

Committee Secretary
Family and Community Affairs
Child Custody Arrangements Inquiry
House of Representatives
Canberra ACT

House of Representatives Standing Committee on Family and Community Affairs
Submission No: 1222
Date Received: 7-8-03
Secretary:

My Submission

Dear Members, I recommend you consider the following

The whole adversarial nature of the family court system and the concept of gaining custody should be abandoned.

Custody after separation should reflect custody before separation, based on 2 parents with equal contact with the children. Equal in the common sense, mathematical sense, not by some bizarre subjective interpretation of what a judge thinks equal means.

The courts should view shared parenting as the starting point for orders That is shared in the 50 / 50 sense.

Either party wishing to move from 50 / 50 should have to convince the court such a move would be of direct benefit to the children.

Existing subjective terms such as...

best interests of the children,

right to know and have a meaningful relationship with both parents etc

should be quantified to stop Judges continually interpreting them in favour of one party over another. Their role should be to apply the law not subjectively interpret numerous grey areas and then apply it. Some aspects should be every parent's right regardless of the judges opinion. These are 50/50 assets and children for both parents.

Parenting plan designed by both parents registered and implemented before any money moves, from the family pool or govt agencies.

Until such plan is written, interim orders from the court be issued to implement a basically 50/50 regimen, as an automatic process and right of children and both parents.

If a parent is shown to have lied in court to improve their asset pool, Proven lies be viewed as lies in court to achieve financial gain and punished by the court as such.

As for the child support act, it's a disgrace. It's a grossly unfair pro woman, anti man headless revenue raiser that ruins and ends lives. The Australian bureau of statistics website reveals that the highest suicide group in the country is separated men 30 to 40, and goes on to outline the csa as the major reason.

I list some of the sections that most need revision

The notion that a contact parent can have the children visiting them for 109 nights and have no reduction is absurd. They look after the children for about 1/3 of their lives and there is no reduction in child support.

The csa percentages are unjustly high, and constitute spousal support.

Child support should stop if the custodial parent remarries.

If not, then the income of the spouse must be considered to effect the amount paid by the payee. The act allows for this but because of the rampant pro woman bias shown by csa, there is no actual result.

Some real, not token concession should be made when the non custodial parent has new children

The exempted income of the custodial parent (currently twice the average wage unless a woman never a man, should ask to have it reviewed) should be changed to be the average wage.

The subjectivity of the act should be eliminated. Such terms as Can and May are abused by csa to persecute men and favour women. The act says they may consider earning potential in arriving at a payment figure. In reality this means always do if it's a man never if it's a woman who's paying. A man's income will always be estimated by csa, and a woman's estimate will be accepted by csa, etc

The anti man, pro woman take all the money we can from him regardless of the consequences to his life attitude of csa be forced to change by legislation. By the attitude I mean that when csa is notified that they have driven another man to suicide, their only question is "did he leave a will"? This is the attitude that csa have that must change.

The absurdity of the act is this. Men presumably had jobs when they started a family, and thus paid taxes and contributed to society. After separation, when the csa kicks in, the savagery of the act, and the unbelievable anti men bias of the cs employees makes working not worthwhile, and many go on the dole. Thus because of the act, they now drain society and the children get nothing. The act has turned a taxpayer into a dole bludger, everyone loses. How can anyone call this act fair or effective, indeed anything but self defeatingly stupid in light of these facts? I heard the figures of 1.4 billion in lost revenue from ex cs payers voluntarily on the dole instead of being working taxpayers. This compares to 1 billion cs payments collected. Plain common sense says that if the act was made less draconian, more payers would leave the dole and get work and pay something under a fair system. This should be your intent, a fair act that everyone contributes too, not one so harsh people give up on life to avoid. Do I really need to tell you this??

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