this has got to change."

The most recent available figures showed that 200,000 more children have fallen below the

official poverty line.

Don Draper, a consultant to the CARE charity, said: "Well over half of all poor children live in couple households - 1.7million of the total of 2.8million. It is the Treasury that is failing these children. Their parents are doing all they can."

He added: "Until the Treasury will accept that it has made a fundamental mistake with the design of tax credits there seems little hope that there can be any long-term reduction in child poverty."



'I was better off before I got married,' says ex-single mum

Sarah Ley, who has three young children with her husband Adrian, has also experienced life as a single mother.

As a children's entertainer, Mr Ley earns an average of £12,000 a year, but last year he ended up taking home just £8,680.

His wife is a full-time mother to Laurie, nine, Lucie, seven, and Rowan, three. She chooses not to go to work because of the exorbitant cost of hiring a childminder to come to their rural home in Cherry Willingham, Lincolnshire.

The family receive financial help from the Government in the form of £491 a month in child tax credits and £55 a month in working tax credits.

But Mrs Ley, 42, believes the support they now receive is far less than the help she got when she was a single parent.

Before she met Adrian, 39, she was living as a single mother, bringing up her eldest children Leon, now 23, and Letitia, 18.

"I've seen both sides of the coin and I definitely believe that financially it was easier when I was single, because I knew there was this pot of money I could depend on," she said.

"During the summer months, we barely see Adrian because he's always at work."

In the busy periods, Mr Ley works more than 50 hours a week. But his income still cannot pay for foreign holidays for the family.

Mrs Ley added: "We don't drink, don't smoke, and very rarely go out - fundraising for the junior school disco is as good as it gets."

A little girl asked her father, 'How did the human race appear?'

The father answered, 'God made Adam and Eve and they had children and so was all mankind made.'

Two days later the girl asked her mother the same question. The mother answered, 'Many years ago there were monkeys from which the human race evolved.'

The confused girl returned to her father and said, 'Dad, how is it possible that you told me the human race was created by God, and Mom said they developed from monkeys?'

The father answered, 'Well, dear, it is very simple. I told you about my side of the family and your mother told you about hers.'



Office of the Status of Men and their Families

86 Giles Street Kingston ACT

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PhD on Mandatory DNA Testing

I have recently completed my Masters Degree in Legal Studies and have been fortunate in being able to undertake my PhD.

Having had the opportunity to converse with the key players in *Magill v Magill HCA 2006* my appetite has been wetted in the topic of Mandatory DNA Testing.

The working title of the thesis (60,000) words is:

**Your Daddy Ain't Your Daddy But Your Daddy Don't Know;
the need for Mandatory DNA Testing.**

It would be appreciated if you could forward any relevant information to my email address:

ja-mrboland@hotmail.com.au

All material will be treated with full confidentiality and will be subject to the University Ethics Committee

John Boland

0422 770 252



LONE FATHERS ASSOCIATION AUSTRALIA



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THE OFFICE OF THE NATIONAL PRESIDENT
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FOUNDER & SPOKESPERSON
MR. BARRY WILLIAMS. (BEM. JP. CMC.)
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Please photocopy or use this form, complete the details and post it with your membership fee of **\$30.00** to:

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Given Names:.....

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(If same, write "as above")

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(Never Married, Separated, Divorced, Grandparent, Widower, Social Supporter, other interested parent. etc.)

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	2.-	2.-
	3.-	3.-
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