

Subject: Submission to inquiry
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Committee Secretary,
House of Representatives Standing Committee on Social Policy and
Legal Affairs,
PO Box 6021,
Parliament House,
Canberra. ACT. 2600.
Phone: (02) 6277 2223

Dear Sir,

Parliamentary Inquiry into the Child Support Program.

I thank the Standing Committee for allowing me to present my submission to the inquiry into the Child Support Programme.

My submission can be summarized by stating that the fundamental culture of the Child Support Programme needs to be fixed. This is before any review of the functioning of the child support system can be carried out.

The culture within the CSP has to be addressed before any reform can take place. The employees of the CSP strongly believe that they are above the law and the fact is that at the moment they are above the law because they are not accountable for their actions regarding the way that they destroy the lives of non-custodial parents and their children.

Parents such as myself have spent tens of thousands of usually borrowed dollars obtaining Court Orders in an attempt to secure reasonable contact with their children. This system alone is grossly unfair and financially destroying to those already struggling to make ends meet.

I now have a question of you. Firstly if a person calls the CSP staff and tells them that they are breaching a Court Order by not allowing ordered contact, why is that offence not immediately not reported to the court and the person dealt with by the court. Secondly when the CSP employee rewards that breach financially by raising the amount of

payable CS under the “nights in care” rules why is that employee not charges with contempt of court?

I will now list some of the dirty tricks I have experienced at the hands of the CSP -

Sending letters dated weeks earlier and with a date to reply which has already passes by the time the payer received the letter.

Call centre employees hanging the phone up when they don't agree with the information you are supplying, then noting on your file that you were the one than hung up on them.

Sending a letter demanding that you contact a certain case officer by a certain date “or they will act on information supplied by the other party” only to be told when you call that that officer is on holidays and you have to speak to someone that has no idea of what is going on.

Once the culture is fixed, it is submitted that there must be a minimum of six (6) legislative changes to the child support system.

These changes are listed below:

(a) Implementation of a rebuttable presumption of Equal Time Shared Parenting. This would be assisted by the removal of the family violence provisions added to the Family Law Act 1975 in 2012.

(b) The payee should pay the tax on child support payments and not the payer. That is, the current situation should be reversed.

(c) Overtime pay should be excluded from child support calculations.

(d) A fairer cap on maximum income should be used to determine child support payments; we would suggest that this figure should be set at about \$40,000 per annum (Currently this is calculated at 2.5 x MTAW. In 2014, this figure was 2.5 times \$70,569 or \$176,423 per annum).

(e) The payer should not be penalized if the payee chooses not to work when that payee has the ability to do so.

(f) Court-ordered custody arrangements should determine child support payments - not “word-of mouth” claims by the payee – as it is now.

Once the culture is fixed as outlined above, it is submitted that these six (6) legislative changes should be then implemented as soon as possible.

This would then provide a direct incentive to the payer and an indirect incentive to the payee to make a new system work for the benefit of everyone.

Kind Regards



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