

Mark Vaile MP
Victoria St Taree

House of Representatives Standing Committee on Family and Community Affairs	
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Secretary:	


6/8/03

Dear Mark and or Secretary,

I am writing about my concerns about family breakups, I have written to you before on this subject. And you have kindly replied, thank you so much, for your concern.

It seems that Ex husbands such as myself get screwed around by a legislated system, which favours the women, In both Federal and State bureaucracies.

As you are aware that there has been a fair amount about this in the papers recently how that fathers seem to be the forgotten parents.

It seems no matter what the father attempts to do the system is against the Dads, unless you have plenty of money and can fight it out in court.

In about February 2002 we had an temporary 1st agreement (until heard in Family Court) at Taree Local Court that I get the children about 14% of the time.

In about June 2002, I was advised by staff at Taree Centrelink to apply for Rent Assistance seeing that I have the children. (I am only on a low income). When I went there Staff told me that seeing that I was getting the children for 14% of the time I was entitled to get 14% of family payment to look after the children. And also will get Health Care Card.. Which is really important. They explained how it worked. (They take 14% of money from my Ex wife Family Payments and give it to me). My concerns were to them that if I applied to get Family Payment, my Ex wife will go Bananas as she is so greedy for money and I predict that she will go out of her way to get the kids away from me.

The staff assured me that I have the full right to apply, as going by my income I would have trouble to survive and properly look the kids,(which is true) and they assured me that, IF YOUR EX WIFE ATTEMPTS TO TAKE THE CHILDREN AWAY, CENTRELINK WILL NOT TAKE THE FAMILY PAYMENT FROM ME. This staff member then went on to say.. QUOTE... that once you have the court agreement we will not take the Family payment from you and if we did do that it may encourage the ex wife to take the children from you. So do not worry about that. We will take care of the situation as we have had ex wives attempt this stunt before. End quote. I explained that this was temporary agreement and was waiting to have the hearing in the Family Court in the near future.

So what happened soon after ???

Within 2 weeks of putting in my application into Centrelink, I had 3 of my eldest Children ring me 1 morning to say that .. Quote, hello Dad .. Such and such here...I have been thinking that I do not want to come over every 2nd weekend due to more homework and I like to stop home with my friends, and THIS HAVE NOTHING TO DO WITH MUM AT ALL, MUM DID NOT GET US TO RING WE DID THIS OURSELVES.... End Quote.. What a Co-incidence...up till this point I got on really well with my children and they only had the usual homework, and we always had a great time and they really looked forward to seeing me and suddenly they do not want to see me. (I have everything in my Diary I keep).

Anyway Centrelink paid me up till about May 2003 and gave me back pay from about Feb 2002, for the Children.

In the mean time Children have been acting quite differently to me and not wanting to come suddenly, and seemed to be scared about talking about the situation. I do not push the dialogue as the kids seem to get agitated if I mention about the situation; my elder ones are from 14 to 18yo. And 3 younger ones are from 6 to 11.

Lots of things happened in the mean time till now. Such as attempted AVO Proceeding (which got thrown out of Court etc) And eventually we tried mediation but Ex tried to worm her way out of it each time and would not face me or the mediators, until in about November we negotiated a settlement.

I have a Stamped Court Agreement that I get my children about 26% of the time. As at November 2002.

My Ex partner has gone out of her way to brainwash and to stop my children from seeing me no more than about 8% of the time. At No time I have had the Children 26% of the allocated time. Reason is, is about money. Why? Greed and wanting to see me suffer as much as she can, and seems to get plenty of encouragement from Women's welfare groups. And now I feel very let down that Centrelink stopped my Family payments and want me to back pay some \$285.76. back to Centerlink because the Ex refuses to encourage the kids to see me. (since writing this letter I have received a reply that they will waive the repayment..Letter enclosed)

I have considered going to Court, but the cost is astronomical and cannot afford to go, but instead have applied and had attempted Mediation. The Mediators have gone away totally flustered about my Ex wife, I put an affidavit into the Family court when my Divorce came up and they tried Mediation again. I have been very willing to talk and try sort this mess out, but unfortunately to no success without going to Court, I hate wasting hard earn't money as it would be best spent on looking after my children.

I know that if I took my ex wife to Court (and I have been assured I have a very good strong case), the Ex wife will go out of her way to upset the kids, by telling them bad and untruthfull things about me and, I do NOT want any more bad feelings brought upon my kids, as I think stress like this would do more harm, than good to my children.

I have been paying about 36% of my wages to Child Support which I do not mind so much, but I have needed to buy cloths for Children when they come here because Ex wife refuses to send cloths etc. This is very difficult in deed.

Since being separated I have had to buy Beds Sheets Blankets pillows, cupboards, fridge furniture, even tooth brushes etc for the kids. This is no easy feat as I got 6 kids. And I am just battling but going under the strain mentally and financially of no money, as I have had to spend to get the kids comfortable in my rented house. I contacted Child support about the expenses I am occurring for the children and I wanted to get a credit on my expenses because I cannot afford to pay full child support as well. And now running behind in child support payments. When I contacted them they said... Bad luck, we are tied to legislation, and you need to get permission from your Ex partner to get any Credit... I said You have to be Joking it would be easier to get blood out of a stone than to get her to agree. They said well that's bad luck for you, nothing we can do. Just take her to court then.... Yea sure how can I?. I am virtually broke.(and as well the drought of last year nearly sent us broke here

at work) And I do not believe in taking things to court but believe strongly in mediation, (and again I have been trying to think how stressfull it is for my children again) but that has not worked..

I have even contacted solicitors and they said take it to court will cost a lot of money.

I feel totally trapped. Apparently, I have been told no chance of Legal aid Either.

Any way there is more to the story, but I really need to tell you in person.

There is heaps of problems with the current Legislation concerning Child support and welfare.

I believe that to ENCOURAGE separated couples to mediate is too cut off the Family welfare till a fair deal is struck between Partners, ie; maybe if my Ex partner encourages the children to see me what the Court agreement says such as 26% of the Time or more. It seems that Wives can manipulate the system and get away with it. I have been told by a Family Law Court Person that he has never seen a Wowan go to Gaol for breaking the Custody agreements ever in Australia, even thou it is legislated that the Custodial Parent will go to Gaol if breaching the Custodial Agreement. So this legislation is useless.

Things have to be changed to make it fair in marriage break ups. Going to Court is the last thing I want to do but gets very frustrating when I am thinking of the kids best interest and the Ex wife or custodial parent snubs their nose and use's the Children as Pawns, such as in my case.

Children are not meant to be used as a leverage for Custodial Parent to use against the other partner.

Yes something needs to be done urgently; it seems to me that not many Politicians wants to get legislation changed. Why are they refusing to listen to us people who are hurting and what about the CHILDREN whose Lives are slowly being destroyed by a slack system and stupid legislation which is not working and seems slighted to feeding Solicitors bulging wallets.

I would appreciate if you or your secretary could arrange an appointment for me to speak to you in your Taree office when you would be available. I appreciate that you are not available very often, as I know that you are extremely busy. I would not mind if I can get an appointment, that your secretary takes notes.

Also I am enclosing 2 letters I have sent to; 1.. Centerlink and I have received a response from them ..Letter Enclosed

and ..2.. to Child Support.

Child support have contacted me and said it is a hopeless situation for me and *they do not care about me or the fact that the kids are being sent to me without cloths and do not care that I am struggling to make the payments after I am trying to look after my children while I some times have them in my care.* And As well Child Support Said; they can only give me Credit where I have paid for childrens School Fees or got school books. **BUT CANNOT CREDIT ME IF I PURCHASE CLOTHS TO KEEP MY CHILDREN WARM.! WHAT SORT OF A SYSTEM IS THIS?????????**

. PLEASE TELL ME!!!!!!!!!!!!!!

Thanking You.

Yours Sincerely,

