

House of Representatives Standing Committee on Family and Community Affairs	
Submission No:	515
Date Received:	8-8-03
Secretary:	Wednesday, July 30, 2003

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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.

To the Committee Secretary

This submission will outline child custody arrangements and child support payments calculated using a formula where parents reside in different states.

In my case my son lives with his mother and her husband in Tasmania. I am married and live in Sydney with my wife and two children. As you can see it would be unfair on my son to have equal access between the parents. It would disturb his schooling and social activities. Be that as it may, shared access can still be applied over school holidays. Where the parent is unavailable or deceased this access should then be passed onto other persons such as grandparents, brothers, uncles and aunts or a person nominated by both parents and obviously someone that my son or the child knows and his pleased to stay with.

Most custodial parents don't want shared access because that will then reduce the amount of child support payable to them. This situation can only be resolved by changing the child support formula so as to encourage shared custody and reduce the greed that is obviously shared by most custodial parents. It is terrible to think that a parent can be denied access by the custodial parent solely because they are aware that this contact will affect the child support money that is payable. In my case I am immediately disadvantaged as my son know resides in Tasmania. When custodial parents move to another state or long distance from the other parent the child support formula does not fairly equate the expenses related to child access.

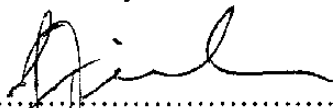
The unfair aspect of child support is that the formula is based on a Gross income. The exempted amount is unrealistic and the further exemption applied if you dare to have more children in another relationship is pittance. I pay about \$38,000 p.a. tax and receive an exemption of about \$22,000. Effectively I pay an additional 18% on top of the 46% I already pay in tax therefore reducing my disposable income considerably after child support is paid and this is not even considered. Costs of living are covered nationwide when we all know that it costs more to live in Sydney, therefore wages are higher, than what it does in Tasmania. Again this is not a consideration. The current burden of child support does not consider the afterlife of the paying parent.

The existing child support formula does not work and is not fair. To many people are not paying enough while others are paying too much given the circumstances. People who run their own business are advantaged by the child support formula whereas people like myself who earn a salary or wage end up paying the maximum amounts. This fact is recognized by the child support agency as people like myself can be stood over and forced to pay enormous amounts of child support or face a garnishee in wages while business owners are paying as little as \$150 a month in child support. The system needs to be equal to all children and payers. Perhaps a flat rate can be established.

Another issue that needs to be raised is when the separated parent with custody marries or remarries. When the separated custodial parent marries again the income of the partner must be taken into consideration by the child support agency. The parent is no longer a single parent and the new partner must take some responsibility for the marriage and obvious acceptance of the child or children. Currently the custodial household receives three wages, the custodial parent's wage, and the partner's wage and child support payments. I am not suggesting that child support be stopped once a parent remarries however the additional income should be used to apply a logical discount for the payer of child support. Perhaps this could also be resolved by fixing an amount payable when the custodial parent marries or remarries.

The biggest criticism of child support is that no money is allotted to the child or children directly. It is up to the discretion of the custodial parent to use child support payments for any purpose. Perhaps a percentage of child support should be invested and then paid to the child or children when child support payments cease when they take up work or turn 18. With two children under 2 years of age now, with more to come, I will not be able to help my son financially after child support has finished. I am certain my son will not receive any money that I have paid over the 12 years which would calculate to about \$160,000 net. How can anyone see this system as being fair on either the child or children and the payer? The current system only benefits the custodial parent or the payer who is a business owner.

Yours truly,

A handwritten signature in cursive script, appearing to read "Jonathan Field". The signature is written in black ink and is positioned above a horizontal dotted line.

Jonathan Field.