



# Herald Sun

## **Ex-wife sued in fatherhood row**

By MARK DUNN  
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A PRECEDENT-setting damages case, by a man suing his former wife over the alleged illegitimacy of her children, will go ahead in Melbourne.

The man claims DNA tests have proven two of the woman's children, for whom he had paid years of child support, were fathered by another man.

He has filed documents with the County Court alleging fraud and is suing his former spouse for a figure believed to be about \$400,000.

He claims loss of money through child support and anxiety and depression after allegedly discovering the children were not his.

The pre-teen children are aware of the dispute and have received counseling.

The man faced a childcare bill of \$178,063 from 1992 until this year and had paid \$30,388 before discontinuing his support.

The court documents call for the woman to outline any sexual relationships she had with men outside the marriage in the period when both children were conceived.

The woman has also been asked to disclose when and how she realized the children were not her husband's.

The couple were married in 1988 and in 1990 a boy was born, followed by a girl in 1991.

The man claims that at all times his then wife was aware the children were not his.

In the documents, the man has asked his former wife about statements she allegedly made after the births, which led him to believe the children were his.

The documents also seek her comment on the development of the children's facial features which were said to be inconsistent with his own.

The name of a second man is included in the documents, with allegations he is the real father of the children.

Access is also sought to a diary the woman may have kept, in which an admission about the real father might have been made.

Melbourne DNA specialists have said up to 30 per cent of men seeking DNA tests for paternity, because of suspected infidelity, are found not to be the biological fathers of the children they support.

A three-day civil trial in the County Court at Melbourne has been set down for April next year.

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