

Child Support Agency and Family Law Court - 31/07/2003 917

House of Representatives Standing Committee
on Family and Community Affairs

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To Paul Neville,

I live in [REDACTED] Queensland; I would like to put forward my story about the CSA and Family Law Court.

I have two children, ten & seven. And my partner who I am with now has two children they are fourteen and twelve. We have been living together as a family unit for the past two years and getting married in September 2003.

My partner's ex-wife left eight years ago, leaving the children behind. She has now taken us through the Family Court System to get custody of the children and another settlement, (she already got settlement in 1997, where she received half of everything). She claims she didn't know what she was signing even though it was all done through solicitors and the Family Court. In doing so this has put a great strain on our finances. It has cost us so far \$25,000.00 plus. The Family Law court in Rockhampton seems to be a long drawn out process.

We have had to give up the fight of keeping custody of the children due to financial difficulty. And as a result the mother, now has the children in her care, which before this my partner has cared for the children for the last six years solely and two years with me, with absolutely no help from the mother financially or otherwise. She never even had contact with the children. This has devastated my partner losing his children. She has taken them to another town and we don't have enough money for petrol to even visit them.

She has now taken them way from family, friends, school and their home. One of my partner's children has a disability called Angelman Syndrome. So we also had a wonderful network of support with carers, from Anglocare, Bluecare and the local schools.

Now that she has the children she has put in for Child Support. We are willing to pay towards the children's well being. But the CSA have hit us with paying her \$1600.00 per month. I get \$5.00 from my ex-partner per week. He refuses to work, as he doesn't want to pay the child support. Even when he has worked I have received nothing from child support. I have been separate from him for eight years.

CSA say my present partner does not legally have to look after my children and that he has to legally adopt them before they can drop payment. This will then reduce payment by \$60.00 only. But Social Security says because of my partner's income, I will not receive any Family Tax Benefit. It seems that you can't win anyway you go. We all know \$5.00 doesn't buy too much these days.

Since CSA calculating the monthly amount we have to pay (on my partner's gross income). He has dropped \$10,500.00 per year in his gross income due to a loss of contract where he works at the Mine. We wrote a letter to the CSA about this. They say we still have to pay same amount as it didn't drop there 15%. But it dropped 12.5%. We now have a great debt to Solicitors and Barristers, for the court cases. Which hasn't finished yet. After paying the Child Maintenance, house and car payments every week, we have nothing left for food, electricity, insurances, telephone, petrol (to get to work), and general living expenses.

I would like to hear from you on these issues. I have heard a bit lately on the news. How can it be that my partner's children are valued at \$400.00 per week and my children at \$5.00 per week because their father decided to take the option of not working so he didn't have to pay child maintenance? I do not begrudge paying maintenance for the care of these children however; a fairer system has to be addressed. Children do not need \$400.00 per week to live off. As they now live like kings and we are going to end up out on the streets.

Even if the CSA took this amount from the net wage and not the gross wage. I am living this situation from both ends receiver and payer. Something has to be done sooner than later. It would stop people from quitting their jobs, as that seems to be the only way out of paying these ridiculous amounts.

Hoping you can take this forward to some to get this system changed. I look forward to your reply.

You can contact me at home on [REDACTED] or E-mail on [REDACTED]

Regards
[REDACTED]