

Family Court judge: 'shithead' father a benefit

TESSA AKERMAN THE AUSTRALIAN JULY 07, 2015 12:00AM

A child welfare advocate has criticised the Family Court for not looking after the best interests of a three-year-old who calls his father “f..kwit” and whose mother apparently gave him bourbon.

Judge Stewart Austin found that before the boy was three, he used the profanities “f..k” and “c...”. In a custody dispute, Justice Austin found the boy had meaningful relationships with both parents and should remain in their shared custody.

The boy had been heard to make sexualised comments such as: “F..k, I need a root” and “Can I stick my dick up your bum?”

“Such comments by a child only three years of age are extremely alarming,” the judge said. “Such language must have been learned from the environment within which he lived.

“The child should not have been exposed to sexualised concepts or commentary in the way he obviously was, but the evidence disclosed that both parties were as much to blame for that.”

Australian Childhood Foundation chief executive Joe Tucci said the boy’s language was probably indicative of other stressors. “It’s indicative of at least emotional abuse, if not other abuse,” he said.

He said he would have thought a notification would be in order from the judge to the appropriate government agency.

Dr Tucci said the parents could also be given education or counselling to help them better understand how harmful their behaviour was.

The boy was born in 2011 and in July last year his father took him to live away from the mother. The mother told the court the child returned in October last year using sexualised language, but Justice Austin found the child’s behaviour was much the same as it had been previously. “The child learned and displayed such language and aberrant behaviour while the family was still intact,” he said.

The father testified the child used language such as “motherf..ker” and “f..kin’ dog” while the parents still lived together.

“The evidence ... establishes the child has been, and remains, immersed in an environment of profanity and distorted parental instruction,” Justice Austin said.

The mother admitted sending a photo of the child drinking bourbon, accompanied by captions suggesting he enjoyed it.

Justice Austin found the child benefited from meaningful relationships with both parents. He ordered the boy live with the mother and spend time with the father.

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