

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

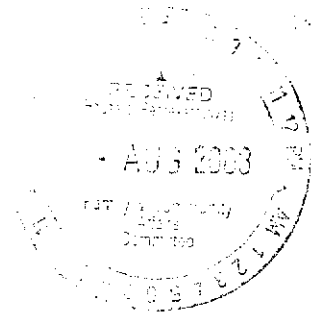
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House of Representatives Standing Committee
on Family and Community Affairs

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Secretary:



My name is David.

I have two children [REDACTED] and have been paying child support on the 27% CSA formula for a number of years. I now rarely get to see my children.

My story is as follows;

I returned home from work one day to find that my wife had been having an affair and had moved her new boyfriend into our house and changed the locks so I could never return.

It then became apparent that I could only see my children when it suited my wife and her boyfriend (a man I had never met). I was forced to stay with my mother as I had no money as settlement took over a year to process. I ended up an emotional wreck having had my life destroyed and to have to see my children drive past and my wife not stopping allowing me to say hello.

I asked to have my children 50% of the time, and actually wanted them 100% of the time. This was not to be. My wife decided that I could only have access every second weekend and was told that if I fight this decision or any decision she made, that I would have to take them to court. My Brother in law just happens to be a Barrister in NSW, and with settlement still not completed, I had no funds to fight this decision anyway.

When the property settlement occurred at divorce, I lost my home, car and most other capital wealth as I was awarded only 25% of the value of our combined assets as valued by my ex wife.

After Tax, Child Support, Medicare Levy and Superannuation were taken out of my salary, I did not have enough for rent, food, petrol, car registration, insurance etc. I certainly could no longer afford to take my children on the types of outings they were accustomed to prior to the separation: McDonalds, ten pin bowling, movies, ice skating, and weekends away at motels etc.

I could no longer afford to live a decent and dignified life in Sydney, my home of 38 years.

My ex wife and her new husband own a number of properties in Sydney and are quite wealthy. They laugh at my situation and use the CSA formula to financially punish

me and are unwilling to compromise with a reasonable private agreement for child support payments.

As mentioned above, I could no longer afford to live in Sydney, so I took a position with Customs in Port Hedland, Western Australia. The position came with a home at a cost of only \$30 per week. It also came with 6 "Child Reunion flights" per year of my 3 year contract.

I took these flights to visit my children and for them to visit me also.

I also received a "district allowance" for working in an isolated area, this allowance is to help compensate for the extremely high cost of fuel, food and air-conditioning. The allowance is in the vicinity of \$6,000 a year of which I paid 27% child support and of course tax, leaving me with little to cover my costs in Port Hedland.

I have many, many issues with the way my country and our laws have treated me and thousands of others in my situation, I will list some for your consideration:

- On day 1 of my Wife's decision to leave me, I had lost automatic parental access to my children. I was immediately limited to visits "allowed" by her, and at her convenience.
- I went from 365 days access a year to every 2nd weekend and ½ of holidays (during which time I still paid 27% child support and was paid nothing by her while I had the children)
- My ex-wife's new Husband immediately moved into my house and had 365 days access to my children (a man I had never met), who soon thereafter insisted and bribed my children into calling him dad. At this point I was experiencing strong suicidal thoughts every day.
- Due to the high cost of rent in Sydney, after child support payments I could no longer afford to live anywhere near my children, effectively denying me meaningful access. I had hoped to live within 2 or 3km's of them, but just could not possibly afford rent AND food.
- I now have to give 6 weeks notice to see my children, and even then I am often told it will not be convenient for me to visit them so I reschedule for other times to suit my Wife's schedule.
- I have made the journey from Port Hedland to Sydney, a return trip of over 10,000km's, to visit my children only to be told they are not available – even though I had arranged the visit months or weeks earlier. So I go back having no real recourse other than the courts which I cannot afford.
- My disposable income is similar to the pension and unemployment benefits, but I don't get a concession card as my Gross income appears sufficient to preclude me from any subsidies.
- I pay for my children through CSA but am not allowed to claim them as dependants for work or tax purposes.
- I suffer acute asthma and am unable to afford the medication I require, so am constantly sick.
- I cannot afford new clothing so I now shop at thrift stores and Salvation Army stores.
- I now ride my bike to and from work as I cannot afford petrol.
- In order to make ends meet I pick fruit from trees overhanging suburban fences and accept hand outs from friends.

- I buy “out of date” bread and other grocery items as a cost saving so that I have funds sufficient to give my children the “illusion” that all is O.K.
- When I see my children I always try to do things they enjoy – which generally have a cost.
- I am the boss at work “District Manager of Customs” yet I lead a double life, happy and successful at work, poor and emotionally broken at home.
- The CSA formula leaves me without any incentive to do overtime or to seek a promotion.
- I have no dignity in my private life. I am unable to fully get on with my life as I cannot afford to take any new woman in my life out to dinner or movies etc. I am now unable to live the life of the average person thanks to the CSA formula.
- I deeply miss interaction with my children and cannot understand why I am cut out of their lives, I have done nothing wrong at any time and I would happily have them live with me, however if this was to occur, I would not receive one cent in child support from my ex wife as she declares no income as she is self employed. My point here being that they are the same children and yet the laws imply that if the children were living with me they are not entitled to the same income stream as they are entitled to at the moment. I earn far less than my ex Wife and her Husband and yet I would receive nothing.
- The fact that I have already given my ex Wife hundreds of thousands of dollars (house, cars, furniture etc) is not taken into account by the Child Support Agency formula. My ex Wife is effectively paid 3 times for food, shelter, clothing etc for my children;
 1. The approximate \$300,000 that I have already given her at settlement.
 2. The weekly child support payments.
 3. The cost incurred by me when I have the children. (I still pay my ex Wife the weekly payments when it is not costing her a cent as I am providing for the children at that point in time – she should be paying me while I have them).

So the fact that I am left with \$100 a week to live on after all is taken from my salary, doesn't seem to matter to anyone. So long as she is at **least** paid the amount 3 times over is the only concern of this unjust system.
- I have no real input into their lives, I am nothing more than a “biological father”. My ex wife's new husband is their dad, having day to day input into their development, learning, values, opinions etc – how can this be allowed!!!.
- I do not believe the doctrine of natural justice applies to Family Law and Child Support Agency. I have much evidence to support this claim.

- I want to re-marry and have a family, but if I do, my “new” children become second class citizens as they are entitled to a fraction of the percentage that my first 2 children get of my wage.
- I am not in a financial position to “Wine and Dine” a new woman in my life because of CSA, yet my ex wife can spend my child support payments on whatever she likes, hairdressers, restaurants, wine etc, I get no proof that it is ALL spent on the children. I believe I should have access to receipts and proof as to why my children are costing \$500-\$800 a week. I know that my children receive no pocket money (as I asked my ex Wife if they could start getting pocket money and she said no). Education is free. I have already supplied them with a house which my ex wife just sold for \$550,000 (but did not inform CSA). So where does the \$500 - \$800 a week go exactly???? I think I am entitled to know where it goes considering 2 small children do not cost this much.
- I believe I am entitled to know what is happening in the lives of my children, yet I am told nothing.
- My children’s surnames have been changed, through blackmail. My ex Wife assured me in writing that if I allow the children’s surnames to be changed, then she will give me leniency and reduce the amount of money she is taking each week through a private agreement. THIS DID NOT HAPPEN. After their names were changed, I received no reduction. She did not go ahead with the private agreement and continued to tell me that if I want an agreement then she will be putting the payments up by \$50 a week. This also proves how desperate I am to reduce the payments, as of course I did not want to change my children’s surname, but this is how low the CSA have made me go.
- My children were taken off my Medicare card, so when I have them I must pay full fees to GP’s.
- My children are being used as pawns in a sick game by my ex-wife and our laws seem to support and encourage this type of behaviour.
- I have done nothing wrong, yet I am punished every day. I have been given a life sentence. Law breakers and illegal immigrants get a better deal from the Commonwealth than do “deserted dads”.
- The absolute injustice of the Child Support Formula in that: If my wage increases by \$1, my child support liability increases immediately by 27 cents, HOWEVER, my wage must fall by 15% or more to get any reduction whatsoever. This is an outrage and manifestly unjust!

In summary, I am disgusted and humiliated by the hand I have been dealt. I do not support our laws on Child Support or Child Access. I do not understand why I cannot have my children for at least 50% of the time and yet my wife gets married and the new Husband has my children 100% of the time. I cannot see why I am not paid the same rate of Child Support from my ex wife when I have the children.

I cannot understand why their "new dad" gets all the rights of a father (which I no longer have) yet he pays NOTHING.

I cannot see how the system believes I am capable and should be living on \$100 a week or less after CSA, tax and basic living expenses such as rent, food and bills.

I believe Australian's should be made aware of what the CSA has caused many Father's to do such as steal, work for free and commit suicide.

I cannot understand why the "cost" of the children is not divided by 365 and the daily rate is paid to the parent (by the other parent) who has the children at any given time.

I suggest that Father's paying Child Support should be given tax breaks, health care cards and the like. Remote living allowances and certain subsidies should be exempt from the CSA formula.

I do not understand why I have to pay full child support when I want the children to live with me, but my ex wife will not allow it as she knows without the children she doesn't get the "easy tax free money" I am forced to pay her. She and her new Husband have even admitted to me via email that they do not need the money as they are well off, but are taking it any way as they are entitled to it. So why not! They have said, quote, "if you have a problem with the formula, why don't you take it up with the Government". So I am.

It was not my decision to leave my children, this was made for me and yet I am made to pay the price. Because the formula leaves me with no funds to lead a normal life, I am therefore being punished, punished for doing nothing wrong.

I feel Australia is guilty of gross human rights abuse of deserted fathers, I also believe that in generations to come my children and others like them will be remembered as the new **stolen generation**.