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Committee Secretary,
House of Representatives Standing Committee on Social Policy and Legal Affairs,
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Parliament House.
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Dear Sir

Parliamentary Inquiry into the Child Support Program.

The Social Security Appeals Tribunal has made comment on our submission number 7 to the Inquiry and to our comments made at the Public Hearing held in Sydney on 27 June 2014. This is published as an attachment to their submission number 94 to the Inquiry.

In particular, we refer to the last paragraph of page 3 of the Tribunal's letter dated 23 July 2014.

In this paragraph, the Principal Member refers to the case of *Parkin & Sykes [2011] FMCfam 842* at [140]. The Principal Member indicates that a hearing by the SSAT which is not governed by the rules is better than a court that is bound by the rules of evidence. The Principal Member then refers to the Federal Magistrate's comments about the "*paucity of relevant evidence after a five day hearing*"

It should be pointed out that this particular matter had not been to the Social Security Appeals Tribunal. The Tribunal's child support jurisdiction commenced on 1 January 2007. As noted at paragraph 98 of the *Parkin and Syke's* decision, the child support decision, that was then being reviewed, had occurred prior to the commencement date of 1 January 2007.

As a result, it was not a matter that could have been heard by the Social Security Appeals Tribunal.

We are aware of the actual applicant in the above case and he has confirmed that this was the case.

Therefore it is submitted that the comments made about the “*paucity of evidence*” are not relevant.

Yours faithfully,

John Flanagan,
Deputy Registered Officer,
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