

Submission No: 856

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Secretary: .....

**From:** Brian Meilak [REDACTED]  
**Sent:** Thursday, 7 August 2003 1:34 PM  
**To:** Committee, FCA (REPS)  
**Subject:** Submission: child custody arrangements

hi,  
this is my submission for the Inquiry into child custody arrangements in the event of family separation

My Details:

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RECEIVED  
7 AUG 2003

Points I would like the committee to consider:

1. Benefits of default joint custody.

Having joint custody does not necessarily mean that the children would be living with me. There are other benefits to having this 'legal' status of joint custody that should be considered.

Joint custody should not just be considered as wanting to have the children live with them. In some cases, this is not possible. ie: I live in Canberra, my children are in Queensland.

Having parental custody would give me benefits that normal people take for granted:

- If I had default joint custody, I would be able to get school reports from the childrens school WITHOUT having to go to court to get it written into the custody orders.

In my case, the school where my children go would only release school reports to the custodial parent. It was a policy the school chose to exercise to protect themselves legally.

- If I had default joint custody, I would be able to call the childrens doctors to inquire about the childrens state of health and well being.

In my case, the childrens doctors will only release information to the custodial parent. To change this, I would have to go back to the family court and apply to have custody orders changed.

2. Child Support Agency(CSA) Formula

1. The current child support calculation rates ie: percent of income based on number of children is unfair and not just. The % rates are excessively high.

2. The payee of CSA payments does not get the family tax break that normal families get.

3. When child support reviews are instigated by the payee or the receiver of CSA payments, the form that is used requires each party to list all their financial details and data. This is not just. I have no issue with the CSA seeing this data, but the X partner? there is no need. I do not need to know my partners financial affairs.. She, no longer, has a right to see mine. The CSA does have a right.

✓

The current system results in fights and manipulation by the other partner when they believe your doing alright .. and restarting your life.. just out of pure spite. This does happen in real life.

The children are the pawns in this game.

regards  
Brian Meilak

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