

Australian Episcopal Conference

STATEMENTS

Issued by the Bishops

11th September 1974

12th September 1974

TWENTY CENTS

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I
STATEMENT
ON
THE FAMILY

We, the Catholic Bishops of Australia, see the need for a strong and influential body to speak for the family, to proclaim its rights, to safeguard its interests and to promote its cause.

First of all, we wish to affirm the rights of the child to the adequate care and attention of his own parents. In the circumstances where financial need requires that the mother supplement the inadequate family income, provision should be available so that it is not absolutely necessary for her to go out to work. Her contribution in the home deserves at least as much financial recognition as the contribution made by other members of the work force.

We are greatly concerned also with the plight of the school-age child who is left for long hours without either parent. If direct financial support is neither feasible nor welcomed by the mother, adequate facilities to assist these "latch-key children" are needed. These are not yet provided under the Child Care Act.

The Australian Government has announced its plans to implement its policy in relation to the Child Care Act. Its purpose is to reduce stress on fragile families at risk. However, it needs to be borne in mind that such provisions can also have negative effects on family life. The way in which this Act is implemented, therefore, demands careful and regular re-appraisal.

Next, we want to speak up for another most vulnerable group in our society — the young child whose parents are unable or unwilling to care for him. Protection facilities differ from State to State and in some cases are far from adequate. The rights of these children must be especially safeguarded.

The International Covenant on Economic, Social and Cultural Rights requires that countries that are parties to this Covenant recognise that "the widest possible protection should be accorded to the family, which is the natural and fundamental group unit of society, particularly in its establishment and while it is responsible for the care and education of dependent children . . ." (Article 10 (1)).

This Covenant was adopted unanimously by the United Nations in 1966 and was ratified by the Australian Government last year. We would like to see effective action taken now to implement these articles, especially in so far as they concern the well-being of the family.

Legislation is continually being brought forward which affects family life. Almost invariably it is main-

tained that the particular measure will be of benefit to the family. Closer examination often leads one to draw the opposite conclusion. The Family Law Bill is a case in point. The Attorney-General, in introducing last year the first of three Family Law Bills brought before Federal Parliament in the past nine months, agreed that good divorce law "should buttress, rather than undermine, the stability of marriage." On a number of occasions over the past twelve months, we have drawn the attention of the Minister to half a dozen measures designed to strengthen the legislative support given to marriage and the family. No amendment of this kind has been included in the later Bills despite our repeated recommendations. It is not unreasonable for us to conclude that the Family Law Bill seeks to do no more than facilitate the quick break-up of many marriages; it certainly does little or nothing to buttress the stability of the family.

It is possible that this Bill could be passed almost unnoticed in the next busy session of Federal Parliament because there is no organised body to speak up for the family. All too late will some married people find that they are divorced against their will by their partner after a short period of twelve months' separation and with no provision made for their future maintenance.

Family life in Australia is being subjected now to greater stress than it has been for many decades. Particularly affected by the economic and social pressures of the present time are many young, low-income and single parent families. The immediate implemen-

tation of the recommendations of the Interim Report of the Australian Government's Commission of Inquiry into Poverty would do much to alleviate the poverty which is becoming ever more prevalent with the growing number of unemployed. We hope that the Federal Budget next week will give effect to the recommendations made nearly six months ago by this Commission of Inquiry into Poverty, especially those relating to Child Endowment, Sickness and Unemployment Benefits and to the provision of fringe benefits. The amounts then recommended would, of course, need to be increased to allow for subsequent rises in average earnings. We strongly support the Commission's recommendation that "the means test on age pensions be retained until other measures to relieve all the poor are completed".

As an earnest of our concern for the well-being of the family, earlier this year we approved the setting-up of a National Social Welfare Secretariat. One of its prime concerns is to promote and safeguard the values and well-being of the family.

We express the hope that there might be the closest co-operation between statutory and voluntary organisations concerned with the family and that this will lead to an effective implementation of the United Nations Covenant. It is particularly important that all legislative intervention by governments give due consideration to the well-being of the family. The variety of goods and services provided from so many sources must be designed to buttress this vital base for an enduring and satisfactory society.

12th September 1974.

II STATEMENT ON THE FAMILY LAW BILL

We Catholic Bishops of Australia are concerned that the present Family Law Bill does little to "buttress the stability of marriage".

This piece of legislation has now been in process for a considerable time. When it was first released a general invitation was issued to the public for comment on the Bill and to suggest any improvements.

This Conference made a number of suggestions, both in August 1973 and in January 1974, which, if accepted, could have helped to maintain marriage and protect the family.

In fact, not one of these suggestions was incorporated into the present Bill.

It seems not unreasonable to assume therefore that this Bill is not intended to improve Family Law but simply to make divorce easier.

Such a goal is short-sighted and does not contribute to the solution of the basic problems facing the family in 1974.

This Conference repeats its strong reservations about the shortness of the times specified in the Bill, particularly the arrangement by which an application for divorce can be commenced immediately after or even before separation. The period of one year to establish "irretrievable" break-down is all too short.

In the interests of the newly married, we ask that at least three years of marriage should be required before divorce proceedings can be commenced.

One again we wish to put forward the following recommendations:

- 1) The present requirement of a seven-days' waiting period after notification of intention to marry should be extended to thirty days or more to permit adequate pre-marriage counselling and education.
- 2) Public funds should be made available to approved marriage guidance and family welfare organisations to provide adequate and comprehensive systems of family life education within schools and during the post-school years.

Courses of preparation for marriage for engaged couples and the conferences for couples in their first five years of marriage should be encouraged and funded.

- 3) Marriage counselling services need to be expanded and regionalised so that they can be more readily available to all.

- 4) The reconciliation provisions in the present Act are used very rarely.

It is patent that much stronger legal support for marriage is needed at the first instance of breakdown, that is, where relief through legal machinery is first sought by one or both of the parties, for example, when proceedings for maintenance and custody are instituted.

- 5) Many services, particularly those of a legal nature, are not readily available to lower income groups. Legal aid surely ought to be provided free for the poorer members of the community so that they may be accorded the same rights under law as others.
- 6) Continued social research into the sources of marital instability is desirable so that more factual information is available regarding the various factors which may contribute to break-down in marriage, for example, age at time of marriage, degree of preparation and maturity, extenuating circumstances (e.g. out-of-wedlock pregnancy). Such research could help people to understand better and to avoid many of the pitfalls which wreck marriages.

12th September 1974.

III
STATEMENT
ON
THE MINIMUM AGE FOR MARRIAGE

We, the Australian Catholic Bishops, are concerned that considerable difficulties are already being faced by young people entering marriage prematurely and impulsively. The young people themselves apparently judge that they have the necessary pre-requisites for such a significant step. In many cases, it is clear to most of those close to them, including parents, relatives (often including their age peers) and the celebrant of the marriage that they are ill-prepared and the likelihood of an enduring relationship is remote.

The inconvenience in delay experienced by a very young couple is neither dramatic nor damaging and provides an opportunity for further thought and even growth during that time lag. To abandon this, because of the demands of a few, amounts to a declaration by the Australian community that it is not concerned about the genuine well-being of its young people faced with this kind of choice.

The effects of delay are likely to have few long-

term bad consequences; the effect of lowering the age barrier can and will have some unfortunate consequences for those who enter an avoidable, troubled and possibly short-lived union.

For these reasons, we strongly advocate a uniform marriage age of 18 with a proviso that persons between 16 and 18 could obtain the approval of a judge or magistrate to marry a particular person of marriageable age.

We would suggest two further provisos: (1) that the magistrate require "commensurate grave cause" which should not automatically include pregnancy, and (2) that a period of two months be required before the marriage could be celebrated and during that time the couple be recommended to seek some pre-marriage counselling.

We do not believe that any useful purpose or any long-term significant good will be achieved by a reduction in the marriageable age.

12th September, 1974.

IV STATEMENT ON

THE RECOGNITION BY THE AUSTRALIAN GOVERNMENT OF THE ANNEXATION OF THE BALTIC STATES BY THE SOVIET UNION

At its first plenary meeting since the surprising and sudden announcement that the Australian Government had recognised the incorporation into the Soviet Union of the formerly independent Baltic States of Lithuania, Latvia and Estonia, the Bishops of the Catholic Church in Australia wish to register a firm protest.

Military occupation of small free nations by greater powers and the oppression of unwilling weak minorities by the strong are not unusual occurrences. To condone them and to recognise them as legitimate is another matter.

The Catholic Bishops of Australia, conscious of the repression of religious and civil liberties in the Baltic States, express their solidarity with these peoples denied their right to self-determination. They extend their sympathy to those people of Baltic origin who have been shocked and dismayed by this action of the Australian Government.

11th September 1974.

V

IMPRISONMENT OF CHURCH LEADERS
IN KOREA

Text of cable sent to His Eminence Cardinal Stephen Kim, Archbishop of Seoul, Korea, on 12th September 1974.

Australian Catholic Bishops assembled in Conference express sorrow at imprisonment of Bishop Tji and other Korean church leaders. They affirm their solidarity with their brother Christians and promise prayers for all Korean people.

Cardinal Freeman.

