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Child support laws 'unfairly burden parents'

By MICHELLE WEBSTER Nov. 9, 2014, 10:05 p.m.

Australia's child support system has major flaws that can make the often heartwrenching process even more difficult for families to negotiate, according to an Illawarra solicitor.

In a submission to a parliamentary inquiry into the nation's child support system, Illawarra Legal Centre solicitor Carolyne Turner raised a number of problems with the existing system, including a lack of smooth communication between departments and an investigation process that unfairly burdens parents.

The submission is one of over 11,000 responses being reviewed as part of a parliamentary committee report into the child support system, due for release early next year.

At present, if there is an objection to a child support decision or the matter goes to a tribunal, neither the Child Support Agency (CSA) nor tribunal are required to investigate any of the information provided.

"If a party does not agree with the other party's assertion, then they are told they need to gather and provide evidence about the other parent's lifestyle or assets," Ms Turner wrote.

"For a person who has experienced or is experiencing domestic violence the need to carry out an investigation against their perpetrator raises issues around risks and danger, escalating the problems that exist and perhaps breaching a [domestic violence order]."

Ms Turner recommended parents in highly volatile situations not be exposed to negotiation or mediation processes, and that the CSA approach every contested decision by requiring the other party to supply evidence.

Another issue raised in the submission was the lack of smooth communication between agencies, at times resulting in payment delays which can hugely impact on families' living from one week to the next.

Ms Turner said one problem her clients encountered arose from the lack of a shopfront where they could speak directly to someone about their child support issues.

"It makes it very difficult, if you call and get someone in Darwin or Perth or Hobart who don't even know the suburbs or the areas you're talking about," she said.

"They're very helpful people but it certainly takes away the human side of the whole issue."

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