

5th of August 2003

House of Representatives Standing Committee on Family and Community Affairs	
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Secretary:	

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



RE: Submission to the inquiry into child custody arrangements

To Whom It may Concern,

My name is [REDACTED] I am a non-custodial father of twin boys aged 8 years old, and a 10-year-old boy also. I wish to submit the following concerns in regard to the following topics:

“(a) In what circumstances a court should order that children of separated parents have contact with other persons, including their grandparents.”

“(b) Whether the existing child support formula works fairly for both parents in relation to their care of, and contact with, their children.”

Topic A

I believe that circumstances where the court should order that the child/ren have contact with other persons/grandparents is when the non custodial parent raises concerns for the children's safety and well being, as well as if the non custodial parent nominates that due to work commitments he/she can not see the children as regularly as they would of if they were within a reasonable travel distance. I believe that the parents, of the non-custodial parent should have the privilege and be allowed to nominate through negotiations with all parties that they have access like their counterparts. I have experienced this first hand, due to the custodial parent having a personal gripe with my parents, my children have not been involved with them. I believe this to be detrimental to there up-bringing.

Topic B

I believe through personal experience the following should be taken into account as the amount of child support that we pay does affect the amount of contact you have with your children when you are struggling financially to support yourself, and then expected to support your children when they stay with you as well. When financially struggling it is hard to take them places, buy them gifts, and provide the basics.

Child Support should be calculated on your NETT wage not GROSS

I believe that this is important, as calculation on your gross wage is not a true indicator on the amount you take home and the amount you have to live on. This calculation does not take into consideration your living expenses (rent, food, motor vehicle running expenses, health insurance) and when you enquire about this, these expenses are considered non-essential.

When a non-custodial parent has the child/ren payments should cease or the parent is reimbursed for the time the children spend with the parent.

When I have my children I still have to pay from the left over money after my bills and maintenance the extra food and related expenses whilst they are in my care. It is my understanding that the amount of maintenance we pay assists the custodial parent with these expenses so why can't we be compensated like the custodial parent for this time that the children spend with us, as this extra money would be beneficial.

When non-custodial parent lives away (interstate, different part of the state) they should be compensated by cheaper fares (pension holders receive cheaper travel fares each year)

If the parent lives away from the immediate area of the children the means of transport should be compensated in a manner somewhat similar to pension holders.

When custodial parent re-marries or lives de-facto the amount should be re calculated

I believe this should be seriously considered as this is a "bone of contention" as I know of fathers who have had to sell personal effects, houses, move out of rental properties etc when their ex partner is living with another person who is supporting them and the children. The father/s still have to pay the ridiculous amount of child support whilst trying to rebuild their lives so they can offer the children an abode that is not detrimental to their health and well being while their ex is living it up on their payments plus their new acquired partners wage.

When both parties come to an agreement of the amount of Child support to be paid the CSA should accept this

This has occurred to me personally as my ex and myself came to an agreement through negotiation not standover tactics to an amount that she was happy to receive. We submitted it to the CSA as per requirement and it was knocked back because it did not fit into the *magical formula* that exists due to the government had to pay her more pension. **IF BOTH PARTIES AGREE ON SOMETHING WHY DON'T YOU LISTEN!!!!!!**

When the non-custodial parent's wage decreases by any amount the amount of payment should be re calculated

This occurred when I no longer received \$87.00 per fortnight for an on call allowance as I transferred to another centre to further my career. I rang up the CSA and informed them that I will not be receiving the \$ 87.00 fortnightly allowance anymore, I was informed that this amount did not fall inside the *required %* necessary to adjust my payments to suit this downfall. \$87.00 may not seem that much to you but at that time I was living on \$100 fortnight after bills not including food this loss of income was significant to me and subsequently affected my time spent with my children due to the lack of money.

In conclusion you are probably saying "oh here we go another father complaining about child support" well I believe that you guys should listen to what we have to say as the current system is favouring one side and that side is the female side. I acknowledge that there is certain fathers that are wrougthing the system and you probably know of someone, *but the majority are not and we are the ones that are getting penalised*. This may be a generalisation. Up until recent times when phoning the CSA often you spoke to a female operator and her phone mannerism automatically portrayed "*well it was his fault that the marriage broke down due to his infidelity*". I recommend employing male operators to be made available on request to speak to when phoning CSA to make enquiries, this would help and probably ease tension when speaking to CSA, making the process not as daunting as before. I hope you take on board the comments from various people and adjust the current practice accordingly as it would be good to have faith in the system.