

DRAFT

MARRIAGES BILL

2022

Call for comment

Response

by

The Official Fathers 4 Justice
South Africa

to the request for comment
by the

Department of Home Affairs
on the draft marriages bill
2022

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STATEMENT ON VIOLENCE AND ABUSE.

The Official Fathers 4 Justice South Africa rejects out of hand all and any forms of violence, abuse, neglect, or harm, whether it be physical, mental, or both.

Irrespective of who the violator and the victim are, there is simply no justification for violence on any level, ergo we reject all forms of violence and abuse.

We do not only expect but demand that the perpetrator of violence, abuse, or any other form of harm must face immediate, automatic punitive maximum retribution.

We reiterate there is simply no justification for any form of violence.

However, it is our direct personal, lived experience daily, that the government, including but not limited to the state president, the government in toto with specific reference to the Departments and ministers of education, justice, social development, health, finance, safety, and security, do not have the political will at all nor do they have any intention what so ever to resolve the macro and micro economic, education, health social and societal issues that both men, women, and children experience daily.

The woke, feminist, socialist, Marxist, Leninist, Nazi, Maoist, communist, and postmodernist garbage that has been rammed down the throat of the average South African with the specific intent to destroy South African society with ideologies that have left over 160 countries ABSOLUTELY destroyed over the last 120 years is the direct cause of South Africa's social, economic, financial, legal issues that are a direct ignitor of the completely unacceptable levels violence in South Africa.

Throw in cadre deployment, woefully incompetent government ministries, ministers, and a bloated unmotivated civil service to boot.

The fact that these collective ideologies have never worked anywhere, and the South African government continues down this path of absolute destruction shows that the state is exceptionally, and extremely happy to see the violence and abuse continue unchecked.

ABOLITION OF THE FAMILY

Communism Marxism, Postmodernism, Nazism, Maoism, Leninism, and fascism all have the same objective

Karl Marx said as much In the Communist Manifesto of 1848, in which he called for the ABOLITION OF THE FAMILY.

They (the communists) quickly realized that the way to completely change society was to destroy the most important civil society institution, **THE FAMILY**.

The above ideologies used feminism as a tool to assist them in destroying the family unit. Feminist Linda Gordon said, *“The nuclear family must be destroyed... Whatever its ultimate meaning, the break-up of families now is an objectively revolutionary process.”*

Feminist Mary Jo Bane said, *“In order to raise children with equality, we must take them away from families and communally raise them.”*

According to a responding affidavit to the equality court by the Family advocate in the Von Ginkle Louw et al case circa 2010 – 91% of children are awarded automatically to the mother post-divorce or separation.

According to the minister of the Department of Social Development Lindiwe Zulu on the Youth Day celebrations, 16 June 2021, 92% of children are automatically awarded to the mother post-divorce or separation.

It has come to F4J SA's attention that SASSA grant personnel are telling rural women/mothers NOT to seek maintenance from the biological fathers but to rather get grants from the government, thus removing the necessity according to the government to the relationship between father and child.

Thus reaching the agenda of the communist, Nazis, fascists, and femanzis of destroying the family unit, the community, and society in South Africa.

F4J SA has contributed to the research and is waiting for the formal official publication of the research. Once received we will distribute it.

Changes that were made this year to the foster care portion of the children's act that is currently in ascension to be passed into law by the state president will allow for children to be summarily removed by social workers from mothers where

1. The reason for removal will be arbitrary
2. The mother will have zero right of recourse to swift resolution and restoration if deemed in the best interest of the children to her children

When it comes to the father of these children, the social worker, the Department of Justice et al will have zero responsibility or accountability in

1. Locating
2. Informing

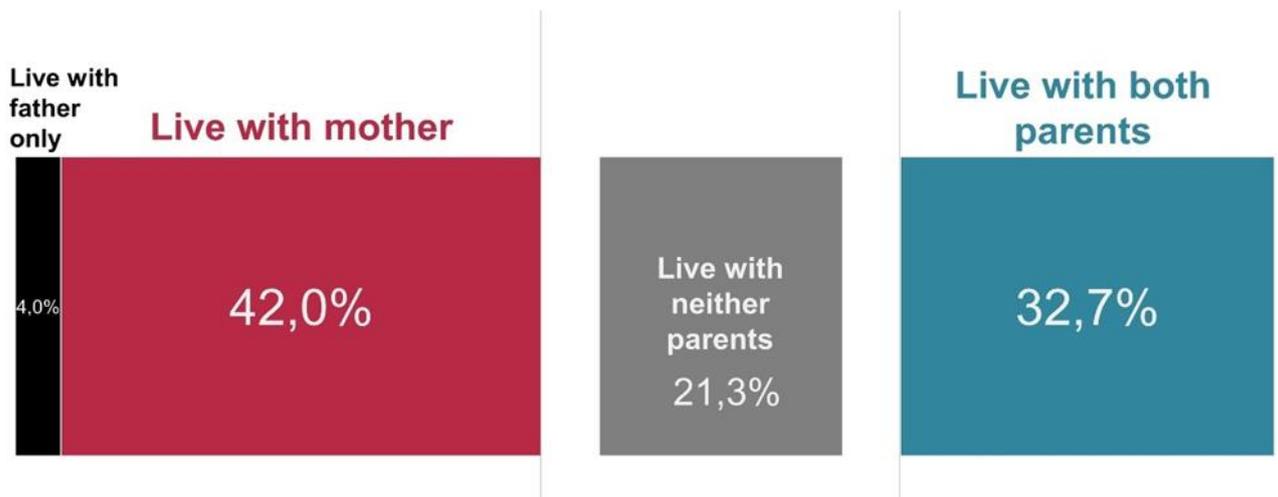
3. Or offering the father an opportunity to fulfill his rights and responsibility to his children.

South Africa is already sitting with a 65% to 70% fatherless rate in South Africa. The changes to the foster care portion of the Children's Act will result in the next 5 to 10 years of a 70% motherless rate in South Africa.

In the next 5 to 10 years South Africa is going to become the largest orphanage in the world with the direct intent for the state to supply children to the pedophile, child sex slave, and organ harvesting trade.

About one-fifth (21,3%) of all children in SA did not live with their parents.

Percentage of children aged 17 and less by living arrangement , 2019



Source: General Household Survey, 2019

It could be argued that if the South African COMMUNIST, ANC government, and feminism actually cared about helping all women, it would advocate for father involvement, so no daughter would grow up disadvantaged and every son would be a strong and capable partner to those daughters. Yet, all the while the South African ANC government and feminism purport to be the movement for equality, it is at best silent when it comes to father's rights.

THE PURPOSE OF THE OFFICIAL FATHERS 4 JUSTICE SOUTH AFRICA (F4J SA)

The Official Fathers 4 Justice South Africa has been in existence circa 2002.

We campaign for the rights of the child irrespective of its parent's

1. marital status or unmarried,
2. duration of relationship
3. culture,
4. tradition,
5. religion
6. or other norms and practices

In the absence of verifiable, quantifiable, measurable violence to have an automatic, joint, equal shared, 50/50, contact, care, guardianship, and maintenance with by and of both parents at all times.

Any parent, parent, person, or entity that attempts in part or in whole to deny the CHILD its inherent right must automatically be charged with and receive an automatic direct sentence.

WHAT F4J SA PROVIDES.

WE ARE ALL EQUAL BEFORE THE LAW – ONE PARENT'S RIGHTS DO NOT EXCEED THOSE OF THE OTHER PARENT AND THE CHILD.

Fathers 4 Justice has its own internal fully functional mediation and litigation department that operates on a national and international basis.

Fathers 4 Justice has a dedicated team to assist you nationwide with all your mediation and litigation requirements.

Remember the primary objective of Fathers 4 Justice South Africa has always been to get THE FAMILY (THE FAMILY = both parents and the children) in and out of the legal justice system as efficiently, expeditiously, and cost-effectively as possible.

Mediation will always be our preferred first point of departure – It is the mature adult thing to do and allows for the healing process to begin – we can not stress this enough – Mediate DO NOT Litigate – it is better to catch a bear with honey!

Our mediation department that operates countrywide is a highly degreed and highly skilled team of mediators that delivers. They are extremely capable of handling and amicably RESOLVING high-profile and high-conflict situations.

We have an in-house litigation department that is beyond capable of assisting with all matters regarding family law, we also handle all commercial, civil, and criminal matters as part of the separation process – F4J SA can assist you with your civil, commercial, and criminal matters that fall outside of your family related issues.

F4J SA will always first attempt to catch the bear with honey in our litigation matters – it is always better and displays a high degree of maturity to negotiate an amicable settlement!

Fathers 4 Justice South Africa's growing number of continued successes are indicative of providing a long-lasting solution to our members and broader family and community – we are quietly and fast becoming a force to be reckoned with.

What is it that the Official Fathers 4 Justice South Africa offers?

1. Activist role in society
2. Handling of individual cases both through mediation (preferably) and/or litigation.
3. Telephone consultation
4. Review of your case
 - a. Do we mediate or litigate
5. Put you in the driving seat – eventually, you will not need us!
 - a. To control your legal fight
 - b. This allows you to control your legal costs
 - c. To drive down the overall litigation cost

- d. Demystify the court process for the common man and woman
- 6. Get you and your whole family (both parents and children in other words the family) in and out of the legal justice system as efficiently, expeditiously cost-effectively, and timelessly as possible
- 7. Tried and tested conciliatory methods to prevent or bring a swift end to court proceedings (may require some litigation)
- 8. Mediated settlement
 - a. Counseling of both parties before the commencement of mediation
 - b. Mediate both divorce and parenting plan
 - c. Mediation for parent plan only
 - d. Mediation of divorce only
- 9. Assist in a proper workable/ executable parenting plan together
- 10. In the event of failure to mediate
 - a. Process forward
 - b. Issue of failure to mediate certificate – with reason or reasons as to why meditation failed
 - c. Handing your case over to our litigation department
- 11. Concluded mediated divorce/parenting plan Making your parenting plan official
 - a. Submitting it to the family advocates office for endorsement
 - b. Submitting to family court to be made a final order of court
- 12. Expert assistance in court at a fraction of the cost of a Lawyer or Advocate
- 13. Experience in more than 3000 contact, care, guardianship, and maintenance cases
- 14. Children cases, false allegations, denial of contact, and finance
- 15. Hauge applications for children removed/abducted to international countries
- 16. Conduct the voice of the child to be presented court
- 17. Parenting coordination
- 18. Supervised visitation to include
 - a. Protocol
 - b. Conduct of all parties
- 19. Private Detective / Investigations
- 20. Cases involving social services
- 21. Child Abuse Cases
- 22. Litigation assistance in matters that include Criminal, civil, and commercial legal issues
- 23. Protect you from corrupt lawyers, psychologists, Family Advocates, Public Prosecutors, Child Psychologists, etc
- 24. Appeals at all levels through to the constitutional court
- 25. Expert assistance with all documents including statements, heads of argument, letters, etc
- 26. Full emotional support
- 27. Highly effective advice on managing relationships with authorities such as the police, schools, and social services
- 28. Telephone and E-mail support

The objective of Father's 4 Justice South Africa has always been to get families in and out of the legal justice system as quickly, efficiently, and cost-effectively as possible for your whole family- it's taken me 20 years! WE ARE NOW achieving it. We are delivering on our promise!!!!

Please note that our service is proprietary and unique to The Official Fathers 4 Justice – we operate well within the law and what is legal. There is no lawyer (ask yourself why) or other father's rights, Mother's rights, or parent's Rights organization that offers what F4J offers in South Africa.

We can demonstrably prove that we provide the services offered above with a growing body of our ever-increasing success rate.

The ball is now in your court!

*** WE DO INDEED CHARGE FOR OUR SERVICES AT SIGNIFICANTLY PREFERENTIAL RATES.**

WHY IS F4J SA RESPONDING?

The current state of the legal justice system, with specific reference to family law, is a complete shambles. When F4J SA started some 20-odd years ago, the average divorce, parent, contact, and maintenance plan was costing somewhere between R 300 thousand and R1,2 Million per individual parent over a 5 to 8-year period.

Today the average divorce, parent, contact, and maintenance plan is costing somewhere between R R 1 million and R5 Million per individual parent over a 5 to 8-year period. For the average parent to walk away in the same condition or worse off when they started the legal battle.

Those parents who can afford this money are in the minority so it tells us that the vast majority of South Africans are automatically excluded from any form of justice.

Entre into the scene lawyers, psychologists, and social workers deliberately exacerbate the situation for personal financial gain and we have the current high conflict, expensive situation playing out across courts in South Africa. These so-called experts are referred to as the child-abusing divorce industry specialists.

F4J SA has its own internal mediation and litigation department, We are getting the FAMILY in and out of the legal justice system at a fraction of the cost between 6 weeks and 4 months. We are currently experiencing a 100% success rate.

We as F4J SA stopped recommending lawyers, advocates, psychologists, and social workers some 3 and half years ago as the child-abusing divorce industry simply DO NOT provide the services as advertised.

If one is to look at the myriad business models of how companies are constituted and those companies provide or deliver those products and or services, and are paid for by the customer the ONLY business model that fits the child-abusing divorce industry is a con job (illegal confidence trick or confidence tricksters or confidence or scam artists). There is no other model that fits the business description that members of the public are paying these so-called professionals such an inordinate amount of money (that automatically precludes or excludes the vast majority of South Africans) for absolute zero delivery of services.

We drive mediation as the main point of departure as it is the adult thing to do, and allows for the WHOLE FAMILY to effectively conclude the divorce and parenting plan, which has the immediate effect of allowing for the WHOLE family to move on efficiently, cost-effectively and allows for the whole family to quickly start the healing process.

Unfortunately, as a direct result of and because of corrupt lawyers, advocates, psychologists, social workers, incompetent family advocates, and overloaded family court and court system in general the vast majority of our members are forced to go immediately to litigation.

If the lawyers and judges in South Africa bothered to provide a half-baked mediocre service to the public. F4J would have no reason to exist and provide the services we do. We exist BECAUSE OF

incompetent, corrupt, derelict-of-duty, lawyers, advocates, psychologists, Family Advocates, the court system, judges, and magistrates.

As the Official Fathers 4 Justice South Africa we have ABSOLUTELY NO FAITH in the South African government to conduct itself in the best interest of the

1. Child
2. Parents (both mother and father)
3. The family
4. The Community
5. Society as a whole

Significant, more direct single SIMPLIFIED legislation must be put in place as a matter of urgency that removes the ability of the child-abusing divorce industry along with magistrates and judges to play games with the lives of the people of South Africa.

WHO HAS F4J SA BEEN IN CONTACT WITH?

Departments and Commissions engaged thus far by Fathers 4 Justice South Africa circa August 2019

1. The State President – No Acknowledgement of receipt of the letter to the state President – The Presidential Hotline Indicated on the 22nd of May 2023 that it was still investigating the matter – No formal response has been received – no further correspondence has been received.
2. The Department of Justice – In response to our letter to the State President et al, we were contacted in mid-2021 where we were asked to provide a case number as indicated to them this is not one specific case – this is multiple cases potentially in the millions – Acknowledgement of receipt of the letter to the state President – the Presidential Hotline Indicated on the 22nd of May 2023 it was still investigating the matter – No formal response has been received
3. The Department of Social Development – Has abandoned reforming fathers' rights and responsibilities concerning their children – I can send you their specific formal response in this regard
4. The Family Advocates office – No Acknowledgement of receipt of the letter to the state President – The Presidential Hotline Indicated on the 22nd of May 2023 it was still investigating the matter – No formal response has been received
5. The Legal Practices Council – To date no response of receipt let alone a response has been received
6. The Human Rights Commission Of South Africa – We are formally engaged with the HRC and meet approximately fortnightly for about 2 months.
7. The Commission for Gender Equality – We did research with the CGE circa October 2019 where we as F4J advised them that sections 19, 20, and 21 were indeed unconstitutional. The CGE in their report delivered mid 20/21 agreed with us that indeed sections 20 and 21 were unconstitutional in their report when Relations disentangled (see copy attached) We have Formally engaged directly with the CGE and it is hoped that between the HRC and The CGE, they can collaborate with us.
As of the writing of this response, no formal engagement has been received.
8. The Law Reform Commission – They have finally after many attempts engaged us. We have met and are waiting for them to include us in discussions with the direct intent to change legislation.
9. Department of Women, Youth, and Persons with Disabilities (DWYPD) – We presented to the parliamentary portfolio committee – It is patently obvious that the department has already reached a foregone conclusion and wants to promote the false narrative that it is only women and children that are abused and men are the sole perpetrators.
10. The Western Cape Commissioner for Children – we have engaged them successfully. This is a pilot commission being tested in the Western Cape. However, it was clearly understood that unless there was an issue specific to the western cape they could not assist us. It is hoped that the Commission for Children will be rolled out on a national basis.
11. National Movement of Rural Women (NMRW) – A formal interview was conducted by NMRW on the 28th of March 2023 – It was discovered during this interview that there were a lot of commonalities and that we would cooperate going forward. The NMRW has had a formal meeting with its board to accept its findings thus far and for permission to proceed with additional research. It has also had one formal meeting with the Law Reform

Commission where we were advised by the MNRW that they would request F4J to be included in said deliberations

12. 140 No. 45616 GOVERNMENT GAZETTE, 10 December 2021 PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA NOTICE 709 OF 2021 MR MOGAMAD GANIEF EBRAHIM HENDRICKS, MP NOTICE OF INTENTION TO INTRODUCE A PRIVATE MEMBER'S BILL AND INVITATION FOR COMMENT ON THE DRAFT BILL, NAMELY THE MAINTENANCE AMENDMENT BILL, 2021. – no acknowledgment of receipt or response to date.
13. UNICEF - SPECIAL PROCEDURES 221214 Response by The Official Fathers 4 Justice South Africa in regards to the Call for inputs Custody cases violence against women and violence against children
A report was delivered to the United Nations on the 23rd of June 2023 by the radical feminist Reem Alsalem.
Alsalem's a VIOLENT FEMINIST who promotes the abuse of women and children, in her original request for input into the Call for inputs – Custody cases, violence against women, and violence against children to the UNITED NATIONS, was excessively gender biased against men and already had come to a pre-determined conclusion that men exclusively using PARENTAL ALIENATION SYNDROME (PAS) to further abuse women and children. This can not be further from the truth.

Asleems findings were

1. Not released before her presentation to the UN on the 23rd of June 2023
2. It was not peer-reviewed
3. Her findings were pseudo-science at best, violently gynocentric, misandrist, filled with complete lies, deceit, and dishonesty, and extremely gender biased against men with the specific intent to abuse children.
4. The interpretation methodology, matrix-specific data analysis, or how she came to her conclusions was non-existent.
5. PAS organizations that recognize PAS for what it campaigned extensively to present a counter to Alsalem's patently flawed fake findings were not afforded to these psychological specialists.
6. The UN did NOT adopt her findings
7. It is as a direct result of charlatans like Alsalem that PAS is not formally recognized in the DSM-V, and ICD11. As a direct result of this, she has with her actions exposed children to direct and present harm
8. PAS is NOT a pseudo since and affects both parents, it is NOT a gender-specific parent and child abuse.

MARRIAGE'S ACT

There is a myriad of acts regarding or about relationships, marriages, divorce, and children.

These inconsistent acts allow for the child-abusing divorce industry to confuse, and abuse clients with unnecessarily protracted litigation that in 100% of the cases is most certainly NOT in the best interest of the children, the parents, (both mother and father) the family, community, and society at large.

Throw into the mix a plethora of relationship styles, cultures, traditions, religions other norms, and practices and we have the disaster that we are not waiting to happen **BUT HAS ALREADY HAPPENED** to the average South African experiences today.

The auspice of the following acts, overreach but, is not limited to the following acts

1. The Children's Act of 2005 as revised in 2010 (was under review by the Department of Social Development from October 2019 to 2023, but has subsequently been abandoned by the DSD)
2. The Marriages Act
3. The Mediation and Certain Divorce Act
4. Traditional Marriages Act.
5. Maintenance Act
6. South African Schools Act 84 of 1996
7. Youth Criminal Act
8. The Domestic Violence Act
 - a. Has been weaponized by the government and the femanzis during the divorce and separation process with the specific intent to abuse children and automatically remove the father's constitutional, legal, financial, and psychological rights from, and to their children. F4J knows specifically that mothers are advised by lawyers to make false allegations to destroy severe, and alienate fathers from their children but pursue the same father for maintenance for a child that they once had a daily physical loving relationship with.
 - b. Allegations are now able to be made online 24 hours a day with ZERO proof.
 - c. Between 52% and 90% of all protection orders issued in South Africa are based on fake, false, or non-existent evidence.
 - d. A magistrate must issue a protection order within a 3% probability of an event taking place, this means that there is a 93% probability of error.
 - i. Men's lives are ruined
 1. Financially
 2. Legally
 3. Economically (employment)
 4. Emotionally
 5. Psychologically
 - e. Fathers for the last 6 months specifically out of the Randburg magistrates court are arrested and then it is up to the mother's discretion if the father is released or not. It will not be long until this is employed around the country.
 - i. 70% of all violence is men on men.

- ii. 83% of all domestic violence is instigated or started by women (British psychological research team circa 2013)
- iii. Over 300 research papers have been produced since the 1980s (see references below) that state that domestic violence is perpetrated on a 50/50 basis Male vs. Female, and Female vs. Male.
Of that domestic violence 10% ends in death. On average 70% of the deaths are male. Should you want to see this please call for it
- iv. Domestic violence has NOTHING to do with gender and everything to do with the abuse of alcohol. The higher the rate of alcohol abuse the higher the rate of domestic violence.
 - 1. South Africa was the single largest test group ever in the world with an exponential drop in domestic violence because of the ban on alcohol during the covid virus lock lockdowns 2020 to 2022.
- v. There is no such thing as GENDER-BASED violence
There is only HUMAN-BASED violence.
However, it doesn't matter who the perpetrator is and who the victim is
- vi. No matter what violence of any sort is completely unacceptable and is not a solution to any dispute.

DIVORCE

Divorce in South Africa is overtly complicated by the child-abusing divorce industry.

There are too many Acts that regulate relationships, marriage, divorce, child care, and responsibility.

Divorce is unnecessarily costly because of child abusive divorce industry.

The duration to settle a divorce is unnecessarily protracted because of the child-abusing divorce industry.

People who can not afford the high cost of divorcing in South Africa invariably have poorly constructed divorce settlements. These then result in continued unscary conflict.

As mothers are automatically awarded primary care in 92% of primary care cases, they are unable to provide and maintain their children properly,

This is exacerbated by poorly constructed maintenance plans, because of a corrupt court and maintenance system, a useless South African education system, and poor economic and work prospects resulting in high conflict and the father's ability to adequately provide for their children. Conversely, the court system is set up in such a way that fathers **MUST BUY** time to visit their children through the corrupt maintenance and court system and are forced to pay completely unrealistic maintenance for exceptionally limited contact.

Compliance by fathers to maintain their children is directly affected by the unrealistic amount of maintenance and the restricted contact a father has with his children means the likelihood of compliance by fathers to pay maintenance declines exponentially.

The persons to be blamed for this are the child-abusing divorce industry's so-called experts who create completely unrealistic and unattainable expectations in mothers. Then a violent conflict plays out in court where fathers are raped of money by uncaring, unscrupulous maintenance officers, judges, and magistrates. The only way a father can get around unreasonable maintenance issues is by hiring a hired gun to go in and obliterate the mother and pay limited to no maintenance.

The child-abusing divorce industry, along with maintenance officers, magistrates, and judges has lost sight of the purpose of maintenance.

There is a myriad of issues relating to divorce.

1. Unnecessary protracted conflict
2. Unnecessary costs associated with divorce
3. With regards to Rule 43 lawyers and advocates originally could only charge a maximum of R10 thousand in fees. This has been subsequently removed which allows for lawyers and advocates to play unnecessary legal games and waste the court's time to extract the maximum billable hours possible.
4. Failure to mediate settlements as described in the Children Act Clause 21 and 33, the Divorce Act, and New High Court rule 41 a
5. Where members of the public have reasonable access to funding and even if they don't they are drawn into a game of financial obliteration over the longest period possible by the child-abusing divorce industry.

6. Persons who do not have the economic means with all are simply thrown to the wolves and have ZERO access to proper sound legal assistance and guarantee of justice. Legal aid is a joke.

CHILDREN

The objective of child-abusing divorce with the direct assistance of government including but not limited to the departments of Education, Social Development, Finance, Justice, Safety and Security, is to destroy children. Lawyers, advocates, psychologists, and social workers are nothing more than educated emotional and psychological pedophiles.

We as F4J SA have absolutely no faith in the government and the child-abusing divorce industry to conduct itself in the best interest of the

1. CHILDREN
2. Parents (both mother and father)
3. The family
4. The Community
5. Society as a whole

The government and the child-abusing divorce industry HAVE FAILED SOUTH AFRICA.

Remember organizations such as F4J SA exist in South Africa to clean up the mess that YOU! Have created.

We as Fathers 4 Justice are demanding that

Irrespective and irrelevant of the following impediments

1. Whether the parents had a one-night stand
2. Cohabitated did not cohabit
3. Married
4. Culture
5. Tradition
6. Religion
7. Biology
8. Gender
9. Other social norms and practices

The child must automatically have joint equal shared 50/50 contact, care, guardianships and maintenance with by and of both parents at all times.

It must be specifically stated that there is not one parent who has superior rights and responsibilities to the other parent. It must be specifically written and stated that both parents Irrespective and irrelevant of the following impediments

1. Whether the parents had a one-night stand
2. Cohabitated did not cohabit
3. Married
4. Culture
5. Tradition
6. Religion

7. Biology
8. Gender
9. Other social norms and practices

Both parents MUST AUTOMATICALLY ASSUME FULL AUTOMATIC RIGHTS AND RESPONSIBILITIES TO THEIR CHILD's care, contact guardianship, and maintenance from birth.

Any parent that unilaterally removes the rights and responsibilities of the other parent, where no just cause exists, must automatically be deemed an inferior, unfit, and abusive parent and MUST AUTOMATICALLY be charged for child abuse.

Should there be violence, abuse, neglect or where one parent displays a material threat or danger to the other parent and or child? This must be investigated within 24 hours. An interim protection order must be issued. Within 7 calendar days, the incident must be investigated and a proper cause of action must be defined.

1. A protection order must be granted or
2. The allegation must be dismissed and the false accuser and his or her lawyer must automatically be charged with perjury.
 - a. 1ST offence they must receive a fine
 - b. 2nd offence they must receive a direct 5-year imprisonment
 - c. 3rd offence a direct 10-year imprisonment

as currently prescribed for perjury.

According to stats that F4J SA has, between 52% and 90% of all domestic violence or protection orders are issued based on false, fake or non-existent evidence.

Mothers ARE INDEED advised by their layers to make false allegations against the father. DV or PO orders have been weaponised and are specifically issued to destroy fathers with the direct intent to destroy, sever and alienate the father from the child.

Parental Alienation Syndrome MUST Be classified as the emotional coercive psychological mental physical sexual abuse of a child.

The parent along with his/her lawyer advocate, psychologist, social worker etc. must automatically receive direct imprisonment and the presiding judge or magistrate must have no discretion in applying the sentence.

As the contact, care guardianship, and maintenance are automatically assumed and shared from birth the only thing that needs to be MEDIATED must be the logistics and amount of maintenance and how it is going to be paid and to whom.

When a relationship ends the parenting plan irrespective of whether the parents were married or not should NOT, take longer than 90 calendar days from the date of separation to be endorsed by the family advocate and finalised as a final order of the court.

We as Father's are done – we are done with the games

FATHERS ARE SIMPLY NOT THE PROBLEM ANYMORE.

ASSETS

Where the couple have, had a one night stand, or cohabitated, or had a child out of wedlock ergo there is some form of relationship. Any assets accrued in that relationship and there is no formal agreement then all assets accrued must be shared or distributed equally.

Any couple in a relationship whether formal, informal, cultural, religious or traditional should by default be instructed to have a formalised agreement around assets.

All division of assets must be mediated, should mediation fail it must automatically default to arbitration.

When a relationship ends any distribution of assets should not take longer than 90 calendar days from the date of separation to be finalised as a final order of court.

MEDIATION, ARBITRATION AND COURT

While mediation is considered in the Divorce Act and Children's Act and insisted on in new high court rule 41a, mediation is rarely used, it is used as an information-gathering exercise by lawyers and there is no incentive for couples to mediate.

It beggars belief that magistrates and judges have at their disposal a very effective tool to drive down the conflict, unnecessary wasted time of the court, and the cluttering of the court roll. One can only deduce that the failure by magistrates and judges to literally drive down the mayhem that plays out in their courts means that they are complicit and assisting lawyers and psychologists, etc to deliberately drive up and maximize billable hours and are therefore receiving kickbacks from lawyers etc. This is the ONLY logical conclusion that one can make. Why would judges and magistrates want to burden themselves otherwise with such cases?

The Hoexter Commission circa 1980 made recommendations that there needed to be a labour and family mediation and arbitration facility for South Africa.

Today we have the Labour Court and CCMA and the Family Court and Family Advocates office.

By all accounts, the Labour Court and CCMA appear to be the only government entity that on the face of it appears to be working very well.

The same CAN NOT be said for the family court and the Family Advocates Office.

The following is what we as F4J SA are told by dads daily about the family court and family advocates office.

1. Blatantly and openly hostile towards fathers
2. Gender biased
3. Misandrist
4. Gynocentric
5. Delayed reports
6. Family advocates and magistrates deliberately refuse to hear or let fathers enter evidence into the record
7. 91 to 92 % of children are automatically awarded to the mother
8. Fathers are reduced to visitors to their children based on the instruction of the mother
9. Mothers deliberately enter false fake or non-existent evidence of violence to deliberately destroy severe and alienate fathers from their children
10. Fathers have to go for 4, 5, and 6 psychological evaluations that cost anything between R 30 and 500 thousand rand.
11. These psychological reports are biased and, inconsistent, and even when these reports exonerate the father, it is then dismissed by the mommy's lawyer, and another evaluation is demanded at the dad's expense
Lawyers and psychologists collude with one another to get the desired outcome
12. Reporting lawyers, and psychologists to their prospective regulating bodies is a waste of time
13. Maintenance is not based on the reality of the father's earnings. Magistrates and maintenance officers do not have any understanding of basic mathematics
14. Maintenance is used as a tool to destroy the relationship between father and child.

15. Fathers are forced to pay completely unrealistic amounts of maintenance to the mother to buy exceptionally prescriptive, restricted time with their children
16. Maintenance is then used for everything but the maintenance of the child
17. We have fathers being regularly hauled back to court to have additional money blackmailed and extorted out of them for items and services that they have already paid maintenance for.
18. Maintenance is a weaponized tool that is employed by lawyers, judges, magistrates, and family Advocates to destroy fathers financially and economically.
19. In South Africa, maintenance has NOTHING to do with maintaining the child and everything to do with enriching the mother, abusing and destroying the father financially and economically.
20. A deliberate exchange of volumes of correspondence that is unnecessary and highly confrontational between both parties' attorneys that deliberately enflame, prolong, and generate billable hours for both parties
21. The average divorce and parenting plan takes on average between 5 and 8 years and costs on average between R 1 and 5 million per individual parent.
22. Fathers in the main are forced to walk away once they have been financially, legally constitutional, and psychologically abused by the system to end up the same as and in 99, 9% of the cases worse off than when they started.
23. The president then has the gall, the audacity to want to complain about absent fathers.

F4J SA exists not in spite of but BECAUSE of the system that has been gamed to destroy them.

FATHERS ARE SIMPLY NOT THE PROBLEM!

Mediation is advised and as F4J SA we push mediation, Unfortunately by the time the vast majority of fathers get to us it is too late for mediation.

We therefore demand that

1. Mediation to settle divorces and parenting and maintenance plans
2. Must be automatically mediated or no alternative but to be mediated
3. Should mediation fail it must automatically default to arbitration
4. A mediated settlement must be sent and finalized within 90 days of the couple separating
5. PLEASE NOTE AT THIS TIME we do not care to hear the objections of lawyers, psychologists, etc. It is as a direct result of their conduct that divorce and contact, care and maintenance plans are delayed with completely unnecessary delays, wasted time in court, and completely unnecessary costs. Lawyers etc. MUST be excluded from family law – they are the problem, the whole problem, and nothing but the problem. These vacuous vacumes do not add ANY value to what is a very traumatic time in most people's lives with the sole intent of creating the maximum amount of billable hours
6. Exceptionally prescriptive automatic conduct of lawyers and psychologists must be implemented with very prescriptive timelines, and automatic, immediate sanction be brought against them should they fail to comply
7. F4J SA has provided numerous commissions and governing bodies with a very detailed process and procedure as well as the changes that need to be made to the acts for the desired outcome.

SOLUTION

We are therefore demanding that within family law, and the various marriage and divorce acts and children's Acts the following happens

1. That the various acts are amalgamated into one single Act or document
2. Irrespective of whether the couple had a one-night stand or have lived as a formally married couple for the last 70 years this act encompasses all aspects of relationship types, styles, religion, culture, and tradition.
3. This act should be known as the Family Act
4. Within this act irrespective of relationship types, styles, religion, culture, and tradition it must be expressly written / detailed that both partners and parents are considered equal and automatically share equal rights and responsibilities and that it is automatically a given that neither partner needs to approach a court for relief in this regard.
5. lawyers, advocates, psychologists, social workers, etc. provide **ABSOLUTELY** no value, exacerbate the conflict, and unnecessarily prolong the resolution, with the sole intent of maximizing the maximum amount of billable hours. Exceptionally automatic prescriptive restrictive control of the conduct of the child-abusing divorce industry specialists must be mandated and automatic direct imprisonment must become the order of the day.
6. Please can the dates, times, and places be provided as to when the public hearings will be done so we can make members available to attend those meetings?
7. When deliberating in the portfolio committee please include F4J SA in those deliberations

Finally, we expect that everyone from the state president down must commit themselves no matter what to maintain the family unit. We expect in **THE NEW COMBINED FAMILY ACT** that the family must be placed central to society revered, respected, maintained, and protected at all costs both by the government, the state, and the people of South Africa.

Simply put the family must be placed in its correct place in society which is the family must be central to a proper functioning society within South Africa.

We would caution this committee that F4J SA has contacted engaged, met presented to every conceivable government body, and Chapter 20 institutions with little to no response from the government or institutions like the Commission for gender equality.

The Department of Home Affairs, the minister, and this committee are well cautioned to please listen to the public to whom you are servants. You can no longer ignore us or hope that we will go away. F4J SA has actively engaged the government for well over 20 years we are not going to go away. Here is a suggestion maybe it's time to take us into your confidence and work WITH us as opposed to just dismissing us!

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