

[REDACTED] (P. Dutton, MP)

From: Neil Storey Dodo
Sent: Sunday, 10 August 2003 2:20 PM
To: Dutton, Peter (MP)
Subject: Child Custody Arrangements.

House of Representatives Standing Committee on Family and Community Affairs	
Submission No:	945
Date Received:	10-8-03
Secretary:	

Hi Peter

I have recently moved into your electorate, and have some comments that I would like to make on the proposed legislative changes in relation to child residency.

Firstly I would like to state that any arrangement that starts with a fifty / fifty arrangement pre supposes that the adults interests are more important than the interests of the children. I believe that residency should be decided upon what is best for the children involved and not what is best for the adults. Just as every person is an individual so too is each relationship, and as such each relationship has it's own uniqueness, and is different from every other relationship.

Many relationships end as a result of abuse either to a parent, or children involved and it is important that an abusive parent is not advantaged by any change in legislation. More important though is the feelings of the children involved, even young children can make their feelings known in a manner that the court system with the assistance of other trained professionals can use or will understand. **Children are a lot more intelligent that we as adults give them credit for in these situations and can usually demonstrate where they feel loved and secure.**

It is my belief that the current child support formula **whilst fair is not equitable**. To be equitable the formula should not only take into account a person's income but also a person's "necessary" expenditure. For example:

Carer 1 has children that are fully resident

Rental accommodation.
 Laundry expenses
 Medical Expenses
 Education Expenses
 After hours expenses (eg sporting and recreational activities (some pre paid for activities that take place in Carer 2's time)

Carer 2 has returned to living with their parents.

Expenses only on contact period - generally recreational of their choice.

After a contact period Carer 1 usually has to do the children's laundry and clothes repairs etc., and on occasions pick up medical expenses as a result of injuries incurred during the time with Carer 2.

The current formula does not take into account the gross disparity in the expenses incurred by the respective carers, or the nature of the expenses being discretionary expenditure as opposed to compulsory or necessary expenditure.

I believe that the relationships with extended family are important but that it should be the role of the respective carers to ensure that this contact is maintained. It should not be the responsibility of Carer 1 to ensure that contact occurs with Carer 2's parents. It is often the case that weekend care is a shared arrangement on a basis of alternating weekends. If Carer 1 has to facilitate arrangements for Carer 2's parents on their weekend then Carer 1's "quality" time is impinged on when Carer 2 has ample opportunity to enable the contact to take place.

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The situations that I have alluded to are real situations. The proposed changes seem to have the effect of penalising carer's who have sacrificed career's to look after children. The proposed changes also seem to be a political stunt as they lack any evidentiary base, and fails to recognise that true shared care is only possible in a very limited range of circumstances where both carer's have to be fully committed to making the arrangement work. A situation that rarely exists due the frequent acrimonious breakdown of the original relationship.

NEIL STOREY

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