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Secretary:

To Whom It May Concern

Ref: Child Custody Arrangements Inquiry

Further to my earlier submission, the issue of child custody arrangements is a very sensitive, delicate and disturbing one. Disturbing especially in terms of homicide and suicide statistics. This situation could be easily avoided if there were a more fairer and simpler system than the one currently in place.

My updated suggestions for a more workable system is as follows:

Fresh Start Child Custody Arrangements

1. Divorce Settlements

This essentially involves three main areas of concern, property, custody and contact.

a) Property

Unless there are proven and accepted to pre-nuptial agreements in place, then property settlement should be a straight 50/50 split.

b) Custody and Contact

This should involve shared access, care and responsibility. Access, care and responsibility arrangements should be based on an individual child's age. As a guide, I believe the following should apply

Individual Child Age Bracket	Access, Care & Responsibility Proportion (%)	
	Custodial Parent	Non-Custodial Parent
0 - 1	95 %	5 %
1 - 3	90 %	10 %
3 - 5	80 %	20 %
5 - 7	70 %	30 %
7 - 9	60 %	40 %
9 - 10	55 %	45 %
10 +	50 %	50 %

2. Child Support Payments

A. A Fairer Calculation Method

Base the calculation method on an objective format. For example on a tiered system of amounts determined as yearly averages to raise a child, say based age and set amounts.

Age	Yearly Amount
0 - 3	\$a
3 - 6	\$b
6 - 10	\$c
10 - 12	\$d
12 - 15	\$e
15 - 17	\$f

Figures from the AIFS are **NOT** to be considered as they are exaggerated and flawed. Amounts should be calculated on objective and realistic figures such as that provided by the Australian Bureau of Statistics or other fairer means.

Once a child reaches 18, they are legally classified as an adult and therefore no longer a child by definition. They could apply for Austudy as an option.

Other factors need to be also considered such as:

- Amount adjusted in accordance with the percentage of contact time, ie. for a 0 –3 year old, the adjusted calculation would be $(\$a \times Y\%) \div 100$.
- Cost of living differences such as state and regional areas need to be considered also in conjunction with this adjusted amount, eg. the cost of living in Sydney and Melbourne is a lot higher than in other regions.
- Number of children to support is another consideration, and could be a set amount for each additional child rather than a percentage.

B. Simpler Payments Arrangements

As for making payments, some indirect method should be considered not unlike a levy, like how the medicare levy is deducted from taxable income. This would then allow non-custodial parents to voluntarily contribute additionally as well, say for private school fees.

Such voluntary payments could then be included as an income tax deduction.

C. Balanced Contributions Distribution

Payments made to the custodial parent by the CSA should be a combination of money, redeemable vouchers, (ie for food, rates, electricity and other household necessities) and other appropriate expenses methods. That way there is some assurance of contribution benefits.

D. Number of Children in Family

Where there is more than one child involved, for each additional child the calculated amount a percentage increment of the yearly fixed amount.

Additional Children	Percentage Increment
For 2 nd child	60 %
For 3 rd child	40 %
For 4 th child	30%
For 5 th or more	20 %

This is based on the consideration that there are differential costs to raising more than one child, not the cost of one child times the number of total children.

3. Proof of Parentship – Mandatory DNA Testing

To avoid any disputes over proof of biological parentship, compulsory DNA testing should be in place. Where there is no argument in this matter, both parents can agree and elect **not** to have DNA testing undertaken.

4. Fresh Start Arrangements

As the child support payments are fixed rates set by age, non-custodial parents can elect to pay these in advance by off-setting against property settlement transfer payments. This would then allow those parties to start afresh and be able to further contribute to their children's upbringing without the impending financial burden.

This could mean being able to afford paying for private school education, holidays, etc.

These are my further thoughts. I hope they are useful in continuing the debate and thus eventually arriving at a more workable solution to all parties concerned.

Yours sincerely,

Geoff Webster