

[REDACTED] (K. Ticehurst, MP)

House of Representatives Standing Committee
on Family and Community Affairs

From: [REDACTED]
Sent: Thursday, 7 August 2003 12:28 PM
To: Ticehurst, Ken (MP)
Subject: Child custody arrangement

Submission No: 887
 Date Received: 7-8-03
 Secretary

Mr Ticehurst

Unfortunately I'm unable to attend tonight's fourm. I have included my submission to the House of Representatives inquiry into child custody arrangements.

Date: 7 August 2003

From: [REDACTED]
 [REDACTED]
 [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

To: Committee Secretary
 Standing Committee on Family and Community Affairs
 Child Custody Arrangement Inquiry
 Department of the House of Representatives
 Parliament House
 Canberra ACT 2600
 Australia

Re: Inquiry into child custody arrangements in the event of family separation

Please consider the following ideas and comments in your enquiry into child custody arrangement in the event of family separation. I'm a 37-year-old father of 2 children (a daughter 10 years old and a son 9years old), presently in the process of separation and determining child custody. I believe there is a range of issues relating to the best interests of the children in the unfortunate event of family separation, these include but are not limited to: Parental counselling

- Equal custody
- Extended family access
- Phone contact
- CSA payment formula
- Housing after separation
- Ease of separation

Parental counselling: The instance of single parent families being at the high levels they are today only reinforce the need to investigate this problem with the best outcomes attained for all concerned especially the children. Through the experience of separation I have learnt of how wide spread the incidence of separation has become. A large number of people I came in contact with during the early stages of my separation indicate this, people from Family Councillors, Bank tellers, Work

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colleagues all the way through to Solicitors are affected. Some have managed to deal with the stresses reasonable well, while you hear of those who haven't been able to deal with it, and in some cases it has all become too much and ended in suicide (which only creates more grief and costs to the community). I feel that with the pressures today's families are facing with both parents having to work to afford housing and living costs, they are less likely to relate to and practice relationship communications taught by their parents where in most cases only one parent worked. One way of assisting new partners with this may be compulsory or subsidised Family counselling prior to Marriage or a defacto relationship. Also in the event of separation becoming likely attending of a few compulsory counselling sessions with a Family counsellor such as available from Interrelate. This may help lower the incidences of separation and some of the burden separation places on the community. While separation may not be eliminated completely. To save just a few family units would be a tremendous result for those concerned. Bearing in mind that physical and/or mental abuse in a relationship cannot be tolerated.

Equal custody: With present custody arrangement I have very little input into my children's future. It is difficult to get enough information on their weekly activities involving schooling, sports, etc to have an input into their lives. The common arrangement of every second weekend can be more upsetting rather than allowing the children to bond with me (the non-custodial parent). An Equal custody arrangement with counselling if needed would ensure both parents communicated and therefore had involvement in their Children's upbringing, this would allow the children to bond with and benefit from both parents involvement.

However this would be difficult for a great number of fathers due to work commitments and financial constraints. Covered more in CSA formula and Housing after separation below. I believe that the child would be far better off having the contact and influence of both parents to gain a balanced view of life. I feel some of today's social troubles can be attributed to a lack of balanced parenting. There must be consideration given where there is evidence of physical and/or mental abuse of a child by either the mother or father. The well being of the child must remain paramount. Consideration needs to be given to how support for the child would be determined, i.e.; who purchases clothing etc, and where these are kept.

Extended family access: My children enjoyed the weekly phone call to their grandmother, and the few days they spent with her in the school holidays, however that has now stopped. My mother can call when the children are with me once a fortnight, however they seem not to want to, Whether this is because of something the custodial parent has said or the general thought the child has, that anyone who has anything to do with the non custodial parent should be avoided I'm unsure. I believe the later could be covered in the school curriculum, or in compulsory counselling for the child when the parents attend in the event of separation. This counselling may also help identify any other problems the child may have and avoiding long-term relationship problems that may be passed on from their parents.

Phone contact: Telephone (both mobile and land line) and video Internet contact where available needs to be provided, and is a vital link between the child and non-custodial parent or relative. The child should have reasonable access to the parent that they are not with, say 2 to 3 times a week. This should also allow for contact with grand parents, uncles and aunties etc.

CSA payment formula: The present formula used to calculate child support, is needed for the custodial parent (usually the mother) who may have limited income. However this leaves the non-custodial parent with insufficient funds to live on let alone having enough to provide support when the child is with them for gifts or outings eg, birthdays etc. The non-custodial parent usually the father, holding full time employment has all income presented on the yearly taxable income, and therefore the child support of 27% (2 children) is applied to this gross amount. As opposed to the custodial parent (mother) who may hold part time employment and in some cases is paid cash in hand or receives remuneration by way of goods and services the company worked for supplies. CSA calculations are also unreliable when the non-custodial parent is self-employed and the income can be hidden in the business, which places more reliance on centre link payments. Consideration would

need to be given to how both parents would afford to keep the child as it is imagined that no child support would be due in equal custody cases. A centre link payment may be needed to be paid to both parents, possibly the present centre link payments split or going say 60/40% to one parent who then is responsible for the supply of clothing etc for the child.

Housing after separation: With the present CSA payment formula the non-custodial parent is at a disadvantage in being able to find accommodation. After paying out child support, and household bills, electricity etc there can be insufficient funds to find suitable housing. In my instance I'm left with \$130 per week to rent or pay a mortgage. This is insufficient to provide suitable accommodation for the children on my weekend. The level of my wage doesn't allow for any government assistance. This can be detrimental to my children's contact with me (the non-custodial parent). As I will need to move out of the area where my children reside, and move back into my parent's home, as I cannot find affordable accommodation. I know of others in the same predicament.

Ease in separation: The high number of separations suggests that it is all too easy to separate. The amount of money the custodial parent (usually the mother) can receive is too much of an incentive to want to work on the relationship problems. There is the phenomenon of the single mother getting plenty of money and benefits from the government and spending the day at the club playing bingo. With more emphasis on relationship education and counselling before marriage and in times of relationship troubles the high trend of separations could be reversed, thus saving the government money but most importantly the turmoil facing those involved in the separations. The ability of either partner to separate from a physical or mentally abusive relationship must be of paramount importance.

In summary: The prospect of equal custody would be welcomed by the majority of parents, given that due thought is given to areas such as CSA payment, housing affordability, communication between the parents, access to grandparents and other relatives and minimising changes to the child's routine. The more balanced parenting would be of benefit to the child in the development of his or her own identity. The high incidence of separation urgently requires attention, counselling of those entering and during relationships would be of great assistance to those involved and would also help the society in other areas such as gambling / alcohol addiction and other social problems. The safety and well being of all involved must be of paramount importance, with the child's best interests given priority.
