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Secretary: .....

  
8/21/2003

Committee Secretary  
Standing Committee on Family and Community Affairs  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Sir/Madam,

I am writing to your Committee in regards to my recent dealings with The Child Support Agency over the past month.

As a dedicated Father that adores his 3 beautiful boys and has done the "right thing" emotionally and financially for the last 6 1/2 years, my recent and still ongoing dealings with the Agency has left me feeling betrayed, victimised and stripped of my dignity. I feel I am one of the luckier fathers as I have such a strong network of love and support from my wonderful family (parents and in-laws), friends and my beautiful new wife who is there for my days of support and encouragement through these unknown waters.

I have had a verbal agreement on how much child support I pay with my Ex-Wife since our Separation 25th February 1997 (she just decided one day she did not want to be married anymore). The day after she decided she didn't want to be married any more she rang Centrelink and was informed that if I moved out she was entitled to \$350 one week in benefits and \$190 the next week plus my child support no questions asked. Thanks Centrelink. For 6 1/2 I was told by her to pay \$200.00 a week as she said "I had a life too". Although we did get letters from CSA stating how much I should pay we both took no notice as we had such a good understanding about the situation. We did not do a settlement on our home, car, furniture and bank accounts, I just left it all to her. My boys were 4 1/2, 3 and 8mths old at that time and I didn't want to put them through anymore turmoil than necessary. For more than 6mths after the separation I was paying the 1/2 mortgage, a car loan and child support payments so she could get back on her feet. I was living with my parent's rent-free as I could not afford to even rent and did so up until January 2003. The payment of \$200.00 wasn't changed until July 2002 and then it was increased to \$220.00 per week. Throughout this time my wage was structured with a base wage each week and a commission in July and January on my sales. This also presents a problem as my child support is calculated on my gross earnings each year and not what I actually earn each week.(That will come to light in this letter later) Everything between my Ex was fine until I married my girlfriend of 4 years in January this year. Then the trouble started slowly then increasing to my current dilemma. My Ex wife also works infrequently (cash in hand also) and doesn't put in tax returns. Last November she put in her tax return for 99/00 financial year, then CSA send me a new assessment for the period and it shows what I earned for 99/00. I am told just ignore the assessment as you can not go back and pay less for that period. How can I pay less when I have already paid her over two years ago? A phone call to CSA confirmed what I already knew. Just ignore the letter. Well why do they bother to send you a letter if it means nothing?

Any way, I will give you a summary in point form of what I have had to deal with in the last month or so.

\* 7th July 2003

I received a phone call from the Child Support Agency stating my Ex wife wanted them to collect on her behalf and that she wanted back-pay for the last 3mths. I was shocked with this as I never knew there was a problem. Since Child Support go on what my earnings were for 2001/2002 the back pay was calculated on my 01/02 tax return. I was told by a Caseworker had to start paying my Ex \$325.00 a week and had an in arrears amount of \$1,400. My earnings for 02/03 were \$17,000 less this year, (I lodged my 02/03 tax return that evening) and I only get \$619.00 a week in hand as my base wage. My share of the mortgage is \$180.00 per week then food, electricity, rates, water etc. I could not realistically afford it. I explained that to the Caseworker on several phone conversations I had with her since but was told "Oh well that's the law". How unfair is it that my Ex can go back 3months but I can't show what I actually earned over the same period and pay the correct child support. The caseworker didn't care that this could financially ruin me. (As per child support letters which we both received for the last 61/2 years my monthly payments for 02/03 should have been \$1,411 but because of my verbal agreement with my Ex wife she only ever wanted what I could realistically afford which was \$950 per month. The in arrears amount was calculated off my 01/02 tax return which I understand I policy but I have tried to prove that I earned a considerable amount less than this, no one seems to care. The agency is therefore making me pay 54% child support for that 3 month period. By their laws I am only supposed to pay 32% of my income for three children. )

**\*11th July 2003**

I spoke to a different person at CSA (my case worker was busy) and was told I didn't have to pay weekly anymore and I didn't have to pay anything until 7th of every month. Also that they received my Tax assessment I lodged on the afternoon of the 7th July and my monthly payment was going down to less than the \$950.00 I pay a month now, I was told I actually didn't have a CSA debt until after the 7th August 2003.

**\*12th July 2003**

I spent 3 hours writing to two different departments in CSA addressing my unhappiness with my so-called debt (in arrears) to Lorraine Sheargold, the Deputy Registrar of the CSA and still have not received a reply from her as yet. They were sent next day delivery.

**\*15th July 2003**

My caseworker was unavailable again and I spoke to someone else and was told I should receive my tax cheque soon as in their system I did not have a debt until after 7th August and CSA could put the cheque on hold if that is what I wanted but was told I would get a courtesy call first.

**\*17th July 2003**

Received a new assessment with the old amount to be paid until 6th August 2003 and my new lower amount from 7th August 2003. I rang the complaints dept and asked why if I lodged my return on the 7/7/03 did my new assessment not take place until 7/8/03. I was not given an answer really was just given an excuse about the CSA laws. I was also told that day don't worry we can not take your tax cheque of you unless we speak to you first. I was happy with that as I felt my case was still pending with the arrears amount to be debated as per my letter to Lorraine Sheargold.

**\*21st July 2003**

I received my tax cheque with a nil balance. I was shocked. It was after 5 to late to call CSA.

**\*22nd July 2003**

I spoke to another person at CSA as my caseworker was unavailable. I was told sorry your tax cheque amount was sent to your ex wife on 18/7/03. It wasn't meant to but it slipped through the system. I then spoke to a supervisor and was told again sorry you can't get your cheque back. I was asked if I was called by my caseworker about what was and had happened. I wasn't at all. I have had that many dealings with CSA and told so many conflicting things I don't know who is

right and who is wrong anymore. (My tax return was about \$900)

I also have the issue of my ex and her husband moving away 2hrs from where they previously lived a year and a half ago without me being given any notification of this. I thought my Ex and I were friends .Two of my boys cried in my arms and didn't want to go. This to me was like her taking my boys and leaving me all over again. When my boys lived 5 mins away I would have them every Wednesday night for dinner, Friday night, every 2nd weekend and whatever nights extra they wanted to stay with me. I was also active in their sports training and school activities. My new wife and I have put on extensions to our home so the boys have there own room, toys and games so it feels like their home too. We even purchased a car to fit us all in it so we could be a family as my new wife has 2 children from a previous marriage. Now my ex says bad things to our boys about my family, wife and myself, she won't let them ring me or the boys answer the phone in goes straight to answering machine and I am lucky if I get a return call. I have to drive to her house 2hrs away pick my boys up for 1 night in soccer season 2 nights out of season and drive them back by 5 on Sunday. She organises camping trips or social things on my contact weekends so I see less of my children because of her bitterness and Jealousy. I can see why now lots of men are pushed to the limits by ex's bent on revenge. Two of my boys want to live with me and she refuses to let them do so, which I can understand to a point as she doesn't want to spilt them up .The whole CSA and Family law system should be overhauled. I know there are fathers out there that don't give a damm, but I do I love my boys. They are so precious to me I just want to see some equality. Unless you have actually been through this situation you would not know how stressful and emotionally draining this is. I hope in writing this example of my concerns and hopefully others in similar situations will write to the Government. I hope they will look differently at each situation. I have looked around if you don't have family and friends to fall back on there is no support for fathers. CSA should treat us fathers as humans not as sperm donations that provide financial support and don't have a heart. We are not just a Tax file number.

I am looking forward to hearing a reply on the findings and outcomes of the Committee.

Sincerely,

[REDACTED]

(Dedicated and loving father of three treasures)