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From: gilbert wilson [REDACTED]
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To: Committee, FCA (REPS)
Subject: Inquiry into child custody arrangements in the event of family separation.

Committee Secretary
Standing Committee on Family and Community Affairs
Child Custody Arrangements Inquiry
Department of the House of Representatives
Parliament House
Canberra ACT 2600

From: Cr Gilbert D Wilson
16 Henty Street
Portland Vic. 3305

As a father and non-custodial parent that had difficulties in gaining access I believe that the Government must improve access rights for such parents. Each situation differs which makes your task very difficult to make any easy solutions, and I commend your Government for this Inquiry. I, like a lot of other parents, gave up asking for access due to continual pickups being greeted with my children being absent from the pick up point at their home. I lost a number of weekend overtime work which added to the heart ache. If non-custodial parents cannot have their child for the time that they usually do then the grand parents, if willing, should be able to access the child for these times. It is very important that the child is brought up within both family sides. If it is determined that it is not in the best interest for the child to have contact then the parent should prove otherwise. In saying this it is easy for some to point the finger or make allegations, these issues must be addressed in the interests of the child concerned.

The current child support formula does not assist the non-custodial parent in any way. For many it creates a long period of depression and extreme financial hardship. There is no provision for the child support agency to assist aggrieved parents that are not permitted access to the child. However these parents are still required to pay the child support payments. The system is totally unfair for non-custodial parents who have little or no access as well as no involvement with the up bringing of the child. There is no provision for the non-custodial parent to obtain a copy of school reports, have input into health issues, and in some cases moving town.

I believe that settlement matters should also be considered prior to setting the child support payment rate. In my case I received a little less than 20% of assets of which when the children leave the home their mother retains the home outright. (I didn't fight the settlement because of the stress of the whole issue, and the way the courts were leaning at that time.) Instantly homeless I was left without enough money for a deposit on a house. Because this scenario is similar to a lot of non-custodial parents the child is placed at a disadvantage when visiting this parent. The spoils of home are not there in the non-custodial's home with the huge financial burden on this parent especially for the low to middle income earner.

The child support scheme places a burden on the working non-custodial parent, in that it encourages some to resign their jobs. If the paying parent works overtime or receives allowances, such as travel, meals, voluntary work etc., it pushes the wage earner higher up the taxation scale and then rises the amount needed for child support. This is an obvious disadvantage and encourages workers to refuse to work overtime or leaves employment. I left my good paying job to go to a part time job with a small difference in loss of income, due to less tax and less child support to be paid.

As I stated earlier the non-custodial parent in most cases has to start out again and finances are limited, to try and work harder creates further stress and frustration as the child support is increased accordingly along with the taxation which puts you in a higher tax bracket. In some cases you

can be worse off. With this being said I would strongly urge your Government for child support to be assessed on the basic wage only, excluding overtime and allowances etc. The effects of taxation also disadvantages the non-custodial parent as the money earned by the parent is not their money, wages are garnisheed if not paid to the custodial parent. Therefore the recipient of the scheme should be liable for the taxation or even a proportion.

Low income earners that are non-custodial paying parents can be just above the level of receiving Government assistance such as health cards etc., however if the amount being taken for child support is subtracted the person would receive the assistance. In some cases I would imagine a custodial parent can with their wage be under the threshold to obtain Government assistance but be over with the child support payment added, yet still receive the benefits?

Non-Custodial Parents with new partners having a baby receive a minor relief, but this relief I believe is very small and debilitating for the new partner. The effects on Government assistance such as Austudy can also be affected by the child support scheme. A new partner with a child receiving Austudy marries a non-custodial parent paying child support; both incomes added just goes over the threshold for the Austudy, take out the child support and the child receiving Austudy would still receive such. The child support disadvantages the non-custodial parent's family.

It is very depressing when your child support obligations disadvantage you in every way, from bank loans to Government low income assistance, yet the recipient of the child support payments receives the monies as a tax free gift! No strings attached. Not all men/women have the ability to fight for the right to see their child. The silent majority sit back and accept the system as it is with no assistance and in the end the non-custodial parent doesn't know their child and through no fault of the child it doesn't know it's parent. You can fight the battle for a time however it depresses you more with this issue and this is after your confidence has left you after a failed relationship.

I deeply and sincerely thank the Standing Committee for this inquiry and giving me a chance to advise you of my thoughts and experience with the system concerned. Although my time is just about up with the child support agency I strongly urge you to listen to all submissions and make the necessary changes for the best interests of all children involved in the future. I believe you will end up with a lot fairer system for all parties.

Thanks again,
Gilbert Desmond Wilson,
Portland, Victoria.

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