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NCSMC

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**Committee Secretary
Standing Committee on Family and Community Affairs
Child Custody Arrangements Inquiry
Department of the House of Representatives
Parliament House
Canberra ACT 2600
Australia
Email: FCA.REPS@aph.gov.au**

Dear Secretary

Inquiry into child custody arrangements in the event of family separation

Please find attached the submission of the National Council of Single Mothers and their Children to this inquiry. NCSMC notes the short time line for submissions and identifies this as a limitation of opportunity for many of the people most affected to have their voices heard.

Secondly NCSMC highlights to the Committee the fact that many of the people opposing this change at a grass roots level – that of actual experience – have been targets of violence and abuse, yet these very people are most disenfranchised from the inquiry process. Victims of violence and intimidation are doubly disenfranchised from the inquiry process, both because the violence impacts on their own and their children's health and their capacity to make a personal submission, and because they live in fear of further abuse and intimidation if they are identified as having spoken out. Perpetrators of violence are not constrained by fear of speaking out, they do not have survival and recovery issues impeding their participation and they have a great deal to gain from denigrating and dismissing the situation of relative powerlessness of victims of violence.

The Committee is also advised that already, those whose names have recently been publicly identified as opposing the presumption of joint custody, have received hate

mail¹, computer virus attacks and pornography spam. Individual women and mothers who have protested the lack of regard for the safety of victims of violence in the Family Court have encountered verbal threats and intimidation from people who support men's violence to mothers and children and who use intimidation tactics to silence women.

The men's movement campaign for joint custody includes a well-organised component who use threats and intimidation to control women in the home, to threaten court staff, to silence mothers' protests against men's violence and to suppress public reporting of their conduct. Such actions demonstrate no regard for other people's safety, well-being or democratic right to free speech. It is difficult to conclude that their stated intention to preserve families by force, or to have achieved the distribution of half-children to themselves is ever able to be believed as 'in the best interest of the child'. If such people intimidate and threaten people in public – one can only imagine what tyranny might be exercised in the private domain of their homes with their vulnerable families.

NCSMC notes that the foreshadowing of legislation to give effect to a rebuttable presumption of 50:50 joint custody after separation provides the impression that the inquiry has a pre-determined outcome.

NCSMC would like to make oral submissions to the committee in support of this submission.

If you have any need for further information with respect to the issues raised please contact myself or the Executive Officer Yvonne Parry.

Yours Faithfully

Dr Elspeth McInnes



¹ See Appendix 2 of the submission.

About NCSMC:

The National Council of Single Mothers and their Children was formed in 1973 to advocate for the rights and interests of single mothers and their children to the benefit of all sole parent families, including single father families.

NCSMC formed to focus on single mothers' interests at a time when women who were pregnant outside marriage were expected to give up their children for adoption by couple families and there was no income support for parents raising children alone. Today most single mothers are women who have separated from a partner. Issues of income support, child support, paid work, housing, parenting, child-care, family law, violence and abuse continue as concerns to the present day.

NCSMC supports the rights of children to have continuing contact with both parents (and other family members) where this is a mutually chosen, safe arrangement for all parties. NCSMC acknowledges the valuable role and contribution of both mothers and fathers and wider family members to children's lives. NCSMC acknowledges that shared parenting after separation can have positive outcomes for children when the arrangement is chosen by the parties who can work together and who actively seek to co-operate around a shared understanding of their children's best interests.

Legislation imposing joint custody on children of separated parents is inconsistent with the freedoms normally associated with Australian citizenship and would represent a new extension of government control into day to day family life for these children and their parents.

NCSMC acknowledges the importance of positive male and female role models for children. Ideally children have the loving support of both their father and mother and other family members. However biological parents of either sex are not the only acceptable role model for sons (or daughters). Children have access to a wide range of male and female role models through family members, churches, schools, and the wider community. Parents who are abusive or addicted or criminal are unlikely to be the best role models for children.

(a) given that the best interests of the child are the paramount consideration:

- *(i) what other factors should be taken into account in deciding the respective time each parent should spend with their children post separation, in particular whether there should be a presumption that children will spend equal time with each parent and, if so, in what circumstances such a presumption could be rebutted; and*

NCSMC opposes a rebuttable presumption of 50:50 joint custody on the grounds that it is not compatible with the paramountcy of children's best interests because it privileges one particular parenting arrangement without regard to children's lives, interests or needs. The arguments against a rebuttable presumption of 50:50 joint custody are that it:

- **Reduces Children's Rights in Favour of Parental Rights**
- **Has been tried and failed elsewhere**
- **Is Inconsistent with the Contemporary Division of Parenting Work between Australian parents**
- **Is inconsistent with the family assistance policy for couple families which supports the breadwinner/stay-at-home model of dividing parenting work**
- **Is redundant for most separating parents who already can and do make their own arrangements to suit their situation.**
- **Increases financial risks to children whose parents separate.**
- **Undermines the stability of care and residence associated with optimum child development**
- **Will expose young infants to additional developmental hazards including problematized attachment, disrupted breastfeeding**
- **Will make it harder for mothers and children who are targets of abuse or violence to achieve safety thereby increasing their exposure to harm**
- **Will not 'cure' suicide by separated parents**
- **Will increase litigation over the vast majority of children who do not live in joint custody**

These points are addressed in more detail below.

A Rebuttable Presumption of Joint Custody Reduces Children's Rights in Favour of Parental Rights:

The best interests of the child can only be paramount when each child is entitled to unique consideration of its interests and circumstances, rather than any presumed model of parental division of the child.

Currently each child is entitled under Family Law to individual consideration of its best interests with regard to a list of factors detailed in Section 68F of the Family Law Act which must be considered in arriving at a decision about the particular child's interests. These provisions ensure that the situation of individual children is valued. A presumptive model of child division abrogates children's rights to specific consideration of their interests.

International research into joint custody has shown that parenting arrangements were more likely to be organised to suit parents than to suit children. One study showed that children lived the practical daily inconveniences and difficulties of shared care and felt responsible for ensuring 'fairness' between their parents. Children felt they had to put their own interests below the interests of their parents for shared care and this was oppressive for children (Smart 2001).

A Rebuttable Presumption of 50:50 joint custody has been rejected elsewhere.

The Family Law Council (1992) research into shared care, notes that the California legislature repealed its joint custody presumption in 1988. This presumption was found to place unrealistic expectations and pressure on parents and therefore on children. Joint custody has not been found to ameliorate conflict and therefore is not necessarily beneficial to children.

In the Province of Ontario in Canada, A Committee examining Child Custody and Access in 2002, recommended against joint custody in its report 'Putting Children First'. There is no research evidence that imposed 50:50 joint custody is workable or beneficial for children of separated parents.

A Rebuttable Presumption of Joint Custody is inconsistent with the contemporary social division of parenting labour between Australian mothers and fathers.

Children's lives are not usually packaged around 50-50 time with each parent during the parents' relationship and there is no evidence that this is a common pattern of division of labour in intact families. Mothers invest their bodies, their work opportunities and their time in gestation, birth and breastfeeding in ways which contribute to their primary carer status during and after relationships. Legislatively presuming that fathers will take on this role does not reflect contemporary social realities of gendered parenting behaviour.

Time use data from the Australian Bureau of Statistics (1997) shows that women spend twice as much time as men providing direct care for children. Just over 50% of men who did provide direct care for children spent less than 30 minutes per day on this activity, with just 7% spending more than 2 hours, compared to 27% of women who spent less than 30 minutes and 24% of women who spent more than 2 hours on this activity (p.6). This data confirms social perceptions and practices wherein women are mainly responsible for providing unpaid direct care for children. This pattern tends to continue after separation. The presumption provides that children have no right to consideration of their interests in being divided between parents at any time a parent decides that the child should be divided. Only three percent of Australia's children live in shared care arrangements (Australian Bureau of Statistics 1999), reflecting that splitting children between households is a rarely chosen option.

Currently most families make post-separation parenting arrangements with respect to their own history of practice in the relationship, their paid work commitments, their residential situation, their skills, capacities and interests and their availability for unpaid parenting work (Graycar 1989, 1990). The Australian Bureau of Statistics (1999) data showing that nine out of ten children live with their mothers after separation reflects the current reality of the social division of labour of unpaid care for children within and after marriage.

A Rebuttable Presumption of Joint Custody is inconsistent with the family assistance policy for couple families which supports the breadwinner/stay-at-home model of parenting work

The structure of Family Tax Benefit and Baby Bonus payments promotes a division of parenting labour to encourage one parent in couple families to withdraw from the workforce to care for the child, particularly when the child is young. Payments from the Baby Bonus cease once the mother returns to paid work. In middle and high income families, the loss of Family Tax Benefit B when the stay-home parent enters the paid workforce makes it more cost-effective for the main earner to extend their hours to increase family income ahead of the second parent returning to paid work after having a child. The current family assistance payments therefore structurally promote a division of parenting labour where one parent, usually fathers, works long hours and mothers stay home full-time to raise children. Policies supporting a 50: 50 division of parenting labour in couple families should logically precede a government ruling that separated parents have to halve their children to equally undertake parenting work.

A Rebuttable Presumption of Joint Custody is redundant for most separating parents who already can and do make their own arrangements to suit their situation.

Family Court data indicates that about half of all separating couples never seek the intervention of the court but make their own arrangements. A presumption that children must be equally divided between their parents after separation therefore defies the parenting arrangements chosen by the majority of separating couples and reflects the requirements of a minority interest group. The Family Court cases which are most difficult to resolve typically involve serious concerns about children's well-being (Australian Law Reform Commission 1995).

The presumption is of no use or significance to families who are able to make arrangements for themselves as these families are already making their own decisions about their post-separation family life, but it provides those who wish to exercise coercion with a powerful tool to do so.

A Rebuttable Presumption of Joint Custody increases financial risks to children whose parents separate.

Sharing care of children 50:50 creates additional costs which should be funded by government financial support if the government wishes to encourage such arrangements. Separated parents who choose to share care currently face substantial financial disadvantages because only one parent is eligible for Parenting Payment Single, and neither household can receive an adequate level of Family Assistance. Where care of a child is shared above 40 percent each parent should be eligible for Parenting Payment Single. The activity tests applying to Newstart recipients are unworkable for parents with substantial care of a child and expose households depending on Newstart payments to increased risks of breaching and consequent severe income reduction.

The proportionate reduction in payment to the resident parent of Family Tax Benefit (FTB) payments when children are in the care of the contact parent, which was introduced in 2000, has reduced the adequacy of FTB payments to the child's principal place of residence. Children lose out altogether when the contact parent's share of Family Tax Benefit is returned to government revenue following income testing. Children living in two households cost more to support but neither household can receive a full family assistance entitlement. NCSMC and ACOSS have previously recommended a 20 percent increase in FTB payments for a child who is living across two households in recognition of the higher costs incurred (ACOSS 2001).

This is however likely to understate the actual costs per household. The real costs of sharing care indicate a need for a 20 percent increase in FTB payments for children in **each** household. When care is between 30-70 percent in each household, payment rates for Family Tax Benefit A and B should be increased by 40 percent overall for each child and proportionately distributed to reflect the limits on parental earnings, and the higher needs of the child² and costs of providing care across two households.

Parents providing 70-100% care are typically meeting ongoing costs, such as education, health, clothing and recreation needs, for the child and should receive 100% of FTB payments, whilst low-income contact parents with 10-29% care should be able to claim a Contact Allowance to meet the costs of contact (ACOSS 2001). This would increase adequacy in primary carer households and reduce parental conflict over FTB payments³.

Dividing children by presumption and then requiring an extensive, expensive legal process to change the presumptive division, carries serious financial risks for children whose parents separate. The presumption would enable parents to reduce child support and claim family benefits without actually providing care, leaving children still being cared for mainly by one parent, but without the financial support to do so. When the parent providing majority care would seek to take court action to register the actual care provided, such action would be vulnerable to delays, expense, fraud and coercion by parents who are willing to use such tactics. Where violence is an issue the presumption would leave adult and child targets of violence exposed to their abuser unless and until they could take successful court action. Parents without legal aid will be disadvantaged in access to legal support. This will lead to greatly increased risks of child poverty in affected households.

Further, the distribution of the child does not necessarily equate to a proportionate distribution of costs. One parent may in fact be paying for all the child's medical care, clothing and education costs – particularly if they are not prepared to let the child go without when the other parent does not meet their responsibility.

² A child living across two households requires extra bedding, clothing, toys, furniture, education resources, health resources, personal grooming resources, higher transport resources and may have increased emotional needs due to stress.

³ See Case Study 2 in Appendix One.

The establishment of links between reductions in child support and access to Family Tax Benefit is creating situations in families where children's interests are subordinated to parents' financial interests. Children's interests and parents' financial interests are interconnected to the extent that parents with continuing residential care of the children need to have access to sufficient income to house, clothe, feed, educate and transport them and to maintain adequate health care. Adjusting family assistance and child support for every hour of care provided forces parents to focus on their financial interests rather than children's interests.

Mothers who have been providing primary care will generally be more financially adversely affected by a 50:50 presumption, whilst fathers will be financially rewarded with reduced child support and increased family assistance. Fathers who have been employed may be forced to leave the workforce to provide care for their children, again reducing the financial support available to children of separated parents and increasing claims on income support. The poverty risks for children of separated parents can thus be expected to increase.

Mothers are already more likely than fathers to experience persistent financial hardship after divorce (Weston & Smyth 2000). Mothers who sacrificed career and education opportunities during the marriage to stay at home as primary parents to their children, tend to have lower earning skills and capacities after separation. Recent Australian research has also identified that mothers who have violent ex-partners face increased financial risks because their income earning capacity and health is adversely affected by the violence, their children's needs are increased and their access to a share of the property of the partnership is reduced by violent men using fear and coercion to prevent or reduce their claims (Sheehan and Smyth 2000). American research into joint custody shows that mothers still end up doing most of the core work of parenting, but with less financial support. Barry (1997) cites a number of studies showing that in dual custody cases, fathers' actual custody of children tends to decrease over time, whereas mothers' remains stable or increases.

Share care arrangements are a common source of Family Tax Benefit debts and disputes⁴. The current Family Tax Benefit claiming system which allows parents who are not receiving income support to claim retrospectively through the tax system creates debts or disputes for the other parent, if the claimed proportion does not match the amount paid to the other parent. The Ombudsman's (2003) report into the family payment system noted that this was a common cause of disagreement and complaints and recommended that parents should only be able to claim a share of FTB under the shared care rule prospectively. NCSMC endorses the recommendations of the report.

A Rebuttable Presumption of Joint Custody undermines the stability of care and residence associated with optimum child development.

⁴ See Case Study Two in Appendix One

The presumption eliminates children's rights to any stability or continuity of residence, schooling, healthcare or social contact given that either parent may initiate or discontinue a 50:50 division of the child whenever the parent chose. This would require the parent providing continuing care to either make the child available for presenting to the parent who decided to have it half the time, or to resume full-time care when the parent decided not to have the child half the time. The child's interests and needs become irrelevant under the proposed model which privileges a parent's right to half a child.

When children have never lived with a parent because the parents were never in a cohabiting relationship, the argument for 50-50 apportionment of the child becomes even less reconcilable with a child's interests. The presumption would mean that a person who has never engaged in responsibility for the child, or even has never met the child could demand that the child spend 50% of its life in his presence from the time he decides to commence this arrangement. The division of the child could presumably commence at any time between 0 and 18 when a parent decides that they wish the child to be divided. The presumption suggests that a father can require that a newborn child be weaned from breastfeeding to meet his parenting needs and be transported across towns, cities and states to satisfy his demand unless and until it could be successfully opposed in court.

A Rebuttable Presumption of Joint Custody will expose young infants to additional developmental hazards including problematized attachment, disrupted breastfeeding.

The presumption of 50:50 custody has no regard for medical literature showing that infant mental health and attachment theories of healthy bonding require a stable primary carer, to optimize emotional well-being and development (Family and Community Services Department). Dividing children between parents who are in conflict exposes them to additional harm. The developmental impact of adverse exposures to stress, conflict and violence is greatest for youngest children.

Establishing and maintaining successful breastfeeding requires mothers and infants to maintain close contact, to avoid stress and to feed exclusively on breastmilk. Boosting breastfeeding is an objective of the federal government's National Early Childhood Agenda. Infants who are subject to being divided into equal time with their fathers to meet his parenting time demands will be prevented from breastfeeding. Many of the children affected by parental separation are babies and young children. Pregnancy and infancy are key high risk times for the onset of domestic violence, forcing mothers to leave with their children to avoid death and or serious injury to themselves and their baby (Australian Bureau of Statistics 1996; Taft 2002).

A Rebuttable Presumption of Joint Custody will make it harder for mothers and children who are targets of abuse or violence to achieve safety.

Imposed shared custody of children when parents do not agree, do not co-operate or where there is hostility and violence exposes children and parents to continuing conflict and harm. The most vulnerable parties are victims of violence who may be killed, or

suffer serious injury or acquire post-traumatic stress disorder and other mental illness arising from exposure to violence (Taft 2003). Children who witness violence against their mothers are at risk of post traumatic stress disorder (PTSD) with increased risks of possible lifelong mental disability arising from the exposure (Mertin 1995).

A rebuttable presumption of 50:50 joint custody would make it harder for victims of violence/abuse to achieve safety. Domestic violence and child abuse are characteristically under-reported because they occur in private and the victims are controlled by fear of further violence from the perpetrator (Keys Young 1998). Parents who wish to stop abuse of themselves and their children may be unable to safely remain in a relationship with a person who uses violence against them (Bagshaw and Chung 2000; Bagshaw and Chung 2000a; Bagshaw, Chung, Couch, Lilburn and Wadham 1999).

A 50:50 presumption of joint custody would require victims of violence to achieve an additional legal hurdle, most probably without legal aid, in order to successfully argue that the children should not be continuously exposed to abuse. Recent Australian research by Rendell et al (2000) and Kaye, Stubbs and Tolmie (2003) into the dynamics of post-separation child contact with violent fathers found that where children were ordered into unsupervised contact with the perpetrator, some mothers felt forced to return to the relationship and be present in the house to seek to protect their children from abuse, rather than being absent and enabling the abusing parent to freely abuse the child without intervention or scrutiny.

Measures preventing people who are subject to violence and abuse from achieving safety assist the perpetrator and collude in the continuation of violence.

Mothers and children are more likely than fathers to be victims of violence or sexual assault by their family members. Men are much more likely than women to use violence and sexual assault in family relationships and that violence is much more likely to result in death and or serious injury of the victim than is violence used by women (Marcus 1994; Mouzos and Rushforth 2003). Pregnancy is a key time for the onset of violence against women, with an estimated ten percent of women experiencing an onset of domestic violence during pregnancy (ABS 1996; Taft 2002). Separation from a violent relationship typically escalates violence against women (Easteal 1992; Mahoney 1991). Ex-partners are the most dangerous relationship for single women's safety, with 42% of previously partnered single women reporting experiencing violence, mostly from their ex-partner (ABS 1996; McInnes 2001). An estimated one in four children in Australia has been exposed to violence against their mothers by a father-figure (Indermauer 2001). This and other research suggests that exposure to men's violence in childhood is a predictor of boys' later use of violence in relationships (Tomison 1996a).

Children who have been sexually abused by a parent are currently the only category of rape victim who can be compelled by court order to have a continuing relationship with the person who has offended against them. There is no research literature which supports such contact as being in children's best interests. On the contrary, establishing safety for the victims of traumatizing events is part of the recovery process for addressing trauma

(Herman 1992). Ordering children into the 'care' of a parent who the child has stated has abused them is another form of abuse of the child.

Violent or other abusive relationships can be expected to end more often than non-violent relationships and research by the Family Court has shown that child protection issues are 'core business' due to the prevalence of multiple and serious kinds of violence featuring in cases brought before the Family Court (Brown et al 1998, 2001, 2001a; Humphreys 1999). Australian Law Reform Commission research has shown that cases involving violence which has never been resolved to achieve safety for victims have been shown to return to court repeatedly and use up the largest percentage of court resources (ALRC 1995). Research into the impact of the Family Law Reform Act 1995 shows that controlling fathers use the Family Court as a means of harassing their ex-partners (Rhoades et al 2001). The most recent research by the Family Law Council (2002) on these issues has identified that the inadequacy of child protection systems attached to the Family Court is leaving children (and their mothers) exposed to serious continuing violence.

The research literature into family violence has established that violence against mothers is violence against children (Tomison 2000). A child who watches her or his mother being battered suffers much the same non-physical risks of adverse outcomes as when the child is directly victimized. Fathers who use violence against mothers harm their children.

There is now an extensive literature on the impact of trauma on children's brain development from a neurobiological perspective⁵ which emphasizes the long-term risks of exposing children to abuse. The failures of the family law system in responding to violence should be the priority for remedial legislative action which privileges safety from violence for every person.

A Rebuttable Presumption of Joint Custody will not 'cure' suicide by separated parents

A common argument advanced by men's rights advocates is that separation is responsible for men's suicide and that joint custody will stop men's suicides. Suicide research does not support these views.

Australian data on suicide (ABS 1998) shows that more women than men attempt suicide, but the methods used by men are more successful across all age groups and circumstances. Across all age groups and circumstances men kill themselves more often than do women. The difference in suicide rates between all men and all women has generally been consistent over time and across age groups and circumstances.

The suicide rates for widowed or divorced women are between two and four times higher than their married counterparts. The suicide rates for widowed or divorced men are three

⁵ See The following website by Dr Bruce Perry - an international expert in child trauma http://teacher.scholastic.com/professional/bruceperry/abuse_neglect.htm

times higher than their married counterparts. Having a mental illness is a risk factor for relationship breakdown (Wolcott and Hughes 1999).

Suicide and suicidal ideation are key indicators of mental illness and it is unrelated to the presence or absence of children. Depression is the leading cause of suicide⁶. Effective treatments include medical and psychological therapy. Having care of children does not prevent suicide, and may increase risks for children. Children should not be used as a treatment for parental mental illness. Children whose parents are depressed have to cope with their parent's mental illness and its impact on the parent's capacity to be responsive to the child's needs. A child who witnesses their parent's actual or attempted suicide experiences serious trauma.

Children can also be victims of suicidal parents. Family breakdown is the most common context for murder-suicides in Australia. Australian homicide data shows that in one in four cases where a parent kills their children they commit suicide after the event, compared to six percent of murder-suicides in the general homicide offender population (Mouzos and Rushforth 2003 p. 4).

A Rebuttable Presumption of Joint Custody will increase litigation

Given that most separating couples do not choose 50:50 shared parenting, a presumption can also be expected to increase applications to the Family Court and reliance on the legal system to vary an unworkable imposition. This can be expected to increase the demands on legal aid, the Federal Magistrates Court and the Family Court.

Whereas most separating couples currently can make arrangements to suit themselves, an imposed model will require them to seek court intervention to arrive at a stable and workable outcome. The courts are hampered already by the rapid rise in self-represented litigants attendant on the reductions in adequate legal aid for family law, particularly for cases involving allegations of violence.

NCSMC has received numerous contacts from parents who are terrified that their child's life will be suddenly chopped in half by a rebuttable presumption of joint custody⁷. This could mean that the child would be forced to leave her/his home, school, friends and extended family to meet the other parent's requirement for the child to be at their house for half the child's life.

Society as a whole will be adversely affected by a rebuttable presumption of joint custody as more children and mothers will find it harder to achieve safety from violence with consequent elevated rates of illness and disability. There will be more applications to the court and reliance on legal aid will increase the demand on taxpayers and reduce the efficiency of the court further. Income support claims will rise as parents leave the workforce to take up the unpaid care of their half-child.

⁶ See www.beyondblue.org.au for information on depression and suicide

⁷ See Case Studies in Appendix 1

(ii) in what circumstances a court should order that children of separated parents have contact with other persons, including their grandparents.

The Family Law Act already enables parents to make arrangements for their children by consent. Grandparents are already enabled to make applications under family law for contact with grandchildren. Grandparents and parents can also make arrangements by consent. There is no need for legislative change. Grandparents who are unaware of their legal rights may be informed by a public education campaign. Services assisting parties applying to the courts should explicitly address the needs of grandparents in their services.

(b) whether the existing child support formula works fairly for both parents in relation to their care of, and contact with, their children.

The primary concerns of payee parents under the current child support system is that payer parents don't pay. The Australian National Audit Office (2002) identified that payees who were owed child support were owed an average debt of \$2,100 at 30 June 2001.

The Australian Bureau of Statistics data on Children (1999) shows that only 42% of single parents receive cash child support.

Child Support Agency modeling of family types and income confirm that the percentages of income paid in child support do not unduly impose additional financial burdens beyond the reasonable costs of raising children⁸

Whilst the formula provides that non-resident parents contribute financially to the upbringing of their children, the data confirms that it is readily avoided by:

- Leaving employment
- Establishing a small business or negatively geared investment to reduce taxable income
- Paying income into a Trust to reduce taxable income
- Employing a family member and channeling family income through that person's earnings.

These strategies are simple, legal and readily accessible to any parent who does not wish to contribute to their child's financial support.

The formula percentage amounts, minus the deductible components of income, are proportionately less than the proportion of income the resident parent contributes to the child's financial support. They represent far less than the actual cost of raising the child. Few resident parents could claim that their child cost them less than 18 percent of their income after removing a self-support component equivalent to income support. Resident

⁸ See Appendix Three

parents without wage income, who rely solely on income support and Family Tax Benefit payments, commit more than the Family Tax Benefit component of their income to the child's costs.

The existing child support formula imposes modest requirements on payer parents after exempting a self-support component and capping the income to be considered and it should therefore be maintained. The percentages of payer contact used to calculate changes in the formula should not fall below the current definition of substantial care as there is no proportionate reduction in costs to the primary carer parent. Closely tying child contact and financial outcomes for parents also directs parental focus away from children's needs and interests to dollar outcomes and therefore functions in practice against children's best interests.

To reduce child poverty in single parent households the threshold of the maintenance income test should be increased by 50 percent and the FTB taper rate on child support received should be reduced from 50 cents to 30 cents in the dollar.

The payee's income should be disregarded as a factor in calculation of child support payable because that income does not change the payer's obligation to contribute to the support of their child.

NCSMC calls for:

- 1) A change to section 68F of the Family Law Act to prioritise the safety of children and their family members as the threshold determinant of a child's best interests.
- 2) The introduction of a rebuttable presumption of no contact where there are allegations of violence established on the balance probabilities (similar to the NZ Guardianship Act). Persons found on the basis of civil proof to have used violence would have to show why they were safe before contact was allowed.
- 3) Implementation of the recommendations of the Family Law Council 2002 on Child Protection and the establishment of a Family Violence Unit within the Family Law system to investigate and inform the court on family violence issues in cases where violence has been raised.
- 4) Maintain each child's right to unique consideration of their interests with no presumptive model of child division to satisfy parental rights.
- 5) Extend Legal Aid to all parties to proceedings to resolve concerns raised regarding violence or abuse.

- 6) Where a parent has 40 percent or more care of a child they should be eligible for Parenting Payment regardless of whether the other parent is also claiming Parenting Payment.
- 7) Parents claiming a proportion of Family Tax Benefit should be required to register a claimed share with Centrelink and have it accepted, in advance of payment.
- 8) Where parents share care between 30 and 69 percent, the FTB payable per child should be increased by 40 percent and distributed proportionately across households.
- 9) Low income parents with 10-29% care should receive an income tested contact allowance to support their costs of contact.
- 10) Residence parents with 70-100% care should receive 100% of Family Tax Benefit payments for the child to recognize their ongoing costs of providing sole or major care.
- 11) Family law services should include information aimed at grandparents to increase their awareness of their access to the family law system.
- 12) The child support formula percentages should be maintained.
- 13) The Maintenance Income Test threshold should be increased by 50%.
- 14) The Maintenance Income Test taper rate should be reduced from 50 cents to 30 cents in the dollar in line with the earned income test on family assistance.
- 15) The payee's income should not be a contributing factor in the calculation of the payer's child support as it does not alter the payer's obligation to support their child.

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Appendix One Case Studies:

The case study below provides an example of the way in which financial incentives for contact parents to spend more time with their children can expose the children to harm.

Case Study 1:

I am a mother of 3, divorced from their father. For years now, my kids have been staying with me during the week, and go to their fathers on weekend and both my ex and myself agreed for our court order that it be that way. He was happy for it, as he works and couldn't take time off work at 3 to pick kids up from school etc.

Now he has a change of tune, he is very happy about this proposal, he will gain money from Centrelink now for having them for longer periods, and also he won't have to pay the same child support. Money is his main reason for his joy.

He gets extra money now for the time he has the kids on weekends , and holidays, none of which he spends on the kids. I pay for everything, like school uniforms, books, clothes, etc. When the kids come home Sunday afternoons, I see them walk in all dirty and unbathed...How is it going to be better for them to spend more time with this man?? Also I am the one who witnessed my ex strike my middle son with a coat hanger, I can't prove it, as it was done late at night, no witnesses. I am so disturbed what will happen to my kids if they are in this man's care for longer periods. Could you please help me?

Case Study 2:

Following is a sequence of 5 emails from a mum trying to manage a change in care pattern in the context of violence. Note that her intention to advise Centrelink of changes to the pattern of care – that is to simply comply with the law and receive the correct amount of FTB has frightening consequences for herself and her daughter. Obviously this mum and child won't be the first or last trying to deal with the impacts of the FTB splitting policy and harm to vulnerable families.

1. I am writing for your help. My ex (not yet divorced) have been doing share care week on week off arrangement for the past twelve months. He recently got a job where he had to start at 4am so our 2 year old daughter M. came to live with me full time (for the past 6 weeks). He sees her every second weekend. I have just sent him an sms saying that I was going to ring centrelink to let them know that she is now living with me, to which he hit the roof as he obviously doesn't want his payments taken away from him. My dilemma is that we have two joint loans in both names, one which he took and one that I took after the separation. He is now threatening the quit his job, claim himself bankrupt and collect our daughter from childcare this afternoon. What the hell do I do? We do not have any custody arrangements as foolishly I thought we could do this maturely. I don't know what to do anymore this has been going on, on and off for two years. The

only way he will stop threatening me is if I agree to go back to him - which of course I cannot and will not do.

What do I do about my daughter? Do I have legal legs to stand on? What do I do about the bankruptcy? I work full time and I have two other children in my care from a previous relationship - I am tired and frightened. I know that my daughter is better living with me, not because I think I am better but I can see the difference that these six weeks have made in her. She never asks about her father, and generally doesn't even want to go on the weekends that he is supposed to have her. Who do I contact about my rights if he does try to take her from daycare? I don't want to give in to his threats anymore because my children and I cannot move on. To him I am a quitter and he doesn't want his child to be brought up by someone like that. The reason I left the relationship in the first place was because he was dominating and threatening, which I can assure you hasn't not ebbed, it has increased since my departure. I had a nervous breakdown and wanted to end it all..... Which sounds melodramatic but that's what it was like, I left him and went to live with my mother, he kept our daughter initially as I didn't have the courage to fight him. He is both mentally and physically dominating. I have fought him over the past two years and now she is back but everytime something doesn't go his way we are back on the rollercoaster. I understand his pride has been hurt or whatever it is that men go through, but I am entitled to a life as well!

2. I have an appointment this afternoon with a solicitor, although I had a harrowing night last night, he came around and took M..... The legal people that I spoke with yesterday said I can't do much about it if he does take her, I have to wait until I get the custody order in place. I phoned the police last night as he came to my place to take her by force and they put me on hold for 40 mins - it wasn't life threatening enough apparently. I however can go and steal her back anytime I want..... This is really awful. I have never thought of my daughter as a piece of meat before. I will know more this afternoon and at least get the ball rolling with the custody papers - stretch marks don't count for much I guess, I feel so incredibly helpless. I wish I had of taken up kickboxing now. My appointment is in an hour .

3. I haven't contacted anyone yet, I still can't believe it happened. No he didn't break in, my daughter let him in. He told her he was taking her to McDonalds for dinner. I was at the time cooking tea and didn't hear him at the door. I had the whole placed locked with my car put away. The first I knew he was there was when M. came running into the kitchen saying she was going to McDonalds, I turned around and he was there in the kitchen. I think I would like to contact the domestic violence people if only for ways on how to deal with such a person, it still strikes me to this day how I can be so frightened of someone - it's definitely not good.

4. I've done the solicitor thing, although she didn't tell me anything I didn't already know. The papers are underway however. She is going to try and get them submitted asap. I am not sure what to do now, wait? I will drive by everyone's house I know tonight to see if he is there, the confrontation thing isn't an option wouldn't be good for me her or anyone. I do need to know where she is. If she does go to daycare I will pinch her back and then

go and hide somewhere until I hear back from the solicitor - I can do that! Believe it or not I am at work, I couldn't handle being at home, not that I have been much good at work mind you. I am just about to get in my car and cry. Hopefully something good will happen tonight? She would be very confused by now and wanting to come home, she generally does that after she has been away for a night - wants to come home.

5. I am okay and yes I have M. back now. He ended up bringing her back to me, because she was so upset. Poor little thing. I am glad his conscience got the better of him. I am still waiting for the custody orders to be finalised but he is willing to not contest it. I will sleep a lot better once those papers have that government stamp on them.

Appendix 2:

Hatred and Threats by men's rights advocates

A Selection of written abuse received after publicly opposing to the rebuttable presumption of 50:50 joint custody. In the interests of brevity, only the sections of the emails where material has been written by the sender have been included – attachments of unsourced statistics and a news article detailing a court case have been omitted.

-----Original Message-----

From: Roger Desbois [<mailto:planetary@online.fr>]
Sent: Monday, 23 June 2003 11:22 AM
To: elspeth.mcinnes@unisa.edu.au
Subject: re Further Comment to Dr Elspeth McInnes 0421 787 080

Dear Ms. McInnes.

We applaud your efforts in helping families after divorce.

you wrote:

>"'The reality is that 95 percent of separating parents make arrangements for their children by agreement..|{snip\quote}

..well, one of our members here is one of the 95 percent - after five years of pre-trial harings, applications, counter-applications, blocking of his accounts, he signed the consent order, which is only enforced for the custodial parent. although the ex agreed to 'shared parenting' contact, she slammed the door on him one day after she signed the consent papers, well knowing that no federal police will ever help a non-custodial father. she also knew that, after five years battle, our member had enough. and he did - he`s now living in Greece and working for the Olympics. Australia has lost another good engineer to Nicholson, and his son a beloved father.

out of Nicholson`s 95 percent only a tiny fraction see their kids as 'consented' - consent orders are worth only for wiping your bum with !

..and for the rest of your 'violent men' and anti-father rhetoric..

may you get cancer and die a horrible death, get fucked stupid cunt and get out of the way. may you rot in hell ! amen

- - -
Roger Desbois, secretary
Jean Kelly, president
Planetary Alliance of Australian Fathers in Exile (PAFE)

-----Original Message-----

From: Johnny Doeg [mailto:thepatriarch@yahoo.com]
Sent: Saturday, 28 June 2003 3:26 AM
To: Elspeth.McInnes@unisa.edu.au
Subject: Family Homicide Data

Fraulein DOCTOR Elspeth,

First of all, ZIG HEIL!!

Talking about Family Homicide Data, I hope you have included the following:

ZIG HEIL FRAULEIN FEMINAZI!!!

.....

-----Original Message-----

From: Phil Morton [mailto:pmorton4@bigpond.net.au]
Sent: Friday, 20 June 2003 6:41 PM
To: elspeth.mcinnnes@unisa.edu.au
Subject: De-Facto Child Abusers

Dear Ms McInnes

Are the statistics below really what you want to encourage to continue in our society when children are without a father, nevermind being deliberately manipulated away from them by courts, social workers and the like after separation? Believe me I know, I nearly gave up the fight after the disgrace of the court saying they "cannot award" joint custody. I was on a disability pension and had every opportunity to contribute to my little girls life for half the time as she so desperately wanted, but the family law court and all the self-interested cronies that support the industry were going to have none of it. No instead they preferred another on welfare...her mother, and double the welfare bill for the country, when in fact I could have been the ideal child carer for our daughter should the mother actually WANT to work. The incentive to get custody is massive, and that is why 85% of all separations are initiated by the mothers of young child support aged children, as compared to only 60% of women making this choice when there are no children involved in the relationship... they well know the rewards at the end of the rainbow. The BIG LIE is that "best interests of the children" actually mean "whatever the mother demands" and I am sure you know damn well this to be the case. For the rest of my life I will go on calling a spade a spade...anyone that is against fair and equitable father/child time will be tarnished with the brush of de-facto child abuser...because armed with the knowledge of the statistics below, and refusing to act otherwise, that is EXACTLY what they become.

Yours Sincerely

Phil Morton

APPENDIX 3 - Child Support Agency Income Tables

Figures from the Client Research Unit of the Child Support Agency July 2002

NOTES APPLYING TO ALL TABLES:

- Government payment figures current from 1 July 2002 to 19 September 2002;
- The tables do not include payments for rent assistance. Rent assistance may be available to people living in private rental accommodation and varies with the amount of rent paid. Payments cease when there is no longer an entitlement to more than the basic rate of Family Tax Benefit (Part A);
- Parenting Payment includes Pharmaceutical Allowance;
- All tables assume carer parent is not in paid employment;
- All tables also assume that carer parent has more than 90 per cent care of the child(ren) post-separation. Paying parents with 10 per cent or more care of the child(ren) would have an FTB entitlement in respect to them/ those children;
- Payer with current family presumes payer's new partner is not in paid employment and child is aged 5 to 12 years. The tables do not take into account any child support received for the payer's stepchild.
- All care has been taken in preparing these tables, but they should not be relied upon for individual cases - advice should be sought from the CSA and/or Centrelink for specific circumstances.

Table 1

| Unemployed family - One child aged 5 to 12 years | | | | | | |
|--|-----------------|------------------------------|--------------------------------|---------------------------------|----------------------------------|--------------------------|
| | Pre-separation | Post-separation | | Payer | | |
| | | Payee | | | | |
| | | Payer no relevant dependents | Payer + one relevant dependent | Single - no relevant dependents | Partner + one relevant dependent | Partner + one step child |
| Newstart Allowance | \$8,653 | | | \$9,594 | \$8,653 | \$8,653 |
| Parenting Payment | \$8,728 | \$11,118 | \$11,118 | | \$8,728 | \$8,728 |
| Family Tax Benefit Part A | \$3,303 | \$3,303 | \$3,303 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | | \$1,978 | \$1,978 | | | |
| Child Support | | \$260 | \$260 | (\$260) | (\$260) | (\$260) |
| Total household income | \$20,684 | \$16,659 | \$16,659 | \$9,334 | \$20,424 | \$20,424 |
| Total government payments | \$20,684 | \$16,399 | \$16,399 | \$9,594 | \$20,684 | \$20,684 |

Table 2

| Single Income Earner taxable income \$20,000 One child aged 5 to 12 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | Payer | | |
| | | Payee | | | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$17,770 | | | \$17,770 | \$17,770 | \$17,770 |
| Parenting Payment | \$4,938 | \$11,118 | \$11,118 | | \$4,938 | \$4,938 |
| Family Tax Benefit Part A | \$3,303 | \$3,107 | \$3,303 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | \$1,022 | \$1,978 | \$1,978 | | \$1,022 | \$1,022 |
| Child Support | | \$1,487 | \$260 | (\$1,487) | (\$260) | (\$1,487) |
| Total household income | \$27,033 | \$17,690 | \$16,659 | \$16,283 | \$26,773 | \$25,546 |
| Total Government payments | \$9,263 | \$16,203 | \$16,399 | | \$9,263 | \$9,263 |

Table 3

| Single income earner taxable income \$25,000 - One child aged 5 to 12 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$21,120 | | | \$21,120 | \$21,120 | \$21,120 |
| Parenting Payment | \$1,438 | \$11,118 | \$11,118 | | \$1,438 | \$1,438 |
| Family Tax Benefit Part A | \$3,303 | \$2,657 | \$3,303 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$2,387 | \$582 | (\$2,387) | (\$582) | (\$2,387) |
| Total household income | \$27,839 | \$18,140 | \$16,981 | \$18,733 | \$27,257 | \$25,452 |
| Total government payments | \$6,719 | \$15,753 | \$16,399 | | \$6,719 | \$6,719 |

Table 4

| Single income earner taxable income \$35,000 - One child aged 5 to 12 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$27,595 | | | \$27,595 | \$27,595 | \$27,595 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Family Tax Benefit Part A | \$2,045 | \$1,757 | \$2,660 | | \$2,759 | \$3,301 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$4,187 | \$2,382 | (\$4,187) | (\$2,382) | (\$4,187) |
| Total household income | \$31,618 | \$19,040 | \$18,138 | \$23,408 | \$29,950 | \$28,687 |
| Total government payments | \$4,023 | \$14,853 | \$15,756 | | \$4,737 | \$5,279 |

Table 5

| Single income earner taxable income \$50,000 -One child aged 5 to 12 years | | | | | | |
|--|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$37,870 | | | \$37,870 | \$37,870 | \$37,870 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Family Tax Benefit Part A | \$1,062 | \$1,062 | \$1,310 | | \$1,062 | \$1,062 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$6,887 | \$5,082 | (\$6,887) | (\$5,082) | (\$6,887) |
| Total household income | \$40,910 | \$21,045 | \$19,488 | \$30,983 | \$35,828 | \$34,023 |
| Total government payments | \$3,040 | \$14,158 | \$14,406 | | \$3,040 | \$3,040 |

Table 6

| Single income earner taxable income \$75,000 - One child aged 5 to 12 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$51,245 | | | \$51,245 | \$51,245 | \$51,245 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Family Tax Benefit Part A | \$1,062 | \$1,062 | \$1,062 | | \$1,062 | \$1,062 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$11,387 | \$9,582 | (\$11,387) | (\$9,582) | (\$11,387) |
| Total household income | \$54,285 | \$25,545 | \$23,740 | \$39,858 | \$44,703 | \$42,898 |
| Total government payments | \$3,040 | \$14,158 | \$14,158 | | \$3,040 | \$3,040 |

Table 7

| Single income family taxable income \$95,000 - One child aged 5 to 12 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$61,545 | | | \$61,545 | \$61,545 | \$61,545 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Family Tax Benefit Part A | | \$1,062 | \$1,062 | | \$410 | \$951 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$14,987 | \$13,182 | (\$14,987) | (\$13,182) | (\$14,987) |
| Total household income | \$63,523 | \$29,145 | \$27,340 | \$46,558 | \$50,751 | \$49,487 |
| Total government payments | \$1,978 | \$14,158 | \$14,518 | | \$2,388 | \$2,929 |

Table 8

| Single income family taxable income \$113,542 - One child aged 5 to 12 years | | | | | | |
|--|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$69,958 | | | \$69,958 | \$69,958 | \$69,958 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Family Tax Benefit Part A | | \$1,062 | \$1,062 | | | |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$18,324 | \$16,520 | (\$18,324) | (\$16,520) | (\$18,324) |
| Total household income | \$71,936 | \$32,482 | \$30,678 | \$51,634 | \$55,416 | \$53,612 |
| Total government payments | \$1,978 | \$14,158 | \$14,158 | | \$1,978 | \$1,978 |

Table 9

| Unemployed family - Two children aged 5 to 12 years and 16 to 17 years | | | | | | |
|--|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | Payer | | |
| | | Payee | | | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| Newstart Allowance | \$8,653 | | | \$9,594 | \$8,653 | \$8,653 |
| Parenting Payment | \$8,728 | \$11,118 | \$11,118 | | \$8,728 | \$8,728 |
| Youth Allowance | \$4,293 | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$3,303 | \$3,303 | \$3,303 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | | \$1,978 | \$1,978 | | | |
| Child Support | | \$260 | \$260 | (\$260) | (\$260) | (\$260) |
| Total household income | \$24,977 | \$20,952 | \$20,952 | \$9,334 | \$20,424 | \$20,424 |
| Total government payments | \$24,977 | \$20,692 | \$20,692 | \$9,594 | \$20,684 | \$20,684 |

Table 10

| Single income earner taxable income \$20,000 - Two children aged 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | Pre-separation | Post-separation | | Payer | | |
| | | Payee | | | | |
| After Tax Earnings | \$17,770 | | | \$17,770 | \$17,770 | \$17,770 |
| Parenting Payment | \$4,938 | \$11,118 | \$11,118 | | \$4,938 | \$4,938 |
| Youth Allowance | \$4,293 | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$3,303 | \$2,918 | \$3,303 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | \$1,022 | \$1,978 | \$1,978 | | \$1,022 | \$1,022 |
| Child Support | | \$2,230 | \$260 | (\$2,230) | (\$260) | (\$2,230) |
| Total household income | \$31,326 | \$22,537 | \$20,952 | \$15,540 | \$26,773 | \$24,803 |
| Total government payments | \$13,556 | \$20,307 | \$20,692 | | \$9,263 | \$9,263 |

Table 11

| Single income earner taxable income \$25,000 - Two children aged 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|-------------------------------------|--|--|---|-----------------------------------|
| | Pre-separation | Post-separation | | | Payer | |
| | | Payee | | | | |
| | | <i>Payer no relevant dependents</i> | Payer with one relevant dependent | <i>Single and no relevant dependents</i> | <i>Partner and one relevant dependent</i> | Partner and one step child |
| After Tax Earnings | \$21,120 | | | \$21,120 | \$21,120 | \$21,120 |
| Parenting Payment | \$1,438 | \$11,118 | \$11,118 | | \$1,438 | \$1,438 |
| Youth Allowance | \$4,293 | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$3,303 | \$2,243 | \$3,303 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$3,580 | \$873 | (\$3,580) | (\$873) | (\$3,580) |
| Total household income | \$32,132 | \$23,212 | \$21,565 | \$17,540 | \$26,966 | \$24,259 |
| Total government payments | \$11,012 | \$19,632 | \$20,692 | | \$6,719 | \$6,719 |

Table 12

| Single income earner taxable income \$35,000 - Two children aged 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|-------------------------------------|--|--|---|-----------------------------------|
| | Pre-separation | Post-separation | | | Payer | |
| | | Payee | | | | |
| | | <i>Payer no relevant dependents</i> | Payer with one relevant dependent | <i>Single and no relevant dependents</i> | <i>Partner and one relevant dependent</i> | Partner and one step child |
| After Tax Earnings | \$27,595 | | | \$27,595 | \$27,595 | \$27,595 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$2,206 | \$1,062 | \$2,247 | | \$3,117 | \$3,303 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$6,280 | \$3,573 | (\$6,280) | (\$3,573) | (\$6,280) |
| Total household income | \$33,824 | \$24,731 | \$23,209 | \$21,315 | \$29,117 | \$26,596 |
| Total government payments | \$6,229 | \$18,451 | \$19,636 | | \$5,095 | \$5,281 |

Table 13

| Single income earner taxable income \$50,000 - Two children aged 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | Payer | | |
| | | Payee | | | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$37,870 | | | \$37,870 | \$37,870 | \$37,870 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$2,124 | \$1,062 | \$1,062 | | \$1,062 | \$1,062 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$10,330 | \$7,623 | (\$10,330) | (\$7,623) | (\$10,330) |
| Total household income | \$41,972 | \$28,781 | \$26,074 | \$27,540 | \$33,287 | \$30,580 |
| Total government payments | \$4,102 | \$18,451 | \$18,451 | | \$3,040 | \$3,040 |

Table 14

| Single income earner taxable income \$75,000 - Two children aged 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | Payer | | |
| | | Payee | | | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$51,245 | | | \$51,245 | \$51,245 | \$51,245 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$2,124 | \$1,062 | \$1,062 | | \$1,062 | \$1,062 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$17,080 | \$14,373 | (\$17,080) | (14,373) | (\$17,080) |
| Total household income | \$55,347 | \$35,531 | \$32,824 | \$34,165 | \$39,912 | \$37,205 |
| Total government payments | \$4,102 | \$18,451 | \$18,451 | | \$3,040 | \$3,040 |

Table 15

| Single income family taxable income \$95,000 - Two children aged 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$61,545 | | | \$61,545 | \$61,545 | \$61,545 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | | \$1,062 | \$1,062 | | \$1,062 | \$1,062 |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$22,480 | \$19,773 | (\$22,480) | (\$19,773) | (\$22,480) |
| Total household income | \$63,523 | \$40,931 | \$38,224 | \$39,065 | \$44,812 | \$42,105 |
| Total government payments | \$1,978 | \$18,451 | \$18,451 | | \$3,040 | \$3,040 |

Table 16

| Single income family taxable income \$113,542 - Two children aged 5 to 12 years and 16 to 17 years | | | | | | |
|--|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$69,958 | | | \$69,958 | \$69,958 | \$69,958 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | | \$1,062 | \$1,062 | | | |
| Family Tax Benefit Part B | \$1,978 | \$1,978 | \$1,978 | | \$1,978 | \$1,978 |
| Child Support | | \$27,487 | \$24,780 | (\$27,487) | (\$24,780) | (\$27,487) |
| Total household income | \$71,936 | \$45,938 | \$43,231 | \$42,471 | \$47,156 | \$44,449 |
| Total government payments | \$1,978 | \$18,451 | \$18,451 | | \$1,978 | \$1,978 |

Table 17

| Unemployed family - Three children aged 0 to 4 years, 5 to 12 years and 16 to 17 years | | | | | | |
|--|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| Newstart Allowance | \$8,653 | | | \$9,594 | \$8,653 | \$8,653 |
| Parenting Payment | \$8,728 | \$11,118 | \$11,118 | | \$8,728 | \$8,728 |
| Youth Allowance | \$4,293 | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$6,606 | \$6,606 | \$6,606 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | | \$2,836 | \$2,836 | | | |
| Child Support | | \$260 | \$260 | (\$260) | (\$260) | (\$260) |
| Total household income | \$28,280 | \$25,113 | \$25,113 | \$9,334 | \$20,424 | \$20,424 |
| Total government payments | \$28,280 | \$24,853 | \$24,853 | \$9,594 | \$20,684 | \$20,684 |

Table 18

| Single income earner taxable income \$20,000 - Three children aged 0 to 4 years, 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | Payer | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$17,770 | | | \$17,770 | \$17,770 | \$17,770 |
| Parenting Payment | \$4,938 | \$11,118 | \$11,118 | | \$4,938 | \$4,938 |
| Youth Allowance | \$4,293 | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$6,606 | \$6,197 | \$6,606 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | \$1,022 | \$2,836 | \$2,836 | | \$1,022 | \$1,022 |
| Child Support | | \$2,643 | \$260 | (\$2,643) | (\$260) | (\$2,643) |
| Total household income | \$34,629 | \$27,087 | \$25,113 | \$15,127 | \$26,773 | \$24,390 |
| Total government payments | \$16,859 | \$24,444 | \$24,853 | | \$9,263 | \$9,263 |

Table 19

| Single income earner taxable income \$25,000 - Three children aged 0 to 4 years, 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | | Payer | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$21,120 | | | \$21,120 | \$21,120 | \$21,120 |
| Parenting Payment | \$1,438 | \$11,118 | \$11,118 | | \$1,438 | \$1,438 |
| Youth Allowance | \$4,293 | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$6,606 | \$5,397 | \$6,606 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | \$2,763 | \$2,763 | \$2,763 | | \$1,978 | \$1,978 |
| Child Support | | \$4,243 | \$1,035 | (\$4,243) | (\$1,035) | (\$4,243) |
| Total household income | \$36,220 | \$27,814 | \$25,815 | \$16,877 | \$26,804 | \$23,596 |
| Total government payments | \$15,100 | \$23,571 | \$24,780 | | \$6,719 | \$6,719 |

Table 20

| Single income earner taxable income \$35,000 - Three children aged 0 to 4 years, 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | | Payer | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$27,595 | | | \$27,595 | \$27,595 | \$27,595 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | \$2,206 | \$4,293 | \$4,243 | | | |
| Family Tax Benefit Part A | \$4,090 | \$3,797 | \$5,401 | | \$3,303 | \$3,303 |
| Family Tax Benefit Part B | \$2,763 | \$2,763 | \$2,763 | | \$1,978 | \$1,978 |
| Child Support | | \$7,443 | \$4,235 | (\$7,443) | (\$4,235) | (\$7,443) |
| Total household income | \$36,654 | \$29,414 | \$27,760 | \$20,152 | \$28,641 | \$25,433 |
| Total government payments | \$9,059 | \$21,971 | \$23,525 | | \$5,281 | \$5,281 |

Table 21

| Single income earner taxable income \$50,000 - Three children aged 0 to 4 years, 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | Payer | | |
| | | Payee | | | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$37,870 | | | \$37,870 | \$37,870 | \$37,870 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$3,186 | \$2,124 | \$3,001 | | \$1,062 | \$1,218 |
| Family Tax Benefit Part B | \$2,763 | \$2,763 | \$2,763 | | \$1,978 | \$1,978 |
| Child Support | | \$12,243 | \$9,035 | (\$12,243) | (\$9,035) | (\$12,243) |
| Total household income | \$43,819 | \$32,541 | \$30,210 | \$25,627 | \$31,875 | \$28,823 |
| Total government payments | \$5,949 | \$20,298 | \$21,175 | | \$3,040 | \$3,196 |

Table 22

| Single income family taxable income \$75,000 - Three children aged 0 to 4 years, 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | Payer | | |
| | | Payee | | | | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$51,245 | | | \$51,245 | \$51,245 | \$51,245 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$3,186 | \$2,124 | \$2,124 | | \$1,062 | \$1,062 |
| Family Tax Benefit Part B | \$2,763 | \$2,763 | \$2,763 | | \$1,978 | \$1,978 |
| Child Support | | \$20,243 | \$17,035 | (\$20,243) | (\$17,035) | (\$20,243) |
| Total household income | \$57,194 | \$40,451 | \$37,333 | \$31,002 | \$37,250 | \$34,042 |
| Total government payments | \$5,949 | \$20,298 | \$20,298 | | \$3,040 | \$3,040 |

Table 23

| Single income family taxable income \$95,000 - Three children aged 0 to 4 years, 5 to 12 years and 16 to 17 years | | | | | | |
|---|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | | Payer | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$61,545 | | | \$61,545 | \$61,545 | \$61,545 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | \$3,186 | \$2,124 | \$2,124 | | \$1,062 | \$1,062 |
| Family Tax Benefit Part B | \$2,763 | \$2,763 | \$2,763 | | \$1,978 | \$1,978 |
| Child Support | | \$26,643 | \$23,435 | (\$26,643) | (\$23,435) | (\$26,643) |
| Total household income | \$67,494 | \$46,941 | \$43,733 | \$34,902 | \$41,151 | \$37,942 |
| Total government payments | \$5,949 | \$20,298 | \$20,298 | | \$3,040 | \$3,040 |

Table 24

| Single income family taxable income \$113,542 - Three children aged 0 to 4 years, 5 to 12 years and 16 to 17 years | | | | | | |
|--|-----------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------|
| | Pre-separation | Post-separation | | | | |
| | | Payee | | | Payer | |
| | | Payer no relevant dependents | Payer with one relevant dependent | Single and no relevant dependents | Partner and one relevant dependent | Partner and one step child |
| After Tax Earnings | \$69,958 | | | \$69,958 | \$69,958 | \$69,958 |
| Parenting Payment | | \$11,118 | \$11,118 | | | |
| Youth Allowance | | \$4,293 | \$4,293 | | | |
| Family Tax Benefit Part A | | \$2,124 | \$2,124 | | | \$665 |
| Family Tax Benefit Part B | \$2,763 | \$2,763 | \$2,763 | | \$1,978 | \$1,978 |
| Child Support | | \$32,577 | \$29,368 | (\$32,577) | (\$29,368) | (\$32,577) |
| Total household income | \$72,721 | \$52,875 | \$49,666 | \$37,381 | \$42,568 | \$40,024 |
| Total government payments | \$2,763 | \$20,298 | \$20,298 | | \$1,978 | \$2,643 |