

House of Representatives Standing Committee
on Family and Community Affairs

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Secretary:

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The Committee Secretary
Standing Committee on FACS
Child Custody Arrangements Inquiry
Department of the House of Representatives
Parliament House
CANBERRA ACT 2600



Dear Sir/Madam,

In this submission I will advise the committee of the reason for my interest in this enquiry, why I think The Child Support Scheme should be changed and a law allowing Equal Custody be passed. Also how I think these laws could be administered. I am also including my opinions on the type and amount of contact children of separated parents should have with their fathers.

I am a mother watching helplessly while her son's and his children's lives are being destroyed by his ex-wife's actions.

My son and his ex-wife separated in January 2001. They were married in November 1992 and divorced in March 2003. My son was forced to leave to save himself from physical abuse.

They have two children, a daughter, who will be eight years old [redacted] and a son who was five [redacted]. My son has seen his children three times since October 2002. The last time he saw them was 9th February 2003. His ex-wife refuses to let him see them or speak to them on the telephone.

There are proceedings ongoing in The Family Court since November 2002 just for him to try to have contact with his children. To this date there has been no resolution. His ex-wife advises that she is willing to sign Parenting and Consent papers, but she hasn't yet.

He is expected to pay to financially support two children he never sees.

I agree that The Child Support Scheme is necessary to ensure financial support for children of separated parents, who can't agree. However I feel that it is unfair that the father's liability is calculated on his gross income. No one decides their budget based on their gross income. Child Support payments should be calculated on net income. Many men are paying back debt incurred by their ex-wives during the marriage. Many men are forced into bankruptcy. Many lose all incentive to work and "go on the dole", causing their children even more financial hardship and costing the taxpayers more money to support them and their children. Many men are paying solicitor's fees to try to have contact with their children.

From correspondence received by my son from the CSA, it would appear to me to be very badly organised. It seems to me that there must be a number of different sections all handling the one case and all not knowing what the other sections are doing. I read in The Weekend Australian a few weeks ago of a man who had received thirty-six letters from the CSA in one day. So, I think the CSA needs to be reorganised.

Fathers should have the right of Equal Custody of their children. The children of separated parents should not be brought up believing that, because they no longer see their fathers, that their father does not love them. It is in fact, the mothers who mustn't love their children or they wouldn't have them hurt in this way.

Fathers are forced by the CSA to financially support their children. If they don't their wages are garnisheed. Mothers should also be forced to allow the fathers to see their children.

The Child Support Scheme should be changed to enforce contact arrangements as well as financial support. The application papers for financial support could be changed to include Equal Custody and Contact arrangements. If a couple cannot agree on the arrangements then the Child Support adjudicators already employed by the CSA could make the decisions for them. Part of the money that it must now be costing the government to finance The Family Court could be used to make these changes to The Child Support Scheme and administer this new scheme.

If it is not practical for children to spend equal time with both parents, then contact of at least every second weekend should be arranged. If as is the case with many men, no suitable accommodation for children is available where they are living, then contact should be for at least a day per week. There should be contact by telephone allowed, daily, if requested.

Time in school holidays with fathers should be arranged depending on the father's work commitments.

Fathers should be allowed participation in all important occasions and celebrations in their children's lives.

They should be involved in all decisions regarding their children's welfare.

As the current law stands, The Child Support Scheme was introduced to ensure that children, whose parents have separated do not suffer unnecessary financial hardship. There is no law in place to ensure that these children do not suffer unnecessary psychological damage by being prevented from having contact with their fathers.

Please recommend a change. Please recommend a new law that gives these children the chance of a better life. Children need love from their fathers, not just money.