Increasing fathers’ involvement in their children’s lives post-separation, encouraging parental agreement without lawyers and courts, and protecting children from family violence and abuse were key aims of major Australian family law and process changes from 2006 to 2008. The changes included significant amendment to the parenting provisions of the *Family Law Act 1975* (Cth) (FLA), the introduction of pre-filing family dispute resolution (FDR) for parenting disputes in most cases (along with the establishment of 65 federally funded Family Relationship Centres to help provide this), and a new Child Support formula from July 2008 (reflecting the shared parenting ethos of the FLA changes).

Our three-year qualitative study, conducted from 2009 to 2011, aimed to explore links over time between parenting arrangements (especially shared time) and financial arrangements (property, child support and spousal maintenance). The impetus for the study was previous research finding that there tends to be “maternal drift” (Brown, Joung, & Berger, 2006) from shared parenting time back towards primary mother care in the few years after parental separation (e.g., Maccoby & Mnookin, 1992 [US]; Juby, Marcil-Gratton, & Le Bordais, 2005 [Canada]; Smart & Neale, 1999 [England]; Smyth, Weston, Moloney, Richardson, & Temple, 2008 [Australia]). Our main aim was to explore how post-separation parenting arrangements were related to financial arrangements over the three years of our study, and in particular whether mothers and children suffered financial disadvantage if time sharing reverted to primary mother care.

We interviewed the same 60 separated parent volunteers in Victoria once a year over three years (2009–11) (see Box 1: Sample characteristics and Box 2: Methodology on page 30). Given our particular study aims (see above), we sampled purposively, oversampling those with post-separation shared-time parenting arrangements who could provide information relevant to addressing our aims. In Year 3 (2011), we included a sub-
Some of family violence was described by 32 participants (see text). Gross personal incomes ranged from $7,000 to $127,000 per annum (ex-partners’ incomes were often higher). Family violence was described by 32 participants (see text).

Sixty parent volunteers were recruited for the study in 2009.

<table>
<thead>
<tr>
<th>Characteristics of the 60 parent volunteers recruited in 2009</th>
<th>N</th>
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<tr>
<td>Fathers</td>
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<tr>
<td>Mothers</td>
<td>40</td>
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<tr>
<td>Age of parent (average 40 years)</td>
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<tr>
<td>20s or 30s</td>
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<tr>
<td>Not previously married (2 never lived with a partner)</td>
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<tr>
<td>Age of children (many had children of mixed ages)</td>
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<tr>
<td>Has preschool children (aged 0–4 years)</td>
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</tr>
<tr>
<td>Has primary school children (5–11 years)</td>
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<tr>
<td>Has secondary school children (12–18 years)</td>
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<tr>
<td>Part-time</td>
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<td>Degree or higher</td>
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<td>Equal shared care (at least 46% of nights/time each)</td>
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<tr>
<td>Substantial shared care (at least 30–45% of nights/time each)</td>
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</tr>
<tr>
<td>Traditional care (primary carer &gt; 70% of nights/time)</td>
<td>28</td>
</tr>
</tbody>
</table>

The research was conducted as a three-year longitudinal qualitative study from 2009 to 2011.

Recruitment

Sixty volunteer parents, separated or divorced, resident in Victoria, Australia, were recruited via:
- newspaper and online advertisements;
- study brochures in reception at mediation/FDR services and mailed out with final orders of the Family Court of Australia and Federal Magistrates (now Circuit) Court; and
- information about the study provided to lawyers through the Family Law Sections of the Law Council of Australia and the Law Institute of Victoria.

The eligibility criteria for the parents were:
- at least one child under 16 years of age from a previous relationship; and
- separated from their child’s other parent after June 2006 (most had been separated for one to three years; around two years on average); and
- not in Family Law Court proceedings, nor expected to be within 6 months.

Interview methodology and data analysis

Interviews were semi-structured, face-to-face and usually took between one and two hours, with the Year 1 interview often taking longer. Only one parent per family was interviewed, so there are no couple data. Interviews were conducted in English (although our participants included non-Australian born parents and new immigrants) and were recorded, transcribed, manually coded and analysed. All four members of the research team were actively involved in the interview, coding and analysis process, which involved cross-checking and discussion of individual team members’ coding sheets, along with identification and discussion of themes, from Year 1 of data collection. We thus used both a thematic analysis and a systematic analysis.

A sub-sample of 22 children was interviewed in Year 3, adopting the same approach. Permission was given by the parent involved in the study and interview protocols were supervised by a trained child psychologist. The children were aged from 10 to 18 years and included 5 sets of siblings.

All participants, including the children, were paid $25 for each interview.

Attrition

Participant attrition is a key challenge for longitudinal research but was low for our study. All 60 parents completed two interviews, but 56 parents completed all three interviews (one per year): four parents had completed only two interviews because at Year 3 two declined re-interview, one could not be contacted and one had reconciled with his former wife.

Box 1: Sample characteristics

Box 2: Methodology
sample of 22 children of our parent participants (most were aged 11–16 years).

To our knowledge, no similar research has been undertaken in Australia or elsewhere. The Australian Institute of Family Studies’ Evaluation of the 2006 Family Law Reforms (the AIFS Evaluation: Kaspiew et al., 2009) found some evidence (mainly from legal system professionals) that the changes were encouraging fathers to seek shared time outcomes, and that this was having an effect on financial negotiations and settlements. The report concluded that “there is still much we don’t know about the connections between financial and parenting arrangements” (p. 222). The richness of our qualitative, longitudinal data builds on existing knowledge by providing a sense of parents’ diverse descriptions and experiences of their post-separation parenting and financial arrangements post-2006, and offers an opportunity to deepen our understanding of the findings of larger, quantitative studies, such as the AIFS Evaluation.

The following is an overview of key findings to emerge from our project. More detailed findings have been published in Family Matters (Fehlberg, Millward, & Campo, 2011; Millward, Campo, & Fehlberg, 2011) and elsewhere (e.g., Fehlberg, Millward, & Campo, 2009, 2010; Campo, Fehlberg, Millward, & Carson, 2013), or are forthcoming (Fehlberg, Millward, & Carson, in press).

Since our study began, there has been continuing evolution in FDR and legal practices and processes, and further legislative amendment in relation to family violence, through the Family Law Legislation Amendment (Family Violence and Other Measures) Act 2011 (Cth). Some of the issues we identify may therefore have been addressed, although the extent to which this is so is unclear. Significant developments are noted throughout the paper.

Pathways to parenting and financial arrangements

Consistent with the AIFS Evaluation findings (Kaspiew et al., 2009, Chapter 4), the parents in our study arrived at their parenting and financial arrangements in several ways: informally (just between themselves), by using FDR (including mediation), by using lawyers, and sometimes as a result of court orders (usually by consent) (Fehlberg, Millward, & Campo, 2009, 2010). Specifically, just over half (35) had used both FDR and family law services for parenting matters and/or property division. A further 14 had used family law services (especially lawyers and sometimes courts) but not FDR. Eight had used neither FDR nor legal services, and four had used FDR but sought no legal advice. Thus, a total of 12 parents had no legal advice about parenting or property arrangements. At least eight participants indicated that FDR was attempted in relation to both parenting and financial matters (primarily property division).

Parents in our study were, however, more likely to use FDR for parenting matters and to use family law services for financial (especially property) matters, reflecting a greater availability of FDR services for dealing with parenting matters (Fehlberg, Smyth, & Fraser, 2010). Most who had accessed FDR had done so between 2006 and 2008. Since then, the Australian Government’s Better Partnerships’ Legal Assistance Partnerships Program, piloted from 2009, has led to lawyer-assisted FDR in some cases, including some relating to financial disputes (McClelland, 2009, Moloney et al., 2011), but the availability of these services varies between Family Relationship Centres, and using FDR for financial matters remains uncommon.

Half of the 60 parents in our study used both FDR/mediation services and legal services. Parents’ descriptions of the services used were consistent with the AIFS Evaluation data, which indicated “considerable overlap between client use of lawyers and client use of FDR” (Kaspiew et al., 2009, pp. 109–110). Those who used both types of services commonly described having uncooperative, dominating and sometimes violent or abusive ex-partners who undermined the FDR process and rendered it ineffective, at which point legal services were accessed.

“Sally” said that one year after separation, she and her ex-husband had attended voluntary mediation conducted by a major provider of family relationship services. Sally was very dissatisfied with the process, saying that her ex-husband “never listens. He is like a stone wall. You cannot penetrate ... There’s no negotiation, you know; it’s just ‘Bang, that’s it’ ... He only operates in a lawyer-type forum.” She described experiencing pressure from the FDR practitioner to enter a parenting plan for shared time for their two children (then aged 2 and 3 years). Litigation for four years regarding parenting and property—costing Sally more than $80,000—resulted in adjudicated parenting orders for a complicated substantial time arrangement (involving a 21-day cycle, with Sally having most of the weekday care) and consent property orders.

Our study included parents who said FDR was attended in order to meet the pre-filing FDR requirement (FLA s60l) introduced in 2006, but also cooperative parents who utilised
Whether parents used FDR or family law services, positive experiences and outcomes were more likely when parents were cooperative, child-focused and able to negotiate.

Will described his post-separation relationship with his ex-partner as cooperative and mainly amicable. He had sought FDR at a Family Relationship Centre a few months after separation in order to discuss and firm up parenting arrangements. "I found it was helpful for me because, I suppose, it helped sort of legitimise my concerns and my problems … [My ex-partner] had reservations about how [shared time] was going to work … It acted as a sounding board, I suppose, for our fears and reservations and hopes.”

Whether parents used FDR or family law services, positive experiences and outcomes were more likely when parents were cooperative, child-focused and able to negotiate. However, parents’ reasons for satisfaction with FDR and family law services differed in some respects. Those expressing satisfaction with FDR referred to reaching agreement, avoiding escalation of conflict and legal costs, the value of having a third party facilitate communication with the other parent, having timely access to FDR services, and the support and information provided by FDR services as positive aspects of their experience. Those expressing satisfaction with family law services referred to the reliable advice and supportive service they had received. A common element appeared to be that participants greatly appreciated feeling supported by service providers—an element which, in cases where parents are not cooperative, may be easier to meet for lawyers, as advocates for their clients, than for FDR practitioners, who must be independent of the parties (FLA s 10F(b)).

Parents’ reasons for dissatisfaction with FDR and family law services also differed in some respects. Parents were particularly critical of the limits of FDR in overcoming dominating or controlling ex-partners (see Sally’s case study above). Parents’ reports in our study were also broadly consistent with the AIFS Evaluation finding that 35% of parents with safety concerns “indicated their fears weren’t adequately addressed” during FDR (Kaspiew et al., 2009, p. 241). While the legal system did not necessarily control dominating ex-partners (as in Sally’s case), parents with legal representation were less directly exposed to that behaviour. Criticisms of family law services focused more on the poor quality of the legal services received (including experiencing pressure from the lawyer to agree to shared time; a complaint also commonly voiced by those attending FDR), the high financial cost of the legal services, and the legal proceedings not leading to fair outcomes.

The observations of some parents underlined the challenges in ensuring that the right services are available to families at the right time. Similar to Maccoby and Mnookin’s groundbreaking study (1992, pp. 247–248), and more recent AIFS research (Qu & Weston, 2010), we found that if parental hostility cooled over time, parents were more likely to become disengaged than cooperative, but relationships that were initially detached rather than hostile could become more cooperative over time. At Year 3 (2011), three parents (all mothers) reported a change in communication with their ex-partner over time, with a gradual dulling of the stress and conflict experienced in the initial post-separation period. Reflecting on their experiences, two felt that they had attended FDR at a point when they were emotionally fragile and not able to participate effectively. Consistent with recent AIFS research (Qu & Weson, 2010), several parents attended two or three rounds of FDR over the course of our study. Experiences of FDR continued to be mixed: some parents described later FDR as being more satisfactory and others not, with the key factor once again appearing to be the extent to which the relationship was or had become more cooperative.

Post-separation parenting over time: Some “maternal drift”

For most parents in our study, parenting arrangements did not change markedly over the three years. Overall, primary parenting arrangements, where children lived mainly with one parent (usually their mother), were the least likely to change, followed by ongoing substantial time (at least 30–45% of nights with each parent), followed by ongoing equal time (at least 46% of nights with each parent). When change occurred, it was usually from shared time to primary parenting time (usually with the mother). Less often, change was in the opposite direction, from primary to shared time, but in all these cases, the change resulted in increased time with the father, almost always at his instigation.
Other recent Australian research has found similar patterns of parenting stability and prevalence of mother’s primary care (e.g., Kaspiew et al., 2009; McIntosh, Smyth, Kelaher, Wells, & Long, 2010), as well as a tendency for increased time being spent with fathers once children are older and at school (e.g., Qu & Weston, 2010). The patterns we found were also broadly consistent with mothers’ continuing greater responsibility for care of children in intact relationships (Baxter, Gray, & Hayes, 2010).

Parenting arrangements: Key themes

Key themes to emerge from our parenting data were: the importance of having cooperative, flexible and child-focused parenting relationships, regardless of the parenting time split; the ongoing role of mothers as the main caregivers and decision-makers for children, regardless of the time split; fathers’ satisfaction with shared time; the often divisive role played by new partners; and the negative effects of family violence when perpetrators continued to exercise control through parenting arrangements.

Cooperative, child-focused parenting relationships

Consistent with previous research (Kaspiew et al., 2009; Smyth, Caruana, & Ferro, 2004; Sodermans, Matthijs, & Swicegood, 2013), we found that shared time seemed to work best for parents and children when mutually agreed by parents who were civil, cooperative, flexible and child-focused.

After her parents’ separation three years previously, Miranda, aged 15, chose to live with her mother. Miranda described recent conflict with her mother and emphasised how much she enjoyed spending every second weekend with her father. Miranda also had lots of flexibility in relation to changing arrangements. While she said she would like to spend more time with her father, she also said that, “I think the reason why I love going to Dad’s, when I do it, is limited time, so it’s really special”. While Miranda mentioned some logistical problems (her father lived a half hour away by car, so the driving could be “annoying”, and the packing and unpacking meant she sometimes forgot things), these were not significant issues for her.

Mothers as the main caregivers and decision-makers

When fathers had shared children’s care before separation, the transition to shared time after separation appeared easier. Even so, both mothers and fathers said that mothers had been the main managers and facilitators in children’s lives, and commonly this continued to be the case after separation, even in shared time arrangements.

Paula’s two sons were aged 5 and 3 in Year 1 of our study. She described an amicable post-separation substantial shared time arrangement with her ex-partner, reached through private discussion and without use of services. The children had spent 6 of 14 nights with their father since separation in 2008, but Paula said she was responsible for the bulk of the parenting work: “I am the one who does all the driving around during the week to school and back. I feed them dinner on Friday night before he picks them up, and bath them and all of that, and give them breakfast and all of that when he drops them back off”.

Shared time seemed to work best for parents and children when mutually agreed by parents who were civil, cooperative, flexible and child-focused.
Ongoing maternal organisational responsibility and “gate keeping” has also been noted by other studies (e.g., Smart & Neale, 1999; Trinder, 2008). Mothers who had been primary parents, especially of very young children, were particularly concerned that shared time was disruptive for their children’s development and/or had concerns about the children’s health and wellbeing when with the other parent.

Maria and her ex-husband had a substantial shared time arrangement for their two primary-school-aged boys, formalised in consent orders and agreed to by her under pressure when her husband took her to court seeking shared time, soon after the 2006 amendments came into effect. “I was satisfied when it was every alternate weekend and weekly contact. I’m not satisfied now. The children are not satisfied, and therefore I’m not satisfied … They find it tiring; they find it confusing … They don’t like being with Dad as much now … Before, he was the good time entertaining Dad and now he’s stressed to the max … if I was a really selfish person, this whole deal has been best for me, because I’ve actually got more time to myself.”

However, mothers often also expressed concern that fathers did not see their children enough, that they needed a break themselves, had money worries, and had difficulties juggling paid employment and parenting.

Alice was the primary carer of two children aged 4 and 2 at Year 1 of our study. Her ex-partner had care of the children every Sunday during the day so that Alice could go to work. Alice would have preferred his greater involvement, for her children’s and her own sake: “It is not fair. You know, one night a week sleepover would be rather nice. But I don’t know, because I don’t think he can cope with it, so therefore they are exposed to his moods and attitudes and behaviours.”

Sometimes, mothers’ concerns diminished over time as parents and children adjusted to new routines.

Janine described an increasingly cooperative post-separation parenting arrangement and expressed pleasure that her ex-husband had gradually become more involved in parenting their children (partly due to the influence of his new partner): “He stood up. Yeah, it’s lovely, it’s really nice … and he enjoys it!” Janine described herself as becoming more accepting over time of their different parenting styles (the children ate McDonalds at his house, but had their vegetables at her’s).

Fathers’ satisfaction with shared time

In general, fathers were more satisfied with shared time than mothers were (see also
Cashmore et al., 2010). However, workable routines, flexible arrangements and cooperative relationships were also linked to both mother and father satisfaction with shared time arrangements.

Andy, at Year 1, said his two primary-school-aged children were in an equal shared time arrangement, but by Year 3 he had become the majority carer in a substantial time arrangement, due to his ex-partners’ work commitments. Andy supported his ex-partner’s business focus, and she provided significant financial support to him and the children. The parents were highly cooperative, child-focused, lived close to each other and were financially comfortable. “[The] current [arrangements], yeah, work well … I couldn’t see a way of improving them. The kids are quite happy with it. As I say, we’ve tried a few variations on it and decided, no, it didn’t work … By and large, if I suggest something, [the children’s mother] will go along with it—to do with medical, dental, schooling.”

Family violence
Just over half of our participants (32 of 60 parents, including 12 of 20 parents with court orders, which in our study were commonly by consent) reported experiencing (and in a small number of cases, perpetrating) some form of family violence or abuse in their former relationship (mainly psychological and financial abuse, but also physical and sexual abuse, as well as child abuse). More mothers than fathers said they had been exposed to family violence. Also, descriptions by fathers (6) who said they had been exposed to family violence did not convey coercion, control or fear, as the current legislative definition requires (FLA s 4AB), while mothers’ descriptions commonly conveyed one or more of these elements. Mothers, but not fathers, in our study said they had called the police, obtained intervention orders, left the family home, sought refuge accommodation, changed their phone number to stop verbal abuse, and/or declined or given up seeking property settlement or child support due to family violence. In cases meeting the FLA definition, physical and sexual violence ceased after separation, but emotional and financial abuse often continued.

Family violence, including past violence, could have a continuing and pervasive negative effect on parenting arrangements (and also on financial arrangements—see below).

Eloise said at Year 1 that she was frightened of her ex-partner, whom she said had anger management problems and depression. She described herself as having very little control over the parenting arrangements of their two primary-school-aged children. These arrangements involved Eloise having continuous primary care over the three years of our study, with her ex-partner electing to vary his level of care to between 7% and 20% during that time: “I try and avoid talking to him unless it’s something to do with the kids … He’s never shown any interest in being involved, even when we were married”. Eloise’s child support payments were also in arrears, which made paying the bills difficult.

Consistent with previous research, our parents’ descriptions suggested that the family violence they described did not limit the perpetrator’s parenting role, and that disclosure of family...
Children were more satisfied with their living arrangements if they had had a say in deciding them, and if parents were flexible, child-focused, civil and cooperative.

Children's views on parenting arrangements

Of the 22 children we interviewed, about half lived in shared time arrangements, and half lived almost all of the time with one parent, usually their mother (for our findings on the children's views, see Campo et al., 2012). Half had been in ongoing care arrangements since separation, and half had experienced at least one and sometimes several changes to parenting arrangements. The most common change described by children was from shared time to primary mother time. Most children with changed arrangements said it was their own decision to change. These tended to be teenage children, aged 14 years or older. Some explained that they wanted one stable home.

Consistent with our parent interviews, regardless of the time split, children were more satisfied with their living arrangements if they had had a say in deciding them, and if parents were flexible, child-focused, civil and cooperative.

Primary-school-aged Finn had been in a substantial shared time arrangement since his parents separated four years ago. His parents were friendly and spoke to each other often: "Yeah they're friendly. Sometimes, like they go to dinner plenty of times with us and them ... It's not like, 'Oh my God, I hate you' or anything like that. It's just like, 'Oh, I don't, like, love you, but we're still friends'. They're still friends".

Several children had sought to change their living arrangements because they did not get along with a step-parent or step-sibling, a step-parent treated them unfairly or was "difficult" or controlling, or their time or relationship with their mother or father had changed because of a new step-parent.

The level of difficulty arising from the logistics of living between two homes depended on a range of factors, including the distance between homes, frequency of moves, the level of conflict between parents and the child's personality and preferences (consistent with previous research, e.g., Cashmore et al., 2010; Haugen, 2010; Tucker, 2006). Children in shared time arrangements with ongoing conflict between parents were particularly likely to express concern about the trouble of getting to and from school, getting to after-school activities, seeing friends, leaving homework behind, not having everything needed at both homes, and the fatigue of constantly moving back and forth between homes.

Financial arrangements

Property division

Most of the parents in our study described having moderate-sized property pools. Net property values ranged from $2,000 to $2 million, with an average of $460,000 and a median of $322,000.

In most cases, parenting arrangements did not play a major role in how property was split. Rather, a wide range of factors influenced property division, including parenting arrangements at the time and whether the parents were married. Our participants separated before 1 March 2009, when FLA amendments brought de facto financial disputes under the Act (including superannuation splitting). Other factors were the availability of professional assistance (involvement of lawyers tended to improve outcomes), the presence of family violence (trading safety for property), wanting to avoid the financial and emotional costs of fighting over what usually amounted to modest property, and perceptions of "fairness" (mostly to parents, not children) (see Fehlberg, Millward, & Campo, 2010, for a more detailed

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After 18 months of equal time, Benjamin, in his mid-teens, instigated a change in 2010 to living with his mother. He described anxiety and depression arising from moving between two homes, but, "The main thing was the sight of a woman changing my Dad. I thought my Dad was a rock, and she changed him. I just thought, 'I don't like that'. Then I guess I didn't like Dad a bit for that, thinking ‘Dad, have a bit of control over yourself’ and stuff ... I just sort of laughed at Dad and thought, ‘Man up Dad, we’re your kids, [you should] spend more time with us than her’.

The 2006 amendments brought de facto financial disputes under the Act (including superannuation splitting). Other factors were the availability of professional assistance (involvement of lawyers tended to improve outcomes), the presence of family violence (trading safety for property), wanting to avoid the financial and emotional costs of fighting over what usually amounted to modest property, and perceptions of “fairness” (mostly to parents, not children) (see Fehlberg, Millward, & Campo, 2010, for a more detailed
analysis of our participants’ property and child support arrangements).

Parents in our sample did not “revisit” or adjust their property splits later on if children’s living arrangements changed. This was not surprising, given parents’ usual preference to avoid conflict, the modest property pool in most cases, and the expense involved in obtaining legal advice. Spousal maintenance was paid in just a few cases, on a short-term basis (consistent with previous research by Behrens & Smyth, 1999).

Child support

In contrast to property arrangements, child support arrangements commonly changed over time. Despite this, links between child support and parenting were not as clear as we had expected. Relevant factors included: “self-administration” cases (i.e., cases with no Child Support Agency [CSA; now Child Support involvement) having differing arrangements from what CSA would assess; inaccurate parental yearly incomes being used in CSA assessments; parents being unemployed or having non-declared “cash-in-hand” income; parents’ non-compliance with CSA assessments or parenting orders; parents describing “trade-offs” between receiving child support and/or property; or parents being unwilling to pay child support. Parents consistently said that they found the child support system complex, bewildering and frustrating, and avoided CSA communication if they could: “They send us pieces of paper and I put it in the recycle bin” (Andy).

Most parents said that a CSA assessment was in place, but said it was paid privately (consistent with recent data on CSA’s caseload, see Carr, 2012). About half of liable parents paid at or (in a minority of cases) above the assessed rate, while half paid below the rate or not at all. Those not paying at all or underpaying included CSA Collect cases (where the CSA assesses the amount of child support payable and has responsibility for collection) as well as Private Collect cases (where a CSA assessment is made but payment is arranged privately between parents). Variable and unreliable financial support often occurred in the context of poor post-separation parenting relationships.

Eloise described having negligible property to divide ($2,000), 80% of which was retained by her ex-partner. At Year 1, he was employed but paid only the minimum amount of child support (about $7 per week) and for occasional items for the children. At Year 2, a CSA Collect arrangement was in place, but Eloise said payment was late. “I can’t count on it … it may change, because he’s only had [CSA collect] for two months or something. I mean he may get to the stage where he is reliable and I can count on the money”. At Year 3, Eloise again said child support was often late, and not for the assessed amount of about $600 per month. Her ex-partner also refused to contribute towards any additional costs for the children, such as educational or medical costs: “When it went up last year, he just said, ‘Nah, you can take it out of the child support’”. The parents continued to avoid each other.

The number of parents using the CSA to collect payments increased over the three years of our

Children in shared time arrangements with ongoing conflict between parents were particularly likely to express concern about the logistics of living between two homes.
study. This could be due to conflict between parents, the payer's unreliability, and/or the payer feeling a lack of connection with the children. One-fifth of mothers were liable to pay child support, and while the compliance rate of mothers and fathers as payers was similar, the reasons for non-compliance were somewhat different for men and women (see Millward et al., 2011).

Maximising their personal benefit from child support payments did not seem to be the major motivation for parents to seek increased or decreased shared time in our study. However, there were certainly mothers who resisted shared time because their child support payments would decrease, and fathers who wanted to move to shared time to reduce their child support payments or share the Family Tax Benefit (FTB). Generally, mothers seemed more clearly focused on their children's financial interests rather than their own.

Cameron said he pushed for and obtained revised parenting consent orders when he realised he officially had 33% of care of his child rather than the 35% or more needed to claim FTB (and pay less child support): “But the whole reason for the second parenting order was because … I realized … it was 33% it worked out to be, not 40%, and I was shocked … Because then I found out later that I wasn’t entitled to settlement benefits either because I was under 35% or something”. Interviewer: “And so what kind of benefits were they, the Family Tax Benefit?” Cameron: “Just the Family Tax Benefit, yeah that’s it.”

Mothers’ financial disadvantage
As a group, the mothers in our study were more financially disadvantaged than fathers due to their lower incomes, the lower share of property they received relative to the amount of time spent with children, and the volatility of child support payments.

The mothers in our study were more financially disadvantaged than fathers due to their lower incomes, the lower share of property they received relative to the amount of time spent with children, and the volatility of child support payments.

Children’s views of financial arrangements
There is very little previous research on children’s views of post-separation financial arrangements (exceptions include Haugen 2005; Lodge & Alexander, 2010; Parkinson, Cashmore, & Single, 2005). We sought to explore children’s understandings of their parents' financial positions and arrangements for their support.

Children living primarily with their mother noted greater financial difficulties and greater differences in wealth, assets and division of costs between parents. However, across all parenting arrangements, children described mothers as paying their everyday expenses, while some saw fathers paying for “big ticket items”, such as paying half of their orthodontic costs.

Interviewer: “What does Mum worry about?”
Child: “Not being able to feed us … paying the bills”

Children with shared time were more likely to describe parental conflict over who was paying for what, rather than their parents’ concern about being able to pay bills and education costs. This is consistent with the observation in previous research that shared time tends to be utilised by parents with a reasonable level of socio-economic wellbeing (Smyth et al., 2004). Children in shared time also appeared to be more aware of child support arrangements than were children with primary parent time.

Olivia, in her mid-teens, and her two sisters had been in an equal shared time arrangement for several years and described her father paying school fees and other costs, as well as reimbursing her mother for expenditure, rather than paying child support directly to her mother, which the mother and girls experienced as a form of controlling behaviour: “No, they don’t have child support, but Dad chose to pay for everything. But that doesn’t work … I don’t think it’s fair … Dad does pay for a lot, but also they did have an agreement that Dad would pay for clothes, and Mum has predominantly been paying for clothes, which Dad doesn’t understand, especially because we’re still growing”.

Several children in our study were reluctant to comment on the fairness of financial arrangements for fear of appearing disloyal to either parent (Neale, Flowerdew, & Smart 2003). Older children, especially teenagers, were more forthcoming in this regard, expressing criticism in relation to fathers who did not pay enough, but also mothers who complained about inadequate financial support from the other parent:

Mum’s always talking about it, and how Dad should pay for this, and how Dad should pay for that, but it just gets a little annoying (Miranda, 15 years old, ongoing primary mother care)
Mothers therefore appeared to be in a difficult position: if they were unable to provide for their children they were likely to feel highly anxious and inadequate, but if they expressed concern, this was readily understood as undermining the father, leading to children’s criticism. Mothers who were stoically and significantly self-sacrificing received the highest praise from children in our study.

Concluding comments

A recurring theme throughout our study was that positive experiences and outcomes for parents and children were more likely when parents were cooperative and child-focused, and could negotiate and mutually agree on matters concerning their children. Where there was controlling, violent and/or hostile behaviour, parental dissatisfaction with services and outcomes was likely to be evident. Similarly, we were left with the impression that if parents were cooperative, flexible and child-focused, this significantly enhanced their children’s lives, regardless of the parenting arrangement. For children, “shared parenting” could exist—or be absent—regardless of the time split.

In the end, our research suggests that changed care arrangements were a factor in financial disadvantage for some parents, but that several other factors were also important. These were the socio-economic position of both parents, the quality of their relationship, the positive or negative influence of new partners, the particular parent’s (especially father’s) sense of responsibility for their children, and the difficulties of navigating the “system” to change child support amounts. Some of these factors are more able to be addressed by family law reforms than others.

The position of most parents in our study would have been improved by the availability of free or inexpensive ongoing personalised support and advice in relation to their financial issues, especially property division and child support. The Australian Government’s Better Partnerships Legal Assistance Partnerships Program (which from December 2009 has aimed to facilitate legal and FDR professionals working together, principally through the provision of legal services within the Family Relationship Centre context, including in some financial matters) and the Australian Government-funded coordinated family dispute resolution (CFDR) pilot program (which provides assistance for families affected by family violence) are among the more recent initiatives that we think the parents in our study would support, but are in their early days as has been emphasised in the evaluations by AIFS of both programs: Moloney et al., 2011, and Kaspiew, De Maio, Deblaquiere, & Horsfall, 2012 respectively). The need for accessible, affordable services that are able to support separating parents to deal in a child-focused way with the wide-ranging issues they face in relation to both parenting and finances is ongoing.

Endnotes
1 To preserve anonymity, pseudonyms are used throughout this article.

References


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Professor Belinda Fehlberg and Dr Christine Millward are at the Melbourne Law School, University of Melbourne. The research was funded by an Australian Research Council Discovery Grant.