

From: [REDACTED]
Sent: Wednesday, 23 July 2003 2:22 PM
To: Committee, FCA (REPS)
Subject: Child Custody Arrangements Inquiry

House of Representatives Standing Committee
 on Family and Community Affairs

Submission No: 1542

Date Received: 23-7-03

Secretary:

Committee Secretary,

I am writing to you as the devoted father of one son from a broken marriage.

Marriage break ups are the hardest thing that any person could go through and when there are children involved, this makes the matter even more painful.

Sometimes the marriage break down is a mutual agreement, and sometimes there is violence involved to the extent that childrens lives are at risk.

In my situation, I arrived home from work one day to be told that my wife no longer loved me and wanted to seperate.

This was particularly hard to take as we also had a 1 year old son.

We tried to reconcile twice , however the marriage was not meant to be.

I have in effect been paying child support since 1996 first of all directly to my ex-wife and since 1997 through the child support agency.

At first my ex-wife was being extremely difficult with regards to my visitation rights towards my son.

She originally told me I could only see him one night a week and for a few hours on the weekend to be decided by her.

She would tell me that I should consider myself lucky that I saw him that much because if we went to court I would more than likely not get to see him this much.

She had also immediately gone to Centrelink to claim benefits for a single mother to which I recieved numerous letters from the child support agency telling myself and my ex-wife that I should be paying her a stated amount of money based on my last tax return.

They also sent a letter telling my ex-wife and myself that if I didn't pay this money, she could go throught the Child Support Agency and have them collect it for her.

With my wages (which were around \$30000 at the time) reduce by 18% due to child support, how could I possibly fight for any or very little of the rights I am supposed to have and still feed, clothe and accommodate myself.

This was a big problem for me as I felt I wasn't seeing my son enough.

I was never an abusive husband or father but felt that I was being treated like one .

My ex-wife has continued to work a full time job and earned a descent wage.

She is in a new relationship and has been for the last 3 three years.

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Over time my wife has allowed me to see my son more regularly, (this was largely to do with her wanting time for herself rather than acknowledging my son wanted to see me more).

I know have my son for 3 hours one night a week and every second weekend from Friday night until Sunday night.

I love the time I spend with my son but this creates some glaring inequality with the Child Support payments.

In total with Xmas and school holidays my son would spend around 70 nights under my roof and under my care.

This means I need to feed , and care for my son as well as spend quality time with him.

This is in no way taken into account in the child support calculation.

While in principle I have no objections to paying child support for my son who is after all at least partially my responsibility, I do believe that the method for calculation leaves no room for the child support payee to build a life for themselves.

I have since changed jobs to earn more money to try and get somewhere in life, however as you are well aware the more you earn the more child support you pay so you really don't come out in front.

I have since also met someone and plan to marry and have children which creates another problem in itself.

The type of allowance given by the child support payment scheme means that if I have any more children with someone else, they effectively aren't considered as important as the child support recipient because the reductions in child support are laughable.

This is in my eyes contradictory to your evaluation of how much I should pay for my first child from my broken marriage.

The Child Support Agency is basically saying that any subsequent children in a different marriage are worthless.

I now have taken a second job just to try for a better quality of life, however my income will be taxed by the government at the maximum rate (48cents in the dollar), however my child support payments will be calculated on my before tax earnings which makes what little money is left not much use.

Add to this the fact that I will now rarely get to see my son for whom all my child support goes to because I am now working a second job and won't have the time.

This situation is one of many I'm sure, but how can this be fair for those who are paying child support.

I have never missed a child support payment, nor do I intend to but there must be a fairer system for calculating how much child support should be payed.

A couple of suggestions that spring to mind are the possibility of not taxing a second job at the higher tax rate for child support payees or even calculating the child support based on your full time employment only rather than both your fulltime and part time employment.

You could also try taking into account the amount of nights the child stays with the parent and then working out a dollar figure per night and deducting this from your yearly income before calculating the child support payments.

Another possibility is to take the dollar figure above, and add that to your salary exemption figure before calculating the child support.

There has to be a fair system for the honest fathers who just want room to breath rather than be strangled for a good part of their working life by this unfair child support system.

I have on more than one occasion felt like it would be better for everyone if I just disappeared from the face of the earth such is the depression this problem causes.

I haven't once felt like I am in control of my life and can't see that happening in the future unless these child support laws are changed to be fairer for everyone and not just one sided.

Sincerely

