

Father's Rights



It is often said that men outweigh women. Let's face it; the ingrained male stereotype sees the superiority of men over women in strength, endurance, intelligence... need I continue? But single father, Roy Peters, will tell you that these stereotypes work to a father's detriment when he dons a suit and steps into a family court room.

You don't often see a man cooking dinner, sewing on a button, using a vacuum cleaner or picking his children up from school. This appears to be why single fathers have to grit their teeth and accept the uphill struggle they will face when fighting for custody of their children.

While the Family Law Amendment (Shared Parental Responsibility) Act 2006 introduced the notion of examining shared parenting based on the 'best interests of the child', it seems that in reality the outcomes for children have been likened to a revolving door; "the child enters the court with two parents and leaves with one".

It appears fathers have been ostracised from their children due to what can only be called 'feminist jurisprudence' which raises the status of women, by lowering the status of men. It is not by best interest factors that fathers lose out, but by the view, still held in society today, that fathers are best suited to working and mothers are best suited to raising their children.



The above Act projects the idea of “equal shared parental responsibility”, allowing both parents to have a say in major decisions about their child’s life. The Act, while being perceived as a major step forward for fathers, is wildly deceiving. While fathers can now have a say in where their children go to school and what dentist they see, the Act does not mean in reality translate to a child spending equal amounts of time with both parents.

Nevertheless, it is clear society is changing, albeit, slowly. The number of single fathers raising their children increased in the last decade by 62 percent. This means a total of 16 percent of fathers now have their children living with them.

The story of fathers who want to raise their children is not one often heard. Roy Peters cannot stress enough about the importance of struggling through a court room battle. Roy, a shift worker, has two children with his ex-wife Sally. Sally believes she has more rights over the children as she ‘raised’ them whilst Roy was the breadwinner, seeing his children irregularly due to his shift-work. Nevertheless, Roy is a good father, watching his children play sport on the weekends and helping them with their homework when he was at home. Yesterday, the court ruled in his favour, allowing Roy’s children to live with him 3 out of 4 days per week.

The astonishing evidence of the necessity of fathers actively participating in their children’s lives confirms Roy Peters’ sentiment. Children who grow up without a father figure are twice as likely to drop out of school and 11 times more likely, than children from two-parent families, to exhibit violent behaviour. Shockingly, 72 percent of all teenage murderers grew up without fathers.

The story of another incredible father who was ready to stand up against society’s ingrained bias towards mothers is Andrew Thompson, whose heart wrenching story saw him travel from Australia to Europe to search for his son. In April 2008, Andrew’s ex-wife took his son out of Australia, ostensibly by reason of her fear of Andrew gaining custody. She and the child disappeared. Andrew immediately embarked on a desperate attempt to find his son, cycling across various European countries, looking for his son, who was eventually found two years later in Amsterdam.

While these stories show the dedication of fathers, it is clear that society needs to be demystified of the idea that divorced fathers are seen to be inadequate role models, workaholics or absent from their children’s lives. Myths about fathers consistently failing to pay their child support payments are unsubstantiated and wildly exaggerated, but these are the notions that lead fathers to be



seen as inferior in the eyes of society and the courts. Unfortunately, fathers often incur large legal fees to take a mother to court if she refuses to allow the children time with their father.

It is important that fathers know that the legal system is adapting to the transformative idea that single fathers are able and can raise children alone. Fathers must face this uphill battle because the children need their fathers actively involved in their lives.

