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Secretary:

Mr Larry Anthony
Federal Minister for Children's and Youth Affairs

Family Community Affairs
Child Custodial Arrangement Enquiry
House of Representatives
Canberra ACT 2600

July 16th 2003

Dear Mr Anthony

I feel that I am not a lone voice in a very large sea of unhappiness as a father that has had the misfortune to deal with the family court in NSW and the Child Support system.

The details related to the case are irrelevant at this time though I must say that the ruling was by a female magistrate. This person gave custody to my ex defacto even though there was a current court order in the Northern Territory forbidding us to take the child away without the express permission of both parents. The court order was made null and void after the mother was awarded custody. This in itself was fundamentally wrong and as I choose to remain living in the NT I now have very little contact with my child and must also pay for that privilege.

What is even more disdainful is the fact that I have to pay child support as the mother by her choice chose to move to Sydney when before in Darwin, both parents had an excellent share of the child.

Having made that statement I would also like to state that in principal I do not have a problem paying child support.

I protest very strongly about the unjust ruling against myself and the subsequent unfair and biased treatment I am receiving from Child Support.

In respect of the child support:

- In relation to this case CS contacted my first wife by mistake, (separated 1990) in reference to the child in question of the most recent case, 2003, different mother. Upon realising their mistake and finding that I had not paid this person any child support for some time, **under a private arrangement with that person**, they badgered her and continued to pressure her until she gave in now I am to pay my first wife as well which I have started to do.
- CSA through their blundering and persistent badgering have over ridden and interfered with a private agreement needlessly.
- In my case one person at Child Support whom I could not contact, instigated a great deal of this chaos but as far as CS are concerned that person doesn't exist, even though I had a letter with their name on it.
- With the most recent case of custody in the Family Court, in 2003, which I lost, CS assured me that I would not have to pay child support even though I got them to check. In my experience they often get it wrong and I did not want to be told at a later stage and have a debt hanging over my head. Despite several letters and conversations informing me that I did not have an obligation to pay until the end of 2003, the inevitable happened, they got it wrong.

I budgeted for my tax return, as I needed the money to pay basic living debts, not extravagances. I now have a debt that will be removed from my tax return even though I have pleaded the unfairness of this.

- Again another blunder that has caused me considerable hardship and stress.
- Even though it is written into the court agreement that: If in the event I **do not** pay child support I then pay the airfares for visits of my daughter and if I **do** pay child support then both the mother and myself pay half of the air fare each. I had already bought airfares after being assured in no uncertain terms that I was not to pay any child support until at least the end of 2003. Now that I am to make CS payments, I offered to at least pay some of the arrears by getting half my airfare credited as CS payments. CS would not consider this agreement without consulting the mother even though its written into the orders of the court 9/4/2003. At the time of writing this letter I have not got a decision from the agency on this matter.
- Losing contact with my child needlessly through the NSW Family Court was extremely detrimental to myself and to a lesser extent my daughter. The subsequent events dealing with a rude, bumbling, uncaring and female biased CS system has caused me extreme levels of stress.
- Whilst my ex-partner works in her own business and earns 4 times my salary and lives with another man who is also earning an income my prospects of impoverishment and stress are very real. (I am a relatively low-income earner). I have had to take time off from my employment to address this stress and I feel strongly that there are many others, mostly men who would be in the same situation.
- CS, by their actions has made an overburdened and dysfunctional system worse.
- If the wasted lives and wasted time to personal life and business that Child Support and the Family Court has caused through a greatly biased, unfair, bungling and dysfunctional system was quantified it would I suspect be astonishing.

Of course what I have written above is only a brief account of my woes. I do have all correspondence to back up all that I have stated.

As it is probably too late for me to have much recourse to my particular case I do however hope that my letter will be added to other evidence that may help your enquiry establish a much fairer and equitable alternative to the lousy structure that is in place at the moment. If at any time you need to talk with me on this matter do not hesitate to contact me.