

House of Representatives Standing Committee
on Family and Community Affairs

Submission No: 1079 NTA QLD.

Date Received: 18-8-03 17:8:03.

Dear Honourable Sir/Madame;

Although this does not affect me in a direct way, it does affect at least a dozen of my friends, so I beg that this letter be given the due consideration it deserves + I beg the committee at least consider some of the below points.

There are a lot of male partners who have separated from their wives/spouses + are being treated very badly by the rules that are now imposed upon them.

The weight of public opinion has now swung back towards the father/male as people now realise that they are very badly treated compared to the mother/female in the event of separation + custody of children.

Point no 1. of my Submission is:-

The payment of Child Support :- By either party :-
I beg the Committee to consider the following:-

Child Custody Payments should be continued: but not in its present state:- There should be a Yearly Gross Amount that should be taken into account when Child Custody Payments are considered.

Any overtime worked should not be taken into account. Example: if a person earns \$35,000 per year as his/her base rate; then that is what the amount of Child Custody Payments/Child Support payments should be worked on. Any over-time should not be penalised. If this method is

adopted, then the person paying the Child Support has a chance of starting a new life, with a new partner. As things stand now, there is no chance of a person, paying Child Support, ever starting a new life with another partner as he/she will never be able to get enough money to do so. There is no incentive to do extra work as the money just goes in Child Support Payments naturally the amount of Child Support based on a Base Rate should be reviewed each year + adjusted as per the inflation rate/etc. etc.

Point no. 2:- If a partner leaves their mate/partner for another person whose wage/salary is 4 to 5 times higher than their previous partner:- Surely the previous partner should not have to pay the full Child Support.

e.g. Wife leaves husband who earns \$30,000 per year + gets tangled up with a person who earns \$125,000 per year. The previous partner still has to pay the full Child Support to his ex wife who really has no need for that money.

Why not put a "Cap" on the Amount of Child Support a person has to pay.
e.g. if they estranged partner gets tangled up with a new partner that earns say \$50,000 or less:- then full child support should be paid. If that person gets involved with someone who earns \$55,000 then the amount of child support should be reduced until

the amount reaches : say : \$100,000.
then the partner should not have to pay
any Child Support: or just a flat rate of
\$25 to \$30 per week. because let's
face reality. - Any person earning \$2000 per
week is not really interested in getting an
extra \$70/80 per week off some poor
struggling person. If they are it is just for
spite + not for need. -

Point no. 3. of my Submission: -
If the person pays Child Support then that
person should be entitled to see his/her child
if he/she cannot see the child then he/she
should not have to pay child support. -
I know of a woman who refuses to
let the father see the child: - yet he still
has to pay child support. He has not seen
his child for over 5 years: - yet he just paid
a lump sum of \$12,000 in child support
payments. And he only visits 6-7 months
per year.

Point no 4: - The Court System: -
The Court System always favours the mother in
Custody battles. 98% of all cases end with the
mother having Custody of the children. & the
Courts do not care what sort of person she
is: - she can mistreat the kids - she can be a
drunk or drug addict & the Courts tell you the
same story: - as long as she can provide
a roof over the child's head - feed it at

least once per day & clothe the child, then she has custody of the child. No consideration what-so-ever is given to the father even getting custody of the child.

Exception is :- if that father is a person whose income is in excess of \$200,000 per year & who can afford a lawyer; then maybe he may get custody of the child.

Point no. 5 of my Submission:-

When these Custody of the Child battles go to Court:- the woman receives free Legal Aid while the father has to pay out thousands upon thousands of dollars for legal advice.

A friend of mine recently went through this & it cost him in excess of \$17,000 for legal representation while his ex partner got all her legal representation through legal aid at no cost. The point is:- The women abuse the system & get free legal aid while the men pay thousands. & the end result is:- just the right to see your child:- forget custody:- the male has no chance:- the father has just forked out \$17,000 just so he can see his kid once per month.

Then the other point of this is:- the mother breaks the Court rules & refuses to abide by the Court Ruling re letting the father see the child:- the Result: father has to pay out a further \$1,700 for legal fees .00 95

the Court can enforce their previous ruling. -
the Outcome: - The mother is given a slap on
the wrist & told not to do that again. -
She behaves for two or three months then
goes & does the same thing again. -
Once again the father, to see his child,
has to pay another \$1000 - \$2000 for legal
advise. The Court once again gives the mother
a slap on the wrist & tells her not to do
it again. Again two to three months go
by then it happens again.

I have a friend whose wife has
done this to him 4 or 5 times. After an
enormous amount of money has been spent
on legal fees he has now "given-up" &
just does not see his kids any-more. -
Yet he is expected to pay his Child
Support money, he works hard and long hours
per day (16-18 hours per day / 7 days per
week) & gets no value in life as a lot
of it goes on child support.

I beg the Committee to consider these points
& be fair in their rulings.
listen to the people out THERE &
not to your sub-committees & others who sit
in their office & are not in touch with
reality.
Go out to the people - have meetings
with separated fathers & listen to their crys
for help. Please help them.

I have always been a labor supporter
but the first party that decides to help/
do things for the separated partners &
do it more evenly: then that party will
gain numerous amounts of votes & will
have no trouble winning the next
election.

Yours faithfully
TOM URBAN
Tom Urban