

Opening the black box of child support

The system fails women

Women were asked to rate stages of the child support process on a five-point Likert scale that were then converted to percentages and then a letter grade to provide an assessment of the child support system.

Given the finding that violence was a backdrop to respondents' lives, the grading reflects how violence shapes women's child support interactions and how abuse is perpetrated through the child support system, ultimately failing women.

The grades speak to the mismatch between the convenient, yet erroneous assumptions on which the child support system relies and the lived reality of women's engagement with the system. The mismatch between the seemingly smooth operation of the system and women's complex, conflicted and often dangerous interactions within the child support system ultimately fail women and their children.

Child support report card

Exemptions

D

Assessments

F

Collections

F

Compliance

F

Debt collections

F

Overall

F



Citation:

K. Cook, A. Byrt, R. Edwards and A. Coen (2024), *Opening the black box of child support: Shining a light on how financial abuse is perpetrated*, Swinburne University of Technology. <https://doi.org/10.25916/sut.26983363>

Exemptions

Women scored the child support system exemption process a D, which indicated great dissatisfaction with the process of applying for an exemption. Exemptions from the MAT operate under multiple erroneous assumptions that our data proved to be false.

First, the system was not able to recognise that violence continued on well after separation, or that non-physical forms of violence were also extremely harmful (see erroneous assumption 1). The process of applying for an exemption following separation overlooks financial abuse. As argued by Douglas and Nagesh (2021), an exemption in its own right can be viewed as a form of financial abuse, as men continue to manipulate systems. Our data showed how exemptions might stop some forms of post-separation abuse, but with no certainty. Second, the system assumes that seeking an exemption is an appropriate response to family violence, and a straightforward process that will not re-traumatise victim-survivors (see erroneous assumption 2). Other results showed that women weren't aware they could apply for an exemption. Exemptions effectively rewarded abusive ex-partners, did not hold them accountable, enabled further financial abuse, and entrenched further disadvantage for single mothers.

Assessments

The assessment process was graded an F by women, reflecting how fathers' incomes could be minimised to avoid financial responsibilities to their children. Assessments assumed that violence ended at the point of separation, that parents would not hide or minimise their incomes, that parents would take up the share of care recorded in their child support agreement, and child support assessments accurately balance payees' costs of children with payers' capacity to pay (see erroneous assumptions 1, 3, 4 and 5). Our results showed that there were frequent changes to parents' share of care, and that non-resident parents used multiple tactics to hide or minimise their incomes. In addition, the pressure endured by women to accept erroneous assessments showed the ways that violence continued post-separation. The assessment process is failing women, as the evidence across all stages of the process revealed how payer parents could reduce their financial responsibilities or react violently when disadvantageous changes to assessments occurred.

Collection

The collection process was also graded F by women. The assumption that parents can freely agree on the collection type that suits them both (see assumption 6) is challenged by our results, much like the assumption that private collections will not be used to hide payment outcomes (see erroneous assumption 7). As identified in our results, almost half of women using Private Collect made such an agreement after being coerced by their ex-partners into doing so, primarily for the purpose of avoiding payments.

Compliance

Our results revealed that the compliance process was also failing women, as women gave the process an F. The assumption that payers would provide the assessed amount of child support in full and on time was also shown to be untrue, as almost half of all women (48%) received less child support than was owed in the previous month (see erroneous assumption 8). Non-compliance was worse still for women experiencing financial abuse at the time of the survey, as 60 per cent received no payments in the previous month. Unmet payment expectations failed women whose partners were not willing contributors to their children's financial welfare. For low-income single mothers, child support non-compliance had a significant negative impact on their monthly budget.

Debt collection

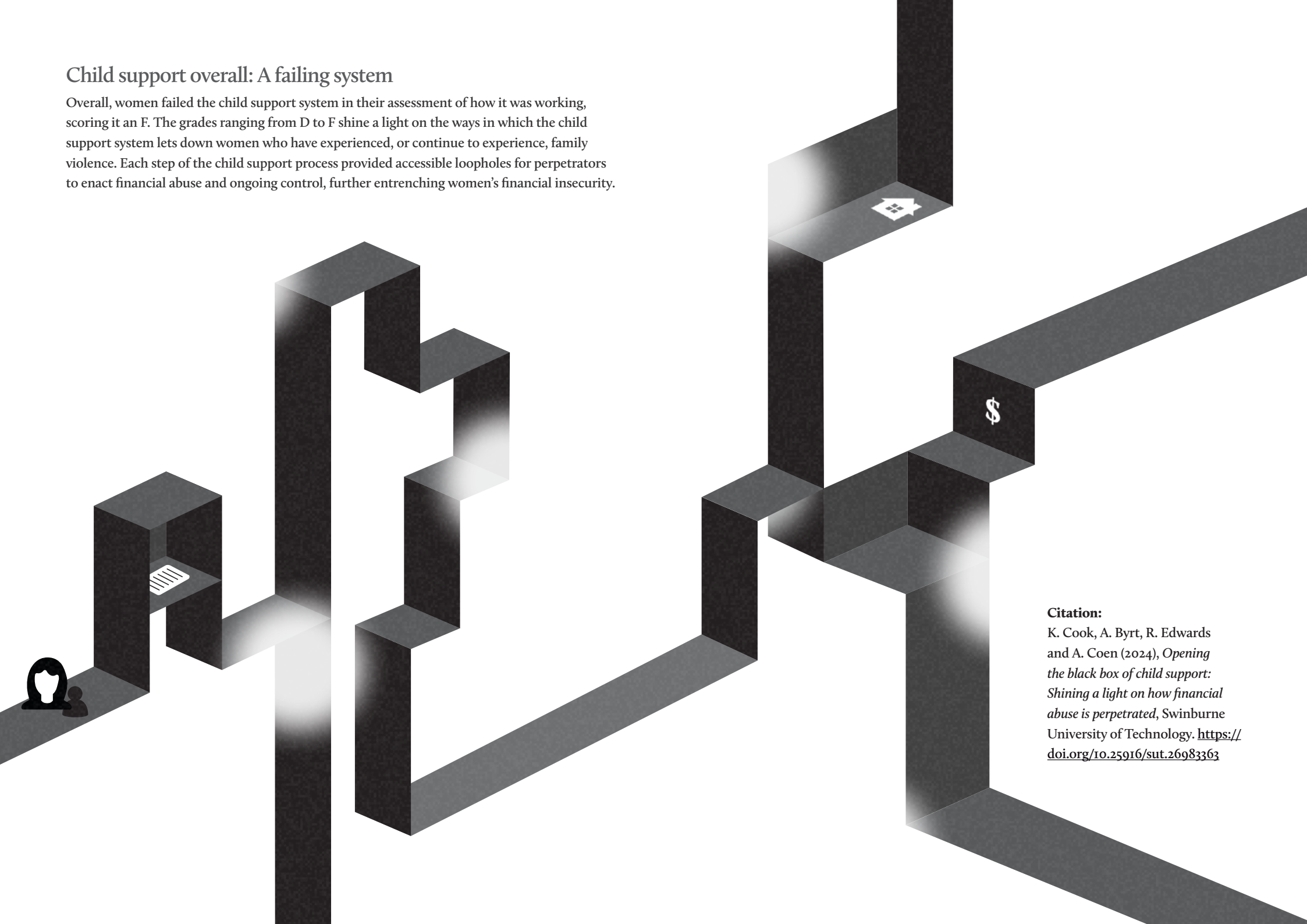
Debt collection also received a failing grade from women. Our findings revealed that most women moved to Agency Collect when debt had accrued, however debt collections were not necessarily improved as a result. When debts occur, the assumption is that it is relatively straightforward for resident parents to switch from Private to Agency Collect to recover debt. However, this erroneous assumption fails to consider the consequences that may result for women, such as payers no longer paying any child support (see erroneous assumption 9). There was a sense that women had to give up pursuing their entitlements given that consequences such as their ex-partner becoming angry, violent, or refusing to pay child support anymore were experienced. In light of these difficult outcomes, child support debt collection was often regarded as futile. Worryingly, child support shortfalls and subsequent recovery or re-assessment efforts also had the potential to jeopardise women's financial security. One in five women in our sample experienced a FTBA debt because of retrospective child support change to their child support assessment (see erroneous assumption 10). Given these outcomes, it is no wonder that women gave the system's debt collection efforts a failing grade.

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Child support overall: A failing system

Overall, women failed the child support system in their assessment of how it was working, scoring it an F. The grades ranging from D to F shine a light on the ways in which the child support system lets down women who have experienced, or continue to experience, family violence. Each step of the child support process provided accessible loopholes for perpetrators to enact financial abuse and ongoing control, further entrenching women's financial insecurity.



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