The gendered individualisation of financial support for children post-separation: The rise of and resistance to child support policy

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Relevance of individualisation to child support

• Individualisation (Beck 1986, 1992)
  – Personal responsibility for choices and consequences

• Aligns with governmental notions of ‘responsibilisation’
  – Individuals must come to recognize and act upon themselves as both free and responsible (Rose, 1999)

• Risk management and ‘self care’ (Lemke 2001) downloaded onto individuals as coerced or compelled action masquerading as choice:
  – Parent alone
  – Participate in employment
  – Seek child support
The rise of child support policy internationally

• Child support is cash or in-kind transfers made by a non-resident parent to a resident parent to contribute to the costs of raising a child following relationship breakdown

• Most countries have some form of spousal and/or child support
  – Most have court-based systems
  – Typically applications, determinations and enforcements are ad hoc, often with eligibility criteria for access
  – Norway, Australia, UK and New Zealand are the exceptions with administrative systems
  – Compliance is highly problematic, in all systems
Resistance to child support internationally?

• Poor uptake and enforcement of court orders globally
  – Individualised responsibility to pursue legal claims in the developed world
  – Apathy towards developing rigorous child support systems observed in developing countries/continents

• Active *resistance to* child support as a policy is a Western phenomenon
  – Concentrated in English-speaking, Commonwealth countries with administrative regimes (UK, Australia, New Zealand)
  – Notably *not* in the USA which is largely court-based
How much child support is expected?

The USA as the child support policy inspiration

• Context of individual rather than state responsibility for financially supporting children
  – force parents to be accountable for providing for their children, in an effort to relieve the state and the taxpayers of that responsibility

• Social Security Act Amendment 1950
• Social Security Act Amendment 1974
• Child Support Recovery Act 1992
• The Personal Responsibility and Work Opportunity Reconciliations Act 1996
• The Deadbeat Parents Punishment Act 1998
Responsibility for child financial welfare: USA

- **MARKET**
  - (Single parent labour market income)

- **FAMILY**
  - (Child Support)

- **STATE**
  - (Welfare benefits)
An alternate, Scandinavian policy framing

• Almost exclusively court-based (except Norway)
• Payments often co-exist with large/living wage welfare state payments
  – Absence of punitive welfare-to-work requirements
  – Shared residence/parenting more common
• In instances of non-compliance:
  – Resident parent reimbursed by the state to make-up the shortfall in child support
  – Payer debt becomes a debt to the state
  – Often more costly to pursue the debt than recoup the child support, so debts often waived
  – Increasingly common approach across Europe
Responsibility for child financial welfare: Scandinavia
The rise of child support in Australia

• Originally established in 1988 by the Hawke government as a measure of combat child poverty
  – based on USA (Wisconsin) model

• Replaced a costly and ineffective court-based system

• Child Support Agency and Child Support Scheme established
  – Almost all (approx. 90%) recipients are women
  – Care arrangements deeply gendered (80/20 split)
  – Less than half of all payments made via the Agency
The features of Australian child support

• Mandatory to apply for child support if in receipt of any government benefits

• Child support counted as income in calculation of Family Tax Benefits and Rent Assistance
  – Assumes 100% compliance unless noted otherwise

• Both parents’ income included in the calculation of child support liability
  – Only one parent compelled to lodge tax returns
Resistance to child support policy in Australia

• 2003 Inquiry into Child Custody and Child Support
  – Notes increase in maternal employment and the costs to fathers’ to provide overnight care for their children

• 2005 Introduction of welfare to work for single parents
  – Compels maternal employment of recipients with school-aged children

• 2005 Ministerial Taskforce on Child Support
  – Amends child support formula to include both parents’ income due to rise in maternal employment

• Net losses to mothers as a result of 2005 reforms
Where does Australia sit with respect to the individualisation of financial responsibility for children post separation?
Australian single mothers’ income sources

Responsibility for child financial welfare: Australia
Australia compared to ‘the resisters’ and USA

• The USA has a unique, and often unachievable, focus on fathers’ financial responsibility
  – Welfare state support is low

• The UK expects more child support than Australia and passes 100% of the child support collected through to mothers
  – Maternal income not included in formula

• New Zealand has followed Australia's policy lead, adopting most of our 2006 reforms
  – But NZ does not pass through any of the child support collected if mother is in receipt of benefits
Are resident mothers out of poverty when moderate/high child support received?

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What does this mean for single mothers and their children?

• Single parents’ increased, mandatory work activity has had negative subjective wellbeing, financial and mental health implications (Brady & Cook 2015)

• Payer tax return non-filing and income minimisation are recognised, but unaddressed problems in Australian child support policy (Ministerial Taskforce on Child Support 2005)

• Both mean that single mothers in receipt of government benefits face more scrutiny of their ‘choices’ and less financial support
Single mothers’ responsibility in Australia

• Child support and welfare to work policy changes can be seen less as:
  – single mothers’ individual ‘choice’ to manage financial risks by relying less on the state and ex-partners and instead participating in the market

• And more as:
  – governing women’s labour market participation and personal financial responsibility

• Eroding the male breadwinner model of family financial responsibility across households
  – separated fathers’ independence and autonomy is increased
  – family responsibility is diminished and becomes a ‘choice’