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29th September 2003

Dear Peter

Thank you for returning my phone call and my apologies for the slow response.

In relation to the matters discussed, I make the following comments:

In my case, my ex-wife advised the CSA in approx May this year that her circumstances had changed in that she now has a full time employment. The CSA then correctly amended the payments to me for the 4 children in my residency. This took the monthly payments from \$21.67 to \$260.33. This as you would appreciate made a difference to me.

Then she has lodged her tax return for the 2003 year and as this full time work only commenced in May and her income for the year ending 30th June was between \$16 -17k, the CSA then recalculated the assessment and she now only has to pay me \$31/month. This comes about by the tax return taking precedence over any other notification. I now have to wait 12 months for another assessment or I have to lodge a reassessment. This process is time consuming. I can complete the form, she responds etc etc. By the time anything happens almost 12 months will have gone anyway.

Further in making an application I have to provide, as she does, all our personal information including our wages, expenditures etc. I have no problem with providing this information to the CSA in confidence so that they may assess the amount to be paid but I do strongly object to this information being passed on to the other party who then in turn tries to use it in other forums (Family Court). I have also had the CSA passing out tax information about myself to my ex-wife that caused a lot of anger between the parties. The CSA access to tax information must or should be only with the party's approval and not by legislation as it can and has been used incorrectly. I understand that they must be able to verify information.

Further, if anyone knows the CSA system and obtains a copy of a letter from the CSA, they automatically have my tax file number. This is the greatest intrusion into my privacy that I can imagine. The CSA do need the TFN but they should not use it as their reference number. The TFN is for the tax office and not other agencies.

Back to the case, in 12 months she has an income of say \$25k and is assessed at that rate, I am notified, she then reverts back to casual or part-time work, rings the CSA and they make an amendment immediately. She can then go back to full time work until the following year when the assessment comes under review when she lodges her tax. This way she effectively avoids paying very much in support.

The CSA does need powers to investigate and assess a person's true income because a self-employed person can hide their income behind a company/trust and legitimate deductions so that they seem to be earning less than their true income. This is happening to a number of my friends. A wage and salary earner is not able to do this.

Parents, and I always wanted this, but unfortunately do not have it, should be given the opportunity to have shared arrangements. This has to be flexible to meet the circumstances.

Sharon

House of Representatives Standing Committee
on Family and Community Affairs

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Parents should where possible share in the upbringing of their children. Issues to do with children should be handled in a less formal arena than a courtroom. Having someone sitting at a bench and the 'formality' of a courtroom only adds stress to what is normally a stressful situation. Children's matters should be dealt with in the first instances by counselling/parenting sessions. The formal situation causes a lot of stress and anxiety on the parties. Issues that cannot be settled by mediation and only after a thorough process has been exhausted and property matters should go to the court. I give you again my example where my ex hates the court and has told them so saying to the Magistrate that she has no respect for the court. This attitude is passed onto the children and in my case whenever an issue about a court comes up, they think the court 'sucks'. This is wrong of them to think this and it has a detrimental effect on our judicial system and their attitude in later life to it.

Peter, if you wish to discuss any the points that I have raised please feel free to do so. [REDACTED]

Regards

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