



**Australian Government**  
**Australian Institute of Family Studies**

House of Representatives Standing Committee on  
Social Policy and Legal Affairs

## **Inquiry into Child Support**

Submission from the  
Australian Institute of Family Studies

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# 1. Introduction

This submission is based on the datasets of two studies conducted by the Australian Institute of Family Studies (AIFS) that are relevant to some of the terms of references for the current Inquiry into Child Support: the *Longitudinal Study of Separated Families* (LSSF), which entails three survey waves covering a five-year period after separation, and the *Survey of Recently Separated Parents 2012* (SRSP 2012), a single-wave study. The first two waves of the LSSF were commissioned by the Attorney-General's Department (AGD) and the then Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) now called the Department of Social Services (DSS), while AGD commissioned the third LSSF wave and the SRSP 2012.

The parents in these studies were recruited for interview when they had been separated for a relatively short period of time (described below). The samples were derived from the same administrative dataset though in different years, now managed by the Department of Human Services—Child Support (DHS-CS).<sup>1</sup> While we believe that the vast majority of separated parents with a child under 18 years are represented in this administrative dataset, some parents do not register with DHS-CS. To that extent, the analyses cannot claim to be based on random samples of all separated parents with a child under 18 years of age.

The present report outlines results derived specifically for the Inquiry into Child Support, along with some of the results available in the following publications:

- *Post-separation parenting, property and relationship dynamics after five years* (Qu et al., 2014)<sup>2</sup>
- *Survey of Recently Separated Parents: A study of parents who separated prior to the implementation of the Family Law Legislation Amendment (Family Violence and Other Measures) Act 2011* (De Maio et al., (2013).

The former report focuses on all three waves of the LSSF. It is currently available on request to the Attorney-General's Department and will become available on its website as soon as all accessibility requirements have been met. The AGD has already published the SRSP-based report online (see <http://www.ag.gov.au/FamiliesAndMarriage/Families/FamilyLawSystem/Pages/Familylawpublications.aspx> ).

A description of the two studies appears below (Section 2). This is followed by a number of sections focusing on the results. Given that one of the key issues on which the Inquiry is focusing concerns ways of improving outcomes for high conflict families, Section 3 outlines patterns of family relationship dynamics. Section 4 presents trends concerning the liability

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<sup>1</sup> When the LSSF Wave 1 sample was derived, this dataset was managed by the then Child Support Agency (CSA).

<sup>2</sup> Chapters on child support also appear in the reports by Kaspiew et al. (2009), which focused on LSSF Wave 1 and Qu & Weston (2010) which focused on the first two LSSF Waves.

status of the parents in these studies and the child support transfer methods they have in place, while Section 5 focuses on parents' reports of levels of compliance with child support liability. Given the large number of cases where fathers have the liability to pay child support to mothers, Sections 6 and 7 compare subgroups of parents who report these circumstances. Section 6 explores factors associated with father payers' compliance, while Section 7 outlines trends in sense of fairness expressed by father payers and mother payees, along with fathers' level of acceptance or resentment in paying child support, as reported by the fathers and as perceived by the mothers.<sup>3</sup> Section 8 provides a summary of these results and draws some general conclusions.

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<sup>3</sup> Some subgroups of mother payers would have been too small to generate reliable estimates. It was beyond the scope of this report to adopt strategies to overcome this difficulty. This is something that could be achieved if time permitted.

## 2. The two studies

### *The Longitudinal Study of Separated Families (LSSF)*

The LSSF is a national study of parents (with a child under 18 years of age) who had separated after the 2006 reforms were introduced and who were registered with the Department of Human Services—Child Support (DHS–CS) in 2007 and were still separated at the time of the survey.<sup>4</sup> Parents with child support arrangements that involved mothers having the liability to pay fathers were over-sampled. The study entails three survey waves, with the first two having been funded by the Attorney General’s Department (AGD) and the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) (now called the Department of Social Services (DSS)) and the third funded by the AGD. Findings based on the first two waves formed components of the AIFS evaluation of the 2006 reforms to the family law system (see Kaspiw et al., 2009; Qu & Weston, 2010). In all three waves, almost all child-related questions asked of parents (e.g., care-time arrangements) focused on one child born of the separated relationship (here referred to as the “study child”).

Some 10,000 parents participated in the first survey wave (4,983 fathers and 5,019 mothers). Interviews were conducted in late 2008, on average 15 months after separation, though it should be noted that 11% of respondents had never lived together or had separated before the study child was born.<sup>5</sup> The mother and father of around 1,800 study children participated (separately) in this survey (here called the “former couples sample”).

The second wave of data collection was conducted between September and October 2009, with 70% of the original parents being interviewed again. Even though only 12 months had elapsed between the first two survey waves, the study highlighted considerable change in circumstances. For instance, around one in three of the children experienced different care-time arrangements (Qu & Weston, 2010).<sup>6</sup>

The third wave of data collection took place between September and November 2012, with 9,028 parents interviewed (comprising 5,755 members of the original sample and a “top-up” sample of 3,273 parents). Both the original and top-up sample members had been separated for an average of five years at the time of this survey wave.

In Wave 1, 41% of the children were 0–2 years old and 18% were 4–5 years old.<sup>7</sup> That is, nearly 60% of these children were under 5 years old. By Wave 3, two-thirds of these “study children” were 5–11 years old (i.e., of primary school age).

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<sup>4</sup> When the LSSF Wave 1 sample was derived, this dataset was managed by the then Child Support Agency (CSA).

<sup>5</sup> The weighted data (adjusted for the differential tendency of separated parents with different characteristics to participate in the survey) suggest that 13% of parents had never lived together or had separated before the child was born. Apart from the small proportion who had never lived together, the parents had separated between July 2006 and September 2008, with all except 4% of these parents having separated between July 2006 and December 2007.

<sup>6</sup> Any observed proportion of children experiencing a change in care-time would be a function of the nature of the categories of care-time adopted in this analysis. In the LSSF, care-time arrangements were split into nine categories, some of which covered a broader time frame than others. For example, one category entailed the child spending near equal number of nights with each parent (48–52% of nights), while another entailed the child spending 66–99% of nights with the mother and 1–34% of nights with the father. The full set of categories are outlined in Section 6 of the present report.

<sup>7</sup> For some children, both parents participated in the study. Where this was the case, only one parent’s report was randomly selected to avoid “double counting”. These percentages referred to in this paragraph were based on the

## SRSP 2012

The SRSP 2012 is a national study of the experiences of 6,119 parents (with a child under 18 years old) who had separated between 31 July 2010 and 31 December 2011, had registered with the DHS–CS during 2011 and were still separated at the time of the survey. The research was commissioned and funded by the AGD and examined parents’ experiences of, and system responses to, family violence and child safety concerns. The survey took place between August and September 2012 and focused on parents whose main use of family law system services occurred in approximately 2011, prior to the reforms introduced by the *Family Law Legislation Amendment (Family Violence and Other Measures) Act 2011* (Cth). The sample of parents had been separated for an average of 17 months. As was the case with the LSSF, one child born to the separated couples was focused on for the majority of the child-related questions in the SRSP 2012. These children were most commonly aged 5–11 years (39%), with 21% of children aged in the 0–2 years and 17% aged 3–4 years.

## Comparison of the two studies

The studies are similar in terms of: (a) their sampling frames (both samples having been derived from the Child Support Program database); (b) the length of time the parents (who had lived together) had been separated when the first or only survey took place; and (c) the over-sampling of parents whose child support arrangements involved mothers having the liability to pay fathers. The major differences concerned the period in which the parents had separated, the inclusion of parents who had never lived together or had separated before study child was born (applying to the LSSF only), and the resulting age profile of the study children.<sup>8</sup>

Almost all parents in the LSSF who had separated had done so between July 2006 and December 2007, whereas those in the SRSP 2012, had separated between 31 July 2010 and 31 December 2011. Compared with the SRSP 2012, a higher proportion of children in Wave 1 of the LSSF were aged under 5 years (59% vs 38%).

Where the data are available, the presentation of results follows the following order. First, the results for Wave 1 of the LSSF are compared with those for the SRSP 2012. Second, the results for all three waves of the LSSF are compared. Here the data for all parents represented in any wave are included in the comparisons, with the data for parents in the top-up sample being combined with the Wave 3 data for parents who were in the original LSSF. Third, to provide a longitudinal perspective, attention is directed to the wave-by-wave information provided by parents who participated in all three LSSF survey waves (here called the “continuing sample”). As shown in Section 4, small minorities of parents in the two studies were mothers who paid child support and fathers who received child support. Where analyses entailed comparing subgroups of payers and payees, attention was restricted to father payers and mother payees, given that the numbers in the various male and female subgroups of interest that had this liability arrangement were substantial.

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weighted data (adjusting for the differential tendency of separated parents with certain characteristics to participate in the survey). Before these weights were applied, 35% of children were 0–2 years and 17% were 4–5 years

<sup>8</sup> In the SRSP 2012, a small number of parents who reported that they had separated from their child’s other parent later indicated in the interview that they had not lived with this parent (less than 2%).

### 3. Family relationship dynamics

One of the terms of reference on which the Committee will inquire and report is “how the scheme could provide better outcomes for high conflict families”. Both AIFS’ studies provide considerable information on parents’ perceptions of their family relationship dynamics. The pattern of results summarised below provides insight into the prevalence of high conflict families, history of violence/abuse, whether parents held concerns about their own or their child’s safety as a result of ongoing contact with the other parent and parents’ reports of whether mental health problems or substance misuse or addictions were issues in the relationship.

#### *Perceived quality of the inter-parental relationship*

Parents in both surveys were asked whether their current relationship with their child’s other parent was “friendly”, “cooperative”, “distant”, entailed “lots of conflict” or was “fearful”. The results of the first Wave of the LSSF and the single wave of the SRSP 2012 were very similar. This is not surprising, given that the similarity in the average duration of separation of the two samples. The following trends emerged:

- 62–64% of fathers and mothers in the LSSF and 62–63% of fathers and mothers in the SRSP 2012 described the relationship as either friendly or cooperative;
- 19% of fathers and mothers (taken separately), and 23% of fathers and 19% of mothers in the SRSP 2012, considered the relationship to be distant;
- 13–14% of parents in the LSSF, and 12–13% in the SRSP 2012 said that the relationship entailed “lots of conflict; and
- 3% of fathers in both studies and 6–7% of mothers in both studies considered the relationship to be a fearful one.

In total, 15–17% of fathers in these two studies described the relationship as either highly conflicted or fearful, compared with 19–20% of mothers.

The general results for all three LSSF survey waves (taken separately) suggest a similar picture.<sup>9</sup> That is, most fathers and mothers who were represented in any of the waves described their inter-parental relationship as either friendly or cooperative, with 14–17% of fathers and 17–20% of mothers seeing the relationship as either highly conflicted or fearful.

Close to half of the parents who participated in *all* three waves (i.e., the “continuing sample”) held much the same views in each survey wave, with positive views being the most likely to be repeated across the survey waves (applying for 44% of fathers and 38% of mothers). Negative (i.e., either highly conflicted or fearful) relationships were reported by 3–5% of the continuing sample of fathers and mothers in all three waves. Revised assessments were equally likely to suggest that relationships had improved or deteriorated.

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<sup>9</sup> Where each of the waves is taken separately, the data for the top-up sample and Wave 3 sample are combined.

## *Experience of emotional abuse or physical hurt*

Compared with the LSSF, the SRSP 2012 survey included a considerably larger number of questions on matters pertaining to violence/abuse. However, parents in each study were asked whether they had experienced various specific forms of emotional abuse *before or during separation* and whether their child's other parent had hurt them physically before separation. In Waves 2 and 3 of the LSSF, the parents were asked whether they had experienced various forms of emotional abuse or physical hurt *in the 12 months preceding their interview*. Physical hurt was almost always accompanied by some forms of emotional abuse measured. Indeed, any physical abuse may also be considered a form of emotional abuse, for in illustrating that the perpetrator is prepared to engage in such behaviour, it can be interpreted as a threat that it may be repeated. Actual repetitions would strengthen the threat to a point where the victim may end up "walking on eggshells". For these reasons, we focused on experiences of physical hurt, emotional abuse alone, and neither form of abuse.

Table 1 shows the proportions of parents in the LSSF Wave1 and SRSP 2012 who indicated that before or during separation they had experienced physical hurt, emotional abuse alone or neither form of abuse. In addition, Table 1 presents the patterns of answers provided by parents in Waves 2 and 3 regarding their violence/abuse experiences during the 12 months prior to their interviews. It should be kept in mind that the number of forms of emotional abuse tapped varied between studies across all waves of the LSSF (see Appendix A).

- In the LSSF Wave 1, 17% of fathers and 26% of mothers reported that they had been physically hurt by the other parent before separation. A similar pattern of responses was provided by fathers and mothers in the SRSP 2012.
- The experience of physical hurt appeared to diminish with time. Much of this change may well have occurred with the physical separation, for Wave 1 focused on the pre-separation period. By Wave 3, around 2% of fathers and mothers reported such experience in the previous 12 months.<sup>10</sup>
- The experience of emotional abuse alone appeared to be common both before/during and after separation, with 36–42% of fathers 39–49% of mothers across three waves of LSSF reporting such experience. (In waves 2 and 3, emotional abuse referred to experiences in the 12 months preceding the interview.) In the SRSP 2012, 43% of fathers and 45% of mothers said they had experienced emotional abuse alone before or during their separation.

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<sup>10</sup> Parents in the SRSP 2012 (who had been separated for an average of 17 months) were also asked whether they had experienced physical hurt and/or various forms of emotional abuse since separation. In total, 5–6% of fathers and mothers said that they had been physically hurt during this period. A similar proportion of parents in Wave 2 of the LSSF indicated that they had been hurt physically in the 12 months prior to their interview (4–5%).

**Table 1. Reports of experience of violence/abuse, fathers and mothers, LSSF and SRSP**

Violence/abuse	LSSF			SRSP 2012 %
	Wave 1 %	Wave 2 %	Wave 3 %	
Fathers				
Physical hurt	16.8	3.9	1.5	15.7
Emotional abuse (any form) and no physical hurt	36.4	41.6	36.4	42.9
Neither physical hurt nor emotional abuse	46.8	54.5	62.1	41.3
Total	100.0	100.0	100.0	100.0
Physical hurt &/or emotional abuse	53.2	45.5	37.8	58.6
Number of respondents	4,918	3,227	4,448	2,853
Mothers				
Physical hurt	26.0	4.7	2.2	23.5
Emotional abuse (any form) and no physical hurt <sup>b</sup>	39.0	48.7	41.4	44.9
Neither physical hurt nor emotional abuse	35.0	46.6	56.4	31.6
Total	100.0	100.0	100.0	100.0
Physical hurt &/or emotional abuse	65.0	53.4	43.6	68.4
Number of respondents	4,959	3,407	4,215	3,266
All				
Physical hurt	21.4	4.3	1.8	19.8
Emotional abuse (any form) and no physical hurt	37.7	45.2	38.7	43.9
Neither physical hurt nor emotional abuse	40.9	50.5	59.5	36.3
Total	100.0	100.0	100.0	100.0
Physical hurt &/or emotional abuse	59.1	49.5	40.5	63.7
Number of respondents	9,877	6,634	8,663	6,119
Number of forms of emotional abuse <sup>a</sup>				
	10 forms	7 forms	10 forms	11 forms

Note: Percentages were based on weighted data. <sup>a</sup> There were seven items common across all three waves of the LSSF and the SRSP. LSSF Wave 1 and SRSP 2012 referred to reports of experience of violence/abuse before/during separation, while LSSF Waves 2 and 3 referred to the experience in the preceding 12 months. Wave 3 of LSSF included the “top-up” sample.

Of parents in the LSSF who participated in all three waves, 21% of fathers and 29% of mothers reported experiencing physical hurt or emotional abuse in all three waves, while 31% of fathers and 20% of mothers said that they had neither been physical hurt nor experienced emotional abuse in any period.



## *Safety concerns*

Parents in each wave of the LSSF and SRSP 2012 were asked whether they held safety concerns for themselves and/or their child as a result of ongoing contact with their child's other parent. They were also asked whether these concerns related to contact with their child's other parent, the other parent's new partner, another adult, and/or another child. A very similar pattern of results emerged in Wave 1 of the LSSF and in the SRSP 2012:

- Safety concerns were reported by 16% of fathers and 20% of mothers in Wave 1 of the LSSF and by 14% of fathers and 20% of mothers in the SRSP 2012.
- In Wave 3 of the LSSF (when data for the top-up sample were included), 13% of the fathers and 18% of mothers expressed safety concerns.

Of the parents who held safety concerns, most fathers indicated that they were concerned about their child alone, while mothers were equally likely to indicate concerns for their child alone and concerns for both themselves and their child. These patterns were consistent in all three waves of the LSSF and the SRSP 2012. For example, in LSSF Wave 1, three-quarters of fathers with safety concerns said that they were concerned for their child alone, while of the mothers who held safety concerns, 44% indicated that their concerns related to their child alone, while 41% said they were concerned for both themselves and their child (41%).

Across each of the three waves, most parents who expressed safety concerns indicated that some or all of their concerns related to their child's other parent, although mothers were considerably more likely than fathers to indicate this (LSSF three waves, mothers: 92–93%; fathers: 68–72%) (SRSP 2012, mother: 93%; fathers: 71%). Fathers, on the other hand, were more likely than mothers to express concerns about the other parent's new partner (LSSF three waves, 18–24% of fathers; 8–16% of mothers) (SRSP 2012, mothers: 9%; fathers 19%). Fathers were also more likely than mothers to indicate concerns about another adult (LSSF three waves, 25–33% of fathers; 11–17% of mothers) (SRSP 2012, mothers: 12%; fathers: 27%) (Qu et al., 2014 p. 57; De Maio et al., 2013, p.39).

In the SRSP and in Waves 2 and 3 of the LSSF, parents who expressed safety concerns were asked about the nature of these concerns, though the number of specific issues asked about varied. The most commonly mentioned ones were abuse or anger issues, mental health issues, violent or dangerous behaviour, alcohol or substance abuse, and in the case of Wave 3 of the LSSF, neglect or lack of supervision (the latter issue was not asked about in the other surveys) (De Maio et al., 2013, p. 40; Qu et al., 2014, p. 64).

## *Perceptions of mental health problems or addictions in the relationship prior to separation*

Parents in Wave 1 of the LSSF were asked whether mental health problems, alcohol or drug use, or other addictions were ever issues before finally separating. A higher proportion of mothers than fathers reported such issues (50% vs 35% of fathers).

There was an apparent link between reports of the presence of such issues prior to separation and safety concerns after separation. In the continuing sample of the LSSF, the greater the number of waves in which safety concerns were expressed, the more likely were parents to have indicated a belief in Wave 1 that mental health and/or addiction issues existed in the relationship prior to separation. For example:

- 46% of fathers and 63% of mothers who expressed safety concerns in one survey wave alone had also reported in Wave 1 that mental health and/or addiction issues had existed in the relationship prior to separation.

- On the other hand, 82% of fathers and 89% of mothers who expressed safety concerns in all three waves had indicated in Wave 1 that such problematic issues had been present before separation.

Of note, a substantial minority of parents indicated that they did not have safety concerns, although mental health and/or addiction issues were reported in the pre-separation relationship (30% of fathers and 41% of mothers). Also of note is that some parents who reported these mental health and/or addiction issues in the LSSF may have attributed these issues to themselves rather than to the other parent, or to both parties (Qu et al., 2014 pp. 63-64).

## 4. Child support arrangements: liability and transfer method

In the SRSP 2012 and each LSSF survey wave, parents were asked to indicate whether they were required to pay (i.e., “payers”) or were entitled to receive child support (i.e., “payees”), the total amount of child support that was to be transferred, the number of children the payments were meant to cover, how the payments were to be transferred (privately, through DHS–CS, or through some other method), and the amount actually paid or received. Comparisons between these two payment amounts were subsequently used to identify whether, according to the participants’ reports, payers were meeting their obligations in terms of the amount paid. The format of the questions tapping liability differed slightly in the SRSP 2012 and LSSF—an issue that needs to be taken into account in interpreting any differences that emerged in the pattern of results for these two surveys. (A copy of the child support module in each survey appears in Appendix B.)

This section focuses on payment liability and arrangements concerning the method of payment transfers, along the extent to which this method varied according to reports of experiences of violence/abuse.

### *Payment liability*

Despite the differences in questions tapping liability status, the SRSP 2012 and LSSF Wave 1 surveys yielded very similar results regarding payment liability:

- Most fathers identified as payers (80% in the SRSP and 81% in the LSSF Wave 1) and most mothers identified as payees (85% in the SRSP and 80% in LSSF Wave 1).
- 4–6% of mothers in these two surveys identified as payers and 5–8% of fathers identified as payees.
- Compared with parents in the SRSP, a slightly higher proportion of fathers and mothers in LSSF Wave 1 said that they were neither supposed to pay nor receive (15–16% vs 9–11%). However, in both surveys, parents were more likely to report an absence of any liability than to state that the mother was liable to pay child support.

The predominance of father payers and mother payees in the sample is consistent with the fact that most parents in these two surveys indicated that the mother cared for the children most nights. According to the parents’ reports:

- 73% of study children in the SRSP 2012 and 79% in the LSSF Wave 1 were spending 66–100% of nights with their mother;
- 22% and 16% respectively were spending 35–65% of nights with both parents, with almost all of these children either experiencing roughly equal care-time, or spending more nights with the mother); and
- 5–6% of the children in each survey were spending 66–100% of nights with their father.

- In total, 7–11% of children in these two surveys were not seeing their father at all and 1% were not seeing their mother.<sup>11</sup>

The general pattern of liability outlined above was also apparent for LSSF parents who participated in Wave 2 or in Wave 3 (combined with the top-up sample): in each of these two waves, just under 80% of fathers and 85% of mothers said that the father was liable to pay child support, while 5–8% of fathers and parents reported that the mother was liable to pay, and 9–14% said that no liability was in place.

Of parents in the continuing sample, around one-quarter of all fathers and mothers indicated a change in status by Wave 3, the most common outcome being the establishment of the traditional (father as payer) arrangement. Table 2 shows the liability status of parents in the continuing sample according to their status in Wave 1. The emboldened and underlined percentages highlight the proportion of parents in each Wave 1 group who indicated that the same arrangements applied Waves 1 and 3.

**Table 2. Parents in the LSSF continuing sample: Child support liability status in Wave 3 by liability status in Wave 1**

Wave 3 status	Wave 1 status					
	Father payers (%)	Mother payees (%)	Mother payers (%)	Father payees (%)	Fathers—neither (%)	Mothers—neither (%)
Pay	<b><u>87.2</u></b>	1.8	<b><u>49.6</u></b>	14.4	43.0	5.9
Receive	3.6	<b><u>91.2</u></b>	25.2	<b><u>66.6</u></b>	15.9	67.6
Neither pay nor receive	9.2	7.0	25.2	19.0	<b><u>41.0</u></b>	<b><u>26.5</u></b>
Total	100.0	100.0	100.0	100.0	100.0	100.0
No. of participants	1,798	2,004	122	144	321	366

Notes: Data have been weighted. Excludes parents whose “study child” was 18 years or older. Percentages may not total 100.0% due to rounding.

- Around 9 in 10 of fathers and mothers who reported the traditional arrangement in Wave 1 (i.e., that the father was liable to pay child support) indicated that this situation also applied in Wave 3.<sup>12</sup>
- Such apparent “consistency” was reported by a lower proportion of cases where the mother was liable to pay the father in Wave 1, though the fathers with this situation in Wave 1 were more likely than the mothers to indicate the same status in Wave 3 (67% vs 50%).
  - 25% of mother payers indicated that they had become payees and another 25% reported that no transfer liability applied in Wave 3.

<sup>11</sup> These trends are based on the combined reports of fathers and mothers. The overall patterns of arrangements suggested by the reports of fathers and mothers are consistent with those outlined above, though fathers’ estimates of the time their child spent with them were higher than mothers’ estimates of the time their child spent with his or her father. The former couples sample in the LSSF showed a high degree of consistency in reporting on this issue: almost 80% of former partners provided care-time estimates in the same category (of nine categories examined), while 3% provided estimates that were more than two categories apart. The similarity of the general patterns of care-time reported by fathers and mothers and of the reports of father-mother pairs in the former couples sample suggest that the broad trends regarding care-time arrangements have high validity.

<sup>12</sup> It is, of course, possible that liability status had changed after Wave 1 and then reverted to the Wave 1 situation by Wave 3.

- 14% of father payees indicated that they had become payers and 19% said that no child support transfer liability applied in Wave 3.
- Not surprisingly, those who reported in Wave 1 that no payment liability existed were the least likely of all groups to indicate that the same situation applied in Wave 3, though fathers were more likely than mothers to indicate this (41% vs 27%).
  - Most mothers who reported in Wave 1 that no child support liability existed indicated in Wave 3 that the father was liable to pay (68%), whereas only 43% of the fathers reported this.
  - Although not commonly mentioned, fathers were more likely than the mothers to indicate in Wave 3 that the mother held the liability to pay child support (16% vs 6%).

In short, consistent with patterns of care-time arrangements, most parents in the various surveys indicated that the father was liable to pay child support to the mothers. Among the continuing LSSF sample, most parents who reported the traditional (father-to-mother) liability status indicated that the same situation applied in Wave 3. This traditional situation appeared to be the most stable of arrangements, while not surprisingly, the absence of any liability to pay child support in Wave 1 appeared to be the least stable circumstance. Where there was a change from no liability in Wave 1, the traditional arrangement tended to apply in Wave 3.

#### *Reports of paired parents in the former couples sample*

Overall, 87% of fathers and mothers of the same child agreed on the child support liability circumstances applying in Wave 1. That is, 13% provided inconsistent reports, with the most common forms of inconsistency involving one of the parents claiming that the father held the liability and the other stating that no liability was in place.

### *Payment methods*

Parents registered with the DHS–CS can make decisions between themselves about the mode and timing of payment transfers (called “Private Collect”) or they can request that DHS–CS collect and transfer the payments (called “Child Support Collect”). DHS encourages its child support customers to opt for Private Collect (DHS, 2012, Chapter 6), but where the child support liability is not being met, payees can transfer from Private Collect to Child Support Collect. Payees can only request arrears of unpaid child support for a period of three months, though in some circumstances, this period may extend to nine months (DSS, 2013, section 3.1.5.50).

Private Collect arrangements were most commonly reported by parents who indicated that the traditional payment liability transfers applied (i.e., from father to mother).

In the SRSP 2012 and the LSSF Wave 1:

- 65% of father payers and 63–64% of mother payees indicated that payments were transferred privately;
- 31–35% of father payers and 33–36% of mother payees indicated that a Child Support Collect arrangement was in place; and

- 1–4% of father payers and 1–3% of mother payees said that some other method applied (e.g., payments were transferred to the children or made “in kind”—such as making mortgage re-payments or paying school fees).

Where mothers identified as payers and fathers identified as payees, much the same proportions of parents in Wave 1 of the LSSF appeared to rely on the two modes of payment transfers.

- In the LSSF Wave 1:
  - 47–51% of father payees and mother payers in the LSSF Wave 1 said that payments were transferred through the DHS–CS, while
  - 47–49% said that they were transferred privately, and
  - the remaining 2–3% referred to some other method.

Mother payers and father payees (especially the latter group) in the SRSP 2012 were more likely than those in the LSSF Wave 1 to report that payments were transferred privately.

- In the SRSP 2012:
  - 55% of father payees and 63% of mother payers said that payments were transferred privately, while
  - 41% of father payees and 32% of mother payers indicated that the payments were transferred via DHS–CS.
  - Again, few parents (2–3%) referred to some other arrangement.

The greater tendency for mother payers and father payees in the SRSP 2012 survey than in the LSSF Wave 1 survey to report private transfers may reflect the success of the DHS–CS in encouraging Private Collect Arrangements, for the SRSP 2012 participants had separated more recently than those in the LSSF (July 2010–December 2011 vs July 2006–September 2008).

The reports of all father payers and mother payees in any of the three LSSF waves (including the top-up sample in Wave 3) suggest that rates of Child Support Collect increased progressively with increasing duration of separation.<sup>13</sup> More specifically:

- Just over one-third of the father payers and mother payees in Wave 1 indicated that payments were transferred via Child Support Collect, while nearly two-thirds said that payments were transferred privately.
- On the other hand, much the same proportions of father payers and mother payees in Wave 3 reported these two modes (48–52% of father payers and 48–51% of mother payees).
- Only 1% of father payers and mother payees represented in the various survey waves referred to other arrangements.

By contrast of payment transfers of those reporting transfers from mothers to fathers did not vary much in each survey wave.

- Mother payers in each survey wave (taken separately) were slightly more likely than father payees to indicate that payments were transferred via Child Support Collect (51–55% vs 45–47%).

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<sup>13</sup> This assumes that differences in responses of those represented in the various waves can be taken to reflect “change”.

Reports of the continuing sample suggest that, where payments were to be transferred from father to mother, there was a decrease in the proportion transferring payments privately and an increase in the proportion relying Child Support Collect.

- The proportions of father payers and mother payees in the continuing sample with Private Collect fell from 65–69% in Wave 1 to 49–52% in Wave 3, while the proportion of those who relied on Child Support Collect rose from 30–34% in Wave 1 to 46–50% in Wave 3.

### *Payment transfers according to experiences of violence/abuse*

As mentioned above physical or emotional abuse experiences in a relationship can be treated as a threat that such experiences may occur again. As such, physical abuse may also be seen as a form of emotional abuse. Repeated episodes can engender in victims a state of chronic hyper-vigilance, where they may feel they are “walking on eggshells”. Given that private collect arrangements under these circumstances may place the victim in a vulnerable position, it is important to know what proportion of parents with a history of family violence experiences had such an arrangement.

The SRSP 2012 report (Tables 8 and 9, De Maio et al., 2013) shows that payment transfer methods varied according to whether the parents experienced violence or abuse. The latter experiences were examined for two periods: before/during separation<sup>14</sup> and since the separation. In these analyses, the categories of violence/abuse experiences were: “physical hurt and/or unwanted sexual activity”<sup>15</sup>, emotional abuse alone, or neither (i.e., three groups). The analyses were based on the reports of all payers and all payees, regardless of their gender. Only 2–4% of payers and payees in each of these three groups reported a payment method other than Child Support Collect or Private Collect. The following summary ignores these unusual cases.

The link between mode of payment transfer and violence/abuse experiences *before/during* separation is very similar to that between mode of payment transfer and violence/abuse experiences *since* separation. This is not surprising given that a tendency to inflict abuse in the earlier period would increase the likelihood of it continuing post-separation, assuming that there were opportunities to do so.<sup>16</sup> For both periods, taken separately:

- Private Collect most commonly applied where no experience of violence/abuse was reported (77–80% of payers and payees with no experience of violence/abuse reported Private Collect; and 16–18% reported Child Support Collect).

<sup>14</sup> Parents were asked whether they experienced each of various specified forms of emotional abuse before or during separation, and whether they had been physically hurt before separation. (They were also asked about whether any such experiences had occurred since separation.)

<sup>15</sup> “Unwanted sexual activity” refers to attempts by the child’s other parent to force the respondent into unwanted sexual activity. In total, 4% of fathers and 17% of mothers indicated that they had experienced this before or during separation and 3% of fathers and 4% of mothers said this had occurred since separation. On the other hand, 24% of mothers and 16% of fathers said they had been physically hurt prior to separation, and 5–6% in each group said that they had been physical hurt since separation.

<sup>16</sup> The further analysis of LSSF data revealed that 61% of mothers and 65% of fathers who reported in Wave 1 the experience of physical hurt before separation reported the experience of physical hurt/emotional abuse in the 12 months preceding the Wave 3 interviews while 27% of mothers and 22% of fathers who reported in Wave 1 neither physical hurt nor emotional abused before/during separation had experienced physical hurt/emotional abuse in the 12 months preceding the Wave 3 interview.

- Private Collect was also the more common of the two arrangements for those who reported emotional abuse alone, though up to two in five payers and payees with such experiences said that payments were transferred via DHS–CS (56–61% reported Private Collect and 36–42% reported Child Support Collect).
- Finally, where physical hurt and/or unwanted sexual activity had taken place, Private Collect was almost equally as common as Child Support Collect, except in cases where payers said that they had experienced these forms of violence since separation: a slightly higher proportion of these payers indicated that payments were transferred via DHS–CS rather than privately (52% vs 45%).

In Wave 1 of the LSSF, parents were only asked about their experiences of physical hurt and emotional abuse before/during separation.<sup>17</sup> Ten of the 11 questions asked in the SRSP 2012 were also asked in LSSF Wave 1. The exception concerned whether the other parent had tried to force the respondent to engage in unwanted sexual activity. Whereas the above results reported in De Maio et al., (2013) were based on all payers and all payees regardless of gender, Table 3 shows the extent to which mode of child support transfer varied with experiences of family violence for father payers and mother payees (the two largest groups of parents). Despite the various differences between the two studies, the patterns of results are very similar.

**Table 3. Father payers and mother payees in LSSF Wave 1: Mode of child support payment transfer by experiences of family violence before/during separation**

Mode of transfer	Father payers			Mother payees		
	Neither	Emotional alone	Physical hurt	Neither	Emotional alone	Physical hurt
DHS–CS	23.6	41.3	52.3	20.4	39.2	54.0
Private	75.4	57.8	46.7	78.7	60.2	45.8
Other	1.0	0.9	0.9	0.9	0.6	0.2
Total	100	100	100	100	100	100
No. of respondents	1527	1231	512	1120	1372	882

Notes: Data have been weighted. Percentages may not total 100.0% due to rounding.

- For both father payers and mother payees, private transfers were most likely to occur if they said that they had not experienced any of the forms of family violence tapped, and least likely to occur if they indicated that they had been physically hurt.
- Nevertheless nearly half of those who had been physically hurt, and close to 60% of those who had experienced emotional abuse alone said that they had a private collect arrangement.

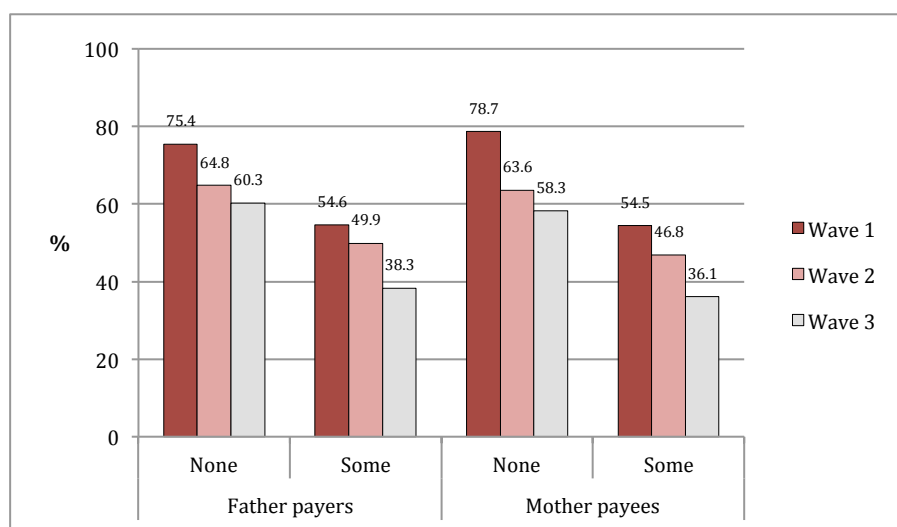
Consistent with the reports of participants in SRSP 2012 regarding the experience of physical hurt *since* separation, very few parents in the second and third waves of the LSSF, indicated that their child’s other parent had hurt them physically in the 12 months prior to these interviews (reported by 4–5% in LSSF Wave 2 and around 2% in LSSF Wave 3, and 5–6% in the SRSP 2012). For this reason, we focused on whether any form of violence/abuse was reported in the various survey waves. It should be noted that Waves 2 and 3 included seven of

<sup>17</sup> As in the SRSP 2012 survey, the questions on emotional abuse focused on the period before or during separation while the question on physical hurt focused on the pre-separation period.



the ten emotionally abusive behaviours that were asked in Wave 1, while Wave 3 included an additional three items not asked previously.<sup>18</sup>

Figure 1 focuses on father payers and mother payees in each survey wave (taken separately). The number of such parents in each wave varied, with “Wave 3” including participants in both the continuing and top-up samples. The proportions of father payers and mother payees who reported that payments were transferred privately are depicted according to whether they had experienced any violence/abuse and the survey wave. Here, the reference period in Wave 1 is on experiences before or during separation, while the reference periods in Waves 2 and 3 cover the 12 months prior to these additional interviews.



Note: Data have been weighted.

**Figure 1: Father payers and mother payees in the LSSF: Proportions who reported a *private collect arrangement* by whether they had experienced any form of violence or abuse and survey wave**

The same pattern of results described above for Wave 1 is apparent for father payers and mother payees represented in subsequent waves:

- Father payers and mother payees who experienced some violence/abuse in the 12 months before Waves 2 and 3 (taken separately) were less likely than other father payers and mother payees to report that a private transfer arrangement was in place.
- Regardless of whether they had experienced violence/abuse, the likelihood of having a private transfer arrangement appeared to diminish as time since separation increased (though these results are not based on the longitudinal sample).
- Nevertheless, private collect arrangements were reported by substantial proportions of father payers and mother payees who experienced violence/abuse prior to Waves 2 and 3 (reported by nearly one in two of those who experienced violence/abuse in the 12 months before Wave 2 and by close to two in five of those who had such experiences in the 12 months before Wave 3.)

<sup>18</sup> The additional items in Wave 3 covered: circulated defamatory comments to shame respondent; monitored the respondent’s whereabouts; and tried to force the respondent to engage in unwanted sexual activity. The items in Wave 1 alone concerned attempts to prevent the respondent from: contacting family or friends; using the telephone or care; and knowing about or accessing family money (see Appendix A).

Overall then, private transfers of child support were reported by substantial proportions of parents who had experienced physical hurt, and were considerably more common than DHS–CS transfers where emotional abuse alone occurred. Both the SRSP 2012 and the second and third waves of the LSSF suggested that the experience of physical hurt was uncommon after separation.

In Waves 2 and 3 of the LSSF, father payers and mother payees who experienced violence/abuse in the 12 months prior to these surveys were less likely to report private transfers than those who had not had such experiences. Nevertheless, substantial proportions of such parents had these arrangements, though the chance of such arrangements being in place was greatest in Wave 1 and lowest in Wave 3, regardless of whether these parents had experienced violence/abuse.

Negotiating about late or inadequate payments could be very difficult for some of these parents with private transfer arrangements; indeed, a private arrangement may facilitate non-compliance with child support liability where payers are prone to violence or abuse. Relevant to this issue is the argument advanced by the Australian Law Reform Commission (ALRC, 2012) that non-compliance may be one of the strategies adopted by a parent prone to violence or abuse in an effort to maintain power and control, with this strategy also representing economic abuse.<sup>19</sup> The next section focuses on the issue of compliance.

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<sup>19</sup> In proposing this argument, the ALRC refers to the work of Patrick, Cook and Taket (2007).

## 5. Compliance with child support liability: General trends

The adequacy of current compliance is listed as an issue in which the Committee has particular interest. Parents in all waves of the LSSF and those in the SRSP 2012 were asked questions about whether the child support payments were made in full and on time. The following discussion first outlines parents' reports on compliance with the amount of child support to be paid, then focuses on their patterns of answers regarding whether the payments are made in full and on time. Because the pattern of responses varies according to payer-payee status and gender, we also report the levels of agreement on these issues apparent for father-mother pairs in the subsample of former couples in the LSSF. (Section 6 examines the extent to which compliance behaviour varied according to family relationship dynamics.)

### *Compliance with the assessed payment amount*

To assess compliance behaviour, parents' reports of the amount of child support paid were compared with their reports of the amount that was supposed to be paid (here called the "assessed amount"). This section focuses on whether, according to these reports, the amount paid met or exceeded the assessed amount, or was lower than the assessed amount (including not paid at all). We begin with a comparison of results derived from the LSSF Wave 1 and SRSP 2012 datasets, given that these are roughly comparable in terms of duration of separation. Table 4 shows the pattern of answers provided by parents in four groups according to the survey in which they participated: father payers and mother payees, and mother payers and father payees.

**Table 4. Parents in LSSF Wave 1 and SRSP 2012: Reports of compliance with assessed amount of child support by payer/payee status, gender and survey**

	Father payers	Mother payees	Mother payers	Father payees
	%	%	%	%
<b>LSSF Wave 1</b>				
More than assessed amount	27.2	15.6	13.9	9.6
Same as assessed amount	66.0	64.8	65.7	60.7
Less than assessed amount	6.9	19.6	20.3	29.6
Total	100	100	100	100
No. of respondents	3,091	3,040	203	282
<b>SRSP 2012</b>				
More than assessed amount	23.2	15.0	11.8	9.1
Same as assessed amount	72.1	58.3	75.3	51.6
Less than assessed amount	4.7	26.7	12.9	39.3
Total	100	100	100	100
No. of respondents	1,863	2,103	213	257
Same as, or more than, assessed amount				
LSSF Wave 1	93.2	80.4	79.6	70.3
SRSP 2012	95.3	73.3	87.1	60.7

Notes: Data have been weighted. Excludes parents whose "study child" was 18 years or older. Percentages may not total 100.0% due to rounding.

The bottom panel of Table 4 shows that most payers and payees either indicated that the payments transferred matched the assessed amount or said that the payments exceeded this amount.

- Of all the groups in each of these two surveys, father payers were the most likely to indicate that the payments transferred matched or exceeded the assessed amount, with almost all doing so (93–95%).
- Father payees were the least likely to indicate that the payments transferred matched or exceeded the assessed amount, though father payees in the LSSF survey were more likely than those in the SRSP survey to indicate this (70% vs 61%).
- The results for mother payers and payees varied somewhat in the two surveys: this level of compliance was reported by 80% of mother payers and mother payees in the LSSF, and by a higher proportion of mother payers than payees in the SRSP (87% vs 73%).

Overall, the results suggest that most payers met (or exceeded) their obligations regarding payment amounts.

The other panels in Table 4 show that all groups most commonly reported that the amount transferred matched the assessed amount.

This was reported by:

- fairly similar proportions of male and female payers and payees in the LSSF Wave 1 (61–66%); and
- a higher proportion of payers of either gender than payees in the SRSP 2012 (72–75% vs 52–58%).

In addition, in both surveys:

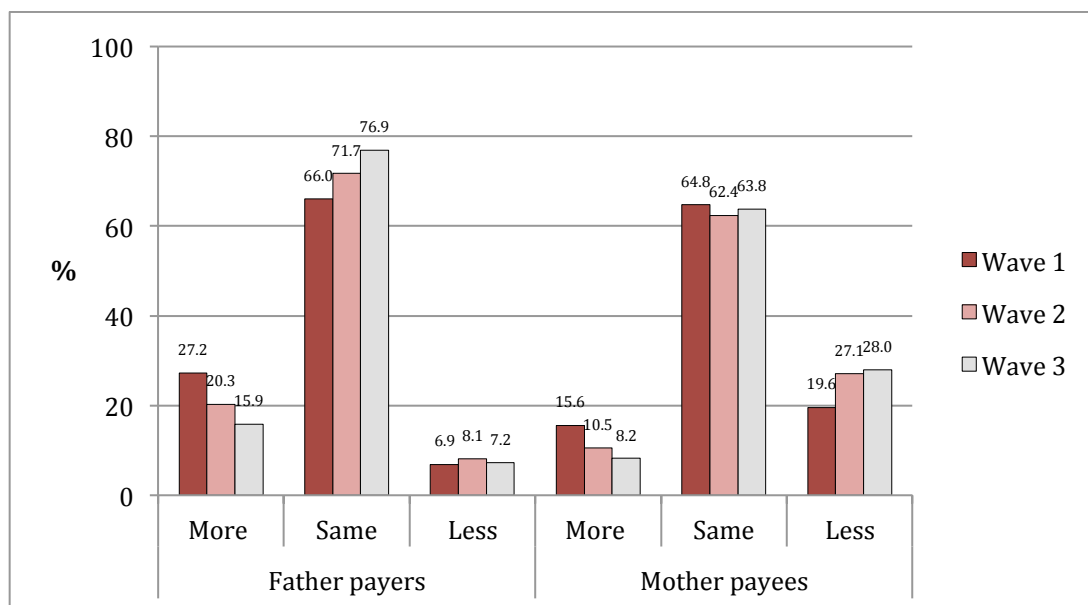
- father payers were more likely than all other groups to indicate that the amount transferred *exceeded* the assessed amount (23–27% vs 9–14%).

Finally, as can be inferred from the above trends, father payees were the most likely to report that the payments transferred were lower than the assessed amount, while father payers were the least likely to report this. Specifically, payments below the assessed amount were reported by:

- 39% of father payees in the SRSP 2012, and 30% of father payees in the LSSF Wave 1; and
- 5–7% of father payers in the two surveys.

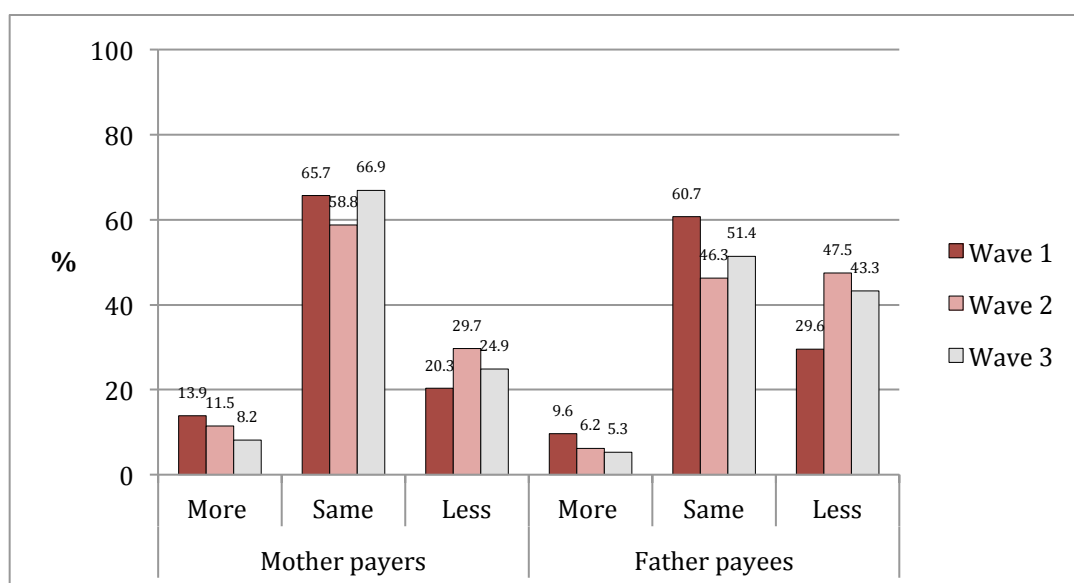
Figures 2 and 3 show the patterns of answers provided by all LSSF parents according to survey wave. Here, the results are based on all parents who participated in any wave (where “Wave 3” includes the top-up sample). Figure 2 focuses on father payers and mother payees, while Figure 3 focuses on mother payers and father payees.

It is important to note that the number of respondents in each survey wave differs. However, the results provide some insight into whether the patterns of answers differ for those who had been separated for different periods of time (on average, for 15 months, 28 months and five years).



Notes: Data have been weighted. Excludes parents whose "study child" was 18 years or older.

**Figure 2: All father payers and mother payees in LSSF: Reports concerning compliance with assessed Child support amount by survey wave**



Notes: Data have been weighted. Excludes parents whose "study child" was 18 years or older.

**Figure 3: All mother payers and father payees in LSSF: Reports concerning compliance with assessed Child support amount by survey wave**

- With one exception (father payees in Wave 2), all subgroups represented in the different survey waves most commonly indicated that the amount paid was the same as the assessed amount.
- Across each survey wave (taken separately), father payers were the most likely of all groups to report that the amount paid exceeded the assessed amount. Indeed, this was

the second most common response of father payers, whereas with one exception (Wave 2 for father payees), the second most common response of the other groups was that the amount paid was lower than the assessed amount. In Wave 2, much the same proportions of father payees indicated that payments were the same as, or less than, the assessed amount (46–48%).

- The proportions of parents in all groups reporting payments in excess of the assessed amount were lower in Waves 2 and 3 than in Wave 1—a trend that was most pronounced for father payers.
- Father payees were the most likely of all groups to indicate that the payments transferred were below the assessed amount.
- Although these results should not be interpreted longitudinally, the pattern of answers in Figure 2 suggest that, where fathers were liable to pay child support to mothers, the payments of 92–93% of fathers either matched or exceed the assessed amount. That is, as excess payments decreased, payments matching the assessed amount increased. According to mothers' reports, the proportion paying the assessed amount was the same in each survey wave, while the proportion paying less than the assessed amount had increased by Wave 2.
- Again, across all survey waves, father payers were the least likely to indicate that the payments transferred were lower than the assessed amount, while father payees were the most likely to indicate this. Similar proportions of mother payees and mother payers indicated that payments transferred were lower than the assessed amount.
- While across the survey waves, virtually the same proportion of father payers acknowledged non-compliance, the proportions of other groups reporting non-compliance were lower in Wave 1 than in subsequent waves. The difference was most marked for father payees: non-compliance was reported by 30% of father payees in Wave 1, 48% of those in Wave 2, and 43% of those in Wave 3.

In general then, most parents who participated in the various waves either reported that the amount transferred was equivalent to the assessed amount or exceeded it. Apart from father payers, the proportions of parents indicating non-compliance was greater in Waves 2 and 3 than in Wave 1—a pattern that was most pronounced for father payees.

### *Insights from the former couples sample*

In order to gain insight into the extent to which differences in the reports of father payers and mother payees was a function of disagreements between the parties as opposed to sampling bias (for instance, the sample of fathers may under-represent those who were not meeting their child support obligations), we compared the Wave 1 reports of mother-father pairs in the former couples sample.

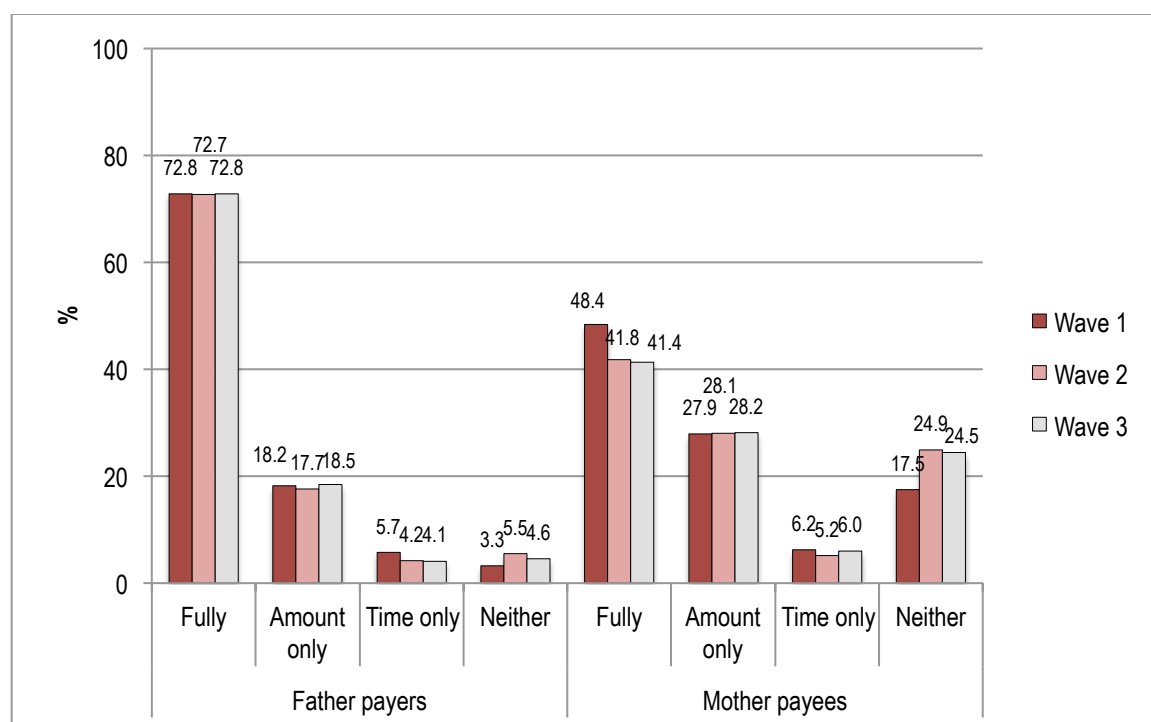
- Regarding the assessed amount, the reports of 55% of former couples were within \$10 of each other;
- Regarding actual amount paid, the reports of 49% were within \$10 of each other;
- For all other former couples, the father was more likely to give the higher estimate than the mother in terms of the assessed amount and actual amount paid.

## *Compliance regarding payment amount and timing*

To assess compliance with payment timing, parents were asked whether payments were made: “always on time”, “mostly on time”, “sometimes on time” or “never on time”. Compliance in relation to timing was considered to occur where parents said that payments were always made on time. Where possible, this section compares the patterns of responses of father and mother payers and payees who reported that payments were made: (a) in full and always on time, (b) in full only (i.e., not always on time), (c) on time only, or (d) neither in full nor always on time. (Payments here classified as being made “in full” include payments that apparently exceeded the assessed amount.) Unfortunately, a programming error in the SRSP 2012 resulted in a substantial proportion of payers not being asked about the timeliness of their payments. We therefore focus mostly on the results derived from the LSSF, but subsequently present the results based on the reports of payees in the SRSP and the LSSF Wave 1.

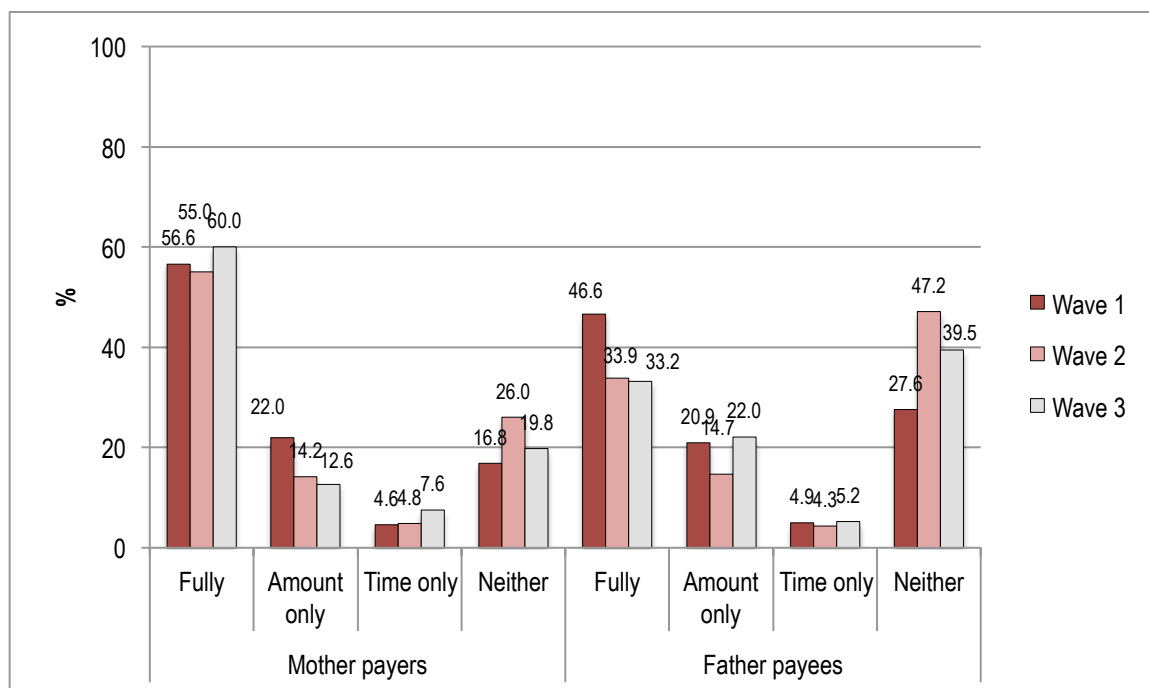
### *Reports of father and mother payers and payees in the LSSF*

The results outlined below are adapted from the LSSF-based chapter on Child Support (Appendix C). Figures 4 and 5 depict the patterns of answers provided across the waves by father payers and mother payees (Figure 4) and by mother payers and father payees (Figure 5). These two figures need to be considered together to identify gender differences in both payers’ and payees’ reports. They are based on all parents who participated in any wave (with “Wave 3” including the top-up sample).



Notes: Data have been weighted. Excludes parents whose “study child” was 18 years or older.

**Figure 4: All father payers and mother payees in LSSF: Reports concerning compliance with the established amount and timing of child support payments**



Notes: Data have been weighted. Excludes parents whose "study child" was 18 years or older.

**Figure 5: All mother payers and father payees in LSSF: Reports concerning compliance with the established amount and timing of child support payments**

### Overall trends

According to all parent groups, payments were most commonly made in full and on time. Except in the case of father payees, the second most common circumstance reported by the groups was that payments were made in full but not always on time, while the third was that payments were made neither in full nor always on time. On the other hand, for father payees, the latter situation was more commonly reported than that of payments being made in full but not on time. Only 3–8% of parents indicated that payments were made on time but not in full.

### Full compliance

- Most payers in all survey waves reported full compliance, with father payers being more likely to report this than mother payers (73% vs 55–60%).
- Payees were less likely than payers to report full compliance, and unlike payers, the proportions reporting full compliance were lower in Waves 2 and 3 than in Wave 1, suggesting that full compliance rates fell.<sup>20</sup> This apparent fall was slightly greater where the child support obligation rested with the mother.
- In Wave 1, just under half the mother and father payees reported that payments were made in full and on time, while in subsequent waves, full compliance was reported by around two in five mother payees and one in three father payees.

<sup>20</sup> It needs to be kept in mind, however, that the samples in the three survey waves differ somewhat.



### *Compliance restricted to payment amount*

- Across all survey waves, the second most common answer from father payers and mother payees was that payments to them were made in full but not always on time (reported by just under 20% of father payers and nearly 30% of mother payees).
- However, where payment liability rested with mother, the proportion reporting that compliance was restricted to the amount to be paid varied across the survey waves (reported by 13–22% of mother payers and 15–22% of father payees).

### *Non-compliance in amount and timing of payment*

- Only 3–6% of father payers indicated that they neither paid in full nor always on time. However, this was reported by substantial proportions of parents in other groups (especially father payees). It was also considerably more likely to be reported in Waves 2 and 3 than in Wave 1.
- In Wave 1, this form of non-compliance was reported by 17% of mother payers, 18% of mother payees and 28% of father payees.
- In subsequent waves, it was reported by 20–26% of mother payers, 25% of mother payees and 40–47% of father payees.

### *Reports of payees in SRSP 2012 and LSSF Wave 1*

The general pattern of results for mother and father payees in Wave 1 is consistent with that observed by De Maio et al., (2013), based on the SRSP 2012.

**Table 5. Mother and Father payees in the SRSP 2012 and LSSF Wave 1: Reports of compliance with amount and timing of child support payments**

	SRSP 2012		LSSF Wave 1	
	Mother payees	Father payees	Mother payees	Father payees
	%	%	%	%
Fully complied	48.9	39.9	48.4	46.4
Complied with amount only	24.4	19.6	27.9	20.9
Complied with time only	6.6	1.7	6.2	4.9
Neither	20.2	38.8	17.5	27.6
Total	100	100	100	99.8
No. of respondents	2,070	243	3,092	255

Notes: Data have been weighted. Percentages may not total 100.0% due to rounding.

- The patterns of results in the two surveys based on mother payees' reports (by far the largest groups) are almost identical, while those based on father payees' reports are similar in the sense that full compliance and non-compliance in both amount and timing were more commonly reported than the other two conditions, while compliance with timing alone was unusual.

- Compared with father payees in the SRSP 2012, a higher proportion of father payees in LSSF Wave 1 indicated that their child's mother paid in full and on time, and a lower proportion reported that payments were neither received in full nor always on time.
- Few payees in either survey reported that payments were made on time but not in full.

In summary, the LSSF-based reports on compliance varied according to gender of parent and payer/payee status and, with the exception of father payers, reports varied according to survey wave. While in all survey waves, most payers (especially fathers) indicated that they fully complied with their obligations, those who were entitled to receive child support were less likely to report this, especially in Waves 2 and 3, with a higher proportion of father than mother payees indicating such an apparent fall. Finally, according to the reports of payees (especially fathers), compliance with respect to both amount and timing was better some 15 months after separation than subsequently.

Based on payees' reports only, the SRSP 2012 also suggested that mothers who were liable to pay child support were less likely than fathers who held this liability to meet their child support obligations. These findings are also consistent with those of other studies (e.g., Vnuk, 2010).

## 6. Selected factors associated with father payers' compliance behaviour

This section focuses on selected factors contributing to apparent payment compliance of father payers and is based exclusively on LSSF data. The first issue, which focuses on links between the apparent compliance behaviour of father payers and their care-time arrangements, also appears in the Qu et al., (2010) report. Attention is then directed to links between compliance behaviour and the following family relationship dynamics:

- quality of the inter-parental relationship
- experience of family violence/abuse
- safety concerns for child or self as a result of ongoing contact with child's other parent
- views on whether mental health problems and/or addictions existed in the pre-separation relationship.

### *Care-time arrangements*

Care time arrangements are, of course, key factors in shaping payment liability. The amount of child support a parent would otherwise be liable to pay is reduced where they care for their child for at least 14% of nights per year, with the reduction increasing further where the parent cares for the child for 35–65% of nights per year (a circumstance that DHS–CS labels as “shared care”). Parents who care for their child for more than 65% of nights are not assessed in relation to paying child support. Even though no reduction would be assigned to the assessed amount for parents who rarely if ever see their child, there is much anecdotal evidence that parents may be less committed to supporting their child than those who are very involved in their child's life. This section examines the nature and strength of association between reports of payment compliance and care-time arrangements

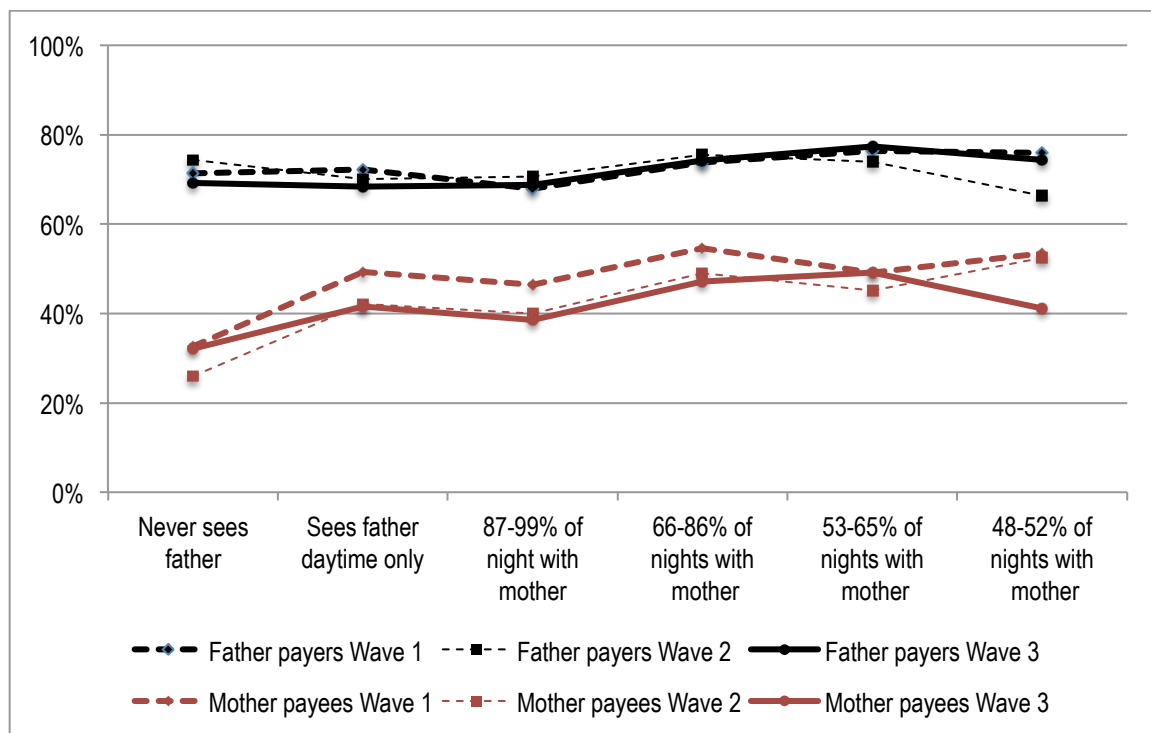
Attention is first directed to the proportion of father payers and mother payees in the various survey waves who indicated that the father fully complied with his obligations according to care-time arrangements. The same approach is then adopted to compare the proportions reporting that the father paid his liability neither in full nor on time.<sup>21</sup> While the analysis focuses on all participants, it should be noted that a substantial proportion of parents in the continuing sample had changed their care-time arrangements. Any wave-by-wave differences in apparent compliance behaviour for a particular care-time arrangement could therefore be possibly explained by systematic differences between the sub-samples with this arrangement in each wave, and/or changes associated with the passage of time since separation.

Figure 6 illustrates the proportions of father payers and mother payees who reported that the father fully complied with his obligations, according to the child's care-time arrangement and the survey wave.

- Across all care-time arrangements and survey waves, father payers were more likely than the mother payees to report that payments were made in full and on time (reported by 66–77% of father payers and 26–55% of mother payees represented in the various survey waves).

<sup>21</sup> There were too few cases where the mother was liable to pay child support to derive reliable estimates according to care-time arrangements.

- With one exception, the proportion of fathers reporting full compliance varied little according to care-time arrangements.
  - The exception related to equal care time, where a slightly lower proportion of fathers in Wave 2 than in other care-time arrangements maintained that they were fully complying with their liability.
- The reports of mother payees, on the other hand, suggest that fathers who never saw their child were considerably less likely than other fathers to fully comply with their liability.
- While each group of mothers in Wave 2 was somewhat less likely than their counterparts in Wave 1 to indicate that payments were fully complied with, the addition of Wave 3 data was not consistent with the notion that, regardless of care-time arrangements, full compliance with liability tends to fall as duration of separation increased. Nevertheless, mothers' reports suggested that some care-time arrangements were associated with higher rates of full compliance in Wave 1 than in Wave 3.
- For mother payees, the largest difference between Wave 1 and Wave 3 in reports of full compliance emerged where care time was equal (reported by 53% in Wave 1 vs 41% in Wave 3). On the other hand, no such differences between Waves 1 and 3 in payment compliance, from mother payees' reports, were apparent for the other two arrangements (where the child never saw the father (32–34%) or spent 53–65% of nights with the mother (49–50%). Some differences between Wave 1 and Wave 3 were also observed for care-time arrangements where mothers cared for their child for 66–99% of nights and where the child saw his or her father during the daytime only.

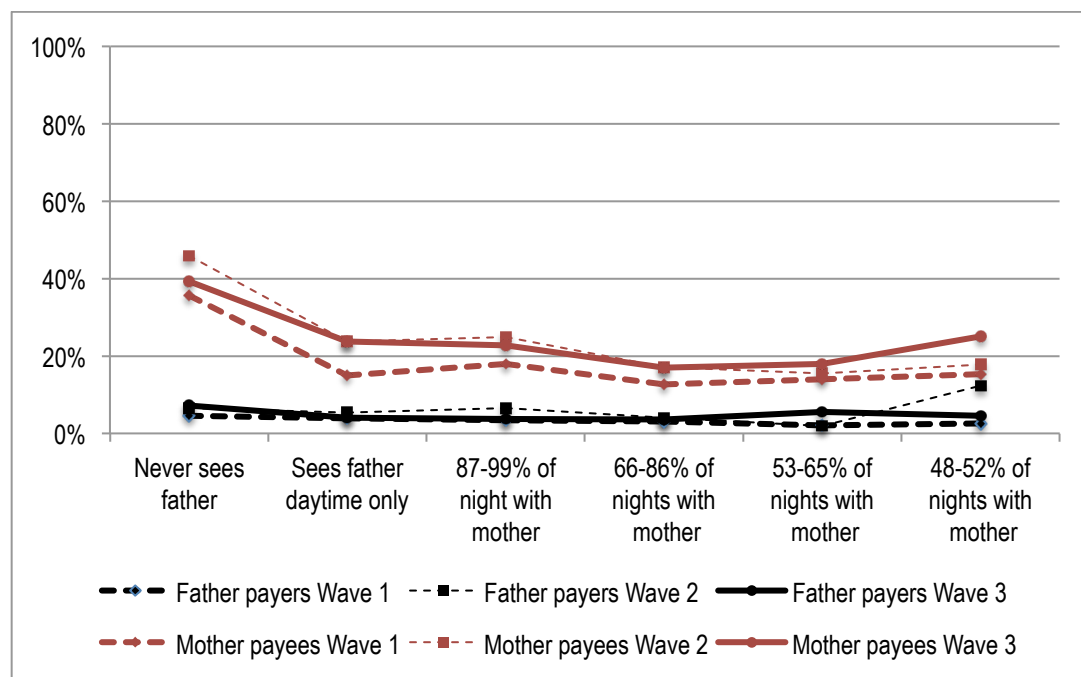


Notes: Data have been weighted. Excludes parents whose "study child" was 18 years or older.

**Figure 6: Father payers and mother payees in the LSSF: Proportions indicating the child support payments were made in full and on time, by care-time arrangement and wave**

Figure 7 depicts the proportions of father payers and mother payees who reported non-compliance in both the payment amount and timing, according to care-time arrangements and survey wave. Once again, it is important to keep in mind that the composition of parents in a particular care-time arrangement varies across the waves.

- Across all survey waves, a higher proportion of mother payees than father payers in each care-time arrangement indicated that the father neither paid in full nor on time. The largest gender differences emerged where the father never saw his child (mother payees: 36% in Wave 1, 46% in Wave 2 and 39% in Wave 3).
- Fewer than 10% of father payers with this arrangement in the various survey waves said that the father paid neither in full nor always on time.
- The smallest gender difference emerged for equal care time in Wave 2, where 18% of mother payees and 12% of father payers reported non-compliance.
- Fathers' reports varied little according to care-time arrangement. The largest difference emerged for Wave 2, where non-compliance was reported by 12% of fathers with equal care time and 2–7% of fathers with the other four arrangements.
- Non-compliance in both amount and timing was reported by a considerably greater proportion of mothers whose child never saw the father than other mothers.



Notes: Data have been weighted. Excludes parents whose "study child" was 18 years or older.

**Figure 7: Father payers and mother payees in the LSSF: Proportions indicating the child support payments were neither made in full nor always on time, by care-time arrangement and wave**

## *Full compliance and family relationship dynamics*

This section focuses almost exclusively on LSSF data and shows the extent to which reports of full compliance varied with perceptions of family relationship dynamics. These analyses are based on the more common situation, where the father was liable to pay child support to the mother. Father payers and mother payees are categorised into different groups according to their views of family relationship dynamics (e.g., whether they described the inter-parental relationship as positive, distant or negative). The proportions of parents in these subgroups who reported full compliance with child support obligations are compared. The relatively small number of LSSF cases where the mother was liable to pay child support means that some of the estimates derived would have low reliability.<sup>22</sup>

The results are based on all participants in each wave, regardless of whether they were part of the continuing sample. That is, the data for all father payers and mother payees who participated in Wave 1 are used, regardless of whether they participated in either of the other two waves, and the “Wave 3” results derive from information provided by both the continuing and top-up samples. It was beyond the scope of work involved to also provide a longitudinal lens (requiring exclusive use of data from the continuing sample) on these various issues.

It should be noted that any observed associations between compliance behaviour and relationship dynamics would not necessarily indicate the existence of a causal connection, for a third factor (e.g., loss of paid work) may have independently affected both compliance and relationship dynamics. Should a causal connection exist, compliance behaviour may influence and/or be influenced by relationship dynamics.

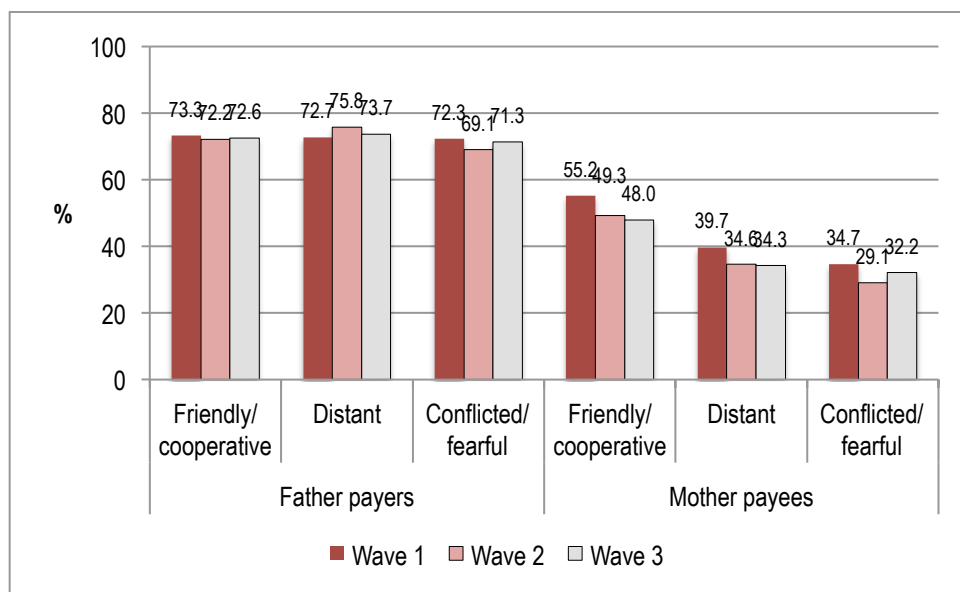
As noted above, links between reports of full compliance and the following four aspects of family relationship dynamics are discussed: perceptions of the quality of the inter-parental relationship, family violence/abuse experiences, safety concerns, and views concerning whether mental health problems and/or addictions were perceived by respondents as issues in the relationship prior to separation.

### *Full compliance by perceived quality of the inter-parental relationship*

As previously noted, most respondents in the various LSSF survey waves and in the SRSP 2012 described their relationship with their child’s other parent as either friendly or cooperative. Nevertheless, at least one in ten considered it to be highly conflicted, and a small proportion considered the relationship to be fearful. Figure 8 shows the extent to which father payers’ and mother payees’ reports of full compliance varied according to their views of the quality of their inter-parental relationship.

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<sup>22</sup> Some subgroups (who provided information on compliance) comprised a fairly small number of respondents, for example there were only 43 mother payers in Wave 2 who described their inter-parental relationship as distant and only 44 mother payers and 47 father payees who described the relationship as highly conflicted/fearful. Patterns of results are more robust when based on a larger number of respondents.



Notes: Data have been weighted.

**Figure 8: Father payers and mother payees in the LSSF: Full child support compliance by perceived quality of current inter-parental relationship by survey wave**

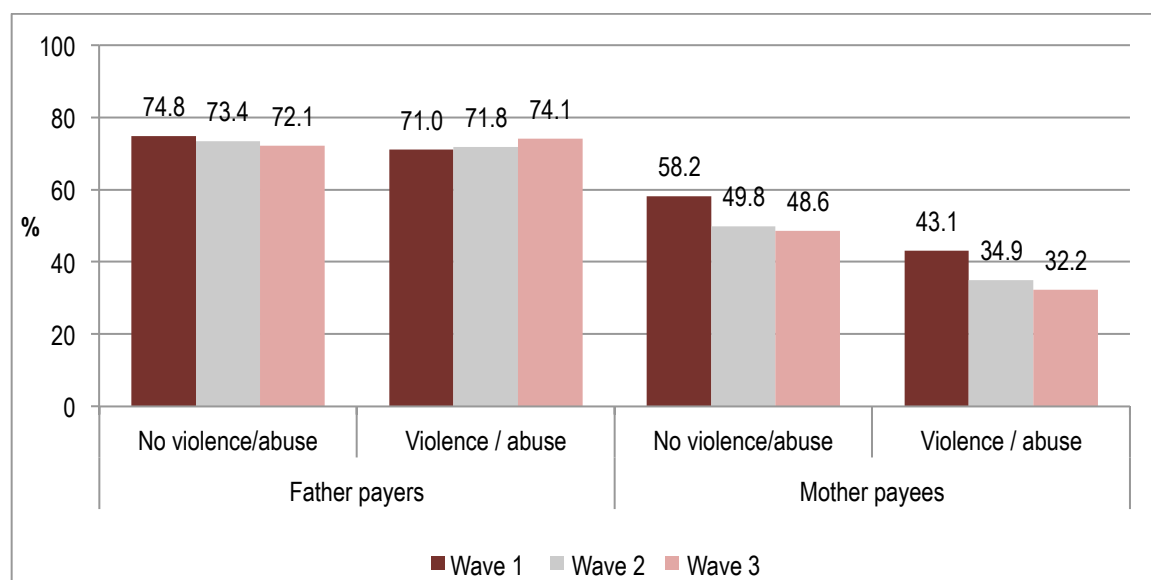
- Most father payers reported full compliance regardless of their understanding of the quality of their relationship with their child's mother, and within each sub-group (classified according to their perceptions of the quality of this relationship) the proportions reporting this varied little across the survey waves.
- Mother payees in all subgroups were less likely than father payers to report full-compliance and their reports on compliance varied according their views of the quality of the inter-parental relationship and according to the survey wave.
  - Full compliance was reported by a higher proportion of mother payees who described the relationship as either friendly or cooperative, than by those who considered the relationship to be distant or highly conflicted/fearful. For example, in Wave 1, full compliance was reported by 55% who considered the relationship to be friendly/cooperative, 40% who considered it to be distance, and 35% who said it was conflicted/fearful.
  - Regardless of their views on the quality of the relationship, full compliance tended to be reported more in Wave 1 than in the subsequent waves—though this was less strongly the case for those who considered the relationship to be highly conflicted/fearful.

#### *Full compliance by experience of family violence/abuse*

Parents who receive more than the minimum rate of Family Tax Benefit Part A for a child are typically required to apply for a child support assessment, but can seek an exemption from this if they are at risk of experiencing family violence/abuse. As the ALRC (2012) noted, experiences of family violence/abuse may lead one parent to avoid any interaction with the other parent. This includes any contact regarding child support payments, given that such contact may expose the parent to continuing controlling behaviours. Practically speaking, the

victim may decide against seeking child support at the outset, may accept insufficient payments, seek to change collection methods, or choose to end the arrangement.

Figure 9 depicts the percentage of LSSF father payers and mother payees who indicated that child support obligations were fully complied with, by whether they said that they had experienced violence/abuse.



Notes: Data have been weighted.

**Figure 9: Father payers and mother payees in the LSSF: Full child support compliance by experiences of family violence/abuse, by survey wave**

- Once again, payment compliance reported by father payers did not vary significantly according to whether they had experienced violence/abuse in any of the survey waves.
- For each survey wave, mother payees who experienced violence/abuse were less likely than those who had been free from such experiences to report that they received child support both in full and on time. For example, in Wave 1, full compliance was reported by 43% of mother payees who said they experienced violence/abuse before or during the separation, compared with 58% of other mother payees.
- Although mother payees' reports of violence/abuse experiences were associated with a lower than otherwise likelihood of receiving child support payments both in full and on time, the likelihood of such apparent compliance was lower for all sub-groups in Waves 2 and 3 than in Wave 1.

The general pattern of LSSF results for mother payees is similar to that apparent for mother payees in the SRSP in relation to the experience of violence or abuse before or during separation, though it should be noted that the SRSP results are based on a greater number of questions on violence/abuse. In both surveys full compliance was more likely to be reported by father and mother payees who had not experienced violence or abuse.

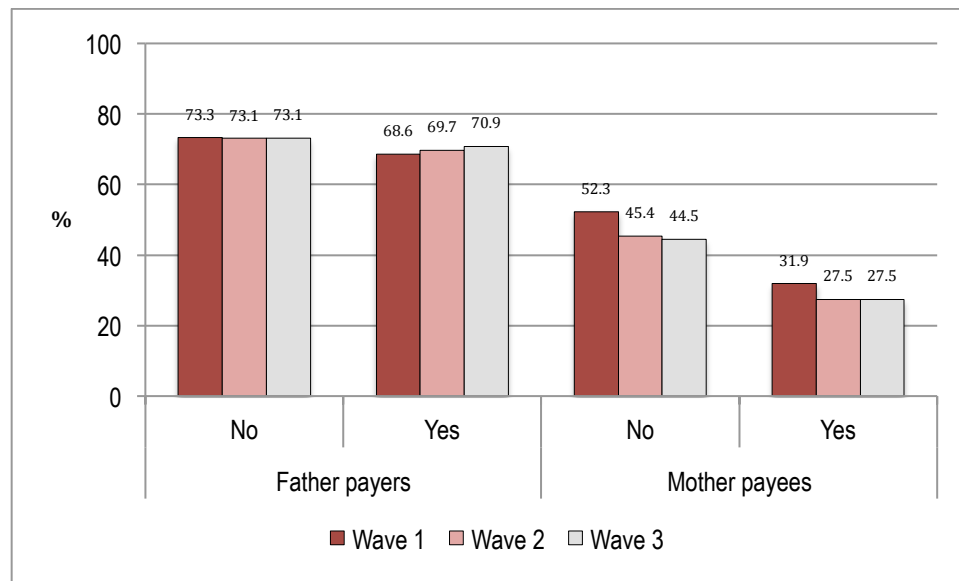


### *Full compliance by safety concerns*

As mentioned earlier, parents were asked whether they had any concerns about their own or their child's safety as a result of ongoing contact with their child's other parent. Across the three survey waves, 13–16% of fathers and 18–20% of mothers expressed such safety concerns, and of these parents, fathers tended to express concerns for their child's safety, while mothers were equally likely to express concerns about their child's safety or about both their own safety and that of their child. While almost all mothers indicated that at least some of their safety concerns related to their child's other parent, this was mentioned by around 70% of the fathers.

Underpinning concerns about safety was a complex set of dynamics. While some parents had practical concerns, such as the child's safety while in the other parent's vehicle, most expressed concerns relating to more overtly dangerous behaviours, and a considerable proportion of parents related their concerns to addictions and/or mental health issues. Some parents feared their children could be at risk of sexual abuse.

Figure 10 shows the strength of the relationship between reports of full compliance with child support obligations and expressions of safety concerns, where the father was liable to pay child support.



Notes: Data have been weighted.

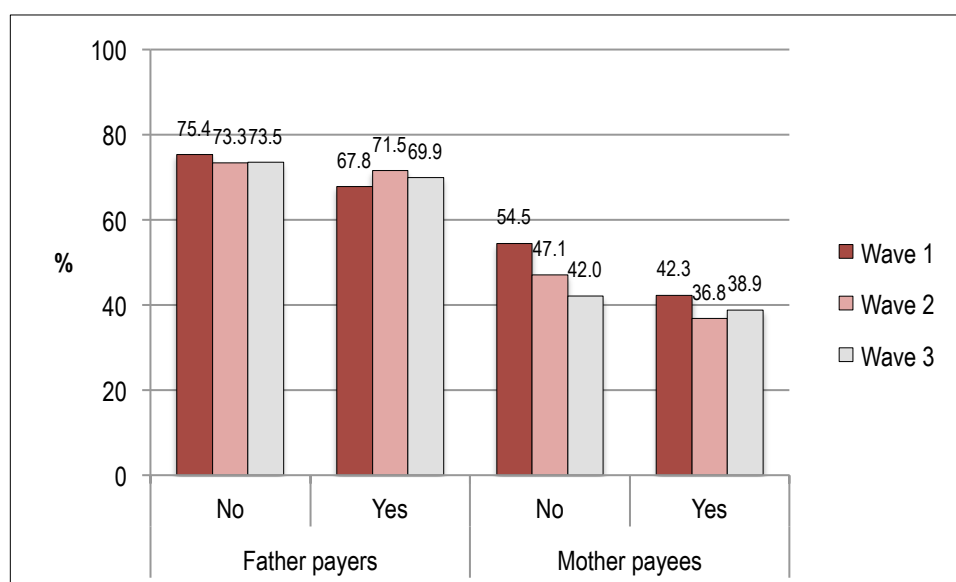
**Figure 10. Father payers and mother payees in the LSSF: Full child support compliance by safety concerns, by survey wave**

- Regardless of whether they expressed safety concerns, roughly 70% of fathers reported that they fully complied with their child support obligations.
- A strong difference emerged, however, in the reports of mother payees: across the survey waves, mothers with safety concerns were considerably less likely than those without such concerns to report that the father was fully meeting his child support obligations (28–32% vs 45–52%).

*Full compliance by views on whether mental health problems and/or addictions existed in the pre-separation relationship*

The longitudinal analyses of data for the continuing sample indicate strong links between the holding of safety concerns in Wave 3 and concurrent perceptions of the quality of the inter-parental relationship, experiences of violence/abuse in the preceding 12 months, and reports in Wave 1 that mental health or alcohol/substance abuse were issues in the relationship prior to separation. It was found that the greater the number of survey waves in which safety concerns were held, the more likely it was that the parents in the continuing sample said in Wave 1 that mental health or addiction problems had been issues in the relationship prior to separation. Indeed, such issues were reported in Wave 1 by eight in every ten fathers and nine in every ten mothers who expressed safety concerns in all three waves.

Figure 11 shows the strength of the association between respondents' reports on whether the father fully complied with his child support obligations and whether these respondents indicated in Wave 1 that mental health problems and/or addictions were issues in the relationship prior to separation.



Notes: Data have been weighted.

**Figure 11: Father payers and mother payees in the LSSF: Reports of full child support compliance in each survey wave by perceptions (reported in Wave 1) that mental health problems or addiction issues existed in the relationship prior to separation**

- Although father payers' reports on full compliance varied little with the above-mentioned family relationship dynamics issues, father payers in Wave 1 who believed that there were mental health or addiction problems in the relationship were less likely than other father payers to indicate that they fully complied with their child support liability (68% vs 75%). This trend was weaker or non-existent in the other two waves.

- However, this trend held for Waves 1 and 2 for mother payees: those who had maintained (in Wave 1) that such problems existed in the pre-separation relationship were less likely than other mother payees to report that their child's father fully complied with his child support obligations (Wave 1: 42% vs 55%; Wave 2: 37% vs 47%). In Wave 3, the difference between the two subgroups was very small: 39% of those reporting such problems and 42% of other mother payees reported full compliance.

## 7. Sense of fairness

The data that follow focus mainly on the views of father payers and mother payees regarding fairness and some more specific beliefs about the payments that may feed into views on fairness.<sup>23</sup> The first set of data derives from three waves of the LSSF, while the second set comes from the SRSP 2012.

### *Sense of fairness of child support amount*

In each of the three waves of the LSSF and the SRSP 2012, parents were asked whether their “current amount of child support” was very fair for them, somewhat fair, somewhat unfair or very unfair for them.<sup>24</sup> Parents were not asked to provide any reasons for their answers to this question. While subsequent questions introduced in Wave 3 of the LSSF may throw light on this issue, other untapped reasons may have contributed to sentiments on fairness. For example changes in care time, which the surveys showed to be very common, may have made the current payment liability or actual amount paid to seem fairer or less fair.

At least half of the father payers and mother payees in each of the three waves of the LSSF and the SRSP 2012 provided favourable evaluations; that is, they said that the child support amount was very fair or somewhat fair. Father payers, however, were considerably more likely than mother payees to provide favourable evaluations. The following proportions of parents indicated these views:

- LSSF Wave 1: 71% of father payers vs 58% of mother payees;
- LSSF Wave 2: 66% of father payers vs 53%; and
- LSSF Wave 3: 63% of father payers vs 54%.
- SRSP: 64% of father payers vs 53% mother payees.

The proportions of father payers and mother payees who provided favourable evaluations decreased progressively across the three waves of the LSSF (father payers: from 71% to 63%; mother payees: from 58% to 53%).

In LSSF Wave 3, the mean assessed amount of child support payment of father payers and mother payees was set against their views about child support payments. Father payers who considered that their child support payment was very fair were required to pay the lowest mean amount of child support per week (\$97), followed by those who considered the amount of payment as somewhat unfair (\$127), while fathers who considered the payments to be somewhat unfair or very unfair were required to pay means of \$155 and \$157 respectively. The opposite pattern emerged among mother payees. The mean assessment amount of child support was lowest for mother payees who considered that the amount of payment was very unfair (\$62), and highest for mothers who considered the amount to be fair (\$157).

The LSSF data further throw some light on any apparent link between the issue of fairness and the extent to which parents embrace or begrudge the idea of paying for their children. To

<sup>23</sup> A couple of the comments listed at the end of this section were made by parents where payment liability did not rest with the father.

<sup>24</sup> Note that some parents may have answered this question in relation to payment liability and others to the amount actually paid.

this end, paying parents were asked to indicate the extent to which they agreed or disagreed with the following statements:

- I can afford to pay the amount I am required to pay.
- I think that the amount I'm expected to pay is more than the amount needed by the children.
- I resent paying because I have no say on how the money is spent.
- I resent paying given how much time I spend with (child's name).

Using the same response options, payees were also asked to indicate the extent to which they agreed or disagreed with statements that the other parent could afford to pay the amount required, believed the amount to be excessive, or resented paying because the payee had no say in how the money was spent, or because payment was not commensurate with the time the other parent was able to spend with the child. Payees were also asked to indicate their level of agreement or disagreement with a statement that the other parent would prefer not to pay in order to make life difficult for the payee.

There was substantial agreement from father payers with respect to the *affordability* of payments (78%) and very high levels of agreement from the mother payees (91%) with respect to their former partners' capacity to pay.

At the same time, nearly half of the father payers thought that the amount they were paying was more than their children needed, while similar proportions of the receiving mothers suggested that this was what their former partners believed.

A little under half (45%) of the paying fathers and 39% of receiving mothers agreed or strongly agreed with the proposition that there was resentment with respect to paying because the father (payer) had no say in how the money was spent.

About two in five paying fathers and over one in four (28%) of receiving mothers agreed or strongly agreed with the proposition that there was resentment about how much time the father was spending with his child(ren).

Finally, 43% of receiving mothers agreed or strongly agreed with the proposition that their former partners would prefer not to pay in order to make their (the receiving parent's) life difficult. This is a perplexing finding. It is possible that the response was influenced by the two preceding questions, both of which invited consideration of the possibility that a former partner might "resent paying". In view of the earlier positive data on fairness and capacity to pay, it is also possible that the response is reflecting to some extent, the respondent's assessment of the quality of the relationship with his or her former partner.

Table 6 provides support for this hypothesis. It reveals a statistically significant near linear relationship between mother payees' assessments of their former partners' desire to make their lives difficult (by not meeting child support obligations) and their assessment of the quality of their post-separation relationship. Thus, only 13% of mother payees with friendly relationships agreed or strongly agreed that their children's father might prefer not to pay child support in order to make their lives difficult. At the other end of the spectrum, 85% of mother payees with fearful relationships agreed or strongly agreed that their former partner might prefer not to pay child support in order to make their lives difficult.

**Table 6. Mother payees' agreement that the father payer "would prefer not to pay to make life difficult for me", by quality of inter-parental relationship, Wave 3**

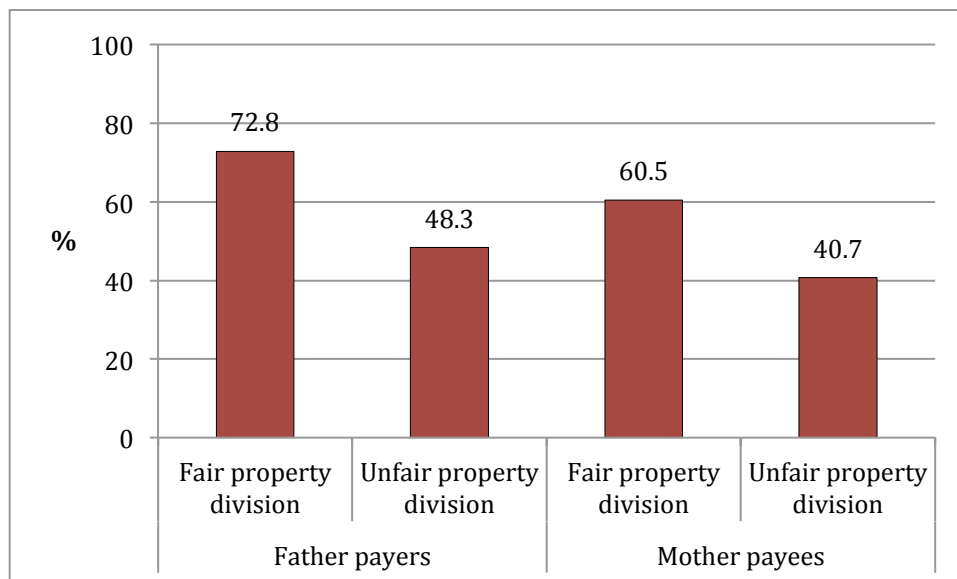
	Quality of inter-parental relationship (%)				
	Friendly	Cooperative	Distant	Lots of conflict	Fearful
Strongly agree	5.9	13.7	40.6	69.3	77.6
Agree	7.3	14.2	22.1	18.2	6.9
Neither/don't know	5.1	11.3	14.6	5.2	11.7
Disagree	39.8	38.0	18.6	6.3	3.1
Strongly disagree	41.9	22.8	4.1	1.0	0.6
Total	100.0	100.0	100.0	100.0	100.0
No. of participants	784	897	893	395	165

Notes: Data have been weighted. Excludes a small proportion of mothers who did not respond or did not know. Includes mother payees whose "study child" was 18 years or older. Percentages may not total 100.0% due to rounding.

### *Property-child support link as a source of perceived unfairness*

A range of factors in addition to the actual child support amount transferred can influence parents' view of fairness about child support arrangements (though the associations reported here are not necessarily causal in nature). As demonstrated above, payees' perceptions about fairness were closely linked with their perceptions of inter-parental relationship. Sense of fairness about the division of property and child support may also be inter-connected. This issue was examined with the use of data of the LSSF Wave 3. Parents in the LSSF Wave 3 (which occurred after about 5 years of separation) were asked to reflect back on the fairness of their property settlement at the time it was made. More than a third reported that they felt that their property settlement had been unfair at the time and almost the same proportion considered that their property settlement was unfair at the five-year mark (Qu et al., 2014, p.108 Table 6.15).

Figure 12 shows the proportions of father payers and mother payees who considered that their current child support amount was fair (very fair or somewhere fair) according to whether they currently felt that their property division was fair or unfair. Those who considered their property settlement to be fair were more likely than those who saw it as unfair to believe that the amount of child support was fair. Indeed, most who considered their property division to be fair (especially father payers) also considered that their child support arrangements were fair. On the other hand around one-half of the father payers and a smaller proportion of mother payees (around two in five) who considered their property division to be unfair, considered the amount of child support to be fair.



Notes: Data have been weighted. For both fairness of property division and fairness of child support amount, “fair” refers to responses of “very fair” and “somewhat fair”.

**Figure 12: Father payers and mother payees in the LSSF: Proportions of child support amount as fair by current views of property division, Wave 3**

A similar pattern of results emerged when the analysis focused on parents’ views on the fairness of child support according to their recollections of the views they held on the fairness of their property settlement at the time this settlement was made (results not shown here).

Parents who, in reflecting on their property settlement, considered it to be unfair were asked to explain their main reason for holding this view. Further insight into factors associated with perceived fairness of child support arrangements can be gained through consideration of their open-ended responses to this question.

Some of these parents indicated that their property settlement had taken child support arrangements into account. Child support was either treated as a form of compensation or to offset the proportion of property finally agreed to. The problem with this strategy however is that property division is generally not changeable once an agreement has been made. Child support on the other hand can alter with changes in circumstances and with the changing needs of each parent. Dissatisfaction from either parent can arise when child support amount is altered, especially when it is viewed as linked to a property settlement, or when the paying parent failed to fully comply.

*Because at the time when we agreed on the (property) arrangements, (the) focus parent had a full time job where focus parent was paying \$270 per week. Now (he) works for himself, earns more, but only has to pay \$47 per week. (Payee Mother)*

*Since the arrangement I have received very little in the way of child support, which had been indicated to me as part of the deal: so that everything would be ok. Basically, I received from focus parent 30 dollars a month, which left me with a huge mortgage, it has cost me a lot. I have maintained the kids in their school, and (name of study child) in her dancing. ... I gave half of the financial support to (the) focus parent on the understanding that ... would provide 50% of the financial support to the children, but this did not occur. (Payee Father)*

*You've got the property split, and large payments on top of that for child support. You can never get back on your feet. (Payer Father)*

A sense of unfairness can also arise as separated parents rebuild their lives and in so doing, face financial difficulties. Some payer parents perceived the payee parent as having both a favourable property settlement and such stable financial circumstances, assisted in large part by their receipt of child support, that they were able to choose not to work full time

*It puts me financially unstable now, I'm paying rent, child support, and looking after myself. She has a house fully paid for, she works when she feels like it and gets child support. I have to battle to live. (Payer Father)*

*Had I known how the child support agency was going to work I wouldn't have agreed to it. She left the marriage and got another partner and only worked part time and that means I have to pay more child support, the system allowed her to work minimal hours and make me pay more. As a father who has provided for his family and having my wife be home with the kids and then if you decide to leave you're left with the support payments. (Payer Father)*

As detailed above in this section, some payee parents described how the payer parent would not pay child support as a means of making their life difficult and as behaviour reflective of their conflicted or fearful post-separation relationship:

*Because he has a business that generates half a million dollars a year, I had no option to keep an interest in (the business) which leaves him with all the power, and if I didn't do what I was told he would threaten me. Whenever I have complained to the child support agencies nothing went through. (Payee Mother)*

*...he uses money as a tool and I have been left with a lot of responsibility with the kids and I'm still the one who is responsible to pay a lot of the expenses for the children. (Male – Neither payee nor payer)*

*The fact that he hides his taxable income and pays no child support ... (Payee Mother)*

The open-ended responses of some payers also linked their perceptions of unfair child support obligations as compounding the injustice that they associated with their property settlement:

*I worked for the assets and now I have nothing, they have smashed me for 25% of my income for child support but I can't see them. (Payer Father)*

*Didn't know I'd be paying child support on top of giving her everything. (Payer Father)*

*It didn't take into account the fact that I had to rebuild my life, it only looked at assets and I had to finish building the house which cost 300 000. It looked at just the physical being, I was left with a large debt and no super. There was supposed to be a 50 % split in super but it ended up being 75 % to focus parent, now I'm paying a huge child support and I'm left with a small amount to live on. (Payer Father)*



*We had been separated for 4 years, were together for 7 years, but the courts took into account all the assets and super I had acquired in the 4 years after separation. He then left work, even though he had the same paying job as me so he was given all my assets and the children. He decided to leave work and is on unemployment benefits and 18,000 dollars per year in child support from me. (Payer Mother)*

*I had to pay focus parent out, at the time it wasn't mentioned I had to pay child support, which I have to pay it now. (Payer Father)*

In summary, while the majority of payers and payees considered current child support payment as fair, a substantial minority expressed a sense of unfairness. This sense of unfairness was not only associated with the actual size of payment but was also linked with their views of the property settlement, especially where child support entered into the agreement regarding property division and with the perceived quality of the inter-parental relationship.

## 8. Summary and conclusions

This submission, based on a longitudinal study and one cross-sectional study of parents who had separated on average 15–17 months when (first) interviewed, has identified findings relevant to some of the terms of references for the current Inquiry into Child Support, including parents’ perceptions of various aspects of their inter-parental relationship, their reports of child support payment liability, methods and compliance, links between liability and other circumstances, their views about the fairness and affordability of payments and the extent to which payers accept or resent paying child support.<sup>25</sup> Where the parents had more than one child born of the relationship, one child was focused upon (here called the “study child”).

### *Child support in context - post-separation family dynamics*

Across the three waves of the LSSF and the SRSP 2012, most parents described their relationship as cooperative, with up to one in five fathers or mothers in these two studies reporting their relationship to be either highly conflicted or fearful and slightly higher proportions reporting their relationship to be distant.

Around one in four of mothers and one in six fathers in the LSSF Wave 1 and the SRSP 2012 reported the experience of physical hurt inflicted by the other parent of the study child before separation, while around two in five fathers and mothers reported emotional abuse before or during separation and no physical hurt. The data covering the three waves of the LSSF suggest that the experience of physical hurt declined with the duration of separation; by Wave 3 very few of fathers and mothers reported the experience of physical hurt in the 12 months prior to interview. However, emotional abuse alone was still fairly common by Wave 3 (reported by around two in five fathers and mothers).

A substantial minority of parents across the three waves of the LSSF and in the SRSP 2012 reported that they held safety concerns for their child and/or themselves as a result of ongoing contact between the child and other parent, with mothers being slightly more likely than fathers to do so. Where safety concerns were raised, fathers were more likely to express concerns about the safety of their child alone, while mothers indicated concerns in similar proportions for both their own and their child’s safety and concerns for the safety of their child alone. The data also suggest a link between the presence of safety concerns after separation and reports of the presence of mental health or addiction issues before or during separation.

### *Child support arrangements – liability and payment methods*

In three waves of the LSSF and in the SRSP, a considerable majority of fathers and mothers reported paying child support. Fewer than one in ten parents indicated that the mother held the

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<sup>25</sup> In Wave 1 of the LSSF, parents had been separated for an average of 15 months, while in Waves 2 they were interviewed some 28 months and five years after separation. Wave 3 also included a “top-up sample” of parents who had been separated for a similar length of time as those who had also participated in the previous waves (i.e., the “continuing sample”), but had not been interviewed previously. Some analyses in this report focus on all parents represented in any wave, while to give a longitudinal perspective, some analyses focus exclusively on the continuing sample.

liability to pay child support. An absence of any payment liability was more commonly reported than one that entailed the mother paying child support.

Father payers tended to remain as paying parents, while mother payees typically remained as receiving parents, while less stability was apparent for the other circumstances. Around nine in ten father payers and mother payees in the LSSF Wave 1 indicated that they had the same liability status in Wave 3. Of those who reported in Wave 1 that the mother held the liability to pay child support, two-thirds of the fathers and around one-half of the mothers reported that this applied in Wave 3, with 25% of mothers indicating that the father held the liability to pay in Wave 3 and the other 25% indicating that no liability applied. About two in five fathers and a little more than a quarter of mothers who had no liability in Wave 1 maintained this status of no liability in Wave 3. Most of the others changed to a father payer regime.

Where fathers were payers, most parents (nearly two in three) indicated that payments were transferred privately (“Private Collect” arrangements). The reports of father payers and mother payees in the three LSSF waves suggested that reliance on DHS-CS transferring the payments (“Child Support Collect” arrangements) increased progressively with the duration of separation. In Wave 1 of the LSSF, where mothers were liable to pay child support, parents were equally likely to report reliance on the two modes of payment transfers, whereas in the SRSP 2012 which was conducted more recently, private transfers were more commonly reported than those involving DHS-CS, possibly reflecting a measure of success on the part of DHS-CS in encouraging Private Collect among fairly recently separated parents.

Transfer methods were linked with the experience of violence/abuse. Private Collect was reported by most parents who had neither experienced physical hurt nor any of the emotionally abusive behaviours tapped in the surveys, and was more commonly reported than Child Support Collect where emotional abuse alone was reported. Nevertheless, a substantial minority of the latter parents indicated that payments were transferred privately. Of the parents who reported experiencing physical hurt before separation, similar proportions of payers and payees in the SRSP 2012 reported the two types of arrangements, though in the LSSF Wave 1 survey which focused on father payers and mother payees, slightly higher proportions reported DHS-CS than Private Collect. (Physical hurt appeared to be very uncommon post-separation.)

Private Collect arrangements in these circumstances render payees susceptible to non-compliance. Negotiating, attempting to negotiate or simply making late or inadequate child support payments, for example, can be a means of continuing to exert power and control over the payee or to subject them to economic abuse.

### *Compliance with the assessed child support amount*

Most payers and payees participating in the LSSF Wave 1 and the SRSP 2012 indicated that the child support payments transferred were equivalent to or exceeded the assessed amount. Father payers in each of these surveys were most likely to indicate this to be the case (more than nine in ten) and father payees were least likely to do so (roughly two in three). All payers and payees in both surveys most commonly reported that the transferred child support amount was equivalent to the assessed amount.

Across the LSSF survey waves, most parents reported that the child support amount transferred was equivalent to, or exceeded, the assessed amount, although lower proportions of parents reported that payments exceeded the assessed amount in Waves 2 and 3. With the exception of father payees in Wave 2, all subgroups represented in the various survey waves

most commonly indicated that the amount paid was equivalent to the assessed amount. Across all survey waves, father payers were the least likely to indicate that the child support payments transferred were lower than the assessed amount, while father payees were most likely to indicate this. By contrast, similar proportions of mother payers and payees indicated that the payments transferred were lower than the assessed child support amount.

### *Compliance with the assessed child support amount and timing of payment*

According to all parent groups by gender and payer-payee status in the LSSF, payments were most commonly made in full and on time. Except for father payees, the second most common circumstance reported by the groups was that payments were made in full but not always on time, while the third most common circumstance was that payments were made neither in full nor always on time. While most payer parents in all of the LSSF survey waves reported that their child support payments were made in full and on time, father payers were more likely to report this than mother payers. Payees were less likely than payers to report full compliance. Finally, according to the reports of payees (especially fathers), there was a higher level of full compliance some 15 months after separation than subsequently.

### *Selected factors associated with father payers' compliance behaviour*

Using LSSF data, this submission examined possible links between payment compliance of father payers and the following factors: care-time arrangements, perceptions of the quality of the inter-parental relationship, family violence/abuse experiences, safety concerns, and views concerning the presence of mental health problems and/or addiction issues before separation.

Across all care-time arrangements and survey waves, father payers were more likely than the mother payees to report that payments were made in full and on time. According to father payers' reports, there was no apparent link between the level of full compliance and care-time arrangements. On the other hand, the reports of mother payees suggest that fathers who never saw their child were considerably less likely than other fathers to fully comply with their liability.

Father payers' reports of full compliance varied little with each of the following family relationship dynamics – perceived quality of inter-parental relationship, whether they had experienced violence/abuse, whether they held any safety concerns, and whether they perceived the presence of mental health and or addiction issues before separation. That is, most father payers indicated that they fully complied with their child support obligations, regardless of the nature of the family relationship dynamics reported. These patterns applied for all three waves of the LSSF.

However, this was not the case for mother payees. Regardless of survey waves, full compliance was reported by a higher proportion of mothers who described the relationship as either friendly or cooperative, than by those who considered the relationship to be distant or highly conflicted/fearful. A telling finding that emerged in each survey wave of the LSSF was that mother payees who reported experiencing violence/abuse were less likely than those who had been free from such experiences to report that they received child support both in full and on time. Significantly, an association between mother payees' reports of full compliance and safety concerns was also apparent across all three waves: mothers with safety concerns were

considerably less likely than those without such concerns to report that the father was fully meeting his child support obligations.

In addition, mother payees who at Wave 1 had maintained that mental health and or addiction problems existed in the pre-separation relationship were less likely than other mother payees to report that their child's father fully complied with his child support obligations. By Wave 3 however, this link had weakened considerably.

### *Sense of fairness*

In each wave of LSSF and the SRSP 2012, parents were asked of their views regarding whether the current amount of child support was fair. Around two-thirds to three-quarters of father payers and around one-half of mother payees considered the child support amount to be very fair or somewhat fair. That is, father payers were more likely than mother payees to provide favourable evaluations. Parents' sense of fairness about the amount of child support paid was linked with the actual amount paid—that is, the higher amount fathers paid, the lower was their sense of fairness and the higher amount that mothers received, the higher was their sense of fairness.

Decision-making about child support, care-time and property arrangements may often be inter-dependent.<sup>26</sup> And although property division is a fixed arrangement, the other arrangements may change, possibly resulting in an increased sense of unfairness about each of the decisions. Explanations provided by some payees for feeling that their property settlement was unfair suggested that certain child support arrangements that were no longer complied with had formed part of the “property deal”, while some payers believed that paying child support after a generous property settlement was unfair (and some had not realised at the time that they would be paying child support).

In the LSSF Wave 3, parents were also asked about their sense of fairness concerning their property division. Both father payers and mother payees who believed that the property division was fair were more likely than those who believed it to be unfair to indicate that child support arrangements were fair. It needs to be acknowledged however, that general acceptance or bitterness about the separation or one's current circumstances (e.g., not having a partner) may contribute to the trends observed. For instance, a sense of unfairness about both property and child support may arise because the parent holds lingering resentment about their partner ending the relationship. Possibly, the link observed between sense of fairness about property settlement and child support payments was partly inter-dependent and partly a function of these other feelings.

The extent to which paying parents embrace or begrudge their paying obligations was further examined in the LSSF. While more than three-quarters of father payers and mother payees agreed that the father was able to pay, father payers were less likely than mother payees to hold this view. Nearly half the father payees felt that the child support amount was more than what their child needed, while around two in five held some resentments when they juxtaposed payments against the amount of time spent with their child and expressed concerns about having no input in how the payment was spent. Again, a little under half indicated

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<sup>26</sup> More than one-third of parents interviewed as part of LSSF Wave 3 (about five years after separating), reported that they felt that the settlement had been unfair at the time it was made, and similar proportions indicated that they currently considered the settlement to be unfair. About two-thirds of those parents gave as the reason for accepting an unfair settlement, a perceived need to get things over and done with as quickly as possible.

resentment with respect to paying when they had no say in how the money was to be spent. Substantial minorities of mother payees believed that their child's father held such attitudes and feelings.

More potentially perplexing, especially in light of generally positive evaluations regarding fairness and capacity to pay, was the finding that over four in ten mother payees agreed with the proposition that their former partner would prefer not to pay in order to make their (the receiving parent's) life difficult. Significantly, further analysis suggested that this response correlates with assessment of the quality of the relationship with former partners. Specifically, mother payees who reported highly conflicted or fearful relationships with their child's father were much more likely than those with friendly or cooperative relationships to believe that the father would prefer not to pay in order to make their (the mother's) life difficult.

### *Making sense of the data*

A recent Australian survey (Westpac 2010) found that about half of all intimate partners admitted to arguing over money. It is perhaps surprising therefore, that the dynamics that drive the distribution of money in families, an issue of central importance with regard to attitudes to child support, have received relatively sparse attention. In their review of the existing literature for example, Smyth & Rodgers (2011) concluded that:

The financial practices of couples remain some of the most personal and private facets of society. (p. 211)

Notwithstanding the lack of data on the subject, Millman (1991) has concluded that the ways in which money is dealt with can nonetheless illuminate important aspects of the inner workings of families. They can be suggestive, for example, of the structures and rules that sustain or threaten relationships. The fact that some family disputes over money can be seen as a proxy for expressions of intimacy (or lack of intimacy) means that attempts to find lasting resolutions to those disputes may require more than logic or the application of a formula. This is because where money matters are generally tangible, concrete and measurable, matters of intimacy and relationships tend to be difficult to define and generally prove to be beyond our capacity to measure.

All separating and separated families bring into negotiations their own history of dealing with intimacy and the exercise of power. Linked to this history, these families also bring with them a sense of the fairness or otherwise of their negotiations with each other, including their financial dealings with each other. This sense of fairness or unfairness may or may not be clearly articulated. And it may or may not accord with the rules that inform division of property or the payment of child support.

In addition to their historically-based perceptions of fairness or unfairness, each family member must also deal with challenges associated with managing the disappointments and sometimes the shock associated with the separation itself. Beyond this too, many separated families must confront the additional burden of realising that the financial pie is likely to be insufficient in the short term (and sometimes in the projected medium to long term) to sustain two households at or even near pre-separation levels.

For some parents, the emotional and financial strains can be considerable. These stressors are likely to impact on the quality of post-separation relationships and may colour perceptions of past and present fairness. A sense of past or present unfairness, for example, may influence

behaviours that could be seen to be over-demanding on the one hand, or unreasonably withholding on the other.

Broadly speaking, the LSSF and SRSP 2012 data suggest that despite a substantial minority of separating parents reporting histories of at least some abusive behaviours, most also establish and sustain friendly or cooperative post-separation relationships with each other, most resolve issues related to their children and settle their property matters with relatively little professional input. Most also largely conform with the present child support regime by complying with the payment requirements. In short, the general picture reported by most parents seems satisfactory.

At the same time, the longitudinal nature of the LSSF is increasingly pointing to the existence of a minority of separated parents who continue to struggle with each other and with the family law “system”. It has become clear that those for whom disputes continue are more likely to be former partners whose separations were marked by dysfunctional behaviours such as abuse, addictions and mental illness, from the outset.

It would be an inadequate response however, to presume that difficulties with child support reflect only the dysfunctional attributes of this group of parents. When asked to reflect back on the fairness of their property settlement, for example, more than a third of parents interviewed as part of LSSF Wave 3 (about five years after separating), reported that they felt that the settlement had been unfair at the time it was made. Roughly the same proportion also felt at the five-year mark that the property settlement remained unfair.<sup>27</sup> About two-thirds of those parents gave as the reason for accepting an unfair settlement, a perceived need to get things over as quickly as possible.<sup>28</sup>

Australia’s child support scheme was designed to assist in meeting the objectives of better balancing “the interests of both parents and be more focused on the needs and costs of children” (Commonwealth of Australia 2009). This is an ambitious aim on many levels, not the least because, as noted, there are strong links between money and the emotions connected to perceptions of power and fairness within intimate relationships.

At an emotional level, parents who feel that their property settlement was unfair, might be forgiven for expecting that as a matter of recompense, they might make up some of these perceived losses via an adjustment in child support. At an emotional level too, parents who see little of their children might be forgiven for struggling with the concept of child support, just as some parents who have the major care of their children might find it quite unacceptable that the other parent contributes little or nothing by way so financial support.

An ideal family law dispute resolution or decision-making system would deal with parenting, property distribution and child support in an integrated and holistic manner. Whilst the principals that attach to each area would be clearly articulated, an ideal system would allow some space for former partners to articulate their frustrations, disagreements and

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<sup>27</sup> LSSF Wave 3 data (Qu et al 2014 p 108 Table 6.15) suggest that looking back, 37% of parents thought that the property arrangements had been somewhat unfair or very unfair at the time of settlement, while only marginally fewer (35%) thought it to have been somewhat or very unfair at the time they were interviewed. Mothers were a little less likely to see the settlement in these unfair categories, though the difference was not statistically significant. The difference between assessing fairness at the time of the settlement (i.e., looking back to that time) and assessing fairness at the time of interview was also not statistically significant.

<sup>28</sup> LSSF data (Qu et al 2014 p 112 Table 6.16) reveals that by far the most common reason partners gave for accepting a property settlement they perceived to be unfair was the perceived need to get things over as quickly as possible (61% of fathers and 69% of mothers). The remaining reasons were roughly even divided between accepting the advice of lawyers (20% fathers and 17% mothers), avoiding court (20% fathers and 16% mothers) and other reasons (20% fathers and 18% mothers).

disappointments with respect to each of these areas. It would allow this, not simply for the sake of it, but with the aim of assisting former partners reach a place of reconciliation, knowing in most cases, that while probably far from perfect, what is happening is the best that can be achieved.

*Ipso facto*, a child support *formula* can take little account of these lines of thinking. Many would no doubt argue that it would be impractical or even inappropriate were it to attempt to do so. At the same time, from the perspective of the child, whose interests usually include being able to maintain a good relationship with both parents and having their day-to-day material needs met, the child support issue is not simply one of quantities or compliance.

The data currently available do not suggest the need for a change away from a formula approach. Indeed the data with respect to perceptions of affordability and compliance are reasonably encouraging. On the other hand, it is also the case that the best that any formula can hope to achieve is to arrive at an *average* acceptable figure. That being the case, there will inevitably be slippage between that average figure and perceptions of fairness and justice made by parents in individual cases.

The DHS-CS does have provision for “change of assessment” and cites ten sets of circumstances that might support such a change. The application for a change of assessment also allows for the possibility of a joint conference with a senior case officer. But such discussions appear to be rare. In its analysis of 16,675 “change of assessment” applications in 2007/2008 for example, the Child Support Agency (as it then was) found that less than 1% involved agreement between parents. The remainder were resolved through arbitration (Child Support Agency, 2009, p. 23).

Whatever its origins, an ongoing sense of unfairness may lead to resentment with respect to the “deal” afforded to the other parent. Child support paid perhaps grudgingly or irregularly brings an emotional cost to all family members. Most especially (and perhaps ironically), it brings an emotional cost to the children themselves, who will inevitably sense this expression of the conflicted relationship between their parents.

A more radical response to a perceived sense of unfairness could be to substantially or completely avoid the obligation to pay, which could in turn generate its own further set of resentments. And while beliefs about unfairness may also be a post hoc rationalisation of non-compliance behaviour, this begs the question raised by Moloney, Smyth & Fraser (2011) with respect to where separated parents might find assistance to try to resolve these practical but sometimes emotionally charged disputes over money.

The data would suggest that in some cases, the level of ongoing family dysfunction may be such that facilitated discussions (such as mediation or family dispute resolution) or advisory processes (such as legal assistance) are unlikely to assist in shifting attitudes and therefore behaviour. In circumstances of high levels of entrenched conflict, especially the sort of conflict that masks more deep-seated pathology, and where individuals are yet to seek specialised help, particular challenges emerge in the context of compliance with child support obligations. Traditional methods of facilitating compliance, with appropriate sanctions ought to continue for those who refuse to meet their obligations.

But the data on fairness and on parental (mainly fathers’) perceptions about the cost of supporting children, links between payments and time etc, suggest that more can be done to assist some parents come to a more settled place with respect to child support. As noted above, there is currently no place for former couples to go to discuss these difficult issues. Rather, they tend to be “pronounced upon” by citing legal principles or by making a judgment call using the child support formula as an externally-located touchstone.



Legal principles and the formula must of course remain the “bottom line”. But just as “intact” families make a wide range of acceptable choices with respect to the distribution of their income (including what proportion goes towards directly supporting the children), there are multiple ways in which separated families can remain within the spirit of the legislation, which seeks to ensure that children and carers are catered for and that the tax burden does not fall unfairly on those outside the family itself. As Smyth and Henman (2010) have observed, “child support policy is in a complex interrelationship with social security and tax policy, making formulation and refinement somewhat akin to the behaviour of an unsolvable Rubick’s Cube, but with potentially serious real world consequences for families” (p. 67).

Our data highlight the complexity of human perceptions about money and fairness and the fact that we cannot easily untangle the dynamics of paying and receiving from the emotional meaning that these transactions have. Of particular interest to this Inquiry are the significant minority of payees for whom private collect arrangements are in place in circumstances involving family violence and/or child safety concerns, and for whom there is non-compliance with either or both the timing and payment of the assessed child support amount. Children in these families face the challenges arising from both the difficult relationship dynamics and insufficient material support.

Given that it is more likely to be families with more complex needs that struggle to deal with or even articulate these dynamics, we see a place for FRCs to offer more assistance in this area. The assistance may be direct, as in the form, for example, of a (perhaps modified) family dispute resolution process. It may be coordinated with legal involvement of the sort outlined in the AIFS Report on the Family Relationship Centre legal assistance partnerships program (Moloney et al., 2011). Or it may be by way of referral to officers within DHS–CS who have been supported to develop the skills and have been given the time to assess the needs of these families and assist in the formation of a personally negotiated resolution.

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## **Appendices**

Appendix A – Types of emotional abuse participants were asked about in each wave of LSSF and SRSP 2012

Appendix B – LSSF Waves 1, 2 and 3 and SRSP 2012 - Child Support Modules

Appendix C: Post-separation parenting, property & relationship dynamics after five years (LSSF Wave 3) Chapter 7

Appendix D: Survey of Recently Separated Parents 2012 (SRSP 2012) Chapter 8

## Appendix A Types of emotional abuse participants were asked about in each wave of LSSF and in SRSP 2012

Did [study child's other parent] ...	LSSF Wave 1 (before/during separation)	LSSF Wave 2 (in last 12 months)	LSSF Wave 3 (in last 12 months)	SRSP 2012
try to prevent you from contacting family or friends	✓			✓
try to prevent you from using the telephone or car	✓			✓
try to prevent knowledge of or access to family money	✓			✓
insult you with the intent to shame, belittle or humiliate	✓	✓	✓	✓
threaten to harm the child/children	✓	✓	✓	✓
threaten to harm other family/friends	✓	✓	✓	✓
threaten to harm you	✓	✓	✓	✓
threaten to harm themselves	✓	✓	✓	✓
threaten to harm or actually harm pets	✓	✓	✓	✓
damage or destroy property	✓	✓	✓	✓
tried to force you into any unwanted sexual activity			✓	✓
monitored your whereabouts (e.g., followed you, made constant phone calls etc.)			✓	✓
circulated defamatory comments about you with the intent to shame, belittle or humiliate (incl. social media)			✓	✓

Notes: LSSF Wave 3 includes both the follow-up and top-up samples.

## **Appendix B – LSSF Waves 1, 2 and 3 and SRSP 2012 - Child Support Modules**

### **LSSF Wave 1 – Child Support Module**

#### **\*SECTION H: CHILD SUPPORT**

\*(TIMESTAMP 8)

\*(ALL)

H1. Now I would like to talk to you about the child support arrangements for (FOCUS CHILD). Can I just check, do you CURRENTLY PAY any child support to or RECEIVE any child support from (FOCUS PARENT)?

INTERVIEWER NOTE: IF BOTH PAY AND RECEIVE ASK, ‘DO YOU PAY MORE OR RECEIVE MORE?’. ONLY USE ‘BOTH’ IF THE AMOUNTS ARE EQUAL OR ‘CANCEL EACH OTHER OUT’.

PAY INCLUDES ‘SHOULD PAY’ AND RECEIVE INCLUDES ‘SHOULD RECEIVE’.

1. Yes pay
2. Yes receive
3. Yes both
4. (Does not have to pay or receive Child Support)
5. (Don’t know/Can’t say)
6. (Refused)

\*PROGRAMMER NOTE: IF MORE THAN ONE CHILD WITH FOCUS PARTNER USE SCRIPT ‘i’. USE SCRIPT ‘ii’ IF FOCUS CHILD ONLY CHILD WITH FOCUS PARTNER.

H2i. Apart from the children you have with (FOCUS PARTNER), are there any other children for whom you pay or receive regular child support?

H2ii. Apart from (FOCUS CHILD), are there any other children for whom you pay or receive regular child support?

1. Yes, pay
2. Yes, receive
3. Yes, both
4. No
5. (Don’t know/Can’t say)
6. (Refused)

\*PROGRAMMER NOTE: IF H1 = 1 OR 3 (pay child support) USE SCRIPT 'i'. IF H1 = 2 (receive child support) USE SCRIPT 'ii' THROUGHOUT MODULE H.

PREH3 IF H1 = 4, 5, 6 GO TO H4. OTHERS CONTINUE.

H3i. How much money are you supposed to pay to (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?

H3ii. How much money are you supposed to receive from (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?

INTERVIEWER NOTE: DO NOT INCLUDE ANY PAYMENTS FOR SCHOOL FEES OR MEDICAL COSTS UNLESS REQUIRED IN AGREEMENT OR COURT ORDER.

INTERVIEWER NOTE: IF NECESSARY, ACCEPT BEST ESTIMATE. \$0 IS OK

1. Dollars per week (Specify\_\_\_\_\_) (RANGE 0 TO 2000)
2. Dollars per fortnight (Specify\_\_\_\_\_) (RANGE 0 TO 4000)
3. Dollars per month (Specify\_\_\_\_\_) (RANGE 0 TO 10000)
4. Dollars per year (Specify\_\_\_\_\_) (RANGE 0 TO 120000)
5. (Varies/depends on circumstances) (AVOID)
6. Don't know / never knew the assessment amount (GO TO H4)
7. (Refused) (GO TO H4)

PREH3a IF H2 = 1, 2 OR 3 CONTINUE. OTHERS GO TO H3b.

H3a. How many children are these payments for?

1. Number (Specify\_\_\_\_\_) (RANGE 1 TO 10)
2. (Don't know/Can't say)
3. (Refused)

H3b. How are these payments supposed to be made?

1. Through the Child Support Agency
2. Directly transfer between you and (FOCUS PARENT)
3. Other (specify\_\_\_\_\_)
4. (Don't know/Can't say)
5. (Refused)

H3c. How much is actually paid?

INTERVIEWER NOTE: DO NOT INCLUDE ANY PAYMENTS FOR SCHOOL FEES OR MEDICAL COSTS UNLESS REQUIRED IN AGREEMENT OR COURT ORDER.

INTERVIEWER NOTE: IF NECESSARY, ACCEPT BEST ESTIMATE. \$0 IS OK

1. Dollars per week (Specify\_\_\_\_\_) (RANGE 0 TO 2000)
2. Dollars per fortnight (Specify\_\_\_\_\_) (RANGE 0 TO 4000)
3. Dollars per month (Specify\_\_\_\_\_) (RANGE 0 TO 10000)
4. Dollars per year (Specify\_\_\_\_\_) (RANGE 0 TO 120000)
5. (Varies/depends on circumstances) (AVOID)
6. (Don't know / never knew the assessment amount)
7. (Refused)

H3d. And is the total amount paid...

1. Always on time (GO TO H4)
2. Mostly on time (GO TO H4)
3. Sometimes on time (GO TO H4)
4. Rarely on time
5. Never on time
6. (Don't know/Can't say) (GO TO H4)
7. (Refused) (GO TO H4)

PREH3e IF H1 = 1 OR 3 CONTINUE. OTHERS GO TO H4.

H3e. Why do you say that?

1. Response given (specify\_\_\_\_\_) (GO TO H4)
2. (Don't know/Can't say) (GO TO H4)
3. (Refused) (GO TO H4)

H4. And just to check, do you receive any Family Tax Benefit?

1. Yes
2. No
888. (Don't know/Can't say)

999. (Refused)

**\*\*PROGRAMMER NOTE: ONLY DISPLAY C IF H1 = 1(pay child support) AND (A1a=1 OR A1b=1) (currently married or defacto).**

H5. How fair or unfair do you think the current amount of child support is...?

- a. for you?
- b. for (FOCUS PARENT)?
- c. for (CURRENT PARTNER)?

READ OUT

- 1. Very fair
- 2. Somewhat fair
- 3. Somewhat unfair
- 4. Very unfair
- 5. (Don't know/Can't say)
- 6. (Refused)



## LSSF Wave 2 – Child Support Module

### \*SECTION V: CHILD SUPPORT

\*(TIMESTAMP 8)

V1. Now I would like to talk to you about the child support arrangements that you have with FOCUS PARENT for (FOCUS CHILD). Can I just check, are you currently SUPPOSED to PAY any child support to or RECEIVE any child support from (FOCUS PARENT)?

INTERVIEWER NOTE: INCLUDE PAYMENTS THAT ARE SUPPOSED TO BE MADE FOR CHILDREN OTHER THAN FOCUS CHILD. IF BOTH PAY AND RECEIVE ASK, 'DO YOU PAY MORE OR RECEIVE MORE?'. ONLY USE 'BOTH' IF THE AMOUNTS ARE EQUAL OR 'CANCEL EACH OTHER OUT'.

PAY INCLUDES 'SHOULD PAY' AND RECEIVE INCLUDES 'SHOULD RECEIVE'.

1. Yes, supposed to pay
2. Yes, supposed to receive
3. Yes both
4. (Does not have to pay or receive Child Support) (GOTO V6)
999. (Don't know/Can't say) (GOTO V6)
888. (Refused) (GOTO V6)

\*PROGRAMMER NOTE: IF V1 = 1 OR 3 (pay child support) USE SCRIPT 'i'. IF V1 = 2 (receive child support) USE SCRIPT 'ii' THROUGHOUT MODULE V.

V2i. How much money are you currently supposed to pay to (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?

V2ii. How much money are you currently supposed to receive from (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?

INTERVIEWER NOTE: DO NOT INCLUDE ANY PAYMENTS FOR SCHOOL FEES OR MEDICAL COSTS UNLESS REQUIRED IN AGREEMENT OR COURT ORDER.

INTERVIEWER NOTE: IF NECESSARY, ACCEPT BEST ESTIMATE. \$0 IS OK

1. Dollars per week (Specify\_\_\_\_) (RANGE 0 TO 2000)
  2. Dollars per fortnight (Specify\_\_\_\_) (RANGE 0 TO 4000)
  3. Dollars per month (Specify\_\_\_\_) (RANGE 0 TO 10000)
  4. Dollars per year (Specify\_\_\_\_) (RANGE 0 TO 120000)
  5. (Varies/depends on circumstances) (AVOID)
999. Don't know / never knew the assessment amount (GOTO V4)
888. (Refused) (GOTO V4)

V3 How are these payments supposed to be made?

1. Through the Child Support Agency
  2. Directly transfer between you and (FOCUS PARENT)
  3. Other (specify\_\_\_\_)
999. (Don't know/Can't say)
888. (Refused)

V4 How much is actually paid?

INTERVIEWER NOTE: DO NOT INCLUDE ANY PAYMENTS FOR SCHOOL FEES OR MEDICAL COSTS UNLESS REQUIRED IN AGREEMENT OR COURT ORDER.

INTERVIEWER NOTE: IF NECESSARY, ACCEPT BEST ESTIMATE. \$0 IS OK

1. Dollars per week (Specify\_\_\_\_) (RANGE 0 TO 2000)
  2. Dollars per fortnight (Specify\_\_\_\_) (RANGE 0 TO 4000)
  3. Dollars per month (Specify\_\_\_\_) (RANGE 0 TO 10000)
  4. Dollars per year (Specify\_\_\_\_) (RANGE 0 TO 120000)
  5. (Varies/depends on circumstances) (AVOID)
999. (Don't know / never knew the assessment amount)
888. (Refused)

PREV5 IF V4 = \$0 PAID OR V4 = 999 OR V4 = 888 (\$0 actually paid or don't know/refused dollar amount) GOTO PREV6.

V5 And is the total amount paid...

1. Always on time (GOTO V6)
2. Mostly on time (GOTO V6)

- 3. Sometimes on time (GOTO V6)
- 4. Rarely on time
- 5. Never on time
- 999. (Don't know/Can't say) (GOTO V6)
- 888. (Refused) (GOTO V6)

PREV5a IF V5 = 4 OR 5 CONTINUE OTHERWISE GOTO V6.

V5a. Why is this the case?

- 1. Response given (specify\_\_\_\_\_)
- 999. (Don't know/Can't say)
- 888. (Refused)

PREV6 IF T4x = 1 (overnight stays have changed since Wave 1) CONTINUE. IF  
OVERNIGHTSTAYS = 0 (no overnight stays in 2008) AND T4a = 1, 2, 3, OR 4 (overnight stays in  
2009) CONTINUE. OTHERWISE GOTO PREV7.

V6i        You mentioned earlier that the living arrangements for (FOCUS CHILD) have changed  
over the past year. Did these changes result in a change in the amount of child support  
that you are SUPPOSED to receive from (FOCUS PARENT)?

V6ii       You mentioned earlier that the living arrangements for (FOCUS CHILD) have changed  
over the past year. Did these changes result in a change in the amount of child support  
you are SUPPOSED to pay to (FOCUS PARENT)?

- 1. Yes
- 2. No
- 999. (Don't know/Can't say)
- 888. (Refused)

PREV7 IF U1 = 1 OR 2 (arrangements sorted out in 08 but changed) OR U10 = 1, 2 OR 3 (tried to  
change the parenting arrangements) OR V6 = 1 OR 2 (living arrangements changed) CONTINUE  
OTHERWISE GOTO V8.

\*PROGRAMMER NOTE: TEXT REPLACE at V7. USE 'changes' IF U1 = 1 OR 2 OR V6 = 1 OR 2.  
USE "attempted changes" IF U10=1,2 OR 3

- V7 To what extent do you believe that the (changes/attempted changes) to your parenting arrangements were linked with (FOCUS PARENT) wanting to change the child support payments? Would you say the (changes/attempted changes) were...

READ OUT

1. Definitely linked
2. Likely to be linked
3. Unlikely to be linked
4. Definitely not linked
999. (Don't know/Can't say)
888. (Refused)

- V8. How fair or unfair do you think the CURRENT amount of child support is for you. Would you say that it is...

READ OUT

1. Very fair
2. Somewhat fair
3. Somewhat unfair
4. Very unfair
999. (Don't know/Can't say)
888. (Refused)

## LSSF Wave 3 – Child Support Module

### \*SECTION V: CHILD SUPPORT

\*(ALL)

V1. Now I would like to talk to you about the child support arrangements that you have with (FOCUS PARENT) for (FOCUS CHILD). Can I just check, are you currently SUPPOSED to PAY any child support to or RECEIVE any child support from (FOCUS PARENT)?

INTERVIEWER NOTE: INCLUDE PAYMENTS THAT ARE SUPPOSED TO BE MADE FOR CHILDREN OTHER THAN FOCUS CHILD. IF BOTH PAY AND RECEIVE ASK, 'DO YOU PAY MORE OR RECEIVE MORE?'. ONLY USE 'BOTH' IF THE AMOUNTS ARE EQUAL OR 'CANCEL EACH OTHER OUT'.

PAY INCLUDES 'SHOULD PAY' AND RECEIVE INCLUDES 'SHOULD RECEIVE'.

1. Yes, supposed to pay
2. Yes, supposed to receive
3. Yes, both
4. (Does not have to pay or receive Child Support) (GOTO RECONT)
999. (Don't know/Can't say) (GOTO RECONT)
888. (Refused) (GOTO RECONT)

\*PROGRAMMER NOTE: IF V1 = 1 OR 3 (pay child support) USE SCRIPT 'i'. IF V1 = 2 (receive child support) USE SCRIPT 'ii'

\*(SUPPOSED TO PAY OR RECEIVE CHILD SUPPORT)

V2i. How much money are you currently supposed to pay to (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?

V2ii. How much money are you currently supposed to receive from (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?

INTERVIEWER NOTE: INCLUDE PAYMENTS THAT ARE SUPPOSED TO BE MADE FOR CHILDREN OTHER THAN FOCUS CHILD. DO NOT INCLUDE ANY PAYMENTS FOR SCHOOL FEES OR MEDICAL COSTS UNLESS REQUIRED IN AGREEMENT OR COURT ORDER.

INTERVIEWER NOTE: IF NECESSARY, ACCEPT BEST ESTIMATE. \$0 IS OK

1. Dollars per week (Specify\_\_\_\_\_) (RANGE 0 TO 2000)
2. Dollars per fortnight (Specify\_\_\_\_\_) (RANGE 0 TO 4000)
3. Dollars per month (Specify\_\_\_\_\_) (RANGE 0 TO 10000)
4. Dollars per year (Specify\_\_\_\_\_) (RANGE 0 TO 120000)
5. (Varies/depends on circumstances) (AVOID)
999. (Don't know / never knew the assessment amount) (GOTO V4)
888. (Refused) (GOTO V4)

\*(CHILD SUPPORT AMOUNT PROVIDED OR VARIES)

V2a. How many children are these payments for?

1. Number given (specify \_\_\_\_\_) (RANGE 1 TO 10)

888. (Refused)

\*(CHILD SUPPORT AMOUNT PROVIDED OR VARIES)

V3. How are these payments supposed to be made?

1. Through the Child Support Agency
2. Directly transferred between you and (FOCUS PARENT)
3. Other (specify\_\_\_\_\_)
999. (Don't know/Can't say)
888. (Refused)

\*(SUPPOSED TO PAY OR RECEIVE CHILD SUPPORT)

V4. How much is actually paid?

INTERVIEWER NOTE: DO NOT INCLUDE ANY PAYMENTS FOR SCHOOL FEES OR MEDICAL COSTS UNLESS REQUIRED IN AGREEMENT OR COURT ORDER.

INTERVIEWER NOTE: IF NECESSARY, ACCEPT BEST ESTIMATE. \$0 IS OK

1. Dollars per week (Specify\_\_\_\_\_) (RANGE 0 TO 2000)
2. Dollars per fortnight (Specify\_\_\_\_\_) (RANGE 0 TO 4000)
3. Dollars per month (Specify\_\_\_\_\_) (RANGE 0 TO 10000)
4. Dollars per year (Specify\_\_\_\_\_) (RANGE 0 TO 120000)
5. (Varies/depends on circumstances) (AVOID)
999. (Don't know / never knew the assessment amount)
888. (Refused)

PREV5 IF (V4 CODE 1, 2, 3 OR 4 = 0) OR V4 = 999 OR V4 = 888 (\$0 actually paid or don't know/refused dollar amount) GOTO V8 OTHERWISE CONTINUE.

\*(CHILD SUPPORT AMOUNT =>\$1 OR VARIES)

V5. And is the total amount paid...

1. Always on time
2. Mostly on time
3. Sometimes on time
4. Rarely on time
5. Never on time
999. (Don't know/Can't say)
888. (Refused)

\*(SUPPOSED TO PAY OR RECEIVE CHILD SUPPORT)

V8. How fair or unfair do you think the CURRENT amount of child support is for you. Would you say that it is...

(READ OUT)

1. Very fair
2. Somewhat fair
3. Somewhat unfair
4. Very unfair

999. (Don't know/Can't say)  
888. (Refused)

**\*PROGRAMMER NOTE: IF V1 = 1 OR 3 (Payers) DISPLAY V12i STATEMENTS. IF V1 = 2 (Payees) DISPLAY V12ii STATEMENTS. INSERT (he/she) AT V12 ii BASED ON FPGENDER.**

**\*(SUPPOSED TO PAY OR RECEIVE CHILD SUPPORT)**

V12. I'd like to read out a few statements about child support. Can you tell me whether you agree or disagree with each statement. There is no right or wrong answer.

**INTERVIEWER NOTE: PROBE STRONGLY AGREE / DISAGREE.**

**\*(PAYER)**

V12i. STATEMENTS

- a) I can afford to pay the amount that I am required to pay
- b) I think the amount I'm expected to pay is more than the amount needed by the children
- c) I resent paying because I have no say on how the money is spent
- d) I resent paying, given how much time I spend with (FOCUS CHILD) (and/or other focus children)

**\*(PAYEE)**

V12ii. STATEMENTS

- a) (Focus Parent) can afford to pay the amount (he/she) is required to pay
- b) (Focus Parent) thinks the amount (he/she) is expected to pay is more than the amount needed by the children
- c) (Focus Parent) resents paying because (he/she) has no say on how the money is spent
- d) (Focus Parent) resents paying, given how much time (he/she) spends with (FOCUS CHILD) (and/or other focus children)
- e) (Focus Parent) would prefer not to pay to make life difficult for me

**RESPONSE FRAME**

- 1. Strongly agree
- 2. Agree
- 3. Neither agree nor disagree
- 4. Disagree
- 5. Strongly disagree
- 999. (Don't know/Can't say)
- 888. (Refused)

**\*(ALL)**

**\*(TIMESTAMP 11)**

## SRSP 2012 – Child Support Module

### **\*SECTION K: CHILD SUPPORT**

**\*(TIMESTAMP 11)**

**\*(ALL)**

K1. Now I would like to talk to you about the child support arrangements that you have for your children with (FOCUS PARENT). Can I just check, are you currently SUPPOSED to PAY any child support to or RECEIVE any child support from (FOCUS PARENT)?

*INTERVIEWER NOTE: INCLUDE PAYMENTS THAT ARE SUPPOSED TO BE MADE FOR CHILDREN OTHER THAN FOCUS CHILD. IF BOTH PAY AND RECEIVE ASK, 'DO YOU PAY MORE OR RECEIVE MORE?'. ONLY USE 'BOTH' IF THE AMOUNTS ARE EQUAL OR 'CANCEL EACH OTHER OUT'.*

*PAY INCLUDES 'SHOULD PAY' AND RECEIVE INCLUDES 'SHOULD RECEIVE'.*

1. Yes, supposed to pay
2. Yes, supposed to receive
3. (Both pay & receive)
4. (Does not have to pay or receive Child Support) (GO TO K7)
99. (Don't know / Can't say) (GO TO K7)
98. (Refused) (GO TO K7)

\*PROGRAMMER NOTE: IF K1 = 1 OR 3 (pay child support) USE SCRIPT 'i'. IF K1 = 2 (receive child support) USE SCRIPT 'ii'

- K2i. How much money are you currently supposed to pay to (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?
- K2ii. How much money are you currently supposed to receive from (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?

*INTERVIEWER NOTE: DO NOT INCLUDE ANY PAYMENTS FOR SCHOOL FEES OR MEDICAL COSTS UNLESS REQUIRED IN AGREEMENT OR COURT ORDER.*

*INTERVIEWER NOTE: IF NECESSARY, ACCEPT BEST ESTIMATE. \$0 IS OK*

1. Dollars per week (Specify\_\_\_\_\_) (RANGE 0 TO 2000)
2. Dollars per fortnight (Specify\_\_\_\_\_) (RANGE 0 TO 4000)
3. Dollars per month (Specify\_\_\_\_\_) (RANGE 0 TO 10000)
4. Dollars per year (Specify\_\_\_\_\_) (RANGE 0 TO 120000)
5. (Varies/depends on circumstances) (AVOID)
99. (Don't know / never knew the assessment amount) (GO TO PREK5x)
98. (Refused) (GO TO K4)

\*(K1 < 4)

- K3. How many children are these payments for?

1. Number given (specify \_\_\_\_\_) (RANGE 1 TO 10)
98. (Refused)

\*(K1 < 4)

- K4. How are these payments supposed to be made?

1. Through the Child Support Agency
2. Directly transfer between you and (FOCUS PARENT)
3. In-kind payments (e.g., pay school or child care fees)
3. Other (specify\_\_\_\_\_)
99. (Don't know / Can't say)
98. (Refused)

PREK5x IF K1=1 OR 3, CONTINUE, OTHERWISE GO TO K5.

- K5x. Does the amount paid vary from the amount you are required to pay?



1. Yes
2. No (GO TO K6)
99. (Don't know / Can't say)
98. (Refused)

\*(K1 < 4)

K5. How much is actually paid?

*INTERVIEWER NOTE: DO NOT INCLUDE ANY PAYMENTS FOR SCHOOL FEES OR MEDICAL COSTS UNLESS REQUIRED IN AGREEMENT OR COURT ORDER.*

*INTERVIEWER NOTE: IF NECESSARY, ACCEPT BEST ESTIMATE. \$0 IS OK*

1. Dollars per week (Specify\_\_\_\_\_) (RANGE 0 TO 2000)
2. Dollars per fortnight (Specify\_\_\_\_\_) (RANGE 0 TO 4000)
3. Dollars per month (Specify\_\_\_\_\_) (RANGE 0 TO 10000)
4. Dollars per year (Specify\_\_\_\_\_) (RANGE 0 TO 120000)
5. (Varies/depends on circumstances) (AVOID)
99. (Don't know / never knew the assessment amount) (GO TO K7)
98. (Refused) (GO TO K7)

PREK6 IF K5 = \$0 PAID OR K5 = 99 OR 98 (\$0 actually paid or don't know/refused dollar amount) GO TO K7. OTHERWISE CONTINUE.

K6 And is the total amount paid...

*(READ OUT)*

1. Always on time
2. Mostly on time
3. Sometimes on time
4. Rarely on time
5. Never on time
99. (Don't know / Can't say)
98. (Refused)

\*(ALL)

K7. How fair or unfair do you think the CURRENT amount of child support is for you. Would you say that it is...

*(READ OUT)*

1. Very fair
2. Somewhat fair
3. Somewhat unfair
4. Very unfair
99. (Don't know / Can't say)
98. (Refused)

## **Appendix C: Post-separation parenting, property & relationship dynamics after five years (LSSF Wave 3)**

### **Chapter 7**

## 7. Child support arrangements

Over the years, many countries have endorsed the principle that both separated parents should continue to provide for their children's basic financial needs. Responding to concerns that this principle was being inadequately adhered to in Australia, the Child Support Scheme, established in two stages in 1988 and 1989, reflected a major shift in policy. Prior to the scheme, only a minority of "non-resident" parents were paying anything towards their children's support, whether or not they were ordered to do so by the courts. In addition, even when payments were made, they were mostly set at very low rates, regardless of parental income. This meant that many families headed by un-partnered mothers were experiencing significant financial hardship following parental separation,<sup>29</sup> while at the same time, Australia's social security budget was escalating as a result of increasing welfare payments being made to this growing category of families (see Cabinet Sub-Committee on Maintenance, 1986).

The Child Support Scheme was designed to ensure that "non-resident" parents regularly contributed to the financial support of their children, according to their capacity to pay. Furthermore, based on earlier Australian and overseas evidence that "non-resident" parents who supported their children financially were more likely than other "non-resident" parents to maintain contact with their children,<sup>30</sup> it was argued (e.g., by the Family Law Council, 1992) that the scheme might also lead to an increase in the number of parents being actively involved in the parenting of their children after separation.<sup>31</sup>

An AIFS national telephone survey in 2005 of attitudes towards child support suggested that most non-resident fathers were critical of the original scheme (Smyth & Weston, 2005). For example, over 60% of non-resident fathers claimed that it was not working well, and three-quarters saw it as unfair. About half the resident mothers also had difficulties with both these aspects of the scheme. This research was taken into account by the Ministerial Taskforce on Child Support, which was established to provide advice to the government on possible changes to the scheme.

The most significant changes to the scheme were introduced via the *Child Support Amendment Act 2006* (Cth), developed in the light of the Ministerial Taskforce's recommendations. The changes, which were introduced in three stages between 2006 and 2008, included treating the incomes of both parents in the same way; reducing the amount payable by high-income earners; taking greater account of the contemporary costs of children, along with the costs incurred by parents when they look after them on a regular basis for at least 14% of the time; and treating children of first and second families more equally (see Smyth & Henman, 2010). Consistent with the earlier espoused argument that a Child Support Scheme may foster the sharing of parenting after separation, the Ministerial Taskforce also maintained that ensuring payment of child support could be an important factor in encouraging the involvement of both parents in their children's upbringing (Commonwealth of Australia, 2005).

The present chapter is divided into three broad sections, covering payment liability, compliance with liability and parents' views about child support payments.

The first of these matters (payment liability) identifies the four main groups of parents who form the basis of comparison for the remainder of the chapter: fathers and mothers who were required to pay child support (here called "payers") and those who were eligible to receive child support (here called "payees"). The patterns of answers of these four groups—in particular the two largest groups (father payers and mother payees)—are compared on all other issues examined. This includes the two additional matters in

<sup>29</sup> This phenomenon has been referred to by a number of commentators as "the feminisation of poverty".

<sup>30</sup> Succinctly summarised by Fehlberg and Smyth (2000) as an example of "where the money goes, the heart goes".

<sup>31</sup> Interestingly, the initial scheme was introduced around the time that the Convention of the Rights of the Child (CRC) was adopted by the United Nations General Assembly (in 1989) and just before the CRC was ratified by Australia (in December 1990). Children's rights to financial support and to post-separation parental involvement after separation (where this does not jeopardise their wellbeing) are enshrined in the CRC. The following articles are of particular relevance: "Children have a right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing" (Article 27); and "Children whose parents do not live together have the right to stay in contact with both parents, unless this may hurt them" (part of Article 9).

the section of payment liability: the amount of child support that was due to be paid and the mode of payment transfer.

The second section examines compliance behaviour, and the extent to which compliance behaviour varies according to care-time arrangements and according to reports of experiences of violence/abuse.

The third section focuses on parents' overall sense of fairness about child support payments and their views regarding whether payments are affordable and whether the payer begrudges paying.

Attention in each of the above three sections is first given to the results emerging from the information provided by all participants in the three survey waves, taken separately. The number of participants differs across the survey waves and includes the top-up sample in Wave 3. This is followed by analyses of the extent and nature of changes apparent in the continuing sample; that is, the parents who participated in all three waves.

## 7.1 Payment liability

In each survey wave, parents were asked to indicate whether they were required to pay or were entitled to receive child support,<sup>32</sup> the total amount of child support that was to be transferred, the number of children the payments were meant to cover, how the payments were to be transferred, and the amount actually paid or received. Comparisons between these two payment amounts were subsequently used to identify whether, according to the participants' reports, payers were meeting their obligations in terms of the amount paid, an issue examined in the next main section of this chapter.

### *The four key groups: Father and mother payers and payees*

#### *Trends based on all participants*

Table 7.1 (on page 119) summarises the patterns of answers of fathers and mothers in each survey wave regarding whether they were required to pay or were entitled to receive child support. These results are based on all parents who participated in any survey wave.

Table 7.1 reveals that close to four in five parents in each survey wave (taken separately) reported that the father was required to pay, though mothers were slightly more likely than fathers to state this in Waves 2 and 3 (86% vs 79% and 85% vs 78% respectively). Fewer than 10% of parents in each wave attributed payment liability to the mother. For example, 8% of fathers and 5% of mothers in Wave 3 reported that the mother was required to pay. Even though the sample of parents was derived from cases registered with DHS CSP,

13–15% of fathers and 9–17% of mothers across three waves indicated that there was no child support requirement.<sup>33</sup>

<sup>32</sup> The questions asked were: (All): Can I just check, are you currently SUPPOSED to PAY any child support to or RECEIVE any child support from (FOCUS PARENT)? (Pay): How much money are you currently supposed to pay to (FOCUS PARENT) for each payment (including payments through the Child Support Agency)? (Receive): How much money are you currently supposed to receive from (FOCUS PARENT) for each payment (including payments through the Child Support Agency)?

<sup>33</sup> This may occur for a number of reasons. For instance, regular child support payments may be replaced with in-kind financial support (e.g., paying for educational expenses), or in certain circumstances, such as some family violence cases, parents may seek an exemption from taking maintenance action (e.g., seeking child support) to qualify for more than the minimum payment available under Family Tax Benefit A.

**Table 7.1: Child support liability status of parents with study children under 18 years, by wave and gender**

	Wave 1		Wave 2		Wave 3	
	Fathers (%)	Mothers *** (%)	Fathers (%)	Mothers *** (%)	Fathers (%)	Mothers *** (%)
Required to pay	80.0	3.7	79.3	4.9	78.0	4.6
Entitled to receive	4.8	79.7	8.0	85.7	8.2	84.6
Neither pays nor receives	15.3	16.6	12.7	9.3	13.8	10.8
Total	100.0	100.0	100.0	100.0	100.0	100.0
No. of participants	4,905	4,939	3,112	3,320	4,126	3,948

Notes: Data have been weighted. Excludes a small number of parents who did not know or refused to answer (1–3% across all 3 waves). Percentages may not total 100.0% due to rounding. \*\*\*  $p < .001$ ; statistically significant relationship emerged between liability to pay/receive child support and parent gender.

This general pattern of results is similar to that observed by De Maio et al. (2013). Based on the SRSP 2012, 82–85% of parents said that the father was required to pay child support; 6–8% said the mother was required to pay, and 9–11% reported that no payment requirement existed. As noted earlier, parents in the SRSP 2012 had been separated for an average of 12 months. In terms of duration of separation, the sample is therefore more comparable to the Wave 1 LSSF sample than to the Waves 2 and 3 samples.

### *Extent of change in payer/payee status apparent in continuing sample*

Table 7.2 shows the proportions of all fathers and mothers who indicated that their status as payee, payer or neither remained the same in all three survey waves, and the proportions whose statuses had changed by Wave 3.

**Table 7.2: Proportions whose child support status remained the same or changed across all three waves, all parents of study children < 18 years, continuing sample**

Child support status	Fathers (%)	Mothers (%) ***
Pay all waves	66.8	1.5
Receive all waves	3.5	71.8
Neither pay nor receive all waves	3.8	1.6
Changed to pay by Wave 3	10.4	2.6
Changed to receive by Wave 3	5.2	13.7
Changed to neither pay nor receive by Wave 3	10.3	8.9
Total	100.0	100.0
No. of participants	1,830	2,040

Notes: Data have been weighted. Percentages may not total 100.0% due to rounding. \*\*\*  $p < .001$ ; statistically significant relationship emerged between variance in child support over waves and gender.

Table 7.2 shows that most fathers retained their status as payers and most mothers were payees in all three waves.<sup>34</sup> Where change occurred, it mostly represented a move towards these traditional gendered statuses (i.e., father as a payer and mother as payee) or an ending of child support transfer arrangements. More particularly, two-thirds of all fathers and nearly three-quarters of all mothers were payers and payees respectively across all three waves. Fewer than 4% of fathers consistently stated that they were payees in

<sup>34</sup> The status of some of these parents may have alternated between survey waves, but the general picture would be unlikely to differ from that apparent in the table. The same issue applies to other trends reported for the continuing sample.

all three waves and fewer than 2% of mothers were payers in all three waves. Few fathers and mothers (less than 4%) said that they were neither required to pay nor eligible to receive child support.

Around one-quarter of all fathers and mothers experienced a change in status by Wave 3, the most common being:

- mothers becoming payees (14%);
- fathers becoming payers (10%); and
- fathers and mothers becoming neither a payer nor payee (9–10%).

While Table 7.2 outlines the extent to which fathers and mothers had retained or changed their liability status, Table 7.3 shows their liability status in Wave 3 according to their liability status in Wave 1. Table 7.3 reveals that around nine in ten father payers and mother payees in Wave 1 indicated that they retained the same liability status in Wave 3. Half of mother payers and two-thirds of father payees in Wave 1 had the same liability status by Wave 3. Mother payers and fathers payees were less likely than father payers and mother payees to retain the same liability status. The same proportions of mother payers in Wave 1 either had no liability or became payees in Wave 3. For father payers in Wave 1, 4% became payees and 9% had no liability by Wave 3.

<b>Table 7.3: Child support liability status in Wave 3, by liability status in Wave 1, parents whose study children were &lt; 18 years in Wave 3, continuing sample</b>						
Wave 3 status	Wave 1 status					
	Father payers (%)	Mother payees (%)	Mother payers (%)	Father payees (%)	Fathers—neither (%)	Mothers—neither (%)
Pay	87.2	1.8	49.6	14.4	43.0	5.9
Receive	3.6	91.2	25.2	66.6	15.9	67.6
Neither pay nor receive	9.2	7.0	25.2	19.0	41.0	26.5
Total	100.0	100.0	100.0	100.0	100.0	100.0
No. of participants	1,798	2,004	122	144	321	366

Notes: Data have been weighted. Percentages may not total 100.0% due to rounding.

Parents who had no liability in Wave 1 (41% of fathers and 27% of mothers) still had this status of no liability in Wave 3. Two-thirds of mothers with no liability in Wave 1 became payees by Wave 3, while 43% of fathers with no liability in Wave 1 became payers by Wave 3. Much smaller proportions of these fathers and mothers with no liability in Wave 1 became father payees and mother payers.

### *Size of liability per child*

Table 7.4 summarises the data on the average amounts that Wave 3 payers claimed to be paying and payees claimed to be receiving. The total average that father payers claimed to be paying was \$131 per week, whereas the total average mother payees claimed to be receiving was somewhat less: \$111 per week. The total average that mother payers claimed to be paying was \$78 per week, whereas the total average father payees claimed to be receiving was \$61 per week. Regardless of number of children, the average liability amount reported by payers was higher than that reported by payees.

**Table 7.4: Mean child support amount supposed to pay/receive per week, by number of children, liability status and gender, parents of study children < 18 years, Wave 3**

	Father payers	Mothers payees	Mother payers	Father payees
Mean	\$131	\$111	\$78	\$61
One child	\$96	\$78	\$57	\$48
Two children	\$160	\$135	\$110	\$74
Three or more children	\$197	\$169	\$104	\$79

Notes: Data have been weighted. Sample sizes of three groups by number of children—father payers: 1,294, 1,138, 407; mother payees: 1,325, 1,139, 402; mother payers: 127, 67, 31; father payees: 171, 129, 43.

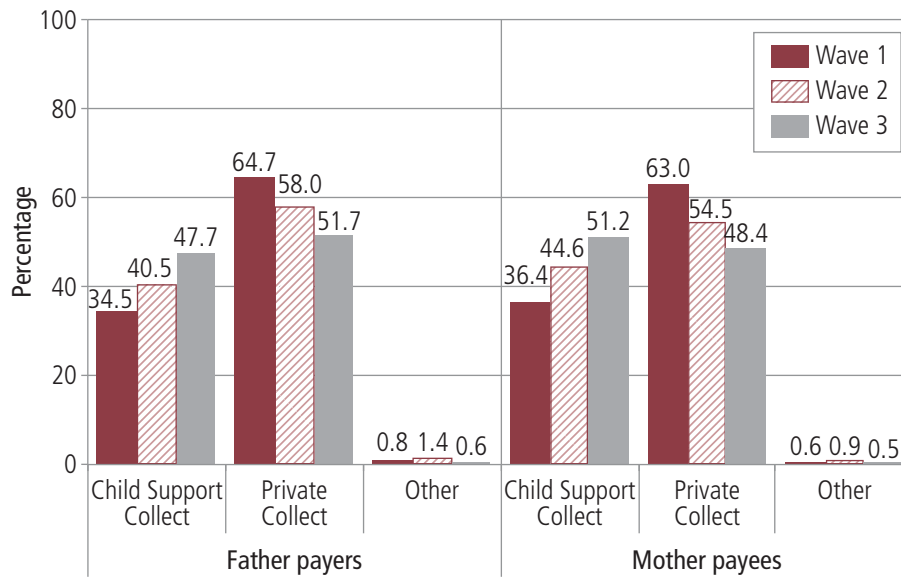
## *Mode of payment transfer*

Parents can make decisions between themselves about the amount of child support to be paid or they can request that the DHS CSP assess this for them.<sup>35</sup> Regardless of which of these two avenues are followed, child support payments can be collected and transferred privately (called “Private Collect”) or via DHS CSP (called “Child Support Collect”). DHS encourages its child support customers to opt for Private Collect (DHS, 2012, Chapter 6), but where the child support liability is not being met, payees can transfer from Private Collect to Child Support Collect. Payees can only request arrears of unpaid child support for a period of three months, though in some circumstances, this period may extend to nine months (DSS, 2013, section 3.1.5.50). Methods of transferring child support payments reported by payers and payees are summarised in Figures 7.1 and 7.2.

Figure 7.1 points to a consistency of responses with respect to father payers and mother payees. Both suggest that rates of Child Support Collect increased progressively across the survey waves, while Private Collect arrangements decreased. More specifically, just over one-third of the father payers and mother payees in Wave 1 indicated that payments were transferred via Child Support Collect, while nearly two-thirds said that payments were transferred privately. On the other hand, the proportions of Wave 3 father payers and mother payees reporting these two modes were roughly even. Only 1% of father payers and mother payees represented in the various survey waves referred to other arrangements.<sup>36</sup>

<sup>35</sup> In Wave 1, this was managed by the Child Support Agency (CSA). Since that time, this role has been assumed by DHS CSP.

<sup>36</sup> This assumes that differences in responses of those represented in the various waves can be taken to reflect “change”. There were two main methods of payment classified as “other”: where child support liability payments were made to someone else (primarily the children) or paid as in-kind payments (such as making mortgage re-payments or paying school fees). In-kind payments made up around half to two-thirds of the responses classified as “other”;—sometimes being described as part of the child support liability agreement and other times mentioned as informal payments (e.g. “No, transfers are not made. I make these payments for what I provide for focus child in clothes, and holidays are three times the amount anyway”).

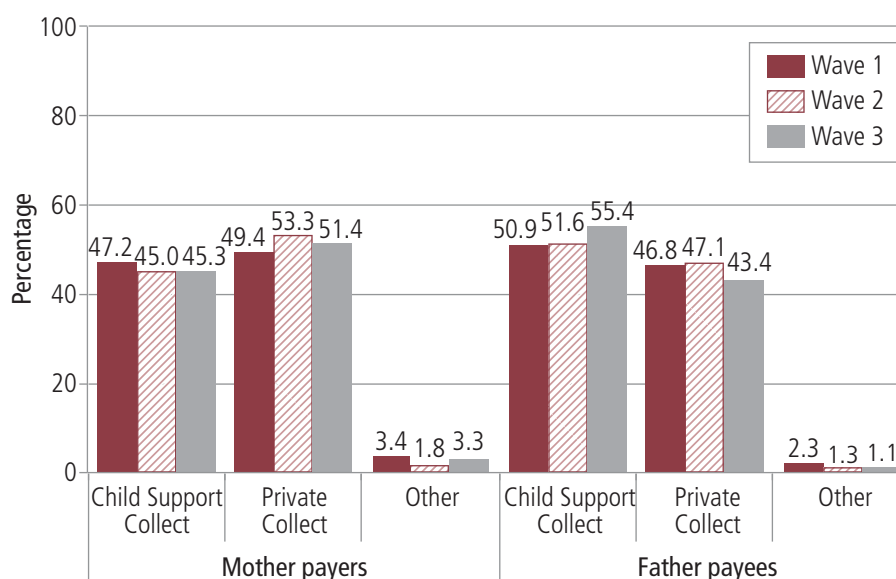


Notes: Data have been weighted. “Other” methods of transferring include in-kind payments (such as paying school fees, etc.) and payments made directly to someone else (such as the focus child directly). Responses from parents whose focus child was 18 years or older by Wave 3 have been excluded from this analysis. Father payers: Wave 1,  $n = 3,310$ ; Wave 2,  $n = 2,101$ ; Wave 3,  $n = 2,899$ . Mother payees: Wave 1,  $n = 3,408$ ; Wave 2,  $n = 2,417$ ; Wave 3,  $n = 2,914$ .

**Figure 7.1: Method of transferring child support liability, father payers and mother payees with study children < 18 years, by wave**

Figure 7.2 suggests that a different picture emerged where mothers were the payers and fathers the payees. Firstly, modes of payments reported did not vary much across the survey waves. Secondly, while a marginally higher proportion of mother payers indicated that payments were made privately rather than through Child Support Collect (49–53% vs 45–47%), the opposite was the case for father payees. That is, a marginally lower proportion of father payees indicated that payments were made privately rather than transferred by Child Support Collect (43–47% vs 51–55%). Across the survey waves, 1–3% of mother payers and father payees referred to other methods of collection.





Notes: Data have been weighted. “Other” methods of transferring include in-kind payments (such as paying school fees, etc.) and payments made directly to someone else (usually the focus child). Responses from parents whose focus child was 18 years or older by Wave 3 have been excluded from this analysis. Sample sizes vary across waves—father payees:  $n = 275$  to  $344$ ; mother payers:  $n = 180$  to  $228$ .

**Figure 7.2: Method of transferring child support liability, mother payers and father payees with study children < 18 years, by wave**

The figures also reveal that in Wave 1, Private Collect arrangements were reported by higher proportions of parents where the father was liable to pay than where the mother was liable to pay (63–65% vs 47–49%), but in Wave 3, these arrangements were reported by much the same proportions of father payers, father payees and mother payees (48–52%), with a slightly lower proportion of mother payers stating this (43%).

The results based on the reports of father payers and mother payees in Wave 1 are consistent with those based on the SRSP 2012 (De Maio et al., 2013), but the same cannot be said of the results derived for mother payers and father payees: both these groups in the SRSP 2012 (especially mother payers) were more likely to report that payments occurred privately rather than through Child Support. This difference may well be a function of the success of DHS CSP in encouraging Private Collect arrangements, for the SRSP cohort of parents had separated more recently than those in LSSF (July 2010–December 2011 vs July 2006–September 2008).

Further analysis based on the fathers who were payers in all three waves suggest that the extent to which payment was collected privately declined. Specifically, the proportion of these continuing father payers who made payments privately fell from 69% in Wave 1 to 52% in Wave 3 while the proportion of those who made payment through DHS CSP rose from 30% in Wave 1 to 46% in Wave 3. Of the continuing mother payees, the proportion of those who received payments privately declined from 65% in Wave 1 to 49% in Wave 3.

## 7.2 Payment compliance

The first two waves of LSSF (Kapsiew et al., 2009; Qu & Weston, 2010), as well as other research (De Maio et al., 2013; Vnuk, 2010), have suggested that of parents who are required to pay child support,

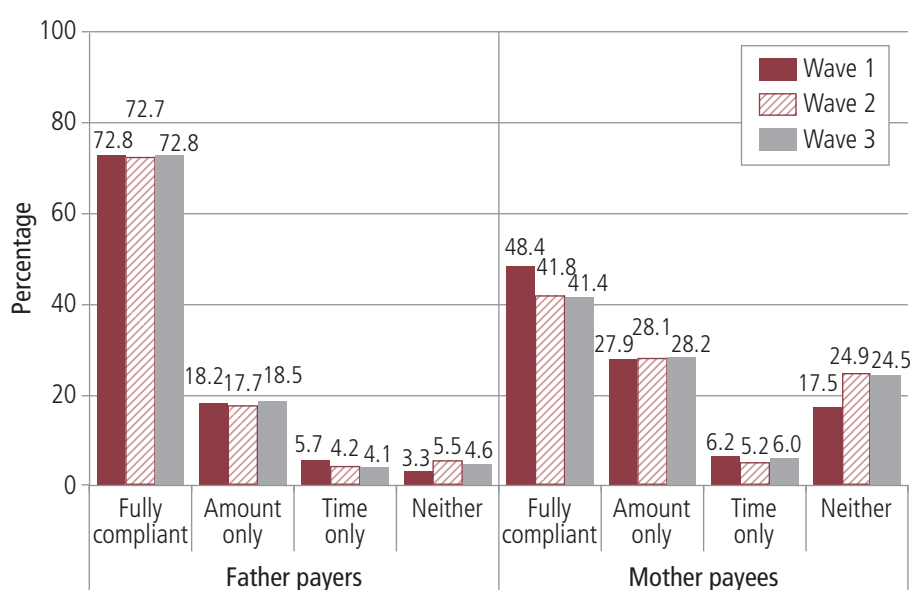
mothers are less likely to comply with this obligation than fathers. Parents' views about whether the payers' child support obligation was fully met in terms of the amount required to be paid and its timing were also ascertained in Wave 3.

In each survey wave, compliance regarding the amount paid was based on a comparison of the amount of child support that parents said they were supposed to pay or receive and the amount actually paid or received. To assess compliance with timing, parents were asked whether payments were made: "always on time", "mostly on time", "sometimes on time" or "never on time". Compliance in relation to timing was considered to occur where parents said that payments were made always on time.

This section examines the proportions of mother and father payers and payees who reported that payments were made in full and on time, in full only, on time only, or neither in full nor on time. (Payments in full included reports where the actual amount exceeded the required amount.) The strength of any relationship between father payers' compliance behaviour and care-time arrangements, as reported by the fathers and by mother payees, is then examined. This is followed by an assessment of the extent to which compliance behaviour varied according to experiences of violence/abuse.

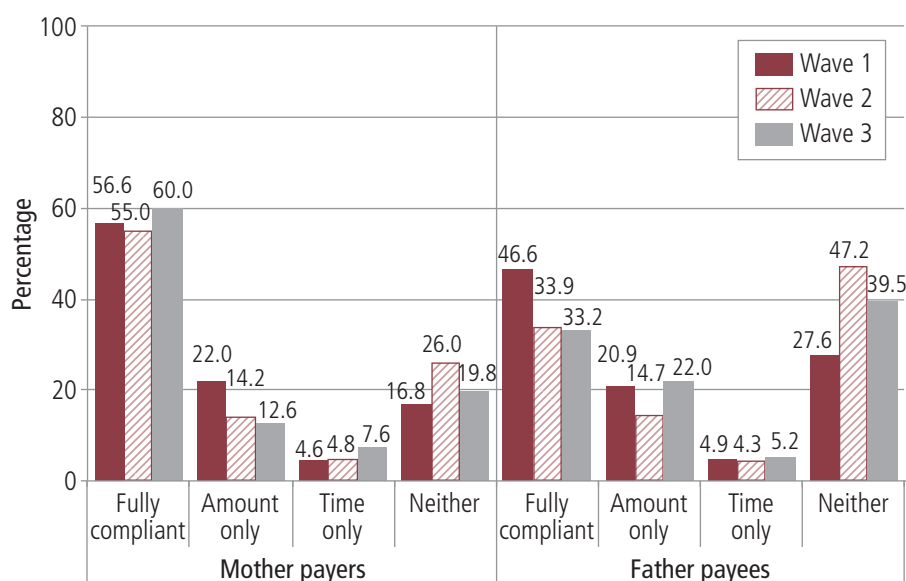
### *Compliance regarding payment amount and timing*

Figures 7.3 and 7.4 (on page 120) depict the patterns of answers provided across the waves by father payers and mother payees (Figure 7.3) and by mother payers and father payees (Figure 7.4). These two figures need to be considered together to identify gender differences in both payers' and payees' reports.



Notes: Data have been weighted. Includes parents who reported actual payment varied and actual payments which varied are considered as that amount of child support was not applied. Sample sizes for father payers: Wave 1,  $n = 3,132$ ; Wave 2,  $n = 2,038$  Wave 3,  $n = 2,772$ ; mother payees: Wave 1,  $n = 3,092$ ; Wave 2,  $n = 2,272$ ; Wave 3,  $n = 2,744$ .

**Figure 7.3: Compliance with child support, father payers and mother payees with study children < 18 years, by wave**



Notes: Data have been weighted. Includes parents who reported actual payment varied and actual payments which varied are considered as that amount of child support was not applied. Sample sizes for father payees: Wave 1,  $n = 255$ ; Wave 2,  $n = 245$ ; Wave 3,  $n = 308$ ; mother payers: Wave 1,  $n = 196$ ; Wave 2,  $n = 167$ ; Wave 3,  $n = 211$ .

**Figure 7.4: Compliance with child support, mother payers and father payees with study children < 18 years, by wave**

## Overall trends

According to all parent groups, payments were most often made in full and on time. This was followed by payments being made in full but not on time and then by payments being made neither in full nor always on time. Only 3–8% indicated that payments were made on time but not in full.

## Full compliance

Most payers in all survey waves reported full compliance, with father payers being more likely to report this than mother payers (73% vs 55–60%).

Payees were less likely than payers to report full compliance, and unlike payers, the proportions reporting full compliance were lower in Waves 2 and 3 than in Wave 1, suggesting that full compliance rates fell.<sup>37</sup> This apparent fall was slightly greater where the child support obligation rested with the mother.

In Wave 1, just under half the mother and father payees reported that payments were made in full and on time, while in subsequent waves, full compliance was reported by around two in five mother payees and one in three father payees.

## Compliance restricted to payment amount

Across all survey waves, the second most common answer from father payers and mother payees was that payments to them were made in full but not always on time (reported by just under 20% of father payers and nearly 30% of mother payees).

<sup>37</sup> It needs to be kept in mind, however, that the samples in the three survey waves differ somewhat.

However, where payment liability rested with mothers, the proportion reporting that compliance was restricted to the amount to be paid varied across the survey waves (reported by 13–22% of mother payers and 15–22% of father payees).

### *Non-compliance in amount and timing of payment*

Only 3–6% of father payers indicated that they neither paid in full nor always on time. However this was reported by substantial proportions of parents in other groups (especially father payees). It was also considerably more likely to be reported in Waves 2 and 3 than in Wave 1. In Wave 1, this form of non-compliance was reported by 17% of mother payers, 18% of mother payees and 28% of father payees. In subsequent waves, it was reported by 20–26% of mother payers, 25% of mother payees and 40–47% of father payees.

The general pattern of results for mother and father payees in Wave 1 is consistent with that observed by De Maio et al. (2013), based on the SRSP 2012. As noted earlier, the SRSP 2012 was conducted when the parents had been separated for an average of 12 months, whereas parents in Wave 1 of LSSF have been separated for an average of 15 months. In the SRSP 2012, questions on compliance were asked of payees only. De Maio et al. found that 40% of father payees and 49% of mother payees reported that payments were fully complied with, 20–24% said that the paying parent paid the full amount though not always on time, 2–7% paid on time but not always in full, and 39% of father payees and 20% of mother payees reported that payments were neither made in full nor on time.

In summary, reports on compliance varied according to gender of parent and payer/payee status and, with the exception of father payers, reports varied according to survey wave. While in all survey waves, most payers (especially fathers) indicated that they fully complied with their obligations, those who were entitled to receive child support were less likely to report this, especially in Waves 2 and 3, with a higher proportion of father than mother payees indicating such an apparent fall. Finally, according to the reports of payees (especially fathers), compliance with respect to both amount and timing was better some 15 months after separation than subsequently.

### *Father payers' compliance according to care-time*

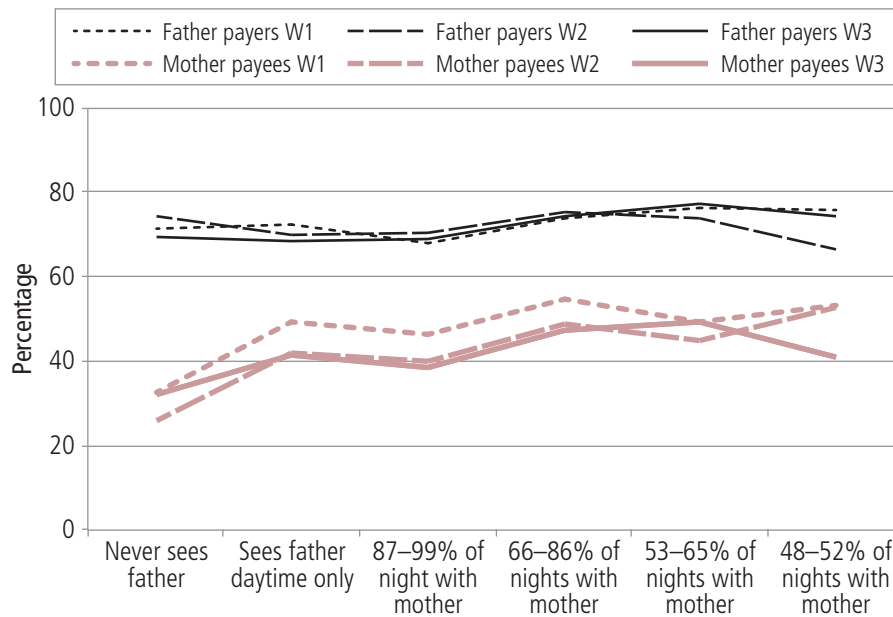
This section focuses on the apparent compliance behaviour of father payers with different care-time arrangements. Attention is first directed to the proportion of father payers and mother payees in the various survey waves who indicated that the father fully complied with his obligations according to care-time arrangements. The same approach is then adopted to compare the proportion reporting that the father paid his liability neither in full nor on time.<sup>38</sup> While the analysis focuses on all participants, it should be noted that a substantial proportion of parents in the continuing sample had changed their care-time arrangements. Any wave-by-wave differences in apparent of compliance behaviour for a particular care-time arrangement could therefore be possibly explained by systematic differences between the sub-samples with this arrangement in each wave, and/or changes associated with the passage of time since separation.

### *Reports of full compliance*

Figure 7.5 illustrates the proportions of father payers and mother payees who reported that the father fully complied with his obligations, according to the child's care-time arrangement and the survey wave. The parents are classified into six care-time arrangements—ranging from the child never seeing his or her father to the child spending equal time with each parent. The figure reveals that across all care-time arrangements and survey waves, father payers were more likely than the mother payees to report that payments were made in full and on time (reported by 66–77% of father payers and 26–55% of mother payees represented in the various survey waves). With one exception, the proportion of fathers reporting full compliance varied little according to care-time arrangements. The exception related to equal care time,

<sup>38</sup> There were too few cases where the mother was liable to pay child support to derive reliable estimates according to care-time arrangements.

where a slightly lower proportion of fathers in Wave 2 than in other care-time arrangements maintained that they were fully complying with their liability.



Notes: Data have been weighted. Includes parents who reported actual payment varied and actual payments which varied are considered as that amount of child support was not applied. Statistically significant relationship emerged between child support compliance and care-time arrangement for mother payees for each of waves ( $p < .001$ ).

**Figure 7.5: Child support payments made in full and on time, father payers and mother payees with study children < 18 years, by care-time arrangement and wave**

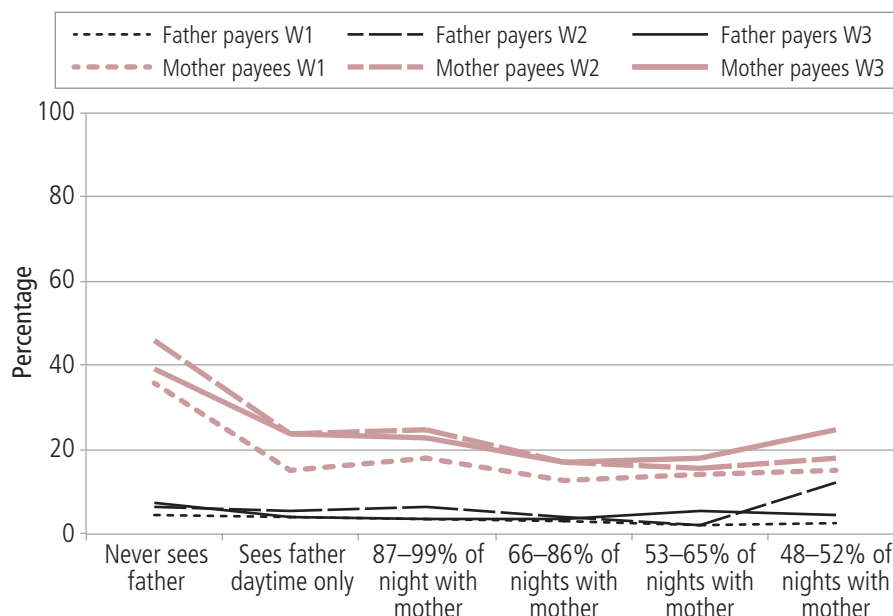
The reports of mother payees, on the other hand, suggest that fathers who never saw their child were considerably less likely than other fathers to fully comply with their liability. While each group of mothers in Wave 2 was somewhat less likely than their counterparts in Wave 1 to indicate that payments were fully complied with, the addition of Wave 3 data was not consistent with the notion that, regardless of care-time arrangements, full compliance with liability tends to fall as duration of separation increased. Nevertheless, mothers' reports suggested that some care-time arrangements were associated with higher rates of full compliance in Wave 1 than Wave 3.

For mother payees, the largest difference between Wave 1 and Wave 3 in reports of full compliance emerged where care time was equal (reported by 53% in Wave 1 vs 41% in Wave 3). On the other hand, no such differences between Waves 1 and 3 in payment compliance, from mother payees' reports, were apparent for the other two arrangements (where the child never saw the father (32–34%) or spent 53–65% of nights with the mother (49–50%). Some differences between Wave 1 and Wave 3 were also observed for care-time

arrangements where mothers cared for their child for 66–99% of nights and where the child saw his or her father during the daytime only.

## Reports of non-compliance in both amount and timing

Figure 7.6 depicts the proportions of father payers and mother payees who reported non-compliance in both the payment amount and timing, according to care-time arrangements and survey wave. Once again, it is important to keep in mind that the composition of parents in a particular care-time arrangement varies across the waves.



Notes: Data have been weighted. Includes parents who reported actual payment varied and actual payments which varied are considered as that amount of child support was not applied. Statistically significant relationship emerged between child support compliance and care-time arrangement for father payers in Wave 2 ( $p < .05$ ) and mother payees in each wave ( $p < .001$ ).

**Figure 7.6: Child support payments made neither in full nor on time, father payers and mother payees with study children < 18 years, by care-time arrangement and wave**

Across all survey waves, a higher proportion of mother payees than father payers in each care-time arrangement indicated that the father neither paid in full nor on time. The largest gender differences emerged where the father never saw his child (mother payees: 36% in Wave 1, 46% in Wave 2 and 39% in Wave 3). Fewer than 10% of father payers with this arrangement in the various survey waves said that the father paid neither in full nor always on time. The smallest gender difference emerged for equal care time in Wave 2, where 18% of mother payees and 12% of father payers reported non-compliance.

Fathers' reports varied little according to care-time arrangement. The largest difference emerged for Wave 2, where non-compliance was reported by 12% of fathers with equal care time and 2–7% of fathers with the other four arrangements.

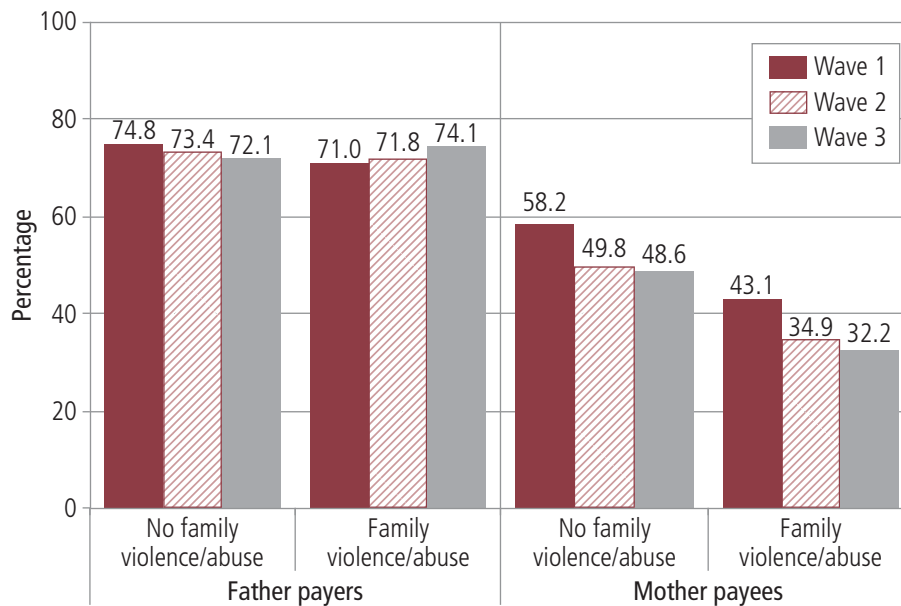
Non-compliance in both amount and timing was reported by a considerably greater proportion of mothers whose child never saw the father than other mothers.

## Compliance behaviour according to violence/abuse experiences

Parents who received more than the minimum rate of Family Tax Benefit Part A for a child are typically required to apply for a child support assessment, but can seek an exemption from this if they are at risk of experiencing family violence/abuse. As the ALRC (2012) noted, experiences of family violence/abuse

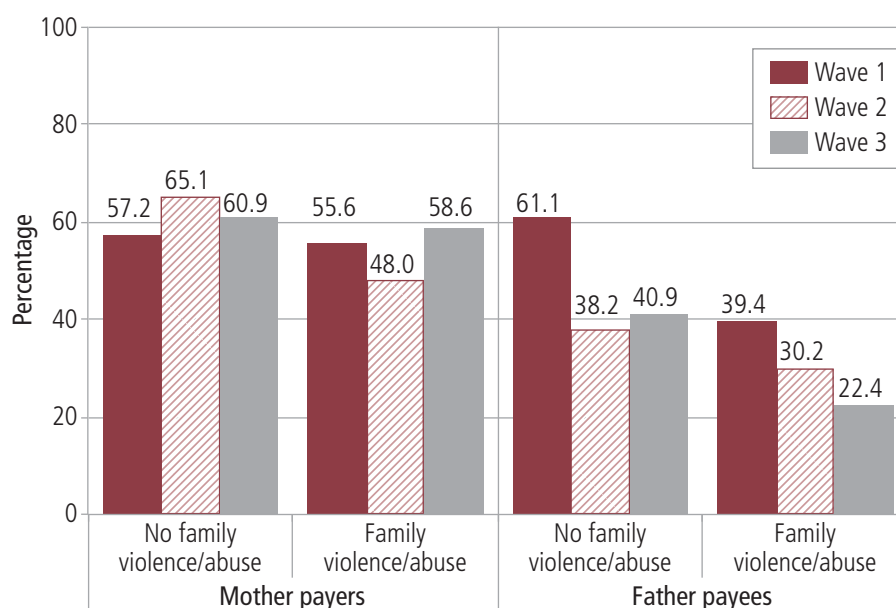
may lead a parent to avoid any interaction with the other parent. This includes any contact regarding child support payments, given that such contact may expose the parent to continuing controlling behaviours. More practically speaking, the victim may decide against seeking child support at the outset, may accept insufficient payments, change collection methods, or choose to end the arrangement.

Figures 7.7 and 7.8 (on page 127) depict the percentage of cases in which child support obligations are fully complied with, by whether violence/abuse had been experienced. Figure 7.7 compares mother payees who indicated that they had or had not experienced violence/abuse during the period investigated in each survey wave. Two groups of father payers are included for comparative purposes. Figure 7.8 provides the same information for mother payers and father payees.



Notes: Data have been weighted. Statistically significant relationship emerged between compliance with child support liability and experiences of family violence/abuse for mother payees in each of three waves ( $p < .001$ ).

**Figure 7.7: Full child support compliance by experiences of violence/abuse, father payers and mother payees with study children < 18 years, by wave**



Notes: Data have been weighted. Sample sizes from Waves 1 to 3, mother payers without experience of violence/abuse: 47, 67 & 104; mother payers with experience of violence/abuse: 153, 100 & 105; father payees without experience of violence/abuse: 91, 116 & 174; father payees with experience of violence/abuse: 176, 127 & 128. Relationship between compliance with child support liability and experiences of family violence/abuse is statistically significant for: father payees in Wave 1 and Wave 3 ( $p < .01$ ), mother payers in Wave 2 ( $p < .05$ ).

**Figure 7.8: Full child support compliance by experiences of violence/abuse, mother payers and father payees with study children < 18 years, by wave**

The figures reveal that for each survey wave, mother and father payees who experienced violence/abuse were less likely than those who had been free from such experiences to report that they received child support both in full and on time. More specifically, in Wave 1, full compliance was reported by 43% of mother payees who said they experienced violence/abuse before or during the separation, compared with 58% of other mother payees, and by 39% of father payees with such violence/abuse experiences, compared with 61% of other father payees.<sup>39</sup>

With one exception, payment compliance reported by payers did not vary significantly according to whether they had experienced violence/abuse. The exception was in Wave 2 for mother payers who experienced violence/abuse in the 12 months prior to their interview. These mothers were less likely than other mother payees to report that they fully complied with their arrangements.

## 7.3 Parents' views about child support payments

Whether it is to be paid or received, sense of fairness or unfairness about child support issues may well influence how parents relate to each other and the extent to which payers comply with their liability. A sense of fairness or unfairness may be associated, for example, with beliefs regarding whether the payments are excessive in terms of their affordability or children's needs. Whatever the reasons, payers who believe that the payments are unfair may be less inclined than other payers to meet their obligations, although these views may also arise at least partly as a post hoc rationalisation of non-compliance

<sup>39</sup> Of father payees in Wave 3, only 22% who experienced violence/abuse in the 12 months prior to this survey said that their child's mother fully complied with her child support liability. It should be noted, however, that this percentage is based on only 128 fathers. Further research needs to be undertaken to assess the reliability of this result derived after some five years of separation.



behaviour; that is, non-compliance may strengthen views about unfairness, thereby justifying non-compliance. This section examines the views of payers and payees regarding fairness and some more specific beliefs about the payments that may feed into views on fairness.

## *Sense of fairness about child support payments*

In each survey wave, parents were asked whether their “current amount of child support” was very fair for them, somewhat fair, somewhat unfair or very unfair for them. It is important to point out that some parents may have answered this question in relation to payment liability and others to the amount actually paid.<sup>40</sup> Parents were not asked to provide any reasons for their answers to this question. While the subsequent questions introduced in Wave 3 may throw light on this issue, other untapped reasons may have contributed to sentiments on fairness; for example, changes in care time may have made the current payment liability or actual amount paid seem fair or unfair.

Figure 7.9 (on page 130) shows the proportions of father payers and mother payees providing each of these responses, while Figure 7.10 (on page 130) presents the corresponding patterns of answers provided by mother payers and father payees.<sup>41</sup>

With one exception (mother payers in Wave 3), at least half of the parents in all groups provided favourable evaluations; that is, they said that the child support amount was very or somewhat fair. The proportions of father and mother payers who provided favourable evaluations decreased progressively across the survey waves (father payers: from 71% to 63%; mother payers: from 57% to 45%), while the proportion of payees indicating a sense of fairness was higher in Wave 1 than in the other waves, where the proportions were virtually identical (mother payees: 58% vs 53%; father payees: 62% vs 53–54%).

Whereas father payers were more likely than mother payees to provide favourable evaluations, the opposite was the case for mother payers and father payees. However, the difference was greater where father (rather than mother) was liable to pay child support. In fact, in all survey waves, father payers were the most likely of all groups to consider the current amount of child support to be either very or somewhat fair for them. The following proportions of parents indicated these views:

- Wave 1: 71% of father payers vs 57–62% of other parents;
- Wave 2: 66% of father payers vs 51–54% of other parents; and
- Wave 3: 63% of father payers vs 45–53% of other parents.

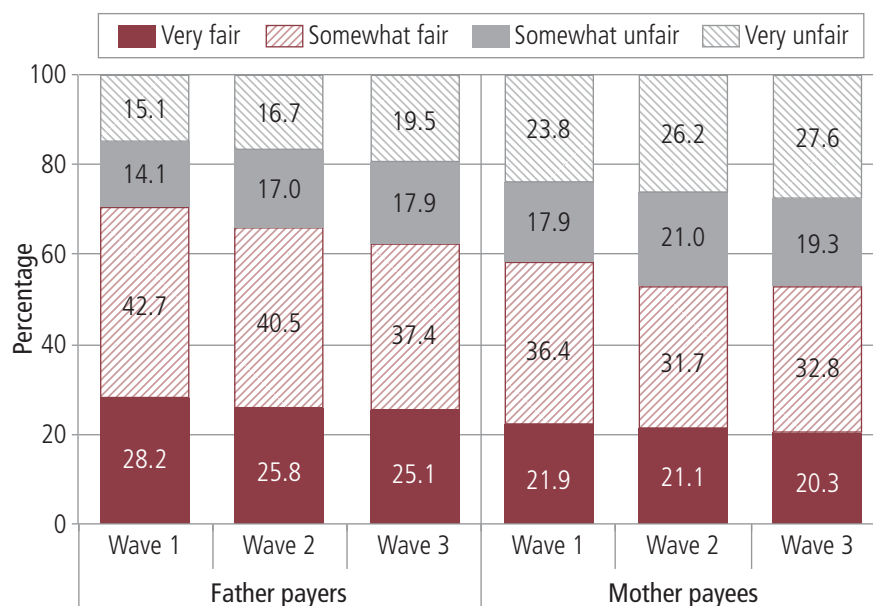
Mother payers were either as likely as, or more likely than, mother payees and father payers to provide such positive appraisals. The following proportions of parents considered the child support amount to be very or somewhat fair:

- Wave 1: 57% of mother payers vs 58–62% of mother payees and father payers;
- Wave 2: 51% of mother payers vs 53–54% of mother payees and father payers; and
- Wave 3: 45% of mother payers vs 53% of mother payees and father payers.

Table 7.5 (on page 130) shows the mean assessed amount of child support payment of father payers and mother payees set against their views about child support payments in Wave 3. Father payers who considered that their child support payment was very fair were required to pay the lowest mean amount of child support per week (\$97), followed by those who considered the amount of payment as somewhat unfair (\$127), while fathers with the view of very unfair or somewhat unfair were required to pay the highest mean amounts (\$157 and \$155, respectively). The opposite patterns emerged among mother payees. The mean assessment amount of child support was lowest for mother payees who reported the amount of payment as very unfair (\$62), while mothers who considered their current amount as very fair had the highest assessment payment (\$157).

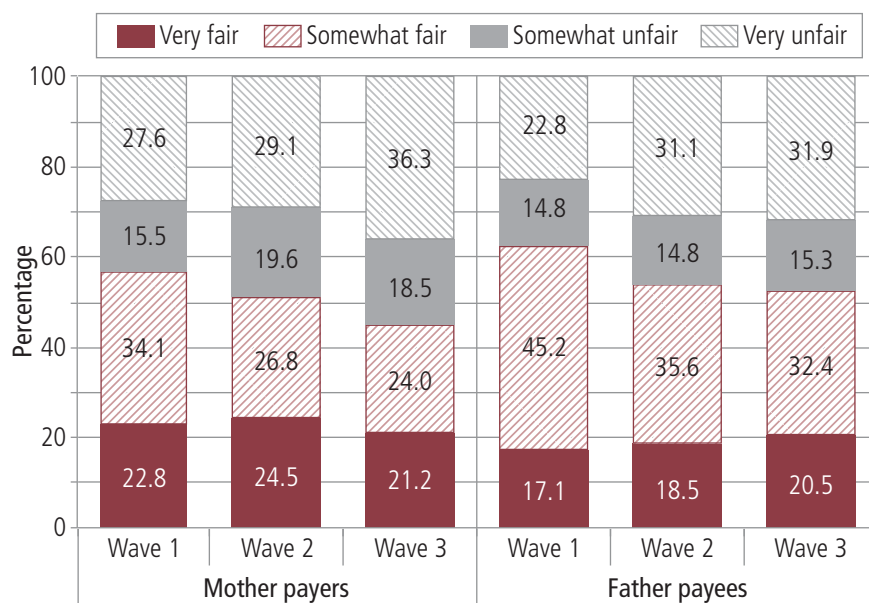
<sup>40</sup> In Wave 3, the two questions preceding that on fairness covered the amount of child support actually paid, then whether the payments were made on time. Other questions were introduced between these two sets in Waves 1 and 2.

<sup>41</sup> These percentage distributions also appear in Appendix E along with the percentage distribution of responses provided by all payers and by all payees (i.e., based on mothers and fathers combined).



Note: Data have been weighted.

**Figure 7.9: Sense of fairness about child support payments for self, father payers and mother payees with study children < 18 years, by wave**



Note: Data have been weighted.

**Figure 7.10: Sense of fairness about child support payments for self, mother payers and father payees with study children < 18 years, by wave**

**Table 7.5: Sense of fairness about child support by amount supposed to pay/receive per week (mean), father payers and mother payees with study children < 18 years, Wave 3**

Sense of fairness	Father payers (\$)	Mother payees (\$)
Very fair	\$97	\$157
Somewhat fair	\$127	\$128
Somewhat unfair	\$155	\$104
Very unfair	\$157	\$62
No. of participants	2,929	2,938

Notes: Data have been weighted.

### *Are payments affordable and to what extent do payers appear to begrudge paying?*

To throw further light on the non-compliance issue, payers were asked to indicate the extent to which they agreed or disagreed with the following statements:

- I can afford to pay the amount I am required to pay.
- I think that the amount I'm expected to pay is more than the amount needed by the children.
- I resent paying because I have no say on how the money is spent.
- I resent paying, given how much time I spend with (child's name).

Using the same response options, payees were also asked to indicate the extent to which they agreed or disagreed with statements that the other parent could afford to pay the amount required, believed the amount to be excessive, or resented paying because the payee had no say in how the money was spent or because payment was not commensurate with the time the payee was able to spend with the child.

In addition to responding to these issues, payees were asked to indicate their level of agreement or disagreement with a statement that the other parent would prefer not to pay in order to make life difficult for the payee.

The response options provided to participants were: "strongly agree", "agree", "neither agree nor disagree", "disagree", and "strongly disagree". Some parents volunteered that they were uncertain about specific statements and such responses were combined with "neither agree nor disagree". Figures 7.11 and 7.12 (on page 132) present the patterns of answers for payers and payees of each gender.

There was substantial agreement from payers with respect to the affordability of payments (78% of fathers and 64% of mothers) and very high levels of agreement from the payees (91% of mother payees and 83% of father payees) with respect to their former partners' capacity to pay.

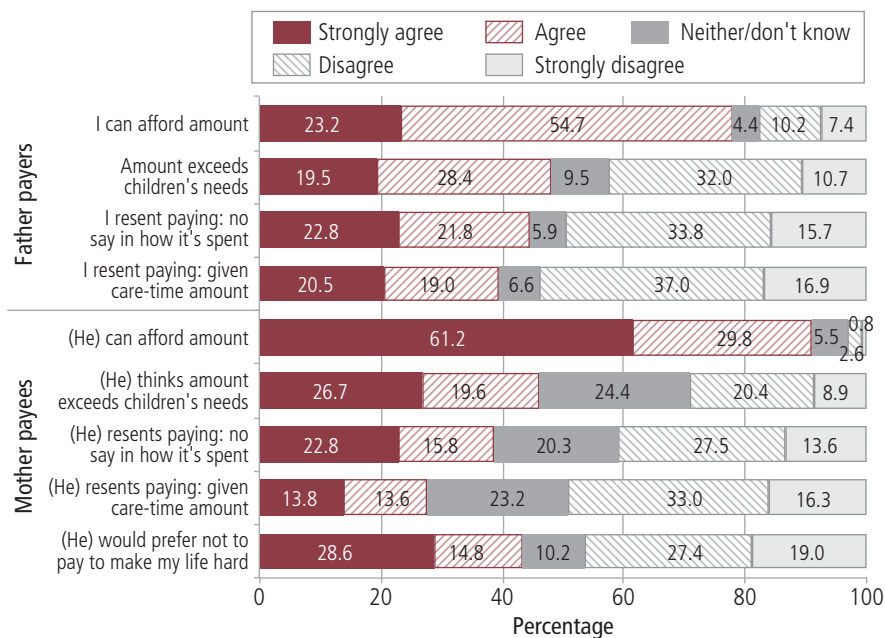
Nearly half the father payers thought that the amount they were paying was more than their children needed, while similar proportions of the receiving mothers suggested that this was what their former partners believed. This compares to 36% of mother payers thinking that the amount they were paying was more than their children needed, and 37% of receiving fathers reporting that this was what their former partner believed.

A little under half (45%) of the paying fathers and 39% of receiving mothers agreed or strongly agreed with the proposition that there was resentment with respect to paying because the father had no say in how the money was spent. About two in five paying mothers held a similar belief, while just over one-third (35%) of the receiving fathers thought this was the view of their former partners.

About two in five paying fathers and over one in four (28%) of receiving mothers agreed or strongly agreed with the proposition that there was resentment about how much time the father was spending with his child(ren). Among paying mothers, 37% held this view and 33% of receiving fathers agreed or strongly agreed that their former partners held such a view.

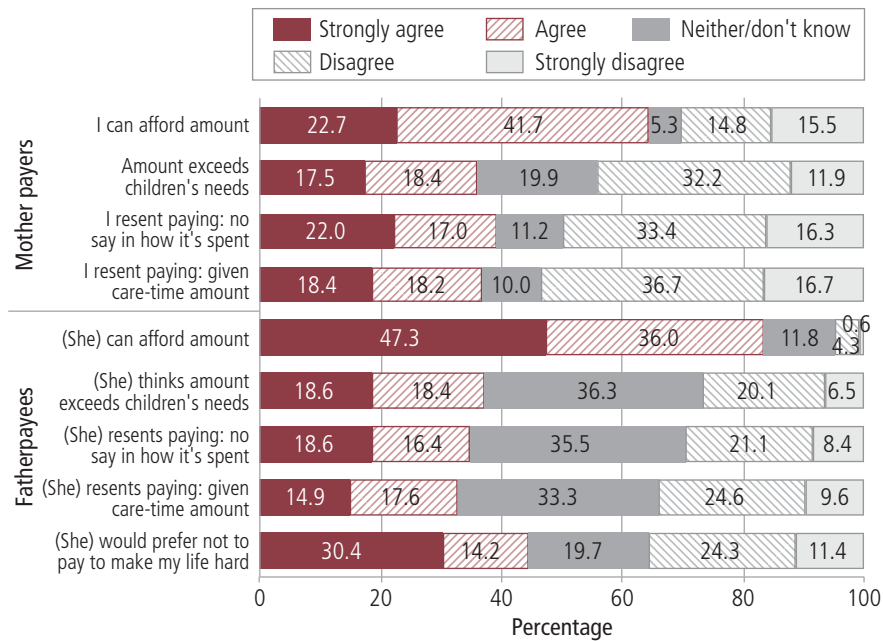
Finally, 43% of receiving mothers 45% of receiving fathers agreed or strongly agreed with the proposition that their former partners would prefer not to pay in order to make their (the receiving parent's) life difficult. This is a perplexing finding. It is possible that the response was influenced by the two preceding questions, both of which invited consideration of the possibility that a former partner might "resent paying". But in view of the earlier positive data on fairness and capacity to pay, it is also possible that the response is reflecting to some extent the respondent's assessment of the quality of the relationship with his or her former partner. Table 7.6 (on page 133) explores this proposition.

The table reveals a statistically significant near linear relationship between payees' assessments of their former partners' desire to make their lives difficult (by not meeting child support obligations) and their assessment of the quality of their post-separation relationship. Thus, only 13% of mother payees with friendly relationships agreed or strongly agreed that their children's father might prefer not to pay child support in order to make their lives difficult. The equivalent figure for father payees was 6%. At the other end of the spectrum, 85% of mother payees with fearful relationships and 76% of fathers with conflictual or fearful relationships agreed or strongly agreed that their children's other parent might prefer not to pay child support in order to make their lives difficult.



Notes: Data have been weighted.

**Figure 7.11: Views about child support affordability/willingness to pay, father payers and mother payees with study children < 18 years, Wave 3**



Notes: Data have been weighted.

**Figure 7.12: Views about child support affordability/willingness to pay, mother payers and father payees with study children < 18 years, Wave 3**

**Table 7.6: Payees' agreement that payer "would prefer not to pay to make life difficult for me", by quality of inter-parental relationship, Wave 3**

	Quality of inter-parental relationship ** (%)				
	Friendly	Cooperative	Distant	Lots of conflict	Fearful
<b>Mother payees</b>					
Strongly agree	5.9	13.7	40.6	69.3	77.6
Agree	7.3	14.2	22.1	18.2	6.9
Neither/don't know	5.1	11.3	14.6	5.2	11.7
Disagree	39.8	38.0	18.6	6.3	3.1
Strongly disagree	41.9	22.8	4.1	1.0	0.6
Total	100.0	100.0	100.0	100.0	100.0
No. of participants	784	897	893	395	165
<b>Father payees</b>					
Strongly agree	4.8	17.5	37.6	66.0	
Agree	1.6	12.8	23.2	10.0	
Neither/don't know	13.6	20.8	23.0	18.2	
Disagree	52.5	32.5	12.0	5.9	
Strongly disagree	27.5	16.5	4.2	0.0	
Total	100.0	100.0	100.0	100.0	
No. of participants	80	108	149	63	

Notes: Data have been weighted. Excludes a small proportion of parents who did not respond or did not know. Includes payees whose "focus child" was 18 years or older. Percentages may not total 100.0% due to rounding. \*\*  $p < .01$ ; relationship between extent of

agreement/disagreement and quality of inter-parental relationship is statistically significant for both mother and father payees.

## 7.4 Summary

In each survey wave (taken separately) about four in five parents reported that the father was required to pay, while between 4% and 8% of parents attributed payment liability to the mother. At the same time, 13–15% of fathers and 9–17% of mothers across all three waves indicated that there was no child support requirement. This general pattern of results is similar to that observed by De Maio et al. (2013).

Among the continuing sample, two-thirds of all fathers were payers and nearly three-quarters of all mothers were payees across all three waves. Around a quarter of all fathers and mothers experienced a change in status by Wave 3, the most common outcomes being more mothers becoming payees and fathers becoming payers.

Around nine in ten father payers and mother payees in Wave 1 indicated that they had the same liability status in Wave 3. Half of the mother payers and two-thirds of the father payees in Wave 1 had the same liability status by Wave 3. About two in five fathers (41%) and a little more than a quarter of mothers (27%) who had no liability in Wave 1 maintained this status of no liability in Wave 3. Two-thirds of mothers with no liability in Wave 1 became payees by Wave 3, while 43% of fathers with no liability in Wave 1 became payers by Wave 3. Much smaller proportions of these fathers and mothers with no liability in Wave 1 became father payees and mother payers.

In Wave 3, the total average that father payers claimed to be paying was \$131 per week, whereas the total average mother payees claimed to be receiving was \$111 per week. The total average that mother payers claimed to be paying was \$78 per week, whereas the total average father payees claimed to be receiving was \$61 per week. Perceived discrepancies remained, though not to the same extent, when the data were broken down according to the number of children requiring financial support.

According to both father payers and mother payees, use of Child Support Collect increased progressively across the survey waves, while Private Collect arrangements decreased. Just over one-third of the father payers and mother payees in Wave 1 indicated that payments were transferred via Child Support Collect, while nearly two-thirds said that payments were transferred privately. On the other hand, the proportion of Wave 3 father payers and mother payees reporting these two modes were similar. Where mothers were the payers and fathers the payees, modes of payments reported did not vary much across the survey waves.

According to all parent groups, payments were most often made in full and on time. This was followed by payments being made in full but not on time and then by payments being made neither in full nor always on time. The least likely outcome was that payments were made on time but not in full.

Payees were less likely than payers to report full compliance, and unlike payers, the proportions reporting full compliance was lower in Waves 2 and 3 than in Wave 1. The general pattern of results for mother and father payees in Wave 1 is consistent with that observed by De Maio et al. (2013) based on the SRSP 2012.

Across all care-time arrangements and survey waves, father payers were considerably more likely than the mother payees to report that payments were made in full and on time. The proportion of fathers reporting full compliance varied little according to care-time arrangements. The reports of mother payees suggest that fathers who never saw their child were considerably less likely than other fathers to fully comply with their liability.

For each survey wave taken separately, mother and father payees who experienced violence/abuse were less likely than those who had been free from such experiences to report that they received child support both in full and on time. Generally speaking, payment compliance reported by payers did not vary according to whether they had experienced violence/abuse.

With one exception, at least half of the parents in all groups said that the child support amount was very or somewhat fair. Indeed in all survey waves, father payers were the most likely of all groups to consider

the current amount of child support to be either very or somewhat fair for them. At the same time, the proportions of father and mother payers who provided favourable evaluations of fairness decreased progressively across the survey waves. The proportion of payees indicating a sense of fairness was higher in Wave 1 but virtually identical in the other two waves.

Father payers who considered that their child support payment was very fair were required to pay the lowest mean amount of child support, while fathers with the view of payments being very unfair or somewhat unfair were required to pay the highest mean amount. The opposite patterns emerged among mother payees.

There was substantial agreement from payers with respect to the affordability of payments and very high levels of agreement from payees with respect to their former partners' capacity to pay.

Nearly half the father payers thought that the amount they were paying was more than their children needed, and a similar proportion of mother payees believed that their former partners held this view. About one-third of mother payers thought that the amount they were paying was more than their children needed, and a similar proportion of father payees agreed that their former partner held this view.

A substantial minority of father payers and mother payees felt there was resentment with respect to paying because the payer had no say in how the money was spent or because the payer spent so much time with the child. This pattern also emerged among mother payers and father payees.

Finally, it was concerning to find that a little under half of mother and father payees believed their former partners would prefer not to pay in order to make their (the receiving parent's) life difficult. The prevalence of this finding might have been influenced by a possible priming effect, whereby each of the two previous questions had asked whether the parent's former partner might resent paying child support. At the same time, the data reveal a clear affiliation between propensity to hold this view and quality of post separation relationship.

## **Appendix D: Survey of Recently Separated Parents 2012 (SRSP 2012) Chapter 8**



## 8 Child support

This chapter provides an overview of child support experiences among SRSP 2012 parents. It examines parents' reported child support liability, methods of payment and compliance, as well as their perceptions of the fairness of the child support assessment.

Although, in principle, all parents registered with the DHS Child Support Program were registered as either paying or receiving child support, the analyses reported in this section are based on the participants' perceptions of this arrangement.

For simplicity, parents who reported that they were supposed to pay child support to the focus parent are often referred to as "payers" throughout this chapter. Similarly, parents who reported that they were supposed to receive child support from the focus parent are often referred to as "payees".

### 8.1 Child support liability

Parents were asked whether they were supposed to pay or receive child support for their children. The vast majority of parents reported that they were supposed to pay or receive child support, with one in ten parents reporting that they were not supposed to receive any child support (Table 8.1). Eighty-one per cent of fathers reported they were supposed to pay child support, while 85% of mothers reported that they were supposed to receive child support payments.

**Table 8.1: Liability to pay or receive child support, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Supposed to pay ("payer")	81.2	5.5	42.2
Supposed to receive ("payee")	7.5	85.4	47.7
Not supposed to pay or receive	11.3	9.1	10.1
No. of observations	2,811	3,227	6,038

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis (less than 1%).

When focusing on parents' child support liability by parenting arrangement status, most non-resident fathers (with whom the focus child spent less than 35% of nights) reported that they were supposed to pay child support, and most resident mothers (i.e., with whom the focus child spent more than 65% of nights) reported that they were supposed to receive child support (Table 8.2). For non-resident fathers, resident mothers and shared-care parents the same proportions of fathers were payers as mothers were payees. However, a higher proportion of resident fathers reported that they were payees than non-resident mothers reported they were payers.

**Table 8.2: Liability to pay or receive child support for children, by whether resident parent of focus child**

	Non-resident fathers	Resident mothers	Resident fathers	Non-resident mothers	Shared-care fathers	Shared-care mothers
Payer	91.1	1.2	17.2	46.4	71.9	14.7
Payee	0.6	92.3	64.7	24.1	10.6	70.7
Neither	8.3	6.5	18.1	29.6	17.5	14.7
No. of observations	1,175	2,420	330	109	742	522

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis (less than 1%). Percentages may not total exactly to 100.0% due to rounding.

## 8.2 Method of payment transfer

Parents who reported that they paid or received child support were asked how these payments were supposed to be made. As shown in Table 8.3, just fewer than two-thirds of parents reported that child support payments were made directly between parents, rather than through the Child Support Program (used by 33% of parents). Mothers' and fathers' reports were similar.

**Table 8.3: Method of transfer for child support payment, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Through the Child Support Program	32.1	33.0	32.5
Direct payment between parents	64.2	64.0	64.1
Other method (incl. "in-kind" payments)	3.8	3.1	3.4
No. of observations	2,485	2,895	5,380

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis (1%). Percentages may not total exactly to 100.0% due to rounding.

Patterns in payment methods showed slight variation when analysed by liability status. While direct payment was still the most common method of payment reported among both parents who paid child support and those who received it, more fathers who received child support reported that these payments were made through the Child Support Program (41%, compared with 31% of father payers, 32% of mother payers, and 33% of mother payees) (Table 8.4).

**Table 8.4: Method of transfer for child support payment, by liability status, father and mother reports**

	Payers (%)	Payees (%)	Total (%)
<b>Fathers</b>	(n = 2,130)	(n = 347)	(n = 2,477)
Through the Child Support Program	31.4	40.6	32.1
Direct payment between parents	65.0	54.5	64.1
Other method (incl. "in-kind" payments)	3.7	4.9	3.8
<b>Mothers</b>	(n = 243)	(n = 2,640)	(n = 2,883)
Through the Child Support Program	32.2	33.1	33.0
Direct payment between parents	62.9	64.0	63.9
Other method (incl. "in-kind" payments)	4.9	2.9	3.1

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis (1%). Percentages may not total exactly to 100.0% due to rounding.

Payment methods were also examined by parents' experiences of family violence before/during and since the separation. These analyses showed that higher proportions of parents who experienced family violence at any point reported that child support payments were made through the Child Support Program than those who did not experience family violence.

As Table 8.5 illustrates, just fewer than half the parents who reported having experienced physical violence before/during the separation said that payments were made through the Child Support Program (47% of payers and 48% of payees). This was substantially higher than the proportion of parents who had not experienced family violence before/during separation and who reported that payments were made through the Child Support Program (19% of payers and 16% of payees).

**Table 8.5: Method of transfer for child support payment, by experiences of family violence *before/during* separation, payer and payee reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Payers</b>	(n = 472)	(n = 976)	(n = 925)
Through the Child Support Program	47.3	37.3	18.6
Direct payment between parents	49.3	59.4	77.1
Other method (incl. "in-kind" payments)	3.5	3.3	4.3
<b>Payees</b>	(n = 939)	(n = 1,178)	(n = 870)
Through the Child Support Program	48.0	36.4	15.8
Direct payment between parents	49.9	60.6	80.0
Other method (incl. "in-kind" payments)	2.2	3.0	4.2

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis (1%). Percentages may not total exactly to 100.0% due to rounding.

Among parents who paid child support, the proportions who reported that payments were made through the Child Support Program were around three times higher among parents who had experienced physical violence since separation (52%) than among parents who had not experienced family violence since separation (18%) (Table 8.6). Similar patterns were seen among parents who received child support.

**Table 8.6: Method of transfer for child support payment, by experiences of family violence *since* separation, payer and payee reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Payers</b>	(n = 158)	(n = 1,231)	(n = 984)
Through the Child Support Program	52.3	40.7	17.7
Direct payment between parents	45.1	56.1	77.7
Other method (incl. "in-kind" payments)	2.6	3.2	4.6
<b>Payees</b>	(n = 267)	(n = 1,647)	(n = 1,073)
Through the Child Support Program	50.2	41.6	18.2
Direct payment between parents	48.1	55.5	78.2
Other method (incl. "in-kind" payments)	1.7	3.0	3.6

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis (1%). Percentages may not total exactly to 100.0% due to rounding.

## 8.3 Child support compliance

This section examines parents' reported compliance with the child support liability related to their children. Discussion will focus firstly on the level of compliance of parents paying the assessment amount, as reported by parents who are supposed to pay or receive child support. Following this will be a discussion on reported compliance by both the amount received and the timeliness of these payments. As outlined in Chapter 1 of this report, a programming error during data collection for the main survey resulted in a substantial proportion of participants not being asked questions about the amount paid/received or the timeliness of child support payments. Call backs were undertaken to rectify this, but the number of parents who paid child support who missed the question on timeliness was too substantial to include them in the analysis. For this reason, reported compliance by timeliness (section 8.3.1) is only shown for parents who received child support.

### 8.3.1 Compliance with assessed amount of child support

Almost two-thirds of parents who paid or received child support reported that they paid or received the full assessed amount, with a further 19% of parents reporting that they paid or received more than the assessed amount (Table 8.7). Reported compliance with the amount of child support paid or received was higher among parents who were supposed to pay child support than those who were supposed to receive it (with 95% of payers reporting they paid the full amount or more, compared with 73% of payees reporting that they received the full amount or more). One in ten parents who were supposed to receive child support reported that they received between \$21 and \$99 less than the assessed amount and 6% reported that the amount they received was \$100 or more below the assessed amount.

**Table 8.7: Compliance with assessed amount of child support, by liability status of participants**

	Payers (%)	Payees (%)	All parents (%)
<b>Full assessed amount</b>	<b>72.3</b>	<b>57.9</b>	<b>65.0</b>
<b>More than assessed amount</b>	<b>22.5</b>	<b>14.6</b>	<b>18.5</b>
\$1–20 more paid/received	7.5	7.6	7.5
\$21–99 more paid/received	9.2	4.9	7.0
\$100+ more paid/received	5.8	2.1	4.0
<b>Less than assessed amount</b>	<b>5.2</b>	<b>27.6</b>	<b>16.5</b>
\$1–20 less paid/received	1.3	9.9	5.6
\$21–99 less paid/received	2.7	11.3	7.0
\$100+ less paid/received	1.2	6.4	3.8
No. of observations	2,076	2,360	4,436

Notes: Data have been weighted. Percentages may not total exactly to 100.0% due to rounding.

Reports of transfers of less than the assessed amount were fewer among parents who paid child support than among parents who received child support, particularly fathers. For example, Table 8.8 shows that 5% of father payers reported that they paid less than the assessed amount, but 39% of father payees reported that they received less than the assessed amount.

Among parents who received child support, a higher proportion of fathers than mothers reported that they received less than the assessed amount (39% of fathers compared with 27% of mothers). Almost one in four fathers who paid child support reported that they paid more than the assessed amount (23%, compared with 13% of mothers who paid child support).

**Table 8.8: Compliance with assessed amount of child support, by liability status, father and mother reports**

	<b>Payers (%)</b>	<b>Payees (%)</b>	<b>All parents (%)</b>
<b>Fathers</b>	(n = 1,863)	(n = 257)	(n = 2,120)
More than assessed amount	23.2	9.1	22.2
<b>Full assessed amount</b>	<b>72.1</b>	<b>51.6</b>	<b>70.7</b>
Less than assessed amount	4.7	39.3	7.1
<b>Mothers</b>	(n = 213)	(n = 2,103)	(n = 2,318)
More than assessed amount	11.8	15.0	14.8
<b>Full assessed amount</b>	<b>75.3</b>	<b>58.3</b>	<b>59.4</b>
Less than assessed amount	12.9	26.7	25.8

Notes: Data have been weighted. Percentages may not total exactly to 100.0% due to rounding.

Patterns in reported compliance with the assessed amount, analysed by experiences of family violence, show some variation from the overall reports of compliance discussed above. A higher proportion of parents who had experienced family violence before/during or since the separation reported that the amount they paid or received was less than the assessed amount, compared with parents who had not experienced family violence. For example, Table 8.9 shows that 34% of payees who experienced physical violence before/during separation and 29% who experienced emotional abuse received less than the assessed amount, compared with 19% who had not experienced any family violence. Similar patterns were found when compliance with the amount of child support was analysed by experiences of family violence since the separation (Table 8.10).

**Table 8.9: Compliance with assessed amount of child support, by experiences of family violence before/during separation, payer and payee reports**

	<b>Physical hurt and/or unwanted sexual activity (%)</b>	<b>Emotional abuse (%)</b>	<b>No family violence (%)</b>
<b>Payers</b>	(n = 418)	(n = 875)	(n = 783)
More than assessed amount	17.2	20.9	26.6
<b>Full assessed amount</b>	<b>76.5</b>	<b>74.1</b>	<b>68.6</b>
Less than assessed amount	6.3	5.0	4.8
<b>Payees</b>	(n = 753)	(n = 949)	(n = 658)
More than assessed amount	11.7	14.7	17.5
<b>Full assessed amount</b>	<b>54.1</b>	<b>56.2</b>	<b>64.1</b>
Less than assessed amount	34.2	29.1	18.5

Notes: Data have been weighted. Percentages may not total exactly to 100.0% due to rounding.

**Table 8.10: Compliance with assessed amount of child support, by experiences of family violence *since* separation, payer and payee reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Payers</b>	(n = 147)	(n = 1,102)	(n = 827)
More than assessed amount	17.2	20.2	26.1
<b>Full assessed amount</b>	<b>78.9</b>	<b>74.5</b>	<b>68.6</b>
Less than assessed amount	3.9	5.3	5.3
<b>Payees</b>	(n = 203)	(n = 1,327)	(n = 830)
More than assessed amount	10.1	13.7	17.0
<b>Full assessed amount</b>	<b>52.8</b>	<b>55.1</b>	<b>63.2</b>
Less than assessed amount	37.1	31.2	19.8

Notes: Data have been weighted. Percentages with a sample size of fewer than 20 observations are not shown. Percentages may not total exactly to 100.0% due to rounding.

### 8.3.2 Compliance with amount and timeliness of child support

Although compliance with the assessed amount of child support is a good indicator of overall compliance, examining the timeliness of these payments in addition to the assessed amount provides further insight into parents' behaviours regarding child support liability. As discussed earlier, a programming error resulted in payers who pay the full assessed amount not being asked about the timeliness of payments, so the following analyses only show detailed compliance (amount and timeliness) from the perspective of parents who reported receiving child support (payees). Just fewer than half of mother payees reported that the focus parent fully complied with their child support liability (49%), which was slightly higher than father payees' reports (40%). Around 1 in 4 mother payees and 1 in 5 father payees reported that the focus parent paid the full amount of child support (or more) but that it was not always paid on time. Seven per cent of mother payees and 2% of father payees reported that they received less than the full amount of child support but that it was paid on time. A higher proportion of father payees (39%) reported that the focus parent did not comply with either the amount or timeliness of their child support liability, compared with mother payees (20%).

**Table 8.11: Compliance with amount and timeliness of payments made to parents who receive child support, father and mother reports**

	Father payees (%)	Mother payees (%)	All payees (%)
Fully complied	39.9	48.9	48.3
Complied with amount only	19.6	24.4	24.1
Complied with time only	1.7	6.6	6.2
Neither	38.8	20.2	21.5
No. of observations	243	2,070	3,313

Notes: Data have been weighted. The "refused" responses were excluded from this analysis (less than 1%). Percentages may not total exactly to 100.0% due to rounding.

Patterns in detailed compliance, when analysed by parents' experiences of family violence, show that parents who experienced family violence either before/during or since separation, reported lower proportions of full compliance from the focus parent.

Among parents who had not experienced family violence before/during the separation, the majority of payees reported that the focus parent fully complied with their child support liability (57% of fathers

and 64% of mothers). Conversely, higher proportions of parents who experienced either emotional abuse and/or physical violence before/during separation reported that the focus parent did not comply with either the amount or the timeliness of their child support liability. Among fathers, 43% who experienced physical violence and 46% who experienced emotional abuse did not receive the full amount on time, compared with 24% who had not experienced any family violence. Among mothers, 28% who experienced physical violence and 22% who experienced emotional abuse did not receive the full amount on time, compared with 11% who had not experienced any family violence. Similar patterns were seen when full compliance was analysed by experiences of family violence since separation (Table 8.13).

**Table 8.12: Compliance with amount and timeliness of payments made to parents who receive child support, by experiences of family violence *before/during* separation, father and mother reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Fathers' reports of focus parent</b>	(n = 65)	(n = 108)	(n = 70)
Fully complied	34.5	32.1	56.9
Complied with amount only	22.4	20.4	15.8
Complied with time only	0.0	1.3	3.8
Neither	43.1	46.2	23.6
<b>Mothers' reports of focus parent</b>	(n = 668)	(n = 824)	(n = 578)
Fully complied	36.6	47.6	63.7
Complied with amount only	29.5	24.7	18.4
Complied with time only	6.2	6.3	7.4
Neither	27.7	21.5	10.5

Notes: Data have been weighted. Percentages may not total exactly to 100.0% due to rounding.

**Table 8.13: Compliance with amount and timeliness of payments made to parents who receive child support, by experiences of family violence *since* separation, father and mother reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Fathers' reports of focus parent</b>	(n = 14)	(n = 140)	(n = 89)
Fully complied	–	31.7	56.3
Complied with amount only	–	20.9	16.3
Complied with time only	–	0.0	4.7
Neither	–	47.4	22.7
<b>Mothers' reports of focus parent</b>	(n = 182)	(n = 1,158)	(n = 730)
Fully complied	37.9	42.5	61.2
Complied with amount only	25.8	27.2	19.8
Complied with time only	5.6	6.5	6.9
Neither	30.8	23.8	12.1

Notes: Data have been weighted. Percentages with a sample size of fewer than 20 observations are not shown. Percentages may not total exactly to 100.0% due to rounding.

## 8.4 Perceived fairness of child support assessment

This section examines parents' perceived sense of fairness for themselves regarding the amount of child support that they were supposed to pay or receive.

Overall, the majority of parents considered the child support assessment in their case to be fair (22% very fair and 35% somewhat fair). A higher proportion of fathers than mothers considered the child support assessment to be very or somewhat fair for themselves (63% of fathers compared 52% of mothers).

**Table 8.14: Perceived fairness of child support assessment for self, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Very fair	26.1	18.6	22.3
Somewhat fair	36.7	32.9	34.7
Somewhat unfair	16.4	19.6	18.1
Very unfair	15.9	24.5	20.3
Don't know	4.8	4.4	4.6
No. of observations	2,830	3,261	6,091

Notes: Data have been weighted. The "refused" responses were excluded from this analysis (less than 1%). Percentages may not total exactly to 100.0% due to rounding.

Perceived fairness of the child support assessment varied when analysed by mothers' and fathers' liability status (Table 8.15), with 1 in 4 father payers reporting that the child support assessment was very fair for them, compared with 16% of father payees, 17% of mother payers and 19% of mother payees. Among parents with no liability to pay or receive child support, higher proportions of fathers considered this to be very or somewhat fair (67%), compared to mothers (49%). Between 15% and 16% of parents with no liability to pay or receive child support did not know whether this arrangement was fair or unfair for them, which was higher than for parents who either paid or received child support (3–9% for payees and 2–4% for payers).



**Table 8.15: Perceived fairness of child support assessment for self, by liability status, father and mother reports**

	<b>Payers (%)</b>	<b>Payees (%)</b>	<b>No liability (%)</b>
<b>Fathers</b>	(n = 2,125)	(n = 363)	(n = 304)
Very fair	26.1	15.8	35.6
Somewhat fair	37.7	35.5	31.1
Somewhat unfair	17.8	17.0	7.1
Very unfair	16.2	22.4	10.7
Don't know	2.2	9.4	15.6
<b>Mothers</b>	(n = 251)	(n = 2,666)	(n = 305)
Very fair	16.7	18.8	19.2
Somewhat fair	29.3	33.7	29.6
Somewhat unfair	19.7	20.5	12.7
Very unfair	30.3	24.2	23.8
Don't know	4.1	2.9	14.7

Notes: Data have been weighted. The "refused" responses were excluded from this analysis (less than 1%). Percentages may not total exactly to 100.0% due to rounding.

Parents who experienced family violence before/during the separation reported lower proportions of perceived fairness than those who had not experienced any family violence (Table 8.16). Among payers, 22% who had experienced physical hurt and 21% who had experienced emotional abuse before/during the separation perceived the child support assessment to be very fair for them, compared with 32% of payers who had not experienced family violence before/during the separation. Payees who experienced physical violence before/during the separation reported the lowest proportion of perceived fairness overall, with only about 1 in 10 considering the amount they were supposed to receive to be very fair. Further, 35% of these parents considered the child support amount to be very unfair for them, compared with 12% of payees who had not experienced family violence before/during separation. Similar patterns were found when examining perceived fairness of child support by experiences of family violence since the separation (Table 8.17).

**Table 8.16: Perceived fairness of child support assessment for self, by experiences of family violence before/during separation, payer and payee reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Payers</b>	(n = 474)	(n = 979)	(n = 923)
Very fair	21.5	20.7	31.9
Somewhat fair	32.2	35.6	40.9
Somewhat unfair	20.3	20.3	14.6
Very unfair	24.0	21.2	10.1
Don't know	2.1	2.2	2.5
<b>Payees</b>	(n = 950)	(n = 1,194)	(n = 885)
Very fair	12.0	16.4	27.7
Somewhat fair	29.2	33.6	38.7
Somewhat unfair	21.8	20.9	17.9
Very unfair	34.7	24.9	12.2
Don't know	2.2	4.2	3.6

Notes: Data have been weighted. The “refused” responses were excluded from this analysis (less than 1%). Percentages may not total exactly to 100.0% due to rounding.

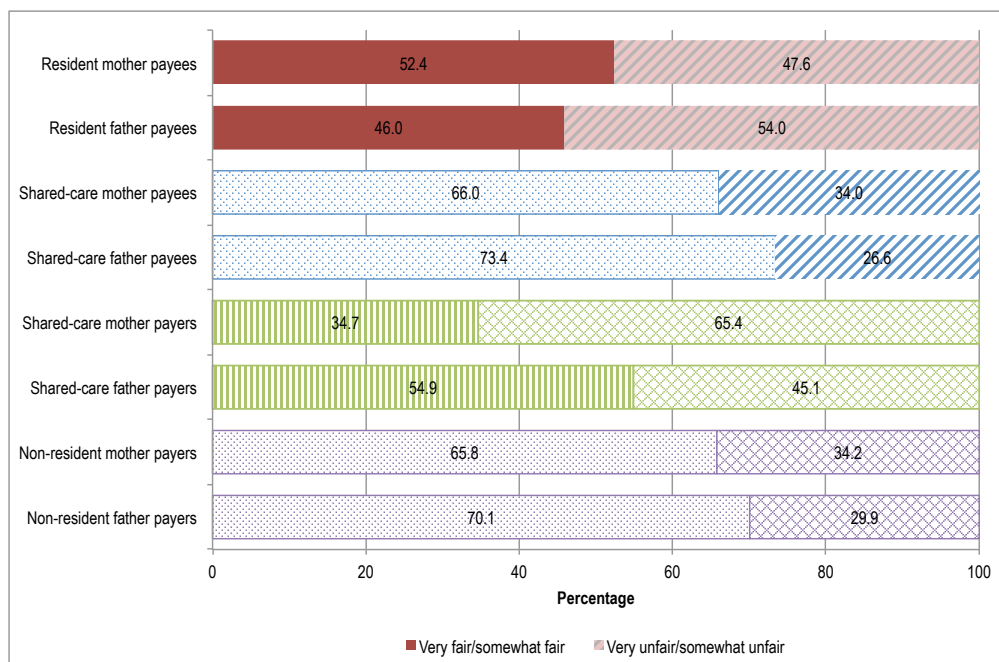
**Table 8.17: Perceived fairness of child support assessment for self, by experiences of family violence since separation, payer and payee reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Payers</b>	(n = 160)	(n = 1,233)	(n = 983)
Very fair	18.6	20.3	32.4
Somewhat fair	26.5	34.0	42.4
Somewhat unfair	23.7	20.1	14.5
Very unfair	29.1	23.0	8.6
Don't know	2.1	2.6	2.1
<b>Payees</b>	(n = 269)	(n = 1,668)	(n = 1,092)
Very fair	11.7	13.7	27.2
Somewhat fair	29.5	31.5	38.1
Somewhat unfair	22.1	21.4	18.2
Very unfair	36.2	29.5	13.2
Don't know	0.5	3.9	3.4

Notes: Data have been weighted. The “refused” responses were excluded from this analysis (less than 1%). Percentages may not total exactly to 100.0% due to rounding.

Figure 8.1 shows parents’ perceptions of fairness regarding the child support amount, by their liability status and by three broad categories of parenting arrangements that were in place for their children. For the purposes of this analysis, the term “resident” is used where the focus child stayed with the mother or father between 66–100% of nights per year; “non-resident” is used where the focus child stayed with the mother or father less than 35% of nights per year; and “shared-care” is used when the focus child stayed with the mother or father between 35–65% of nights.

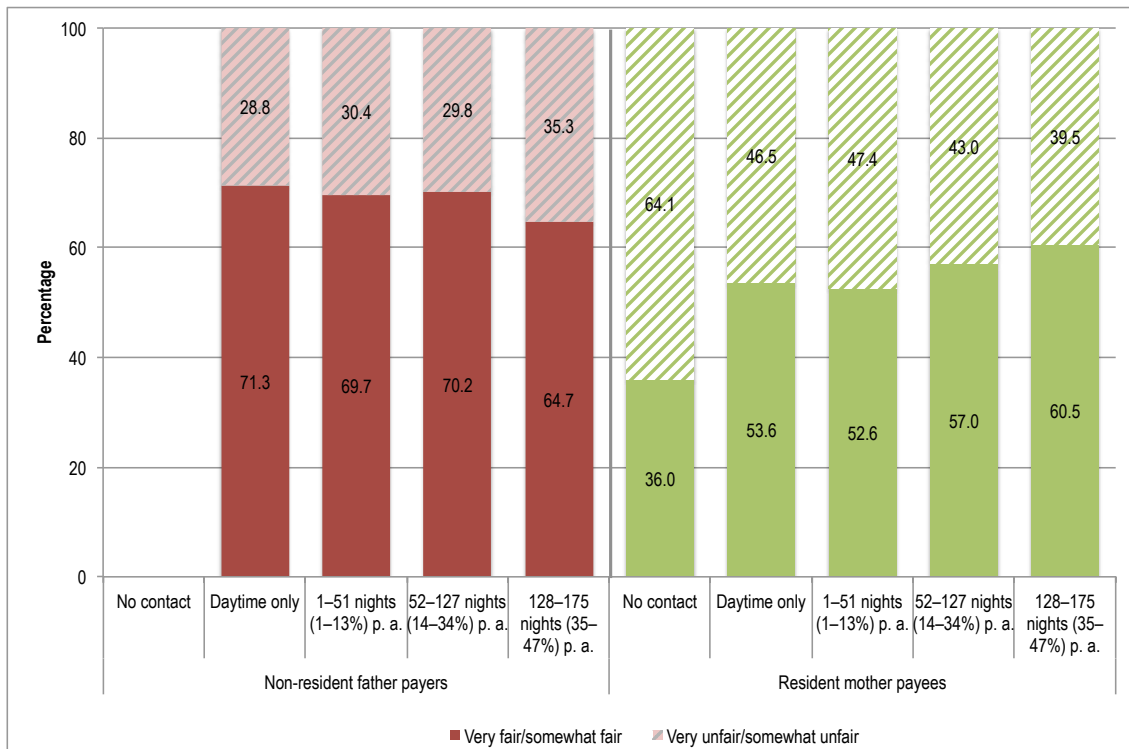
Overall, non-resident parents who paid child support and parents with shared-care arrangements who received child support had the highest proportions of parents who perceived the child support amount to be fair (between 64–69%). Three-fifths (61%) of mothers in shared-care arrangements who paid child support considered the child support amount to be unfair, compared with 44% of fathers in the same position.



Notes: Data have been weighted. No. of observations: n = 4,647. The “refused” responses were excluded from this analysis (less than 2%). Percentages may not total exactly to 100.0% due to rounding.

**Figure 8.1: Perceived fairness of child support for self, by liability status and parenting arrangements**

Perceptions of fairness regarding the child support amount were also analysed by the number of nights that the focus child stayed overnight with the non-resident parent (Figure 8.2). Almost two-thirds of mother payees who had a focus child with no contact with the focus parent, considered the amount of child support to be unfair. In comparison, where the focus child had any contact with the focus parent, 53–61% of mother payees perceived the amount of child support to be fair. The vast majority of father payers considered the child support amount to be fair, with slightly lower proportions reporting this among father payers with whom the focus child stayed for 35–47% of the nights per year.



Notes: Data have been weighted. No. of observations: non-resident fathers,  $n = 1,313$ ; resident mothers,  $n = 2,351$ . Data are not shown where the sample size is fewer than 20 observations. The “don’t know” and “refused” responses were excluded from this analysis (less than 5%). Percentages may not total exactly to 100.0% due to rounding.

**Figure 8.2: Perceived fairness of child support for self, by liability status and care-time arrangements**

## 8.5 Summary

### 8.5.1 Child support liability

The vast majority of parents reported that they either paid or received child support, with 1 in 10 parents reporting that they did not have to pay or receive child support. The majority of fathers reported that they paid child support (81%), while the majority of mothers reported that they received child support (85%).

### 8.5.2 Method of payment transfer

Most parents (64%) reported that child support payments were made directly between parents, while 33% reported that their payments were made via the DHS Child Support Program. More parents used the Child Support Program as the method of child support payment transfer where they had experienced family violence either before/during or since the separation. For example, 50–52% of parents who had experienced physical violence since the separation reported that child support payments were made through the Child Support Program, compared with 18% of parents who had not experienced family violence since the separation.

### 8.5.3 Child support compliance

Overall, most parents reported that they paid or received at least the full assessed amount of child support (84%, which includes 18% of parents who paid/received more than the assessed amount).

Payees of child support, particularly those who had experienced family violence, reported higher proportions of non-compliance with the assessed amount. For example, 37% of payees who had

experienced physical violence and 31% who had experienced emotional abuse since the separation reported that they received less than the assessed amount (compared with 20% of payees and 5% of payers who had not experienced family violence since the separation).

Among payees of child support, 48% of parents reported that they received the full amount of child support and that the payments were always or mostly made on time; 24% of parents reported that they received the full amount but it was never or rarely on time, 6% reported that they received less than the assessed amount, but that this payment was always/mostly on time and 22% reported that the focus parent did not comply with either the amount or timeliness of payments. Payees who had experienced family violence reported higher proportions of non-compliance than those who had not experienced family violence. For example, among parents who experienced physical violence before/during separation, 43% of father payees and 28% of mother payees reported that the focus parent did not comply with either the amount or timeliness of child support (compared with 24% and 11% of father and mother payees respectively who had not experienced family violence).

#### 8.5.4 Perceived fairness of child support

The majority of parents reported that they considered the child support amount they paid/received was somewhat or very fair (63% of fathers and 52% of mothers). Higher proportions of parents who perceived the amount of child support they paid/received as somewhat or very unfair were seen among parents who had experienced family violence either before/during or since the separation, compared to parents who had not experienced any family violence. When analysed by care-time arrangements, most parents perceived the amount of child support as fair, with the exception of fathers with majority care time, mothers with shared care who pay child support and mothers who receive child support where the child has no contact with the focus parent.