

House of Representatives Standing Committee
on Family and Community Affairs

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Secretary:

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Our group MEN AGAIN Inc., is a local support group offering support for men who are experiencing the trauma of separation and / or divorce.

We began after attending the "MENDS" course run by Centacare ,Cairns. Realizing during the course that, other than the traditional counseling venues e.g. Lifeline, Relationships Australia etc., there is nothing out there for men who are going through this very trying time in the way of just someone to talk to who has been there.

This is how we started and now we wish to grow to be a firm ongoing support group for those who are in need.

We wish to make the following submissions to the inquiry:

(a) Response given that the best interests of the child are paramount.

1. What other factors need to be taken into account.

We in principle support the presumption that the child will spend equal time with each parent provided there were checks and balances in place to ensure adequate post separation counseling for both parents. In the initial stages of a separation a compulsory Parenting type course must be satisfactorily completed by both parties.

An understanding of the issues raised during counseling must be assessed at the conclusion of the course. These sessions could be run along the lines of Parenting courses currently available. At the conclusion an assessment with a pass level which must be achieved by both parties. A fail would mean repeating the sessions only to ensure a full understanding of the issues and not to be used as a negative in any future proceedings.

Supposing there was a standard for the procedures involved in a separation that led towards equal parenting through a negotiated agreement. The current system seems to be based on only achieving a result one way or another not necessarily beneficial to the child's best interests and could be to the detriment of one of the parties.

If equal parenting was to be assumed by The Family Court then parents wishing to vary this must show just cause. Moving away to create difficulty of contact for either party should incur some form of penalty.

There is potential here for this position to be abused by vexatious or frivolous accusations by either party. The compulsory post separation parenting program will minimize this situation happening.

Unsubstantiated accusations or D.V.O's would need to be policed in such a way to make it an unattractive proposition.

2. Contact Orders with other persons.

Contact with extended family members is an important part of the child's development and should be supported by both parents. In an equal parenting situation, we could not see this as being a real issue in general. However some considerations would need to be addressed in cases where a parent has either died or moved away and the custodial parent is hesitant in allowing reasonable contact.

(b) Whether the existing child support formula works fairly?

Child support percentages need to be assessed on net income or percentages of gross need to be lowered to enable a reasonable standard of living. Many non custodial parents are finding it impossible to re-start their lives again due to the financial constraints placed on them.

Unemployed custodial parents need to show justifiable cause as to why they can't work in at least a part time capacity.

More financial consideration given to the non custodial parent in the first year allowing some leniency to re-establish a new home.

Allowances made for the state of mind of the non-custodial parent in regards to earning capacity in the first 12 months.

A reduction in the amount of money a payee can earn before child support payments from the payer are re-assessed. The current amount of

\$36000.00 can leave the payee in a very comfortable position whilst in some cases the payer is in hardship.

CSA and Family Services need to be closer aligned to ensure child support payments are being used for their intended purpose of care and welfare of the children.

In regards to the effect the current system has on the quality of the care and contact we find that the financial constraints can be exaggerated for the payer when the issue of school holidays arises.

The repercussions of the current situation of men paying exorbitant amounts on and after separation will be felt for many years to come. Men in this situation will have no financial security on retirement, therefore becoming a drain on the public sector with the need of government-provided financial assistance.

We as MEN AGAIN Inc, hope this submission is of assistance in the deliberations of the Senate committee, and should any clarifications or further information be required we can be contacted at the address and / or telephone number at the head of this submission.