

To the Parliamentary committee reviewing Child support arrangements.

My Background and qualification to comment on the issues before the enquiry.

2000-2011 I paid child support through the child support agency for my son.

2013 I received child support while my son was in my majority care from my ex-wife.

2014. I am currently paying child support for my son to my ex-wife through the child support agency.

I am currently in stress having to deal with the beaurocracy of the child support agency in regard to a recent assessment and my objections to the assessment made are currently being considered.

I am currently supporting my wife who was formerly on a full disability pension and her daughter. My wife rarely if ever receives any child support for her daughter.

Below I present a proposal of how the current child support system doesn't work and how it could be improved by changes to the child support legislation.

With regard to levels of payment (over and under payment)

It is my belief that the Child Support Act is responsible for the current level of assessments that are responsible for excessive child support being charged to parents based on the idea that the government can determine through legislation their "capacity" to pay. While I appreciate the sentiment of the Act, I believe that legislating about parent's capacity to pay is a mistake as it imposes a one size fits all approach to parents which may not match their individual circumstances.

A beaurocracy is the last and least understanding option in this regard where it comes to sorting out financial arrangements for families. Children cost money to support, and I agree that the government should be setting some kind of support level, but I believe it should be a basic and minimal level (base level).

It is basically government interference in families to be determining "capacity" to pay and I believe this is not something the government should be indulging in. Parents will support their children in line with their capacity to do so in most cases anyway. I won't stop paying enough for my son to attend a private Christian school just because the Government no longer requires me to pay that amount for example. Parents can actually work out their own capacity to support their children and left to do so, in general, will.

The imposition of the Child Support Act has created a system where the amount parents are being assessed on is often not relevant to their circumstances, as it is in my case. I am being treated like a single person with no other responsibilities as my gross income is taken into account to work out what I should be paying. Apparently the fact that I have to support my wife and her daughter because I earn too much for her to be on a full disability pension doesn't matter to the child support agency or the child support act.

The result is an excessive payment that I can't afford. No wonder those who are able to avoid paying child support are doing so. I am sorry but it doesn't cost \$1000+ per month to support a child. I was supporting my son last year AND sending him to a private school for less than this while he was in my majority care so I can rightly claim to know how much it costs to support him.

As regards under payments, I can comment on that too. My wife should be receiving payments for my step daughter (her biological daughter) but due to the way the system is set up and her father's ability to lose his jobs; she collects very little from him. This means that I am responsible for supporting my wife's daughter. None of which is taken into account in regards to my Child Support Assessment for my son because of the narrow reference of the current special circumstances in regard to the legislation. I was told that literally "my step daughter's dad would have to die before reason 10 in the special circumstances could be applied to me".

The current assessment process is an unsatisfactory attempt to impose control on parents and is about as bad as it could get. If the system was based on the base level only approach I have outlined above then a situation could be created where there was more incentive for dealing with under payment.

Undeniably it costs some money to support children but not that much. What it does cost should be a combined responsibility of both parents. I don't believe this is fairly reflected in the current child support assessment process. If the government were to abandon trying to impose capacity to pay assessments and focus on parents paying this basic level of support for children the system could be a whole lot better not just for paying parents, but also for parents receiving payment.

I strongly disagree with the current system where the child support agency goes after decent dads and I might also say, mums for over assessed amounts, garnishing them from their wages. This is definitely part of the problem. The capacity to pay assessments are too high and are resented and resisted.

Receiving unrealistic huge assessments and having the threat of garnishing wages is just thuggery and bullying. This also demeans and alienates the parents involved making them angry and resentful and puts them through stress they shouldn't have to cope with. I believe there is a case for the garnishing of wages to be deemed unethical and retracted – this kind of extreme policing certainly shouldn't be applied to every day mums and dads.

If the government were to change the system so the basic costs only are policed, then people might actually say, hey this is reasonable and fair. On top of that, they should be collected following a NORMAL fashion ie that all parents in minority care situations who are eligible to contribute financial support for children to a majority carer are billed for this basic amount with only minor adjustments depending on care levels. If the bill for the basic amount wasn't paid then the government could

follow the normal course of unpaid bills and send them off to a private debt collection agency. This would be much fairer, being applied to all parents regardless of how they earn their income. No more hiding for parents who can currently somehow hide their income in businesses or not declaring cash in hand incomes.

There should of course be capacity for parents to establish that they are unable to pay. Where this is the case, the government could make payments on their behalf to the recipient parent and employ something like the educational HECS system where should the parent in future be able to pay, they could pay the government back when their salary or wage reached a certain level.

Though I am far from the breakup of my marriage (13 years ago) I well remember the trauma of the situation. I can also remember that being billed for a large amount of child support was adding financial injury to insult. Parents and children need compassion and help in a break up situation the last thing you would impose would be having to deal with the amazing complexity of the child support system and its beaurocracy or the unfair assessment methods of the current system.

I am therefore much more in favour of parents working out child support arrangements beyond the basic amount I have referred to above in situations where they can talk to and be guided by a counsellor to make appropriate arrangements as with the other aspects of sorting out these situations. I believe that the natural play of access and support should be negotiated between parents and they should bring proposals regarding their needs to the negotiating table. One parent needs access to their children, the other needs financial support. With most parents this should play out with an amicable situation for parents and children in a supportive counselling situation. With a basic amount not an issue, room for agreements with regard to larger support arrangements could be made by parents with the guidance of a helpful counsellor where appropriate. The fact that one parent isn't resentful of a large imposed amount being required of them would actually help this situation.

As I have alluded above I am very much in favour of support for parents in making agreements about child support. I believe the current system does not fairly represent the individual circumstances of parents.

It would be good if the government could extend the mediation service currently provided to allow parents to negotiate amounts of child support to be paid outside the administrative assessments currently on offer. Where a larger amount of child support is not being offered by a parent I think there is a case for a counsellor to hear the concerns of a receiving parent and a parent who should be paying more and determine a fair amount but not through a legislated formula.

Were this is the case, I would say the parent who believes they have a right to more payment should be able to request such and give their grounds. In a case where the counsellor determines that the non-support of the other parent is evidently unfair, they should be able to make a secondary payment above the base payment compulsory but this should be a community decision.

I believe the final appeal in this regard should lie with an arbitration council of parents from the community. The basis of a case having been determined the council having reflected on the positions of both parents imposing a secondary amount of support for the financial benefit of the children.

I believe that where the family court is concerned it is correct to keep the child support program as separate from the courts as possible.

I hope the committee finds these comments about how to improve the fairness of the current system helpful. I am available should they wish further ideas or elaboration of what I have presented.

I have tried to keep my comments to address what I understood the terms of reference to be.

Regards, as a concerned parent,