



Australian Government

Australian Institute of Family Studies

Submission to the Senate Inquiry into the Child Support Legislation Amendment (Reform of the Child Support Scheme – New Formula and Other Measures) Bill 2006

The Australian Institute of Family Studies is pleased to have the opportunity to comment on the proposed provisions of the *Child Support Legislation Amendment (Reform of the Child Support Scheme – New Formula and Other Measures) Bill 2006*.

Established under the Family Law Act 1975, the Institute seeks *to promote the identification and understanding of factors affecting marital and family stability in Australia*. Family law (including child support policy) represents an important area of research at the Institute, and much of its current work seeks to inform the recently proposed family law reform package (including the child support reforms).

The Institute has had a strong interest in family law issues, more broadly, and child support issues, more specifically, and has been following the recently proposed reforms closely – both independently, and through representation of staff on various committees. Indeed, two staff members at the Institute, Dr Matthew Gray (Deputy Director – Research) and Dr Bruce Smyth (Senior Research Fellow), were members of the Ministerial Taskforce, and a former Director of the Institute (David Stanton) was the Taskforce’s Deputy Chair. The Institute also conducted some early empirical work for the Taskforce assessing public attitudes to child support in Australia.¹ The Institute was also involved in some of the early modelling when the original Scheme was being developed in the 1980s.

We also made two formal submissions in relation to the child support reform agenda: (i) a written submission to the House of Representatives Inquiry into Child Custody in the Event of Family Separation (submission no: 1055); (ii) verbal testimony to that House of Representatives Committee on 13 October 2003.

¹ Smyth, B. & Weston, R. (2005), *A Snapshot of Contemporary Attitudes to Child Support*, AIFS, Melbourne.

We believe that the Child Support Scheme has been in urgent need of being modernised for some time so that it be better aligned with the rapid social and economic change that has occurred in Australia over the past two decades – whereby both parents are increasingly in the labour force, relationship breakdown is pervasive, and fathers are looking to play a greater role in their children’s lives. The Taskforce’s 30 recommendations, now largely embodied in the Bill before Parliament, warrant endorsement. The attached article by Dr Bruce Smyth contains a more detailed discussion of the broad thrust of the Taskforce’s proposals.

The Institute supports the broad intent of the proposed Bill to improve the perceived fairness of the Scheme – particularly for children – and to encourage the active involvement of both parents in their children’s lives after separation – providing, of course, where this involvement is in the children’s best interests.

Yours sincerely

A handwritten signature in black ink, appearing to read "Alan Hayes", written in a cursive style.

Professor Alan Hayes
Director