

and with these sorts of attitudes. The DCSG has already had a number of emails from Canadian men wanting to take up the offer from this clinic although it has had no involvement in this international drive for donors.

“ It is quite unacceptable to recruit Canadian men and bring them over to Australia and pay their air fares, accommodation and a daily allowance. It is also illegal.” Said Leonie Hewitt.

Most importantly it flies in the face of the spirit of the legislation which aims to allow children to know who their biological parents are and does not comply with the SW Human Tissue Act and the guidelines of the National Health and Medical Research Council and Reproductive Technology Accreditation Committee.

Source: The Sun-Herald December 7, 2003

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Battle of the exes

The battle for residence and contact between parents after separation and divorce is of course not unique to Australia. UK fathers who have to fight for every moment with their own children in the aftermath of break-ups claim that family law is becoming even harsher on men, write Anushka Asthana and Jamie Doward

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Shortly before he was arrested by a group of apologetic-looking policemen, Batman made a speech. ‘I can see my four children. But I did this for all the others that are going through the hell I suffered. If your house is on fire and all you need is a fire engine, the family court system would come and pour napalm over it.’ For Batman, aka Edward Gorecki, spending three days on the roof of the Royal Courts of Justice last week dressed in the garb of Gotham City’s most famous resident - and armed only with a plastic sheet for protection from the elements - was an act of desperation.

Along with his Robin - accomplice Jolly Stanesby - Gorecki donned a skin-tight outfit and climbed to the courts’ roof to unfurl a huge banner that read: ‘Caped Crusaders for Justice, Stop family law injustice today’. When they finally climbed down to cries of ‘We love you, Batman’ from their supporters below, the pair’s faces were tinged red, they were shivering and coughing uncontrollably, but neither of them could wipe the smiles off their faces. They believed that they had alerted the world to something they claim has long been overlooked: when it comes to equality, men are getting a raw deal.

One of the group of fathers outside the courts offered himself as an example. He has a young daughter. When she was two years old her mother stopped all contact between them, he claims, with no explanation. He took the issue to court and, after a six-month wait, was told that he could spend two hours once a fortnight, plus every other weekend, with his daughter.

He was forbidden contact with his daughter on any other day, despite living only three miles away from her mother who, he says, works part-time and receives benefits to help with child minding. He asked if he could look after his daughter instead of paying for a minder, but this was refused. Thinking it would help, he trained and became a registered child minder. He is now qualified to look after other people's children, but he is still allowed to see his own daughter only at designated times.

Welcome to the new sex war, a murky, Balkanised conflict fought on many fronts. Because of its deeply divisive nature, for every statistic suggesting that men are hard done by, there is another that will confirm the opposite, making attempts at any form of consensus almost impossible.

The argument splits into two separate, but related, strands - the financial and the legal. The latter centres around fathers who are incensed about what they see as the law's long-standing failure to recognise their rights to see their children.

The former, however, has emerged as an issue only recently as the courts, some now argue, have started to split divorced couples' assets on much more favourable terms to women than they did five years ago.

'In the last two to three years the case law has changed quite dramatically to give women a much bigger share of the combined wealth in the marriage,' said Toni Pincott of accountants Grant Thornton, which today publishes research showing that, in the majority of the

UK's 160,000 divorces each year, women receive 60 per cent of the assets, with men taking the remainder.

In 6 per cent of divorces, the accountancy firm found that women end up with 70 per cent of the assets. Only in 14 per cent of divorces are the assets split equally. In the vast majority of cases women get the house, its contents and the family pet. Men get the car and any investments.

Legal experts say it is simply a question of the UK playing catch-up. 'By and large we're moving towards equality and it's been pretty dramatic over the last two to three years. English courts are now the most generous to women in Europe - certainly at the upper end,' said James Ferguson, Head of Family Law at Taylor Wessing.

Some things, though, don't change. A straying partner is still the main cause of a divorce with 30 per cent of marriages ending due to affairs. In such cases the gender split was almost equal, with 45 per cent of women committing adultery, compared with 55 per cent of men.

But the legal and financial strands make for a curious tension. On the one hand, men increasingly feel they are taking a battering in the divorce courts. And certainly anecdotal evidence provides them with some ammunition. Pincott is a forensic accountant, someone whose job it is to uncover hidden assets. She says demand for her services has rocketed as more and more women seek bigger divorce settlements and hire experts to rake over every aspect of their husband's finances.

But on the other, while men are paying out more in the divorce courts, campaigners argue they are getting little in return when it comes to justice in the family law courts.

'Custody rulings appear to be based on the "sugar and spice and all things nice" school of biological determination rather than on

anything more significant. If a woman mothers a child, a warm universe of nurturing is conjured. If a man fathers a child, it simply implies nothing more than the swift biological function involved in the procreative act,' Bob Geldof writes in his new book, *Children and their Families*.

Geldof concludes the entire system needs an overhaul:

'When it comes to access to children, divorced men haven't a chance. Family law as it currently stands does not work. It is rarely of benefit to the child and promotes injustice, conflict and unhappiness.'

Last week similar sentiments transformed themselves into people-power when hundreds descended on Parliament to highlight the current system's inadequacies. One of the campaigners' chief concerns is that those mothers (and in more than 90 per cent of cases it is mothers who end up with the children) who deny fathers access are unlikely to be punished in the courts.

Judges take the view that prison sentences or fines are unlikely to help the children and as such access rights are routinely flouted. Government statistics show that every year the family courts make more than 50,000 enforcement orders but around half are ignored.

The campaign group Fathers 4 Justice, which mounted the Batman and Robin protest, says that as a result 100 men are losing touch with their children every day.

The group has a thick file of case studies to back up its claims. In the most extreme example, it cites the case of Mark Harris, who has had 133 orders broken by his ex-wife. Another man was sentenced to 84 days in prison for sending his son a text message on his fifteenth birthday - it was outside the times he was allowed to make contact.

It is the number of men telling stories of hardships that Fathers 4 Justice says leads it to take direct action about the cause.

But there is another aspect to this, showing the difficulties that women go through after divorce and highlighting of the methods used by 'militant' dads to make their point.

The domestic violence campaign group, Women's Aid, cites one case where a woman was allegedly surrounded by a group of men from Fathers 4 Justice who peered over her shoulder. They also point to the number of women who get dragged through court time and time again when they have good reason to reduce contact.

The Children and Family Court Advisory and Support Service (CAFCASS) refuses to hold talks with Fathers 4 Justice after its supporters painted the service's office doors purple and upset staff. 'I have no sympathy for them,' says Jonathan Tross, the chief executive of CAFCASS. 'I understand people who feel grief at the loss of their children, but they are going about it wrong.'

The group itself denies ever using intimidating techniques and instead says that its protests are fun that will get it noticed. Fearful of the financial and legal implications that divorce now entails, men's rights groups say that marriage is increasingly treated with hostility.

'I would avoid marriage if at all possible. I put all my property on the line and I don't see any advantages. It takes two to get married, but only one to get divorced. Why risk it? Cohabit instead,' said Jim Parton, of Families Need Fathers.

Male View magazine claims: 'Men who do get married are increasingly hesitant about having children, with the result that our population is now declining.' It is a startling claim, but emblematic of the way a significant, not to mention sizeable element, of the population now feels.