

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 594

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Committee Secretary
Standing Committee on Family and Community Affairs
Child Custody Arrangement Inquiry
Department of the House of Representatives
Parliament House
Canberra ACT 2600

Dear Sir/Madam,

Thank you for the opportunity to make a submission to the inquiry. I would like to make some comments for your consideration regarding the key terms of reference, particularly on the factors to take into account in deciding the amount of time the respective parents spend with their children post separation; and whether the existing formula works fairly for both parents.

Perhaps a bit of background on my own situation would add perspective to my comments. I have been separated/divorced for some seven years. I have paid child support throughout that time via the Child Support Agency. There are five children involved, although one was under a disability allowance and under external full time care. I was the primary care giver to the children at the time, while doing freelance work from home. While the break-up was not entirely amicable we did manage to avoid the worst excesses sometimes associated with this type of situation.

As part of discussions during the break-up my ex-wife indicated strongly that she desired to be the residential parent, immediately placing me in the position of being the visited parent and also in the position of paying child support. She made no bones about the fact that the financial incentive was part of her decision.

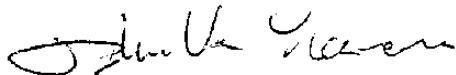
After the break-up I sought to be as flexible as possible for the children's sake. They indicated that being able to see either parent when they wanted to was important to them. I lived one suburb away and was able to respond to their requests almost on a daily basis, communicating often by phone. Having been the primary care giver at home I was still working on a freelance basis initially, which meant I had more time to give as far as school events and the like were concerned.

However, I found that this flexible arrangement, while a healthy situation for the children, did not fit easily into the CSA formula. The formula had set numbers of nights with certain set thresholds. If you did not have your child/ren 108 nights a year you the paid full amount, even if you had them a substantial number. I was faced with either being a bad father but saving myself some money or being a good father and costing myself some money.

This system also encourages the time shared between parents to be accounted in monetary terms rather than in parenting terms. Surely it would not be too difficult to have a simple sliding formula that does not set thresholds that appear totally arbitrary. In discussions with CSA representatives over time it has been admitted to me that the thresholds as they exist do not correlate to anything specific.

I recognise that we are talking about a system that is national and therefore there are bound to be situations that do not fit the formula. However, there are some significant principles involved and I hope that my case can highlight some of them and add to the debate.

Yours sincerely



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