

1. Centrelink Matters

1.1. General

1.1.1. If you have come to this Chapter expecting to find out about "every pension, allowance, benefit and payment known [only] to woman", then that is not the intention of the Chapter, but ironically that is what you will learn. The intention is to explain the interrelationship between "family law matters" and "social security", albeit both those expressions need to be given a very broad meaning in this context.

1.2. Is Centrelink Social Security?

1.2.1. Before describing the fever that swept over the land in the mid 1980s, it is worth delving back to the 1950s to explain that since the mid 1990s when Centrelink was "morphed" from the Department of Social Security [DSS], we have at least partially reverted back to the 1950s. I am referring to the fact that the taxation system had always had an incentive to "go forth and propagate" and this was termed "single/married man tax" back in the old days. Yes folks, things were a lot simpler back then with men working and mum in the kitchen. In simple terms a married man on the same wage as a single man brought "home" more money than that single man.

1.2.2. But there was trouble in paradise even back then with Greer still in nappies. At that time the pubs closed at 6PM so dad was said to charge out of the workplace at 5PM and head straight for the pub to engage in what was termed "the 6 o'clock swill". Of course some actually **did** that, but who's counting? It was enough for public hysteria to fabricate what in effect was the married version of the "deadbeat dad". So the gummt did as gummts are inclined to do at election times and took the extra money away

from dad and gave it directly to mum [and the kiddies as long as mum was not a pokie or bingo addict] as "family endowment" [and many other terms over the years].

1.2.3. So for several decades DSS did in effect provide "social security" or, to put it another way, it didn't involve itself with tax as such. And of course the hands out steadily increased over the years with the main revolution being the introduction of a pension for single mothers, who formerly were told by family and gummt "do not blacken our door". So when the "Family Allowance" morphed into the "Family Tax Benefit" in the late 1990s, there was in effect a type of reversion back to the 1950s but with the difference that by then mum, married or single, had her mitts firmly on **all** the goodies from Centrelink, social security **or** tax derived.

1.3. Protecting the Public Purse

1.3.1. If you have been following the story from the earlier Chapters about the genius of the FLIndustry in marketing their product, it will come as no surprise to you that the "public purse" fever that spread over the land in the 1980s, coincided directly with the new marketing plan of supporting Buttercup [and demonising the dads]. There is no better way to explain the hype than to quote from Jan Bowen's book *A Practitioner's Guide to Child Support* [1994].

One of the purposes of the Child Support Scheme is to ensure that adequate support is available to all children not living with both parents, and that Commonwealth expenditure is limited to the minimum necessary to ensure that those needs are met. The Family Law Act 1975 (Cth) provided that the pension which a custodial parent could claim was a relevant factor to be taken into consideration by the court in determining the level of child maintenance payable by the custodial parent. Not surprisingly,

virtually all custodial parents claimed the pension and non-custodial parents, if they paid child maintenance at all, merely topped up the pension. Essentially, all children of parents who had/separated were being supported by the taxpayer.

Following guidelines set out by the Full Court in Mee and Ferguson (1986) FLC 91-716, the Family Law Act was amended in 1987 so that the receipt of a pension by the custodial parent was no longer a factor to be taken into account in the award of child maintenance.

Following these events there was an increase in the level of maintenance awarded. However, when the Child Support Scheme was established in 1988 to ensure that children, were supported by their parents, the Social Security Act was amended to provide that before a custodial parent would be granted a pension, benefit or allowance, they must take reasonable action to obtain child maintenance from the non-custodial parent. In practice this involves applying for a child support assessment directed at the non-custodial parent.

1.3.2. Apart from the fact that Mee and Ferguson had nothing at all to do with social security matters, you can see that the push was to increase the number of divorces and increase the maintenance paid by dad so the kiddies are not supported by the taxpayer. Then by some mammoth leap in "logic" from "dad pays so the taxpayer is saved" it became "if you are going to take away our goodies because dad is paying then we will need **more** goodies, won't we?". And for good measure let's forget about the stodgy FLAct where property matters are only for separated spouses, and instead include all kiddies, even as a result of one night stands. In fact why not start a new Scheme with new Acts and call it child support? And they did!

1.3.3. So in 1987 the gummt introduced the "dad **or** taxpayer" clause [herein "the dogma"] throughout the FLAct and by

1989 the same clause appeared just as many times in the CSActs, and by 2006 the number of insertions was nudging the half century. Here is one of the original insertions at s 75 of the FLAct:

S 75(3) In exercising its jurisdiction under section 74, a court shall disregard any entitlement of the party whose maintenance is under consideration to an income tested pension, allowance or benefit.

1.3.4. To explain this particular sub-section in simple terms, after mum divorces dad, kids or not, property settlement or not, mum is able to ask a court that dad continue to support her "in the manner to which she was accustomed" [as long as her lawyer can find grounds in s 75(2)]. So when it gets to the point of s 75(2)(b), per;

(b) the income, property and financial resources of each of the parties and the physical and mental capacity of each of them for appropriate gainful employment;

it is **not** a matter of add up dad's income from employment [say \$50,000 pa] and compare that to mum's income from Centrelink [say \$20,000 pa]. S 75(3) says the court shall disregard the whole \$20,000 for mum and treat her as having nothing at all, because indeed **every** "thing" from Centrelink is, **inter alia**, "income tested". In fact I shall introduce the term "things" [rather than hands out] at this stage because in talking of "pensions, allowances or benefits" the gummt **forgot** to mention "payments" as one of the things, and I will return to that issue below.

1.3.5. But let's see if the FLAct might help us out under definitions, where it says:

***income tested pension, allowance or benefit** means a pension, allowance or benefit prescribed, or included in a class*

of pensions, allowances or benefits prescribed, for the purposes of this definition.

So the answer is an emphatic "no", and I will return to the one case where the **court** tried to understand it all.

1.3.6. So the question is, "is there anything wrong with this 'disregarding' requirement above [as well as the 50 other mentions]?" The answer is, "since 1987, yes but before 1987, no". Back in the times Bowen speaks about there **was** only "income testing" [ie **not** "maintenance income testing" as well] so it was very simple. Every dollar dad gave to mum as maintenance was simply added to her income, **so** her **total** revenue from Centrelink "things" was reduced **by** what she got from dad [but see under]. Therefore we have a chicken and the egg situation of you must first "peg" the chicken or the egg or you have what is called in mathematics a "circular function". For example, what is a number that is half of itself? That is a circular function and there is no answer to such a question.

1.3.7. Therefore the way to solve the question in the above idealised context is to "disregard" all of mum's things, work out what dad can afford to pay to her and finally mum's things get reduced by that **same** amount. In that way we are looking at two ramps, where mum gets the same amount in **total**. If dad can't afford to pay her [in the discretion of the court] then all comes from the taxpayer. If the court agrees dad can pay \$50 per week to mum [ramp **up**] then Centrelink ramps **down** by the **same** \$50. In this way the taxpayer and dad share in this American Apple Pie "total equity" juxtaposition of "looking after mum" [of course without asking the moral question of did mum "make her own bed" anyway]. So if that is how this whole system was to operate then I think it would be hard to say [setting aside moral issues] it was not fair to all "players".

1.4. Of Women and Mice

1.4.1. Of course the "best laid plans of men and mice" equitable model above was never going to see the light of day, so the **actual** system that has operated since 1987 is anything **but** fair to dad **or** the taxpayer, but has simply been bastardised to suit the aims of the FLIndustry as set out in this book. Firstly there was never any suggestion that the ramps would be **equal** in gradient. At least since 1983 it seems that the "50 cents in the dollar" ramp has applied whereby if dad pays mum \$50 per week, mum only lost \$25 of that from her Centrelink thing, up to 1987 that is.

1.4.2. Secondly, before this model ever saw the light of day, the feminists/lawyers in power had introduced a new term of "maintenance income" to the SSAct, which of course came with its own "maintenance income testing". In effect this gave a mum a secondary "flag fall" so that even though you might have found the 50 cents in the dollar gig above hard to swallow, it was now way less than 50% ramp because there was [wait for it] "a maintenance income testing test free area". This provided a **new** "slush area" at both ends of the things or thing, meaning that dad's \$50 per week in fact only reduced the taxpayer ramp by zero to perhaps \$15 per week at the top end.

1.4.3. The mechanism that allowed that to happen was that from day one in 1987, the term "maintenance income tested" was never substituted for "income tested" in this ever increasing list of uses of the dogma similar to s 75(3) above. So while all of the things [whether for social security or tax relief purposes] were, and still are, **income** tested, only one thing at a time was, and still is, **maintenance income** tested, and even that at a minimal rate.

1.4.4. It seems up to 1993 the thing chosen was the one termed pension, and that morphed in name to such names as Lone/Sole Mother Pension to Lone/Sole Parent Pension etc. That

meant that any Buttercup who "repartnered" [thus losing her pension] had no maintenance income testing at all, so the gummt changed it in haste to the Family Payment, not realising that a "payment" was **not** in the list of things in the dogma, until someone [the Divorce Doctor] pointed that out, so in 1998 the Family Payment morphed into the Family Allowance.

1.4.5. Later still Family Allowance morphed into Family Tax Benefit A and, for all that time, that thing was the only thing that was maintenance income tested. But as maintenance income testing sits today [ie 2007] in the FTB, there is another "chicken and the egg" situation whereby FTB is **also** income tested, and nobody tells us which one gets tested first.

1.4.6. This proved invaluable for CSA propaganda via their annual Facts & Figures Report in which they would attempt to justify their own existence by providing a savings figure [termed Clawback] from the FTB "because of" child support paid. In doing so they took credit for 100% [or more like 150%] of the Clawback as being from maintenance income testing, that is not one cent because of income testing. At that time it was seen that Howard had an open mind about actually axing the CSA as they did in UK, hence the lies from CSA.

1.4.7. After Howard learnt a bit about the voter by throwing a few kiddies overboard and observing the drift patterns, he concluding it would be electoral suicide to axe the CSA, so following the expose [by the Divorce Doctor] on the lies, the CSA then completely dropped the Clawback justification from their subsequent Reports. And it is history that Howard called in one of his chief firewalls Professor Parkinson to "cover things up" - and that included far more things than those identified above in the dogma.

1.5. Their Honours are Confused

1.5.1. Perhaps the best known instance of the dogma is the one termed "otherwise proper" at s 117(5) of the CSAAct, also commonly termed Gyselman Step 3. Courts by large simply find it impossible to interpret so just ignore it. The classic case was where Kay J determined the correct amount of child support at s 117(4) and then said there was no point in s 117(5) "because I am not the keeper of the public purse".

1.5.2. However there was one case, *Ganter and Grimshaw* [1998] FamCA 52 (12 May 1998), which was in fact a child maintenance case, but of course [see Gyselman] following the same process in Part VII of the FLAct as Part 7 of the CSAAct, where the court tried very hard to come to grips with the dogma. In *Ganter* the court tried to work out just how much Buttercup got from Centrelink, and then how much would be clawed back. But first you need to understand the statement earlier:

2.2 The mother has one child from another relationship for whom she receives \$55.00 per week maintenance.

The court then went on to do the calculations, per:

4.35 Accordingly we conclude that the appeal must be allowed and the order of the trial Judge varied by substituting the figure of \$37.50 per week for the figure of \$20.00 per week appearing therein, and by substituting the figure of \$75.50 for the figure of \$40.00 appearing therein.

4.36 Notwithstanding that conclusion, we feel that we should not leave this case without expressing our view about the provisions of the Act, particularly s.66K(4)(a)(ii), which have driven us to that conclusion, notwithstanding that we consider it to be unfair to the father and his current family.

4.37 *The effect of the orders we propose is that, from his net available income of \$331.00 per week, the father, after paying \$75.50 to the mother for child maintenance, will be left with \$255.50 per week to support himself, his wife and their child. The mother, on the other hand, will have a total income of approximately \$390.00 per week (at least), to support herself and her three children, made up as follows:-*

*Maintenance paid by father : \$75.50
Maintenance received for other child: 55.00
Sole Parent Pension (adjusted to reflect maintenance income of \$130 per week) : 138.50
Basic Family Payment (3 children) : 63.90
Additional Family Payment (adjusted to reflect maintenance income of \$130.50 per week) : 57.87
Total : \$390.77*

Those figures for the mother do not include any rental allowance or guardian's allowance, to both of which she may well be entitled. Indeed, the weekly figures contained in her Form 12 Application of 19 September, 1996 (at Appeal Book p.15) - namely \$170.00 for "pensions" and \$185.00 for "family allowance" - suggest most strongly that she does receive those additional benefits.

4.38 *By way of comparison, if the level of child maintenance paid by the father were to remain at the \$40.00 per week provided by his Honour's orders, the mother's ultimate income position would remain at about the same level of at least \$390 per week, made up as follows:-*

*Maintenance paid by father : \$40.00
Maintenance received for other child : \$55.00
Sole Parent Pension (adjusted to reflect maintenance income of \$95.000 per week) : \$156.40
Basic Family Payment (3 children) : \$63.90*

*Additional Family Payment (adjusted to reflect maintenance income of \$95.00 per week) : \$75.65
Total : \$390.95*

1.5.3. So the court looked at the outcome for the two scenarios, firstly their own appeal result and secondly the orders of the trial judge [which they overturned], and in both cases they arrived at \$390 per week for Buttercup. But you will notice that they applied maintenance income testing to **both** the Sole Parent Pension and the Family Payment. So what we have here is the proof that the devices used by the feminists/lawyers in power to tilt the playing field are so cunning that three senior judges were fooled into thinking the Clawback was 50 cents in the dollar off the pension **and** 50 cents in the dollar off the Family Payment.

1.5.4. So they concluded that there was in fact **100 cents in the dollar** Clawback, when the reality is that Clawback was transferred **from** the Pension **to** the Family Payment in 1993, and that with slush at both ends the Clawback would be more like 30 cents in the dollar. So the court went on to say:

4.39 It seems to us manifestly unjust that a working man, such as the father, should be left with \$255.50 to support himself, his wife and their child, whilst the non-working mother will have at least \$390.00 per week to support herself and her three children, plus the additional fringe benefits (by way of reduced fees payable for a range of services) which are available to her as a recipient of Social Security benefits. The injustice is all the more manifest when it is appreciated that the mother's ultimate income position is not significantly improved by increasing the maintenance payable by the father from \$40.00 to \$75.00 per week, yet the father's position is significantly worsened by that increase. The only beneficiary of that increase is the public purse, through the reduction of the mother's social security entitlements.

4.40 We appreciate that the fore-runner of s.66K(4)(a)(ii), and like amendments (e.g. the addition of s.75(3)) were introduced into the Act in 1987 to ensure that the primary responsibility for the support of children was borne by their parents, rather than being cast upon the public revenue, through the mechanism of fashioning child maintenance orders so as to maximise access to Social Security Benefits. However, it appears to us that the current form of those provisions, including s.66K(4)(a)(ii) is too rigid, and obliges the Court, in some circumstances, to produce a result which is unjust. In our view, this is one such case. Those provisions oblige the Court to ignore the reality of the situation, and to produce a result which is really based upon a fiction, namely that one parent (usually the mother) has no available source of income to support the children other than the maintenance payments to be made by the other parent (usually the father). It is the combination of that fiction and the operation of the principle of equality of priority between dependants, established by s.66C(2), which has produced the injustice in this and, no doubt, other cases.

4.41 In our opinion, the Government should give consideration to making amendments to the Act so as to give the Court, in the determination of child and spousal maintenance proceedings, a discretion, in appropriate cases, to have regard to the entitlement of a parent, or a spouse, to receive an income tested pension, allowance or benefit, when the effect of disregarding that entitlement would be to require the making of an order which the Court considers would not be just or proper in the circumstances.

1.5.5. So what can we take from this brave, sole attempt by an appellate court to delve into the murky world of Greerism and Gowardism, with their hands firmly on the gummt's balls and squeezing hard [apart from the mistake already identified that Clawback was **only** levied on the Family Payment as seen above]. Firstly they are correct that the dogma, if followed, produces a

totally unfair result. Secondly they missed the point that in fact a "payment" is not a thing in the dogma [so perhaps the trial judge did understand that and hence was in fact correct in "disregarding the dogma instruction to disregard"]. Thirdly they did not advance an amendment to the dogma to make it fair, which is simply [for s 75(3)]:

*S 75(3) In exercising its jurisdiction under section 74, a court shall disregard any entitlement of the party whose maintenance is under consideration to any **portion** of a pension, allowance, benefit or **payment** that is **maintenance** income tested.*

1.5.6. That wording reverts the dogma back to its original intention, as explained above, but obviously it can never happen as, similarly to the Part 6A issue in the child support chapter, there are billions of dollars in compensation at stake if the gummt was to admit the mistake.

1.5.7. Fourthly they were wrong about the taxpayer not getting screwed, but as Howard understands very well, 50% of the punters out there are female and if they are taxpayers then it is swings and roundabouts simply by applying for one's DIP at any lawyer's office. Of the other gender, a large number are SNAG metrosexuals, so "vote with Germaine" and those with a spot of residual testosterone are left with tears in the eyes as Howard belts out yet another rendition of Advance Australia Fair [but **not** Just or Equitable] at yet another sporting event. So it's a case of bring in the clowns as the show must go on, and nobody [except that Divorce Doctor and a few old judges, now retired] is complaining.

1.6. Still don't believe Conspiracy Theory?

1.6.1. So in this chapter I am including J Doe in with bloke, as the "screwees". **Here** is another abuse [against **old** blokes, not in the Smirk Future Fund] under the steerage of Captain Smirk, as

ABC AM presenter Tony Eastley explained in an interview on 10 October 2007 with yet another quango/firewall called CEDA, per:

*PETER RYAN: So what you're saying is in line, pretty much, with what the Treasurer Peter Costello is saying - that the current **aged pension** and also superannuation planning is **not really sustainable** as it stands?*

But let's go back to the start of the discussion, per:

TONY EASTLEY: For many working people, retirement and the aged pension, can't come soon enough. But one of Australia's top economic think-tanks would like Australians to wait longer by extending the pension qualification age from 65 to 67. The Committee for Economic Development of Australia, or CEDA, wants to introduce the higher age by 2015, citing an ageing population. And in a report to be released today, CEDA, is urging both the Government and Opposition to link the pension age to life expectancy. CEDA's chief executive, David Byers, has been speaking with our business editor, Peter Ryan.

*DAVID BYERS: Back at the time that the pension was introduced 100 years ago, one of the **few people** who actually made it to 65, could expect to live for something like about 11.5 years. By 2001, that figure was up to around about 20, and as medical science continues and as the trends continue, we can look, by the middle of the century, to people having life expectancies who reach 65 to **still have another 30 years** of life in front of them.*

1.6.2. So what we have here is the exact same attitude used against me via Ms Patterson the **former** Minister for Families [until I truncated her rule - see blokesline.com], via her army of HLLs at Centrelink, aided by the subcontracted Catholic NGO CentreCare. It was said to me that it was **all my fault** that I had "survived" Vietnam conscription and threatened to become an imposition on

Smirk. The woman told me [at age 61] "you will never get the pension, we can't afford it". The Royal plural of "we" was explained as being "Smirk and us femmos".

1.6.3. I should mention that I was very suspicious of the fact, as a Patterson personally selected **extreme** HLL Inquisitor/Terminator, she had removed her nameplate from her breastplate. For sure she was under "Terminate with Extreme Prejudice" orders, but happily it was Howard that had to terminate Patterson when all this "political terrorism" went pear shaped.

1.6.4. I told her that if I was a woman, I would **already** be on the pension. Well not quite correct [see table below] but the nameless one was also unsure and blurted out a Freudian Slip of "how did you know that?" In short the aim of this Smirk plan is to "help" people to stay employed so they don't "dither away" their final years on things like enjoyment. But there's more help folks, with "something in the air", per:

PETER RYAN: We're on the brink of a federal election - is this decision something that has to be made in the next term of the federal government, whoever is the winner?

*DAVID BYERS: I don't believe so. I think [sic] it's **something**, though, you know, as we **look out** sort of against a **backdrop** of **something** which, you know, this is **something** that we're **putting forth** an idea into the public domain on **something** which is really **gotta be debated** over a period of time [sic - going forward?]. [Editor: a perfect candidate for Weasel Word Award of the Year]*

*We're not looking at any sort of changes to the current framework **until 2015**, that's eight years away. But I think it's a discussion that we need to start to have now so that we can ensure that we sort of think through exactly what this means, give ourselves time to adjust, but at the same time we do that*

*against the reality of people living longer and **wanting to live more productive working lives.***

1.6.5. So one might ask would a person of 65 years "life experience" not be able to make up their **own** mind about retirement? Also, no matter your intelligence level, I don't need to tell you that this whole argument is **self defeating** as women live much longer than men, suggesting [to me] men stay at 65 and women bunny hop to 70, with about \$20 billion saving. But I am getting ahead of myself, so to move on, going backwards and then going forward to the Smirk matters, we have:

PETER RYAN: So what sort of saving or additional money would this push into the overall economy?

DAVID BYERS: It would save the Federal Government around about \$800-million a year in pension payments.

1.6.6. So the reason I knew of this Secret Wimmens Business of Unequal Opportunity, is simply because it is on the Centrelink website, per:

You may get Age Pension if you:

- *are aged 65 years and over if you are a man, or*
- *are above certain qualifying ages for women (see the ages chart below)*

*Depending on their date of birth, women qualify for Age Pension at different ages. **By 2014**, the minimum qualifying age for women will be 65 years, making it the **same for everyone.***

<i>Date of Birth</i>	<i>Qualification Age</i>
<i>1 July 1935 to 31 December 1936</i>	<i>60.5</i>
<i>1 January 1937 to 30 June 1938</i>	<i>61</i>
<i>1 July 1938 to 31 December 1939</i>	<i>61.5</i>

<i>1 January 1940 to 30 June 1941</i>	62
<i>1 July 1941 to 31 December 1942</i>	62.5
<i>1 January 1943 to 30 June 1944</i>	63
<i>1 July 1944 to 31 December 1945</i>	63.5
<i>1 January 1946 to 30 June 1947</i>	64
<i>1 July 1947 to 31 December 1948</i>	64.5
<i>1 January 1949 and later</i>	65

1.6.7. So back in Keating time, before Pru Goward came to power, it was realised that it was "unfair" that women get the pension at 60 and men at 65, so a 20 year ramp up was introduced in 1995. You will note the mention by "Biased Byers" of the year 2014, but no mention of the bias **already** in the system. And of course the ABC's business editor, Peter Ryan was not about to tell J Doe either, as he dutifully trod the Howard Congoline of Firewalls.

1.6.8. So it is rather ironic that the soft option by Keating to ramp up [rather than just do a full 5 year bunny hop as per CEDA], in order to "give equality without upsetting the female vote", did not work for him. My own ethical solution would have been to meet in the middle at 62.5 years, and ramp or bunny hop **if** required/desired [tick the box] from that point of equality.

1.6.9. So using CEDA's figures [albeit ABS says about three times their figure], the ramp up saves the gummt \$4 billion over the 20 years, whereas a bunny hop in 1995 would have got \$8 billion. So I suppose both sides of gummt can say that "delayed equality" **did** save J Doe \$4 billion, but the numbers are peanuts compared to the overall Centrelink pensions, allowances, benefits and payments available to Buttercup once she goes for her DIP.

1.6.10. What is more, they are also tiny compared to the **assured** "pension" for Captain Smirk himself [and all those unfunded gummt employees] obtained by selling off the Telstra farm and putting the proceeds into Smirk's Future Fund.

1.6.11. So once again we have the same lies, lies and statistics used by gummts [on an easy audience] and nobody ever says anything. Well in fact, as well as busting Patterson, I also busted Telstra for a \$100 million overcharging fraud [see flyingfairy.net], so maybe in a few months when, but for an accident in gender, I too **would** be on the pension at age 63.5, I might challenge this whole farce in the courts, irrespective of Smirk steering the ship or counting his Super from the Future Fund.

1.6.12. So to answer conspiracy theory, whether using Smirkonomics or Parkinson/Byers Ethics, clearly this is not about money, and because of the total **ban** [for boffins and media alike] on mentioning the present [20 year long] Secret Wimmins Business racial discrimination, I would say with 99% assurance that it is purely a red herring to get old blokes "screaming their tits off" about a "something" that will never happen, but diverting any putative vision away from what should have been as obvious as the noses on their faces.

1.6.13. So the only difference in the [Hitler aided] Howard strategy here is that bloke is **older** than "bokus familus lawus" to whom the bulk of this book is directed. And yes, the "ethics" change too from Parkinson's father hating ones to Mr Something's work till you drop ones, but Howard has never been backward in using "boffins with ethics".

1.6.14. But as added proof [if needed] of conspiracy theory being correct related to this **new** [to me at least] Howard firewall, I sent them a letter ["for want of something better", per Clancy of the Overflow]. Or in fact, being post Clancy times, it was an email. I requested a password at CEDA so I could see the **full** report to see if **it** had any mention of the present discrimination. The reply was:

"I am unable to provide you with a password as you are not a member of CEDA."

The email also said:

CEDA brings together leaders in business, government, academia and the broader community to chart Australia's economic future.

1.6.15. Well now, firstly why is penny pinching from putative old age pensioner men top of the agenda for CEDA's vision/chart of economic future? Secondly, if that is so, then would it not be democratic to allow such old blokes [obviously not included in the Howardian "broader community"] to at least **see** the plan to starve them to death, so they might at least have a say in such economic future? Of course there was no reply to my email asking those questions. So I hope you understand by now the great number of Howard quangos/Gummt funded NGOs/firewalls, and secondly, how devious they are in their "toxic methodology".

1.6.16. And, as I say, this is all the more offensive given that Captain Smirk has assured his **own** "pension" [at about 20 times the Old Age Pension rate] by selling off the Telstra Farm [that the putative Old Age Pensioners actually **paid for** with 50 years of taxation] into Smirk's Future Fund. Could one possibly get more pig troughy/common swilly/porky barrelling than that?

1.7. Summing Up

1.7.1. It is fair to say that in 2007 the **facts** regarding Clawback [ie there is virtually none] have been replaced by an equal and opposite **hype** about Clawback. The hype says that even though child support is "for the best interests of the kiddies" we can not let that cloud our understanding, and that the deadbeat dad threatens the whole fabric of Australian society if we, the taxpayer, are left to support the product of the evil lust of the deadbeats, etc etc.

1.7.2. I make that statement given the Howard/Brough [pronounced Bruff as in Gruff] deadbeats to the grave offensive whereby, even where Buttercup has declined the phone call invitation from the CSA to COAT her former bloke, the CSA does the so called RICAT, which means the CSA actually initiates the COAT. In most of these cases the bloke is already paying **more** child support than that necessary to fully zap all of Buttercup's FTB [even if her family income had not **already** done so]. Now s 98L says:

98L Matters as to which Registrar must be satisfied before making determination

*(1) Subject to this Part, the Registrar **may** make the determination if:*

- (a) the Registrar is satisfied that, in the special circumstances of the case, application in relation to a child of the provisions of this Act relating to administrative assessment of child support would result in an unjust and inequitable determination of the level of financial support to be provided by the liable parent for the child because of the income, earning capacity, property and financial resources of either parent; **and***
- (b) that it would be:*
 - (i) just and equitable as regards the child, the liable parent, and the carer entitled to child support; **and***
 - (ii) **otherwise proper**;*

to make a particular determination under this Part.

*(2) **Subsections 117(4) to (9) (inclusive) apply** to the Registrar in the exercise of his or her powers under this section as if:*

- (a) any reference in those subsections to the court were a reference to the Registrar; and*

(b) any reference to an order were a reference to a determination.

1.7.3. So it is my view that because the CSR considers RICAT a *fait accompli* [ie he actually decides he **will** change the assessment once he does his illegal snooping via s 161 notice to bloke's accountant etc] then he is bound by the legislation to **also** consider Gyselman Step 3 at the same time. Obviously he has no intention of even investigating that [even though as Parky puts it he has a "warm connection" to Centrelink], so he is once again being derelict in his duty. And as seen from the Privacy chapter the Criminal Code applies to such matters.

1.7.4. To save once again making this book into War & Peace, to see an actual example of this whole farce, just go to csacalc.com where "See Latest Howard Porky for the Great CSA/Centrelink Fraud" is there at the top. As you can see, firstly this bloke was already fully "testing" Buttercup's Centrelink goodies so there was no gain at all for the taxpayer, but secondly that did not stop the CSR using a standard [plagiarised?] template to bleat out:

"In determining if the change of assessment [sic] is otherwise proper, I take into account both parents' duty to support [insert name of child]. I also take into account the fact that the payment of child support reduces the means tested [sic] components of [insert name of payee]'s Centrelink benefits. This then reduces the burden on the Commonwealth."

1.7.5. As a side issue, with all the heady high level discussions of plagiarism and RimmerGate from Ruddock/Pascoe/Snatch, one might wonder if the author of the COAT templates [and it would be intellectually irresponsible to not think that was Mr Riethmuller] was just as "totally furious" as Walters FM was reported, by Ginger Snatch, to have been.

1.7.6. Well what we see is the total opposite where Mr Riethmuller is way ahead of the pack arse covering wise, so once having hopped from the COAT kangaroo court to the FMS he goes out of his way in *W & W [2005] FMCAfam 295* (8 June 2005) to remove any breadcrumbs by giving the CSR a spray for using his template/Guide term of "fair" instead of "just & equitable", as per the legislation, per:

*20. The objections officer appears to have **abandoned** a consideration of the various factors provided for under section 117(2), and (4) through (8) in favour of a consideration of whether or not the relevant assessment is "**fair**".*

1.7.7. As for all topics in this book I could also have gone on forever about this "clawback" deception by the gummt, but I will simply do a John Cleese as Archie Leech in *Wanda*, per:

"and on that point, ladies and gentlemen of the jury I rest my case".