

Submission No: 1080

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Secretary: .....

**Terms of reference:**

- a) i) **There should definitely be a presumption that children spend equal time with each parent.** This should definitely be the starting point, anything less is to discriminate against both fathers and their children and punish both for something that may have been outside their control. Anything less denies the children the love, support and nurturing from both their parents.

A presumed fifty-fifty regime would help to eliminate the fact that many children are used as pawns by the mother to hurt the father and/or to gain more money.


If fifty-fifty is the starting point then any changes can be made according to the different situations, for example:

1. **If the parents now live too far apart for this to work.** The onus should be on the one who has moved away to try to make this work as best is possible. Unfortunately as the mother usually keeps the home and a significant percentage of the father's income the father will probably be the one forced to relocate and to then travel to have contact. If the distances were too great for the children to attend the same school then perhaps more time could be granted in the holidays and or more weekends; whichever would work better for the father's situation.
2. **If there are *proved* domestic violence issues.** The issue of domestic violence should not be able to railroad the discussions on equal shared parenting. Domestic violence is a separate issue, which is already being dealt with within the courts and the contact regimes. Supervised contact where appropriate is already a possibility.

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3. **If one parent does not want fifty-fifty contact** due to work commitments or any other reason. Again alternatives such as more weekends or holiday contact should be considered. In these cases the party that will have the least contact should still be able to have the maximum contact that they can accommodate. Where one parent does not want contact for any reason then it should not be forced upon them.

a) ii) **Other people's contact.**

1. Where equal parenting is the norm there should be few requirements to order contact for other people, including grandparents, as there should be ample time within the confines of each parents contact to include the other parties.
2. Where certain relevant parties are being denied access then contact should be ordered. Where it can be shown that the grandparents or other persons have played a significant role in the child/rens lives then it would be appropriate for courts to order continued contact and therefore a continued relationship. This would depend on the frequency and duration of previous contact and the geographic proximity of the parties involved.
3. Depending on proximity contact could be in a variety of forms.
  - a. After school 'dinner-dates' until 7pm.
  - b. Weekend contact.
  - c. Holiday contact.

b) **The present child support formula does not work fairly.** In the majority of cases the father loses his home, children and a significant percentage of his regular income. Somehow he is expected to continue supporting the mother and children in the manner that they were accustomed as well as somehow pay his own bills. No wonder so many separated fathers are on the poverty line, refusing to pay maintenance and/or suicidal. If equal parenting were the norm then there would be far fewer problems, as each parent should be responsible for the costs of the children while in their care. Both parties would have equal opportunities to work.


Please don't use the excuse that the mothers have devoted themselves to a life in the home and sacrificed their careers. I don't believe that any relevant research has been undertaken but I have no doubt that if someone surveyed many (not all) of these mothers that they had never considered nor undertaken a university degree nor held a job, which offered or would lead to high earnings, prior to or during the early days of the marriage and prior to children. By linking child maintenance to the father's income it allows the mother to have her cake and eat it too. That is, get rid of the children's father but keep his money. She is not entitled to her children's father's money, only the children are entitled to a percentage of it.

I do not relate this to the older generation which predominately did stay at home to look after the children. I also do not undervalue the mother's role within the home. I am purely

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stating that women, who were never going to be in a position to earn incomes equivalent to the husbands, do not have a right to make a claim to it after separation. With women's lib's strong push and demands the new generation of females cannot turn around and claim that they can't work.

**If equal shared parenting does exist:**

1. All day-to-day financial expenses should be the responsibility of each individual parent during their contact period. This would include food, clothing, and all living expenses.
2. Other expenses such as schooling and after school activities should, where possible, be shared equally. Where one party does not have sufficient means to meet their shared requirement then a different percentage of each parties income should be calculated or alternative less expensive schooling or activities chosen.


**If equal shared parenting does not exist, and assuming the mother has the majority of contact:**

1. Maintenance should be based on set requirements for raising and supporting children, not based on a percentage of the father's salary.
2. Where the father's salary is not sufficient to meet the set requirements then firstly the mother has an obligation to work and help financially support the children and then secondly the government, as it presently does, should meet the gap.
3. Much stricter controls should be in place in relation to what the child maintenance money is spent on. There should be some proof required that the money is actually benefiting the children, e.g. receipts.

The present situation encourages young girls to finish school at year ten or at the most year twelve, find the wealthiest young man on the highest income and sit back and relax. No real need to even marry or have children although that would increase their financial benefits. Isn't a change well over due? With females for years insisting on equal rights; with many females now holding down very good and well-paid positions including running their own businesses and sitting on boards of directors, isn't it time to stop patronising those who have chosen to do little except try to benefit from their partner's hard work.

Please, I implore all those involved, the current system must be changed. A presumption of fifty-fifty contact is vital for our community to allow the support, love and nurturing of our children by both their mother's and their fathers.

Yours sincerely

  
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Cc: Ms Margaret May MP and Mr Larry Anthony MP

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