

Inquiry into the Child Support program

Report findings

From conflict to cooperation

On 20 July 2015, the House Standing Committee on Social Policy and Legal Affairs presented its report entitled *From conflict to cooperation: Inquiry into the Child Support Program*. The Committee was asked to inquire into child support by the Minister for Social Services. The terms of reference asked the Committee to inquire into:

- the methods used by the Child Support Program (CSP) to collect payments in arrears and manage overpayments,
- the flexibility of the CSP to accommodate changing circumstances of families,
- the alignment of the child support and family assistance frameworks,
- linkages between Family Court decisions and child support policies, and
- how the scheme could provide better for high conflict families.

Within the terms of reference the Committee expressed a particular interest in:

- assessing the methodology for calculating payments and the adequacy of current compliance and enforcement powers for the management of child support payments,
- the effectiveness of mediation and counselling arrangements as part of family assistance frameworks, and
- ensuring that children in high conflict families are best provided for under the child support scheme.

Receiving evidence

The Committee heard evidence from all parts of Australia on the strengths and weaknesses of the Child Support Program.

The Committee expected significant public interest in this inquiry, and so tried to create multiple ways for individuals to share their views on the CSP. In addition to accepting submissions and holding public hearings, the Committee provided an online questionnaire and held community statement sessions. The Committee estimates that almost 12 000 people contributed to the inquiry.

The Committee held 13 public hearings and community statement sessions around the country and received more than 130 submissions and 175 pieces of correspondence. Submissions and transcripts of public hearings can be found on the inquiry website at www.aph.gov.au/childsupport.

Inquiry into the Child Support program

Report findings

Findings and recommendations

The report contains 25 recommendations in total. The Committee found that the CSP is generally functioning as intended: evidence to the inquiry indicated that in approximately 75-80 per cent of child support cases, parents are meeting their child support obligations and have established friendly or cooperative post-separation relationships. As such, the challenge faced by this inquiry was to try and find ways to improve the system for people who are experiencing child support problems while not disrupting the areas in which the CSP is working well.

Mediation

Relationship breakdown and separation can be incredibly difficult, both emotionally and financially, and parents frequently view their relationship, its breakdown and their post-separation obligations very differently. Child support mediation can help to bridge this 'perceptual gap' between parents. Mediation may help to resolve disputes and may assist parents to build habits of collaboration and cooperation in their post-separation life. A carefully designed child support mediation program which protects vulnerable families could substantially reduce the burden of conflict in the CSP.

Review the formula

The child support formula was developed in 2005, and included a range of assumptions about the cost of living and the Government's provision of welfare, amongst other things. Given the significant changes in these areas in the years since the formula was adopted, the time has come to review it, with particular reference to the cost of children table and the self-support amount. The Government should ensure that the formula adapts to changes in the Australian social and economic landscape.

Improved communication with clients

The CSP is one of the most complex administrative programs in Australia, and the Government has often struggled to clearly explain the program and its decisions to child support clients. The Government should ensure that Department of Human Services (DHS) decisions are arrived at consistently, and it should seek advice on how to improve and simplify the way DHS communicates with child support clients. DHS should embrace new ways to communicate like videoconferencing, it should allow clients to select their preferred communication method, and it should provide dedicated 'information officers' who can explain authoritatively how a decision was reached.

Family violence

Providing sensitive and appropriate services to families who have experienced violence should be a top priority for the Australian Government. The Government must ensure that the CSP is not used as a venue for ongoing abuse. DHS should establish a dedicated family violence team

Inquiry into the Child Support program

Report findings

which provides specialised support to separated families where violence has been present. With the best interests of the child in mind, the unit should provide a one-stop contact point for all enquiries and support services, should act as an intermediary between parties, and coordinate access to services across Government departments.

Guaranteed child support payments

The Committee considered the merits of a limited child support guarantee. A number of other countries have a child support system in which the government agrees to make up some or all of the shortfall, if the paying parent does not meet their child support obligations.

The Government should review how other countries have implemented child support guarantees, and conduct modelling to see whether such a limited guarantee would be appropriate in the Australian child support system. On the basis of that research, the Government should consider conducting a trial of a limited guarantee system.

The Committee also made recommendations which will make the administration of the scheme fairer, which may reduce conflict over child support and parenting, and which will enable DHS to pursue parents who do not meet their child support obligations.

What happens next?

The Committee tabled the report in the House of Representatives with recommendations to the Australian Government to take action. The Government will now consider how to respond to the Committee's recommendations.

The Government should respond within six months, via a written statement to the House of Representatives. It may accept, partially accept, or reject the Committee's recommendations.

The Government may announce its intention to act on certain recommendations, or that it wishes to give further consideration before taking action. The Government may also implement recommendations through changes in legislation or by changes in Government policy without publishing a formal response.

As soon as it becomes available, the Government response will be published on the Committee's website.

Further information

The report can be found on the Inquiry website at [this link](#). For more information on the inquiry into the Child Support Program, please visit the inquiry website at www.aph.gov.au/childsupport.