

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 583

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Secretary: _____

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

Dear Committee Secretary

I would like to enter my submission for mention in the Child Custody Arrangement Inquiry. I do this as a father who has been separated from his children as a result of a marriage breakdown. My submission will be a fairly short submission and it will cover the following areas:

1. Background
2. Current Custody arrangement
3. Preferred Custody arrangement
4. Financial
5. Inequality within the existing laws

1. Background.

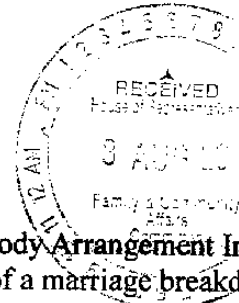
My marriage breakdown occurred some 2 ½ years ago as a result of my ex-wife not being happy. I tried to repair the problems but was unable to do so. We separated and I left the family home, which we were paying off. This in itself is not what I wanted but had to accept this. We have 3 children aged 12, 10 and 8.

I am a devoted father who asked for, at that time, a shared custody arrangement but my ex-spouse refused this request. I have again asked for shared custody in the last 2 weeks but this again has been refused.

2. Current Custody Arrangement.

The current Custody Arrangement is that I see my children on the weekends that I am not working and occasionally during the week on my days off (I work shift work 4 days on 4 days off). Therefore there are many times I don't see my children for up 3 to 4 weeks which is totally unsatisfactory to my children and myself.

My children and I are very unhappy with this arrangement and would welcome the proposed changes in the current laws.



3. Preferred Custody Arrangement

I believe that I along with most fathers in my position are more than capable of giving our children the love and care and required to raise them properly.

I am very close to my children and believe that fathers as well as mothers can give the emotional support required to nurture them to their adult years. We can guide them through their schooling as well as mothers. My children know that I will be there to for any emotional support required at any time.

To me shared custody is the best proposal for fathers and children in this position. It brings them back into a position where we can be a part of the decision making process that affects the lives of our children. For me it would mean that I could look after the needs of my children on a daily basis and that is something I feel very strong about.

When you only have your children on an average of every 2nd weekend you are removed from the decision making process and therefore have no real say in how they are brought up. I know that I have told my children that I we get shared custody I would work with their mother to maintain a level of consistency in all areas of their upbringing to both homes.

4. Financial

~~A for the breakdown in a marriage there are obligations to pay maintenance for the children. I~~
believe this figure is approx 34% of gross income. I have always accepted my obligations, as I do not want my children disadvantaged. I have never balked or missed a payment. My annual income is approximately \$65000.00. After paying maintenance, rent, and monthly bills ie Phone, electricity, insurance, credit card, registration etc and finally food I am very financially disadvantaged. I am paid monthly and with 7 to 10 days to go to pay day I am out of money. If I need anything in that time it can only be paid for on credit card. I have no savings and this is not due to any extravagances as I am unable to have much of a social life due to these financial constraints. My situation will worsen in February, as I will be reassessed for maintenance. My income has risen since the previous assessment but so has my rent and other regular expenses have risen to the same extent. I will be further out of pocket when this assessment comes through. I have a very good chance of a promotion at work right now but can not accept it because I will have a lot of added responsibility and very little gain financially. I estimate that I will get a salary increase between \$5000 and \$10000 but after paying 48% in tax and 34% in maintenance the extra stress will not be worth what is left for me?

I will be unable to purchase any home for myself and my children because of these constraints. I am in this position not because I wanted to but because of the current laws I am forced to. I do not mind paying maintenance for my children only as long as it only goes to my children. But somewhere there must be a point where there must be consideration to reduce the fathers financial burden.

5. Inequality with the Existing Laws

The current laws are totally archaic. They are discriminatory against fathers and must be changed to allow shared custody. The children in a marriage breakdown almost without exception go to their mother. Any law that discriminates against a group of people to me is illegal and must be changed. Shared Custody is the option that must be enacted to allow the children to have the emotional support of both natural parents in a majority of cases.

There would be exceptions if either the mother or father was an unsuitable parent then this would need to be looked at case by case.

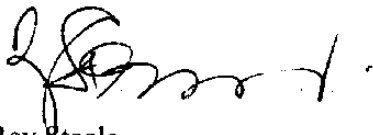
CONCLUSION

In conclusion I would like to say that this current proposal is a light at the end of a very dark tunnel. In my case my children were taken from me as a result of laws that are discriminatory against men. I am as good a parent as their mother is but because of the laws I only see them on a part time basis. I am a good parent but like all parents I have areas that I need to improve but can only improve if I am in a position where I can make day to day decisions. My children need me as much emotionally as they need their mother but because of the current laws that are discriminatory I am unable to provide that support in a continuous manner.

The current laws **MUST** be changed to allow Shared Custody as the first option after a marriage breakdown to allow fathers and their children to continue their relationship and for it to grow and develop as it should. Not from a distance. Not from an every 2nd weekend basis. But to have the ideal child/father relationship. All kids need their natural father to be a part of their life. Mine do and I believe that I am a not the exception but the rule.

I along with most others fathers now can only wait for the outcome of this inquiry and do so with hope. Hope that we have our children with us as they should be and not as they are under the current arrangements. I would be more than happy to appear at the inquiry to put a fathers perspective to the inquiry.

Thank you in anticipation,



Ray Steele