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Secretary: _____

Committee Secretary
Standing Committee on Family and Community Affairs
Inquiry into Child Custody Arrangements
Department of the House of Representatives
Parliament House, Canberra ACT 2600
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8th August 2003

Submission by Dads In Distress Inc;

Dads In Distress, *dids*, is a dedicated support group of men in Australia whose immediate concern is to stem the present trend of male suicide due to the trauma of separation and divorce.

Over the last 12 months the group has had over 2000 separated or divorced fathers attend meetings and receive more than 500 inquiries per week seeking advice, referral and support.

(a)(i) What other factors should be taken into account in deciding the respective time each parent should spend with their children post separation, in particular whether there should be a presumption that children will spend equal time with each parent and, if so, in what circumstances such a presumption could be rebutted.

Dads in distress (*dids*), and there are supporting statistics, are suiciding as a result of separation grief.

Many fathers find their own way into a *dids* group. Many are referred by other welfare agencies and professionals in the field, predominantly because of their feelings of despair over the loss of fatherhood and that they are no longer playing a significant or productive role in the lives of their children.

Those *dids* are telling us that the difficulties faced in gaining access, through the present system is the source of much animosity. Fathers feel locked out of their children's lives. Many lose all contact with their children by the time children reach their very early teens, many have lost that contact within 2 years of separation. The difficult emotional issues of separation grief, and recovery, are made ten times more difficult as a direct result of the physical isolation from children.

Dids feel the present system is biased against them and feel powerless to effect any change to their circumstances. What they are looking for is a level playing field. What *dids* are telling us is that their children are being used as emotional bargaining tools to the benefit of the resident parent. And that their concern is that the children are the ones who are suffering because of this. It is their children who are watching and listening and learning as this scenario is played out in our homes across the country.

Dids tell us that in terms of their capacity to care for children, beyond separation, irrespective of time allocated to spend with children, changes and adjustments have to be made by parents. We ask what the difference is in making those changes for 2 days each fortnight, 4 days each fortnight or 7 days each fortnight. Given the fact, that change needs to take place anyway.

The onus should be placed on the parent objecting to the presumption to show that the other parent is unfit to care for the child and those grounds should be inline with current child protection standards.

(a)(ii) In what circumstances should a court order that children of separated parents have contact with other persons, including their grandparents.

Upon application. And in all circumstances, where contact cannot be achieved, through existing relationships with either parent.

(a) Does the existing child support formula work fairly for both parents in relation to their care of, and contact with, their children?

The most common issue raised by *dids* is that the provision of contact should be connected to child support payments

The most common issues raised by *dids* are:

1. That they have no involvement in the way in which the child support they pay is applied to the children and it is our submission that the committee investigate ways the "out of agency" payment system can be used to allow for an increased involvement by the paying parent. They have that involvement prior to separation, and they want to maintain that involvement post separation.
2. Many *dids* have great difficulty obtaining, and maintaining, appropriate accommodation suitable for the children. It is our submission that the formula, reflect the cost of providing accommodation in the same way that the formula currently factors in such costs for resident parents.
3. Many *dids* feel they are forced to pay the resident parent even when the children are in their care. We submit that the income thresholds are relevant; however contact parents should receive relief from the basic assessment in line with the percentage of actual care provided and with current family tax benefit procedures.
4. The cost of collection and return, where one party only carries the burden of those costs than those costs should be reimbursed on a dollar for dollar bases without the 5% threshold.
5. The costs of providing for children during contact should reflect the need to entertain children on weekends. This could come in the form of a prescribed nominal amount.