

**SUBMISSION TO THE AUSTRALIAN SENATE'S COMMUNITY AFFAIRS
COMMITTEE REGARDING THE PROPOSED AMENDMENTS TO THE CHILD
SUPPORT LEGISLATION**

I urge the Committee to invite the Federal Member for Hume, Alby Schulz to inform you of the horrific actions the Child Support Agency has taken and continues to take against thousands of its clients. My continuing and repeatedly poor experiences over the last six years with the Agency pale into insignificance by comparison

I ask before you consider the proposed amendments giving even more draconian powers to an Agency described by one current affairs program as "a basket case beyond repair," you seriously consider recommending the Senate conducts its own inquiry into the conduct of the Agency before handing over the extraordinary new powers it obviously seeks.

Notwithstanding appeals to the Social Security Tribunal will be available I understand there will be no recourse to the Courts by those affected by adverse decisions and without reconstruction the proposed amendments will entrench and reinforce the Agency's ability to continue with its well publicised abuses of power and process.

I fear giving further open ended powers to the Child Support Agency without clearly defined prescriptive legislation and policies will only ignite a powder keg of discontent that is already about to explode.

For example the recent amendments to the Child Support legislation in regards to the ill defined "capacity to pay" in the hands of the Child Support Agency I expect will turn into a pseudo and arbitrary wealth tax on non-custodial parents. Most non-custodial parents lose the bulk of their share of matrimonial assets during the divorce settlement. Many suffer poorly afterwards as confirmed by the Child Support Agency's own research and to permit a second bite of the cherry particularly if there is a new family to care for is grossly unfair.

If there is concern that a non-custodial parent is arranging his or her affairs to evade tax and hence child support I would argue the Australian Tax Office is far better placed to investigate and make a determination. This has to be a much better use of tax payers funds rather than a lowly ranked, ill trained and inexperienced clerk within the Child Support Agency conducting an investigation that the new legislation I understand proposes. Further it appears the Child Support Agency seeks highly detailed information from the payer which obviously can be falsified or incur considerable financial expense and effort on those whose information is often already in the public domain. This information I expect the Australian Tax Office would already have access to or have highly developed and sophisticated methods of obtaining it if it has not.

As one commentator has calculated, it currently costs the taxpayer \$5 for every \$1 of child support the Child Support Agency collects. It is easy to see why.

In the few days I have had I have failed from various sites to electronically access the proposed legislation and commentary. Hence I would welcome the opportunity to make a formal submission to the Committee on its hearing date of October 4 in Canberra.

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