

# Survey of Recently Separated Parents

A study of parents who separated prior to the implementation of the *Family Law Amendment (Family Violence and Other Matters) Act 2011*

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## Executive summary

This report presents the key findings from the Survey of Recently Separated Families (SRSP) 2012. This study examined the experiences of 6,119 parents who separated between 31 July 2010 and 31 December 2011. The research, commissioned and funded by AGD, focuses on parents whose main use of family law system services occurred around 2011 and provides insights into the operation of the family law system five years after the family law reforms of 2006 and 12 months prior to the legislative reforms introduced by the *Family Law Amendment (Family Violence and Other Measures) Act 2011* (Cth) (2011-2012 amendments). A central aim of the study was to gain a more detailed understanding of parents' experiences of, and system responses to, family violence and concerns about child safety.

### *Main findings*

#### Family violence and safety concerns

The survey findings provide an important benchmark for parents' experience of family violence and safety concerns before the introduction of the 2011- 2012 amendments. The survey data highlight that experience of family violence is common among separated families, with a majority of parents reporting either physical or emotional abuse before or during, or since separation.

Substantial proportions of parents (over half of both mothers and fathers) reported that the other parent had directed emotional abuse towards them. This abuse frequently took the form of insults with the intent to shame, belittle or humiliate, and this experience was the most frequently occurring with around fourth-fifths of mothers and fathers indicating it occurred sometimes or often before or during separation.

Notably, some differences were evident in the experiences of emotional abuse between mothers and fathers, with a higher proportion of mothers than fathers reporting experiences of such behaviour. Analysis based on a cumulative "intensity" score reflecting the number of different types of emotional abuse and the frequency with which each was reported indicates that the intensity of emotional abuse varied considerably.<sup>1</sup> Intensity scores for most parents who reported experiencing emotional abuse before/during separation were clustered in three out of five potential categories, indicating low to medium intensity. Differences between fathers and mothers were more marked in the two high-end categories of the scale, with 18% of mothers compared with 8% of fathers scoring 21 or more.

A substantial minority of parents reported experiencing physical hurt from the other parent. One in five respondents reported that physical violence was experienced before or during separation. The reported incidence of physical hurt diminished between the period before/during separation and since separation (from 16% to 5% for fathers) and (24% to 6% for mothers). The most commonly reported impact of experiencing family violence was deterioration in the mental health of the parent.

Overall, most parents stated that they did not have any safety concerns as a result of ongoing contact with the focus parent. Of those who did express safety concerns (20% of mothers and 14% of fathers), fathers' concerns tended to concentrate on their child's safety, while mothers indicated safety concerns for both themselves and their child. There were also differences in

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<sup>1</sup> See section 3.1.4 for a detailed explanation of this calculated score.

parents' responses to such safety concerns, with over twice as many mothers compared to fathers attempting to limit their child's contact with the focus parent due to such concerns.

Overwhelmingly, in cases where safety concerns were reported, the focus parent was seen as the source of these concerns, with anger, mental health issues, and violent or dangerous behaviour most frequently being cited as the behaviours generating safety concerns.

## Experiences with the family law system

Extensive data was collected on parents' use of family law services in the survey. The most common services accessed by separating parents were Family Dispute Resolution and lawyers, with generally little difference in fathers' and mothers' use of these services at the time of separation.

Most parents had sorted out their parenting arrangements for the focus child by the time of the interview, though this was less common for those who reported experiencing family violence. The majority of parents who had sorted out, or were in the process of sorting out the parenting arrangements for their children, nominated "discussions with the other parent" as the main pathway for negotiating arrangements.

The survey data also confirm that parents who reported past or current family violence and /or the presence of safety concerns indicate a higher rate of use of family law services. For example, of the 72% of fathers and 75% of mothers who reported having sorted out their parenting arrangements at the time of the interview, 8% who had experienced physical violence nominated the courts as their main pathway compared to 1% of parents who reported no family violence.

## Disclosure of family violence and safety concerns

The research provides important insights in relation to parents' disclosure of family violence and safety concerns. The data show that although slightly more than half of the sample parents who experienced family violence before or during separation disclosed these behaviours to police or other services, a sizeable minority (47%) of parents did not.

For those who sought advice from a family law service to resolve their children's care time arrangements, a higher proportion (seven-tenths) disclosed safety concerns compared to family violence (four-tenths). Importantly in terms of parents' disclosure and professionals eliciting such disclosures the research indicates an uneven set of behaviours and practices. A substantial minority (around four in ten) parents reported "nothing happened" in response to their disclosures of family violence and safety concerns. Furthermore, family law professionals did not ask about family violence in a substantial minority of cases (36% where parents resolved their parenting dispute through a formal pathway such as the courts, a lawyer or family dispute resolution).

The most common response from professionals was a referral to another support service where disclosures about family violence or safety concerns occurred. Safety planning, being advised to apply for a court order to restrict contact between parties and protect victims or potential victims from violence, and a reduction in the time a parent spent with their child were also commonly reported after family violence had been raised.

Among parents who disclosed family violence or safety concerns to family law professionals, around half felt that doing so had influenced the outcome of the parenting arrangements in some way. Shared care-time was the most common parenting arrangement among parents who felt

that disclosing family violence or safety concerns had had no influence at all on the outcome of parenting arrangement negotiations.

## Parents' views on the effectiveness of the family law system

Findings on parents' views on the effectiveness of the family law system in various areas highlight mixed views among parents and considerable uncertainty in relation to the effectiveness of the family law system in dealing with family violence issues. Around one-third of parents reported they did not know how they felt about the effectiveness of the family law system in dealing with family violence issues. Fewer than one third of parents agreed that the family law system effectively addresses issue of family violence, with levels of disagreement with this statement more pronounced among parents who had experienced family violence (29% of parents who had experienced physical violence before separation; 17% who reported emotional abuse; and 10% of parents who did not report family violence).

Very low awareness of the 2011–12 amendments was evident among parents in the SRSP 2012, with just under 10% of both mothers and fathers indicating they were aware of any changes. Only 2% of parents said that knew any specific information about the changes, and this was most evident among parents who had reported family violence, particularly mothers who had experienced physical violence.

## Child and parent wellbeing

The survey data also provide insights into child and parent wellbeing in the context of recent parental separation that may also have involved experiences of family violence.

Overall, parents' reports on the wellbeing of the SRSP 2012 focus children indicated that the majority were faring well. Mothers' reports on wellbeing measures tended to suggest a more positive picture than fathers' reports, and younger children as a group seemed to be experiencing fewer problems than older children.

The picture was less positive when the presence of family violence was considered. A comparison of children's wellbeing according to the violence categories used in the analysis indicates that children in the physical violence group showing the most problems, and children in the no violence group the least.

Analysis based on different experiences of family violence reinforces evidence of the detrimental effect on children of being exposed to family violence. The five analysis groups included: no violence occurred, violence occurred but never witnessed, witnessed before/during separation, witnessed since separation, and witnessed before/during and since separation. Lower wellbeing was evident for children in the four groups in which violence was reported. This was particularly marked for children who witnessed violence both before/during and since separation.

Where parents had reported that their children had witnessed physical violence or emotional abuse, every tenth parent was asked to describe the impact this had on the child.<sup>2</sup> The four most commonly reported issues were: impacts on mental health; adverse impact on relationships, child less sociable and more withdrawn; behavioural issues, including anger, aggression, causing harm; and increase in behaviour that suggested violent behaviours were being adopted by the child.

<sup>2</sup> Due to constraints within the study regarding the budget and interview length, it was not possible to ask this question of all qualifying participants.

Parents' reports of their own wellbeing suggest a varied picture, with high satisfaction being evident in some areas and lower satisfaction in other areas. Most parents indicated they were satisfied with their relationship with their child and their own safety; however, only 45% were highly satisfied with their life as a whole and 25% with their financial situation. Where wellbeing was considered in the context of the three analytic groups of family violence, results were consistent with the overall patterns in child wellbeing: the no violence group had the highest levels of wellbeing, the physical violence group the lowest, and the emotional abuse group in between.

## Child support

The vast majority of SRSP 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%).

The main method of transfer for child support payments was directly between parents, with almost two-thirds of all parents naming this as the method, followed by payments via the DHS Child Support Program (33%) and other methods, such as in-kind payments (3%). Higher proportions of transfers made via the Child Support Program were reported by parents who 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.

Among payees of child support, just fewer than half of the parents reported that the focus parent was fully compliant with their child support (i.e., the full amount was paid on time), but 1 in 4 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.

Regarding the amount of child support, the majority of parents considered this to be personally fair. Parents who were more likely to perceive the amount of child support to be personally unfair were those who experienced family violence either before/during or since the separation, father payees with majority care time, mother payers with shared-care arrangements and mother payees where the child had no contact with the focus parent.

## Conclusion

In summary, this report has examined the experiences of over 6,000 separated parents. The findings show that experience of family violence is common among separated families. The data also demonstrate that a sizeable minority of parents who experienced family violence did not disclose these behaviours to police or other services. In circumstances where parents' did disclose such behaviours, the survey data reveal mixed evidence about responses from family law professionals with a substantial minority of parents reporting "nothing happened" in response to these disclosures. The survey data also show mixed views from parents in relation to the effectiveness of the family law system in dealing with family violence issues. The SRSP findings through a detailed focus on family violence and safety concerns provide important benchmark data on the experiences of parents' affected by these issues in interacting with the family law system in 2011, some twelve months prior to the 2011/12 amendments becoming effective.

# 1 Introduction

This report sets out key findings from the Survey of Recently Separated Families (SRSP) 2012, which examined the experiences of 6,119 parents who had separated between 31 July 2010 and 31 December 2011. By focusing on parents whose main use of family law system services occurred around 2011, the report provides insights into the operation of the system some five years after the family law reforms of 2006 and some twelve months prior to the most recent set of legislative reforms introduced by the *Family Law Amendment (Family Violence and Other Measures) Act 2011* (Cth) (hereafter “the 2011–12 amendments”). A central aim of the study was to gain more detailed understanding of parents’ experiences of, and system responses to, family violence and concerns about child safety. This research enhances the knowledge base established by the studies that contributed to the Evaluation of the 2006 Family Law Reforms (Kaspiew et al., 2009)—especially the Longitudinal Study of Separated Families (LSSF)<sup>3</sup>—by using a comparable approach to explore the experiences of newly separated parents who used the system at a later point in its evolution following the 2006 family law reforms. Like the sample for the LSSF, the sample for the SRSP 2012 was derived from the Child Support Program database. This research was commissioned by the Australian Government’s Attorney-General’s Department and conducted by the Australian Institute of Family Studies (AIFS).

## 1.1 Background

The Evaluation of the 2006 Family Law Reforms (hereafter “the Evaluation”) highlighted the prevalence of a history of family violence among separated parents, with 26% of mothers and 17% of fathers reporting a history of physical hurt before separation, and 39% of mothers and 36% of fathers reporting emotional abuse before or during separation (Kaspiew et al., 2009). About one-fifth of separated parents (17% of fathers and 21% of mothers) reported having safety concerns (relating to their child, themselves or both) as a result of ongoing contact with the other parent (Kaspiew et al., 2009). The Evaluation report concluded that the system had “some way to go in being able respond effectively to these issues” (Kaspiew et al., 2009, p. 364). The findings of LSSF Wave 2 (Qu & Weston, 2010) confirmed that family violence remained an ongoing problem after separation, with 53% of mothers and 46% of fathers reporting experiencing family violence between Waves 1 and 2 (mainly emotional abuse, with reports of physical hurt falling to 5% for fathers and 4% for mothers). Similarly, safety concerns were pertinent to close to a fifth of Wave 2 participants (20% of mothers and 16% of fathers), with a core group of about 10% of parents (11% of mothers and 8% of fathers) holding such concerns through both waves (Qu & Weston, 2010).

Several different initiatives to improve the family law system’s response to family violence and child safety concerns have been implemented in the past three years. In addition to the 2011-12 legislative amendments. These include the development of a free family violence training package (AVERT) for use throughout the system,<sup>4</sup> the formulation of a universal screening

<sup>3</sup> The Longitudinal Study of Separated Families is a national study of some 10,000 parents who separated between July 2006 and December 2007, in the 18 months following the 2006 family law reforms. The study involved the collection of data from the same group of parents over a number of years. Data from LSSF Wave 1, collected in 2008, contributed to the *Evaluation of the 2006 Family Law Reforms* (Kaspiew et al., 2009). Subsequent waves of data collection (Wave 2 in 2009 and Wave 3 in 2012) will contribute to understanding the long-term effects of family law policy on separated families and will provide a picture of what life is like for separated parents across a broad range of family arrangements.

<sup>4</sup> See the AVERT Family Violence website: <[www.avertfamilyviolence.com.au](http://www.avertfamilyviolence.com.au)>.

tool,<sup>5</sup> and the piloting of a multidisciplinary process (coordinated family dispute resolution) for addressing parenting disputes where there has been a history of family violence (Lynch, 2010, Kaspiew et al., 2012). This pilot program commenced in early November 2010 and concluded on 30 April, 2012.<sup>6</sup> The 2011-12 legislative amendments responded to the findings or recommendations of three reports, namely the *Evaluation of the 2006 Family Law Reforms* (Kaspiew et al., 2009), the *Family Courts Violence Review* (Chisholm, 2009) and *Improving Responses to Family Violence in the Family Law System* (Family Law Council, 2009).<sup>7</sup> The main substantive provisions came into effect on June 7 2012.

While leaving intact provisions in the *Family Law Act 1975* (Cth) that support shared parenting after separation, the 2011–12 amendments seek to achieve the objective of placing greater emphasis on protecting children from harm in making post-separation parenting arrangements. The main elements of the changes are:

- applying a wider definition of family violence (s4AB(10));
- placing greater emphasis on the principle of protecting children from harm where this stands in conflict with the principle of maintaining meaningful involvement with each parent after separation (s60CC(2A));
- imposing obligations on advisors to encourage parents to prioritise children’s right to be protected from harm over the meaningful involvement principle, where there is inconsistency in applying these two primary considerations when providing advice about parenting arrangements (s60D(1)(iii));
- imposing obligations on parties to proceedings to inform courts about whether the child in a matter (or another child in the family) has been the subject of the attention of child protection authorities (s60CI);
- imposing a duty on the court to actively enquire about the existence of risk of child abuse and family violence (s69ZQ(aa)); and
- repealing provisions that may discourage disclosure of concerns about child abuse and family violence (repealed by No. 189 of 2011, sch 1 pt 1 item 20).

The study reported on here provides baseline information on the experiences of the cohort of parents who separated prior to the implementation of the 2011–12 amendments. In addition to maintaining core areas of interest (service use, parenting arrangements, relationship quality and dynamics, parent and child wellbeing) consistent with the LSSF surveys, the SRSP 2012 survey design reflected some of the central aims of the 2011–12 amendments to provide a benchmark against which their effects could be measured through future research. Accordingly, key foci in the SRSP 2012 survey included:

- information about experiences of family violence in greater depth and detail than has been collected previously, including frequency, severity and impact;
- whether the family violence was disclosed, to whom and to what effect; and
- the extent to which family law professionals elicited information about experiences of family violence.

<sup>5</sup> The Detection of Overall Risk Screen (DOORS) framework (see McIntosh & Ralfs, 2012).

<sup>6</sup> Also see the AIFS evaluation of this program (Kaspiew et al., 2012), available from the Attorney-General’s Department:  
<[www.ag.gov.au/FamiliesAndMarriage/Families/FamilyLawSystem/Pages/Familylawpublications.aspx](http://www.ag.gov.au/FamiliesAndMarriage/Families/FamilyLawSystem/Pages/Familylawpublications.aspx)>.

<sup>7</sup> Explanatory Memorandum, Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011.



## 1.2 Research design

The central aim of the SRSP 2012 was to understand how the family law system met the needs of a cohort of separated parents, particularly those affected by family violence, whose separation took place just prior to the 2011–12 amendments.

The SRSP 2012 greatly enhances the evidence base on the operation of the family law system. Design and sampling strategies were used to maintain comparability with the LSSF surveys, so that two large quantitative data sets are now available on the operation of the family law system after 2006. While the LSSF dataset examines, on a longitudinal basis, the experiences of parents who (mostly) separated in 2007 and experienced a newly reformed system, the experiences of the SRSP 2012 parents reflect the operation of the family law system some four years later. The experiences of the SRSP 2012 cohort therefore not only reflect a more settled system, but also policy and programs that were initiated after 2006 and before 2011, such as the establishment of the Legal Partnerships Program, in which publicly funded legal services, including Legal Aid Commissions and community legal centres, were funded to provide legal information and support to clients in Family Relationship Centres. As such, the SRSP 2012 data not only provide evidence about the operation of a more mature post-2006 system, but they establish benchmarks against which the effects of the 2011–12 changes can be measured at a future time.

The parents who participated in the study had been separated for around fifteen months before the substantive provisions in the 2011–2012 amendments became effective on 7 June 2012. In line with the methodology adopted for the LSSF, the SRSP 2012 was a telephone survey of a pre-amendment cohort of separated parents. Again, consistent with the LSSF, the sampling frame used was the Department of Human Services Child Support Program (DHS-CSP) database.<sup>8</sup>

The key aims of the SRSP 2012 were similar to Wave 1 of the LSSF, including examining:

- the pathways of parental separation and how families are faring under the family law system; and
- the nature and strength of any connections between the co-parental relationship and other aspects of parental involvement in the children’s lives after family separation.

In line with the focus on family violence and safety concerns, participants who indicated experiencing these issues were also asked about:

- the nature (severity and frequency) of family violence experiences and whether any such violence had been reported to police, health or relationship service providers;
- whether any concerns relating to family violence experiences had been raised during the negotiation of parenting arrangements and, if not raised, reasons for not doing so; and
- if concerns about family violence had been raised, whether such concerns had been considered when reaching parenting arrangements and the effects of any such considerations on the nature of parenting arrangements made.

In addition, all parents were asked whether they knew about the 2011–12 amendments and to provide their views on a range of issues, including the efficacy of the family law system in handling issues relating to family violence and child safety, and the extent to which it meets the needs of mothers, fathers and children.

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<sup>8</sup> The Department of Human Services now incorporates the Child Support Agency (or “Child Support Program”), which administers the DHS-CSP on behalf of the Australian Government.

## 1.3 Data collection

The SRSP 2012 was a survey of over 6,000 parents with children aged under 18 years old who (a) separated between 1 July 2010 and 31 December 2011, (b) registered with DHS-CSP during 2011, and (c) were still separated from the other parent (known as the “focus parent”) at the time of interviewing.

The 35-minute interview was carried out via computer-assisted telephone interviewing (CATI). Parents were asked a number of basic demographic questions about themselves, the focus parent and one of the children from their union (known as the “focus child”), along with questions about parenting arrangements since separation, the quality of inter-parental relationships, separation pathways (including any contact with family law professionals), experiences of family violence, children’s wellbeing and a small number of questions about child support.

### 1.3.1 Sample extraction and preparation

In line with Wave 1 of the LSSF, the sample for the SRSP 2012 was drawn from the DHS-CSP database, which was identified as the most comprehensive and viable data source from which to obtain a representative sample of recently separated parents.<sup>9</sup> This approach also maximises comparability between the LSSF and SRSP 2012 datasets.

As with the LSSF, the sample for the SRSP 2012 was identified through the date of registration field on the DHS-CSP database. This date is considered to be a good proxy for the date of separation, with most parents registering within the three-month period following separation.

Of the 61,776 individual parents (30,888 cases of separated couples) in the extracted sample, 10,650 were not included in the final sample as they were classified as out-of-scope (including no data for the focus child; the focus child was over the age of 18 years; duplicate cases; no phone number provided). In the case of “mirror cases”, where the same two ex-partners appeared as two separate cases (showing each as a payer of child support in one case and as a payee in another case), one instance of each case was randomly removed. It was possible for both parents from each separated couple to participate in the study (this occurred for 539 cases, a total of 1,078 individual parents). In cases where there was more than one child from the union, the first child listed in the DHS-CSP database extraction was selected as the focus child. This was the same approach as was used in the LSSF.

The main survey sample comprised 28,636 individuals selected for inclusion in the main survey, distributed across the eight states and territories. This figure was calculated to be required in order to achieve 6,000 interviews, based on the response rate of 22% from the SRSP 2012 pilot study (conducted between 24 July and 5 August 2012).

The sample was stratified by state, gender and payer/payee status. Given the smaller available sample of female payers, all female payer cases in each stratum were selected, and a proportion of male payer cases were randomly selected in order to achieve a geographically proportional sample.

The main data collection for the SRSP 2012 was carried out between 22 August and 30 September 2012. A total of 6,119 interviews with separated parents were completed during this period. Call statistics and a breakdown of the responding sample can be found in Appendix 1.

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<sup>9</sup> The Child Support Program is part of the Department of Human Services, assisting more than 1.4 million separated parents, and collecting payments in relation to over 1.2 million children.

### 1.3.2 Ethical considerations

An ethics review for the SRSP 2012—in regard to all aspects of the methodology, survey instrument, participant materials and data collection protocols—was provided by the AIFS Human Research Ethics Committee. The committee was satisfied that the SRSP 2012 adhered to the National Health and Medical Research Council (NHMRC) guidelines and national statement on human research ethics, particularly regarding informed consent, privacy and the confidentiality of participant information, duty of care in responding to participant distress, and mandatory reporting (particularly for the sample in the Northern Territory) in relation to the disclosure of child abuse and family violence (Child Family Community Australia, 2012). Although the advice AIFS was provided from NT authorities was that there was no direct obligation that would require interviewers located outside of the NT to make reports under the mandatory reporting laws, AIFS took the position that a best practice approach would be taken, in line with AIFS' Child Safety policy. The AIFS' Child Safety policy is that AIFS would proceed with fieldwork as though the laws applied directly to SRSP 2012 interviews conducted with participants in the NT, whereby under certain circumstances, reports may be made.

Thorough training was provided to interviewers regarding participant distress and handling disclosures of safety concerns. There were also a number of prompts programmed into the survey at particular points to remind interviewers to offer referrals numbers to support services if/when it was necessary. At the end of the survey, interviewers recorded whether they offered referral numbers and whether participants accepted them. Of the 4,462 offers made to participants (73% of all interviews), 1 in 5 accepted referral numbers, which were provided either at the time of the interview or, if the participant preferred, at a later stage (through a follow-up phone call, email or post).

Given the highly sensitive nature of the survey and the specific reporting requirements in the Northern Territory, only a small team of highly experienced interviewers conducted interviews with participants in the NT. The NT survey also included a more specific introduction script read out by interviewers, advising participants of the mandatory reporting obligations, whereby any disclosures by participants to interviewers of immediate “threats or serious risk of family violence or cases of child abuse” may be required to be reported to NT authorities. Decisions about when to make a report were supported by a protocol developed in consultation with the NT authorities. The threshold for requiring a report to be made was that threat of family violence or child abuse was *current, unreported to authorities, involved physical violence, and located within the NT*. It was also emphasised that participants could choose to skip any questions they did not want to answer. During the fieldwork phase, there were two reports made to relevant Northern Territory authorities. These reports were made by senior research staff at the fieldwork agency, in consultation with AIFS.

### 1.3.3 Participant recruitment and data collection

Of the extracted sample, all potential participants were sent a letter from DHS providing them with the opportunity to opt out of future research. All opt-outs received within the specified timeframe ( $n = 1,596$ ) were removed from the database prior to it being released to the fieldwork agency contracted to undertake the data collection.

All potential participants were sent a letter and information brochure about the study by the fieldwork agency on AIFS' behalf one week prior to their record being loaded into the survey sample for initial contact. The pre-approach letter and project information brochure outlined the details of the study, information about participants' privacy and confidentiality and contact information for both AIFS and the fieldwork agency for further information. Both documents

also included a project-specific toll-free hotline number and email address (maintained by the fieldwork agency's research supervisors) for any participants who wished to change their contact details, find out more about the study or opt out prior to or during fieldwork.

Interviewers undertook thorough training sessions prior to commencing fieldwork. These training sessions covered the background to the study, a detailed explanation of the questionnaire and sample, response maximisation techniques, complaint handling, interviewer and participant distress (including offering referrals to relevant national and state-based support services), and duty-of-care issues and protocols (including mandatory reporting requirements in the Northern Territory). Interviewers were also supplied with a detailed manual to refer to as necessary.

All participant information, including details of the focus parent and focus child, were kept in password-protected files on a secure server with restricted access. Interviewers and their supervisors did not have access to any identifiable participant information except as provided to them within each individual survey. All identifiable information was removed from the data file of completed interviews that was provided to AIFS for analysis.

#### 1.3.4 Data collection issues

Thorough testing of the survey was carried out by both the fieldwork agency undertaking the data collection and AIFS prior to commencement of the main data collection. An interim dataset was also provided to AIFS and further checking was carried out (which was not possible prior to the commencement of data collection). However, as a consequence of the reduced time available to test the survey, a number of programming errors were identified after the main fieldwork period had commenced. Where AIFS found questions were missed due to programming or other issues, these errors were promptly rectified and call-backs were undertaken to affected participants to minimise missing data.

In total, separate programming errors affected 2,745 participants. The majority of these participants ( $n = 2,438$ ) were affected by an error in the child support module. This error appears to have occurred due to one child support question being modified between pilot and main waves in order to achieve a better flow of questions; but the change inadvertently caused interviewers speaking to payees to skip a subsequent child support question.

Successful call-backs were made for 92% of the participants affected by the errors ( $n = 2,460$ ). The remaining 232 participants were either unable to be re-contacted during the fieldwork period or chose not to answer the additional questions when successfully re-contacted. Due to the small sample with missing data items, the consequence of this issue is negligible from a statistical perspective.

#### 1.3.5 Analytical approach

The analysis presented in this report is based on weighted data. The sample data for parents was first weighted to take into account the unequal probability of sample selection of participants with different characteristics. The variables used to develop the weights were the same as those used in Wave 1 of the LSSF.<sup>10</sup>

Data were analysed using STATA MP Version 12 and, generally, data items have been further analysed by participants' gender and, as deemed appropriate, by their experiences of family

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<sup>10</sup> Weighting variables used were participant gender, age group, income, and child support payer type.

violence. For the majority of the data items reported in the remainder of this report, the proportions of “don’t know” or “refused” responses were low (less than 5% of the combined total in most cases) and therefore, for simplicity, the “don’t know” and “refused” responses have been excluded from almost all of the reported analyses. There were a small number of exceptions to this approach, such as parents’ views on a series of statements about the effectiveness of the family law system (in Chapter 6), where a relatively high proportion of participants did not feel they could express a view on each statement. Similarly, parents’ perceptions of fairness regarding the child support amount they are supposed to pay or receive, also showed some slightly higher proportions of parents who didn’t know whether the child support assessment in their case was fair or not (primarily among parents who did not pay or receive any child support). For these analyses, the “don’t know” responses have been included.

The tables and figures presented in this report show weighted data, but where the number of observations is provided within a table or in a figure note, these are unweighted.

No direct tests of statistical significance were conducted, and therefore any differences in the reported data should be interpreted with this in mind.

## *1.4 Structure of this report*

This report has eight further chapters and six appendices. Chapter 2 provides an overview of the SRSP 2012 sample, focusing on the key areas of demographic characteristics, family form, and parenting arrangements (including changeover arrangements and parents’ reports on the exercise of decision-making responsibility). This chapter also includes an overview of the incidence of family violence among the SRSP 2012 cohort in comparison with the LSSF Wave 1 sample. Chapter 3 focuses in some depth on family violence and safety concerns, and examines incidence, frequency and impact. The analysis also sets out the parenting arrangements evident among families where family violence and ongoing safety concerns are reported. Patterns in service use are examined in Chapter 4. This material includes an analysis of the patterns of service use evident among families that are and are not affected by family violence and ongoing safety concerns. Findings on parents’ reports of disclosure of family violence and safety concerns, and family law system responses, are presented in Chapter 5. Chapter 6 outlines parents’ evaluations of the effectiveness of the family law system. The important question of parent and child wellbeing is considered in Chapter 7, with a particular emphasis on the connection between wellbeing and family violence and safety concerns. Chapter 8 examines child support arrangements in place for SRSP 2012 parents, including liability and compliance (to pay or receive any child support) and parents’ sense of fairness about the child support arrangements in place for their children. Finally, the main findings of the report are summarised in Chapter 9.

## 2 Characteristics of separated families

This chapter provides an overview of the key demographic and family composition characteristics of the parents interviewed for SRSP 2012. The first section outlines socio-economic and demographic characteristics of mothers and fathers. This is followed by a summary of family characteristics, both prior to separating (duration of relationship, number of children, etc.) and after separation (relationship status, living arrangements). The final section in this chapter provides a summary of post-separation parenting arrangements and parents' perceptions of the quality of their family relationships (both with the focus parent and their children).

### 2.1 Key demographic characteristics of parents

The average age of separated fathers was 38 years and separated mothers 35 years (Table 2.1). The most common age range for separated parents was 35–44 years, with 40% of all responding parents falling into this category. This differs from Wave 1 of the LSSF, where the most common age range was 25–34 years (38% of fathers and 39% of mothers).

Just over half the parents in the SRSP 2012 reported having a post-secondary qualification (e.g., tertiary degree or trade). Just over one-quarter of parents had not completed secondary school. Fathers' and mothers' showed similar proportions for each education level.

In relation to labour force status of separated parents, 85% of fathers were in paid employment and 59% of mothers (cf. 84% of fathers and 52% of mothers in the LSSF). A higher percentage of fathers were employed full-time than mothers (76% cf. 20% respectively).

Housing tenure was relatively similar between mothers and fathers across all accommodation types. The most common arrangement was private rental, with more than half of all parents living in rented properties (55% of fathers and 60% of mothers). Just less than one-third of SRSP 2012 parents owned or were purchasing their homes. This is lower than parents in the general population, with 2011 Census data reporting that 67% of dwellings were owned outright or being purchased (Australian Bureau of Statistics [ABS], 2012). Eight per cent of parents reported they were living with family members (parents, siblings, etc.) (9% of fathers and 6% of mothers).

The average household income of parents in the SRSP 2012 was \$61,400. This figure was considerably lower than the national average among families with dependent children. Based on estimates from the ABS in 2009–10, the national average household income for families with dependent children (including couple and one-parent families) was \$113,200 (ABS, 2011).<sup>11</sup> Among the parents in the SRSP 2012, there was noticeable variance between fathers' and mothers' reports of personal income and household income. Fathers reported an average personal income of \$67,000 and mothers reported an average of \$39,800. The average household income was also higher among fathers than mothers (\$79,100 cf. \$45,900 respectively). Parents' income is further discussed in Chapter 4 in relation to the main family

<sup>11</sup> When interpreting these income figures, please note that the ABS data relates to 2009–10. In contrast, as described in Chapter 1, the SRSP data were collected in 2012. The average income value for couples with dependent children and one-parent families with dependent children were reported separately by the ABS. The average income value quoted above was derived by calculating a weighted average based on the income value and number of households in each family classification category.

law pathways used to sort out the parenting arrangements for their children (see section 4.1 and Appendix 4, Tables A4.1 & A4.2).

Financial difficulties had been experienced by more than two-thirds (69%) of all parents since separating. A higher proportion of mothers than fathers reported experiencing financial stress for eight out of the nine indicators recorded, with only 23% of mothers reporting no indicators, compared with 38% of fathers. However, 9% of fathers reported experiencing homelessness, compared with 6% of mothers. Areas where the differences were most evident included being unable to pay bills on time (45% of mothers cf. 33% of fathers), seeking financial assistance from a welfare/community group (27% of mothers cf. 11% of fathers) and seeking financial assistance from family or friends (58% of mothers cf. 42% of fathers).

Table 2.1: Demographic characteristics of separated parents, father and mother reports

Demographic characteristics of participant	Fathers (%)	Mothers (%)	All parents (%)
<b>Age</b>			
18–24 years	7.2	12.7	10.0
24–34 years	30.5	36.1	33.4
35–44 years	40.5	40.0	40.2
45+ years	21.8	11.2	16.4
Median age	38 years	35 years	36 years
Average age	38 years	35 years	36 years
<i>SD</i>	8.6 years	8.1 years	8.5 years
<b>Country of birth</b>			
Australia	80.0	80.8	80.4
Other country	20.0	19.2	19.6
<b>Education</b>			
Bachelor's degree or above	20.7	23.2	22.0
Other post-secondary qualification (incl. trades etc.)	30.4	28.7	29.6
Year 12 (no post-secondary qualification)	20.3	22.6	21.5
Year 11 or below	28.7	25.4	27.0
<b>Employment</b>			
Full-time employed	75.8	20.1	47.0
Part-time employed	9.5	39.1	24.8
Not employed	14.7	40.8	28.2
<b>Housing tenure</b>			
Own or purchasing	28.6	29.2	28.9
Private rental	54.6	60.4	57.6
Living with family	9.2	6.2	7.7
Paying board	5.2	2.6	3.9
Other	2.4	1.6	2.0
<b>Financial stress since separation</b>			
No financial difficulties	38.2	23.4	30.6
Unable to pay bills on time	32.5	44.5	38.7
Unable to pay car registration/insurance on time	22.9	25.6	24.2
Unable to make rent/mortgage payments on time	21.2	23.1	22.2
Unable to heat the home	9.5	13.1	11.3
Went without meals	12.6	12.8	12.7
Had to sell something	26.7	26.1	26.4
Sought financial assistance from a welfare/community group	11.0	27.1	19.2
Sought financial assistance from family or friends	41.6	57.9	50.0
Experienced periods of homelessness	9.1	6.3	7.7
	<b>Fathers (\$)</b>	<b>Mothers (\$)</b>	<b>All parents (\$)</b>
<b>Annual personal income</b>			
Median (\$1,000s)	55.0	33.8	41.6
Mean (\$1,000s)	67.0	39.8	52.9
<i>SD</i>	1,230	580	688
<b>Annual household income</b>			
Median (\$1,000s)	65.0	36.4	45.0
Mean (\$1,000s)	79.1	45.9	61.4
<i>SD</i>	1,436	766	823
No. of observations	2,853	3,266	6,119

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis (less than 1%). "Financial stress" percentages do not sum to 100% as multiple responses could be selected. Percentages of other characteristics may not total exactly 100.0% due to rounding.



On average, parents had been separated for 17 months at the time of interview, with the majority of these couples having been married at the time of separation (72% of fathers and 68% of mothers) (Table 2.2). The majority of separated parents had either one or two children from the union.

Parents were also asked who left the family home at the time of separation. In over half the separated families in the sample, the father was the parent to leave the family home (53%). Mothers left the family home at the time of separation in 40% of cases. The remaining sample included 5% where both parents left and 2% with other arrangements (such as both parents living under the same roof or alternating the family home residence for the children).

Only a minority of parents had re-partnered at the time of interview (25% of parents), but a higher proportion of fathers were living with a new partner (16% of fathers cf. 7% of mothers).

Table 2.2: Family characteristics of separated parents, father and mother reports

Family characteristics of participant	Fathers	Mothers	All parents
<b>Duration of separation from focus parent</b>			
Number of months (mean)	17	17	17
	%	%	%
<b>Marital status at separation</b>			
Married	72.4	67.6	69.9
Cohabiting	26.4	30.2	28.4
Not together	1.2	2.2	1.7
<b>Number of children from union</b>			
One	36.9	37.8	37.4
Two	43.7	41.5	42.5
Three or more	19.5	20.7	20.1
<b>Who left the house</b>			
Mother left	38.0	41.8	39.9
Father left	54.8	51.7	53.2
Both parents left	5.5	5.1	5.3
Other arrangement	1.7	1.4	1.6
<b>Current relationship status</b>			
Living with a partner	15.6	6.6	11.0
Partnered, not living together	14.7	13.2	13.9
Not in a relationship	69.7	80.2	75.1
No. of observations	2,853	3,265	6,118

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

### 2.1.1 Key characteristics of focus children

As shown in Table 2.3, most of the focus children in the sample were in the 5–11 year age group (39%), with the next biggest age groups represented in the sample being 0–2 (21%) and 3–4 years (17%). The average age of the focus children was 7 years and there was a relatively even distribution of males (51%) and females (49%). The age of the focus children in the SRSP 2012 was slightly older than was reported in the LSSF. This is partly explained by a slight difference between the two samples in sample extraction from the DHS-CSP database.<sup>12</sup>

<sup>12</sup> The LSSF Wave 1 sample included approximately 9% of parents who had either never lived together or never been in a relationship, whereas the SRSP sample did not include parents from this subpopulation. These LSSF

Table 2.3: Age and gender of the focus child

Characteristics of focus child	No. of children	Percentage of children
<b>Age</b>		
0–2 years	903	21.1
3–4 years	837	17.3
5–11 years	2,223	38.6
12–14 years	741	11.0
15–17 years	876	12.0
Mean age	7 years	–
Median age	6 years	–
<b>Gender</b>		
Boys	2,880	51.2
Girls	2,700	48.8
No. of observations	5,580	100.0%

Notes: Data have been weighted. In cases where both parents of a focus child participated, data from one parent were randomly selected for inclusion.

## 2.2 Relationship dynamics and parenting arrangements

This section examines the dynamics of parents' relationships and parenting arrangements that were in place for their children post-separation, not only in the sense of care-time and associated arrangements but also parents' relative involvement in decision-making regarding the children.

As a means of providing some context to parents' experiences, Table 2.4 provides a comparison between mothers' and fathers' reports of family violence before and/or during separation.<sup>13</sup> Rates of physical hurt were similar between the SRSP 2012 and LSSF Wave 1; however, there was a higher proportion of parents who reported emotional abuse alone in the SRSP 2012, which potentially explains the lower incidence of *no* family violence in the SRSP 2012. Experiences of family violence and safety concerns in the SRSP 2012 are discussed in greater detail in later chapters.

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parents tended to have younger children at the time of registration with DHS-CSP, the date range of which was a key factor in the sampling frame.

<sup>13</sup> It is worth noting that the LSSF sample extraction from the DHS-CSP database included parents where there was no date of separation registered, the vast majority of whom reported they had never lived together or were never in a relationship with the focus parent. The SRSP sample extraction did not include cases with no date of separation, resulting in no participants reporting that they were never in a relationship with the focus parent, and 19 parents reporting they had never lived together. This may go some way to explaining the lower overall prevalence of family violence reported in the LSSF Wave 1 compared with the SRSP.

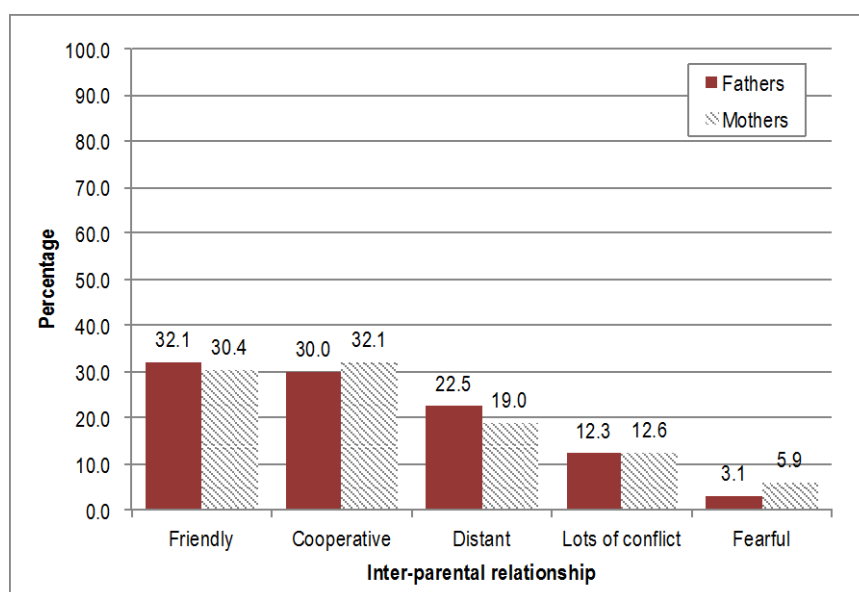
Table 2.4: Comparison of experiences of family violence *before/during* separation between SRSP 2012 and LSSF Wave 1 parent cohorts, father and mother reports

	SRSP 2012			LSSF Wave 1		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Physical hurt <sup>a</sup>	15.7	23.5	19.8	16.5	25.7	21.1
Emotional abuse alone	42.9	44.9	43.9	36.4	39.1	37.7
No family violence reported	41.3	31.6	36.3	47.1	35.3	41.2
No. of observations	2,853	3,266	6,119	4,983	5,019	10,002

Notes: Data have been weighted. <sup>a</sup> Physical hurt includes those who experienced both physical hurt and emotional abuse, given that the majority of parents who experienced physical violence also experienced emotional abuse. For the purposes of comparability between the SRSP 2012 and LSSF, experiences of “unwanted sexual activity” have been excluded from the analysis, as this was not asked in LSSF Wave 1. Percentages may not total exactly 100.0% due to rounding.

### 2.2.1 Quality of inter-parental relationship

Reports on the quality of inter-parental relationships did not differ greatly between mothers and fathers. Parents were able to nominate one of five descriptors for the nature of their relationship at the time of interview. Two were clearly positive (“friendly” and “cooperative”) and the majority of mothers and fathers nominated either one of these categories. A third descriptor was ambiguous (“distant”), and the final two were clearly negative (“lots of conflict” and “fearful”). In general, the responses provided by SRSP 2012 parents were largely consistent with those of LSSF Wave 1 parents (Kaspiew et al., 2009, Table 2.7). Figure 2.1 shows that slightly fewer than two in three parents (62–63%) reported that their relationship with the focus parent was either friendly or cooperative. There were few differences between mothers’ and fathers’ reports of relationship quality. A higher proportion of fathers felt their relationship was distant (23% cf. 19% of mothers) and the proportion of mothers who considered their relationship to be fearful was twice that of fathers (6% cf. 3% of fathers).

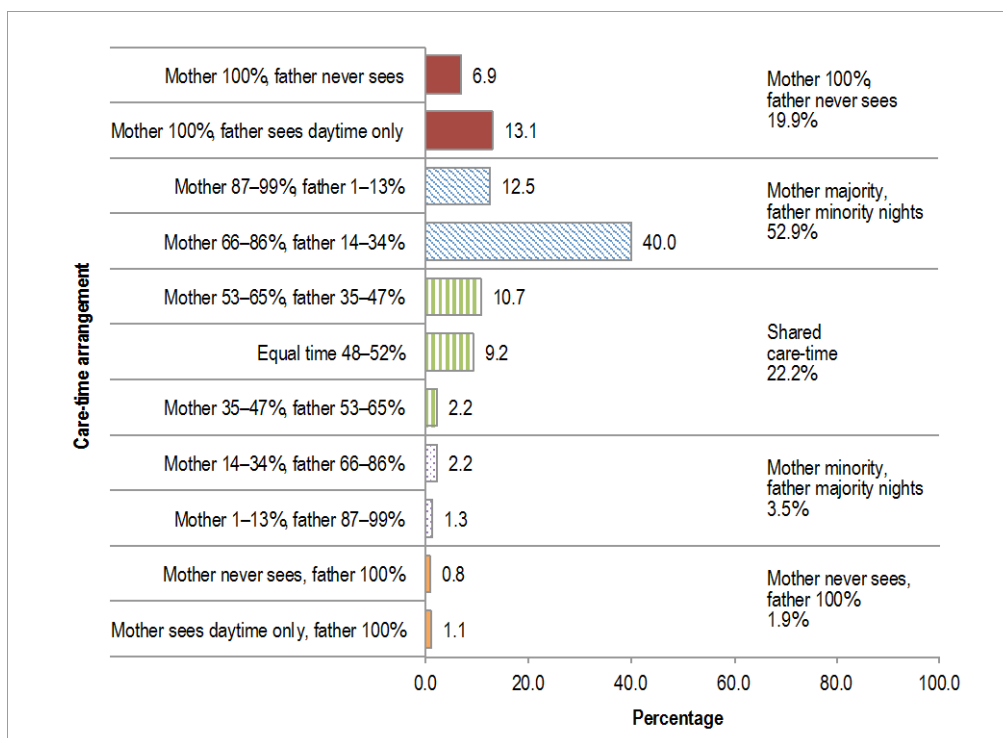


Notes: Data have been weighted. No. of observations: fathers,  $n = 2,795$ ; mothers,  $n = 3,208$ ; all parents,  $n = 6,003$ . The “don’t know” and “refused” responses were excluded from this analysis (less than 2%).

Figure 2.1: Quality of inter-parental relationship, father and mother reports

## 2.2.2 Parenting time

Parenting care-time arrangements were calculated based on the proportion of nights the non-resident parent sees the focus child per year. The “care time” calculation excluded the small proportion of participants who reported that they currently lived “under the same roof” as the focus parent. Cases where the child saw a parent during the daytime only were classified broadly as living with the other parent 100% of nights, but is shown taking into account cases where children see the non-resident parent during the daytime only. For the purposes of this report, “shared care” is considered to be overnights stays with each parent for at least two nights per week.<sup>14</sup> For succinctness, in cases where children spent 66–99% of nights per year with one parent, we refer to them spending “most nights” with that parent and “a minority of nights” with the other parent. Figure 2.2 shows that one in five separated families had shared care of the focus child. The most common parenting arrangement was where children spent most nights with their mother, with just over half of the children having this arrangement (53%). Shared care-time arrangements (between 34–65% of nights with each parent) were reported in 22% of separated families, a figure higher than was reported in the LSSF Wave 1 (16%). As discussed in section 2.1.1, a key difference in sample extraction between LSSF Wave 1 and the SRSP 2012 produced families with slightly older children. The older average age could explain much of this apparent difference in shared care-time, as such arrangements are more common in separated families with older (school-aged) children. A more detailed breakdown of the parenting arrangements among different age groups is shown in Appendix 2.



Notes: Data have been weighted. No. of observations:  $n = 5,373$ . In cases where both parents of a focus child participated, data from one parent were randomly selected for inclusion. Percentages do not total exactly 100.0% due to rounding.

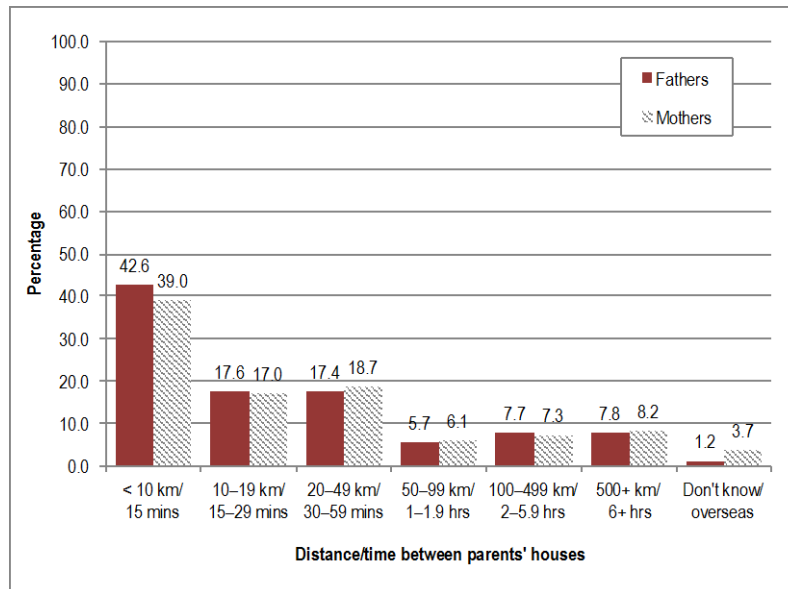
Figure 2.2: Care-time arrangements for focus child

<sup>14</sup> This approach to the categorisation of care-time arrangements is consistent with the LSSF.

### 2.2.3 Distance between houses

Parents were asked to estimate the distance (or driving time) between their house and the focus parent's house. Most parents indicated that they lived less than 50 km (or less than 1 hour) from the focus parent.

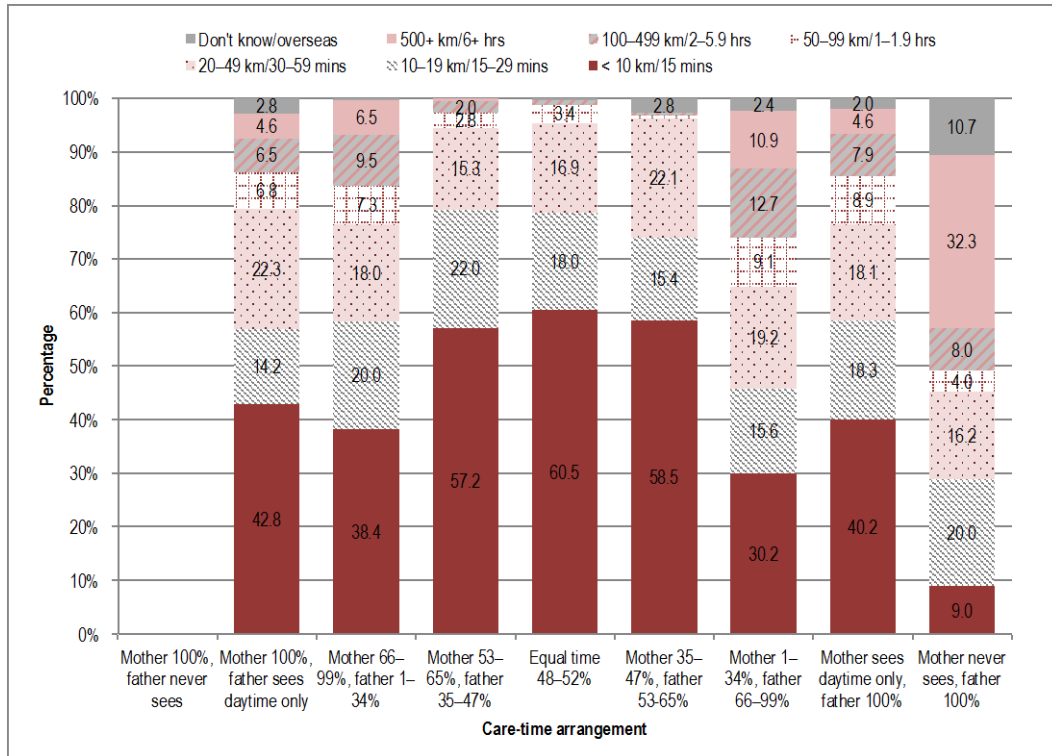
More than half the responding parents reported living less than 20 km from the focus parent (or less than 30 minutes' drive). Over 20% of parents lived more than 50 km (more than 1 hour) (Figure 2.3).



Notes: Data have been weighted. No. of observations: fathers,  $n = 2,852$ ; mothers,  $n = 3,262$ . The "refused" responses ( $n = 6$ ) were excluded from this analysis.

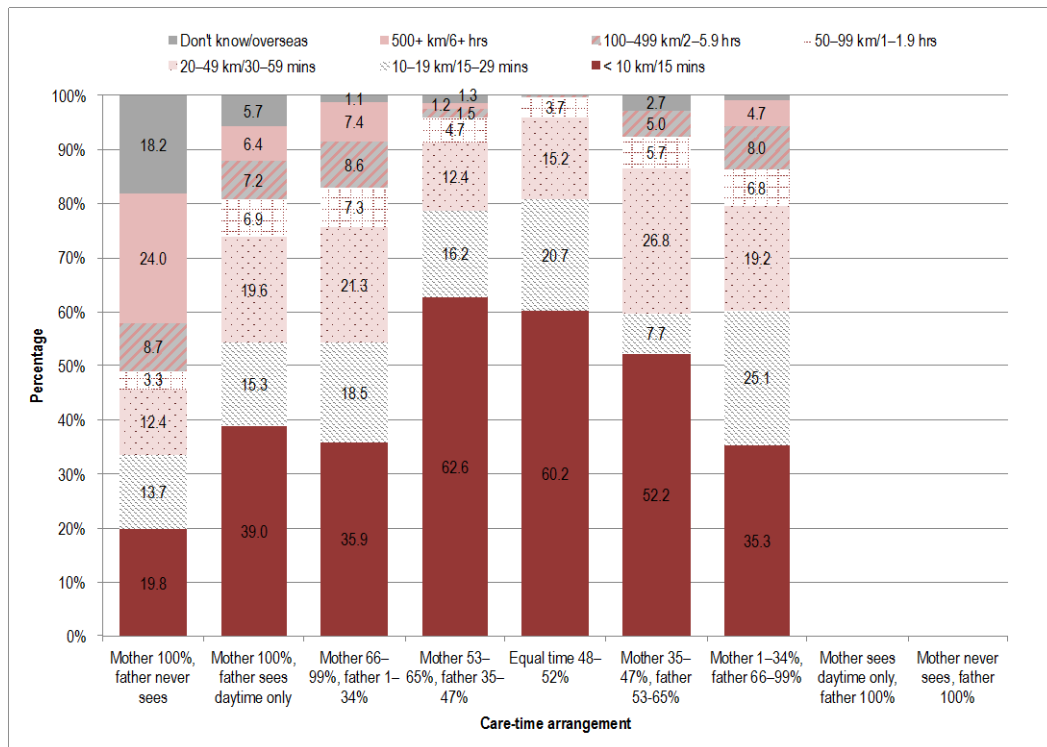
Figure 2.3: Distance/time between parents' houses, father and mother reports

Analysing the distance between parents' houses by care-time arrangements for the focus child illustrates the complexities of families' situations (see Figure 2.4 and Figure 2.5). Three-fifths of parents who had shared care-time arrangements in place for their children lived near the focus parent (less than 10 km/15 minutes apart). Among families where children spent most nights with their mother, 76% of both mothers and fathers reported that they lived less than 50 km/one hour from the focus parent. Among parents whose children never saw the focus parent, distance appeared to be a factor, with 32% of fathers and 24% of mothers reporting that the focus parent lived more than 500 km away. Further, 11% of fathers and 18% of mothers whose children did not see the focus parent, reported that they did not know where the focus parent lived, or that the focus parent lived overseas.



Notes: Data have been weighted. No. of observations:  $n = 2,281$ . Data for "mother 100%, father never sees" ( $n = 11$ ) are not shown because the sample size was fewer than 20 responses. The "refused" responses were excluded from this analysis. Data labels are not included for proportions less than 1%. Percentages may not total exactly 100.0% due to rounding.

Figure 2.4: Distance/time between houses, by care-time arrangements, father reports

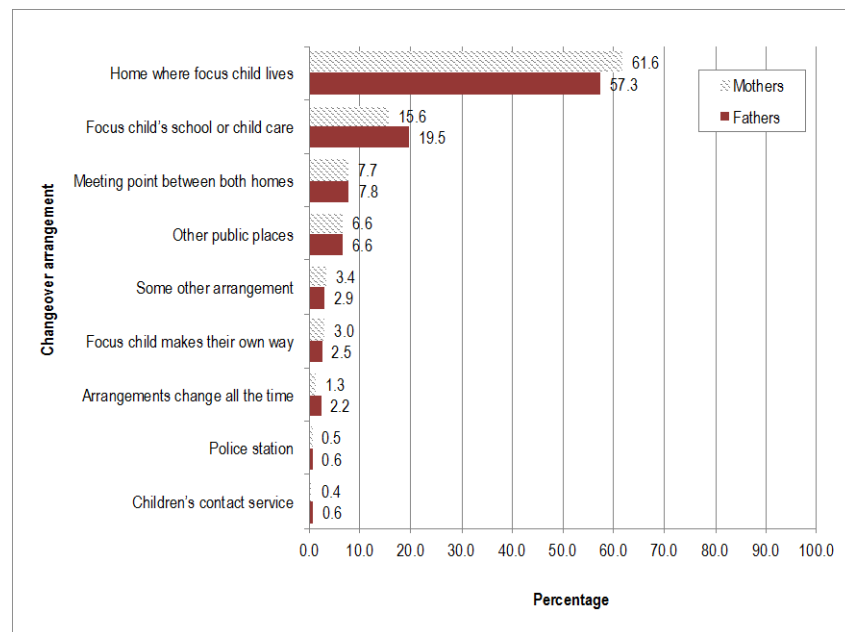


Notes: Data have been weighted. No. of observations:  $n = 3,088$ . Data for “mother daytime only” ( $n = 10$ ) and “mother never sees” ( $n = 4$ ) are not shown because sample sizes were fewer than 20 responses each. The “refused” responses were excluded from this analysis. Data labels are not included for proportions less than 1%. Percentages may not total exactly 100.0% due to rounding.

Figure 2.5: Distance/time between houses, by care-time arrangements, mother reports

### 2.2.4 Changeover arrangements

The most common changeover arrangement when the focus child stayed overnight with each parent was for the child to be picked up or dropped off from his or her home (57–62%) (Figure 2.6). There is no distinction drawn here as to which parent’s home was the pick-up or drop-off point; the key point is that the changeovers occurred for these children at either parent’s home, rather than in a public setting. The children’s school or child care centre was the next most common changeover location, used by almost one in five families. Other changeovers occurred at a private meeting place between both homes (such as other family or friends’ homes) (8%); in public places, such as parks, shopping centres or restaurants (7%); and in more formal changeover locations, such as a police station or children’s contact centre (1%). Three per cent of parents reported that the focus child made their own way between both homes.



Notes: Data have been weighted. Sample comprises parents who reported that the child stayed overnight with each parent. No. of observations: fathers,  $n = 2,533$ ; mothers,  $n = 2,758$ . The "refused" responses were excluded from this analysis (approximately 2%). Percentages may not total exactly 100.0% due to rounding.

Figure 2.6: Changeover arrangements for focus child, father and mother reports

### 2.2.5 Decision-making for focus child

Parents were asked to indicate how decisions were made regarding four broad areas of the focus child's life: education,<sup>15</sup> health care, religious or cultural ties, and sporting or social activities. Parents were asked who was mostly involved in decision-making for each item. Response options comprised: mainly themselves, mainly the focus parent, both parents equally, or someone else (such as the child or another family member). Consistent with findings from the LSSF Wave 1, reports about the exercise of decision-making responsibility varied between mothers and fathers (Kaspiew et al., 2009, Table 8.1).

Table 2.5 provides an overview of parents' reports about decision-making regarding the focus child. The vast majority of parents reported that decisions were mainly made by the mother or by both parents equally, with only a small minority of parents reporting that the father was the main decision-maker. For every item, a far higher proportion of mothers than fathers reported themselves as mainly making the decisions. For example, 67% of mothers and 9% of fathers reported themselves as being the main decision-maker when it came to the focus child's education. A greater percentage of fathers reported sharing decision-making than mothers. For example, 53% of fathers reported that both parents made education decisions equally, compared with only 29% of mothers.

Overall, the proportions of parents reporting shared decision-making for each item were: education: 41%; health care: 27%; religion or cultural ties: 45%; and sporting or social activities: 35%.

<sup>15</sup> Decision-making relating to education was only asked about if the focus child was at least four years old.



Table 2.5: Parenting decision-making about focus child, father and mother reports

Area of child's life	Fathers (%)	Mothers (%)	All parents (%)
<b>Education (children 4+ years only)</b>			
Mainly mother	35.2	67.3	51.5
Mainly father	8.8	2.6	5.7
Both parents equally	53.1	29.1	40.9
Other	2.9	1.1	2.0
No. of observations	2,055	2,221	4,276
<b>Health care</b>			
Mainly mother	44.0	78.4	61.7
Mainly father	10.4	2.3	6.2
Both parents equally	38.3	17.1	27.3
Other	7.4	2.3	4.8
<b>Religion or cultural ties</b>			
Mainly mother	27.9	54.6	41.9
Mainly father	10.3	3.9	7.0
Both parents equally	54.4	37.1	45.4
Other	7.4	4.4	5.8
<b>Sporting or social activities</b>			
Mainly mother	33.1	66.3	50.3
Mainly father	12.0	3.1	7.4
Both parents equally	45.6	24.7	34.8
Other	9.4	0.6	7.6
No. of observations	2,869	3,260	6,099

Notes: Data have been weighted. The "other" category consists of the responses "whichever parent is with the child at the time", "someone else" or "focus child makes the decision". Observations for each item have been excluded where the response was "don't know" or the parent did not respond to the question: education, "don't know" <1%, no response = 2%; health care, "don't know" & no response < 1%; sporting and social activities, "don't know" = 3%, no response = 0.2%; religion and cultural ties, "don't know" = 7%, no response = 1%. Religion and cultural ties "don't know"/no-response is consistent with the rates in LSSF Wave 1 (10% "don't know" and 1% did not respond) and is likely to be due to parents not feeling it was relevant (e.g., no religion). Percentages may not total exactly 100.0% due to rounding.

The age of the focus child appears to be a key factor in the way in which parents exercise decision-making responsibility. For infants and toddlers (children aged 0–2 years), mothers were most often reported as the main decision-maker for each item (shown in Table 2.6). For example, regarding health care, 62% of all parents reported the mother as the main decision-maker, 27% felt these decisions were made equally, 6% identified the father as the main decision-maker and 5% reported someone other than the parents made the decisions. The proportion of mothers being reported as the main-decision maker among separated parents appears to decrease as the age of the focus child increases. Reporting of fathers as the main decision-maker increases with the age of the child.

Regarding decisions relating to religious/cultural ties and sporting/social activities, a substantial increase in decisions made by someone else (e.g., the children themselves) can be seen for children aged 15–17 years.<sup>16</sup> These appear to be areas of the child's life where parents may feel

<sup>16</sup> Analysis was carried out separately for fathers and mothers and the patterns across age groups of focus children were similar (results not shown).

the child is old enough to have some independence, with almost 1 in 5 parents of 15–17 year olds reporting that decisions relating to sporting/social activities were mainly made by someone else (e.g., the focus child), compared with 8% of parents with 12–14 year olds reporting these decisions were made by someone else.

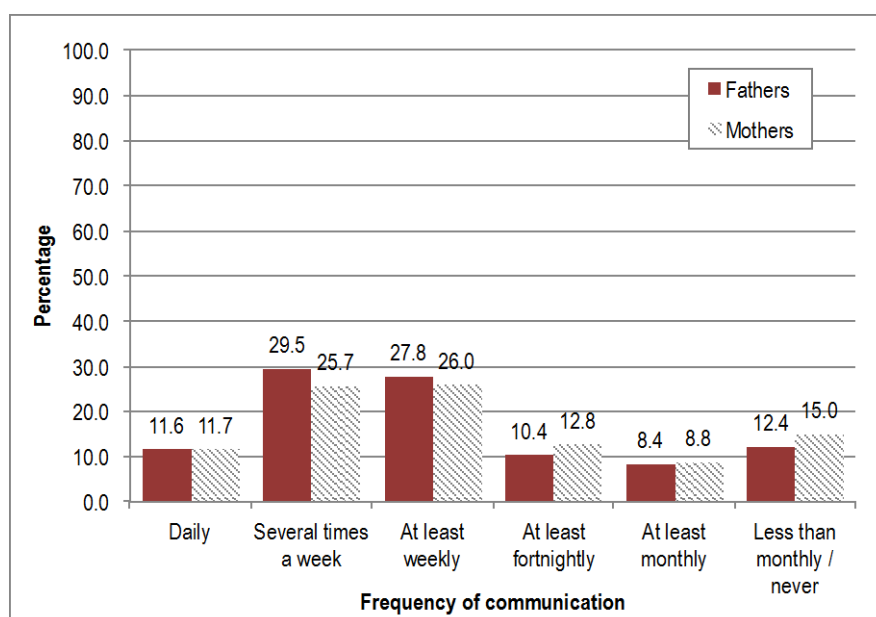
**Table 2.6: Parenting decision-making by focus child age**

Area of child's life	0–2 years (%)	3–4 years (%)	5–11 years (%)	12–14 years (%)	15–17 years (%)	All children (%)
<b>Education (children 4+ years only)</b>						
Mainly mother	–	54.7	52.0	50.7	49.2	51.5
Mainly father	–	6.2	4.4	6.7	8.4	5.7
Both parents	–	37.4	41.9	41.9	39.1	40.9
Someone else	–	1.8	1.6	1.8	3.3	2.0
No. of observations	–	207	2,149	732	788	3,876
<b>Health care</b>						
Mainly mother	72.2	62.4	58.6	57.4	56.9	61.7
Mainly father	3.0	5.3	5.8	8.8	11.7	6.2
Both parents	20.3	27.6	30.4	28.7	27.9	27.3
Someone else	4.5	4.8	5.2	5.1	3.5	4.8
No. of observations	900	836	2,213	738	874	5,561
<b>Religious / cultural issues</b>						
Mainly mother	48.3	39.2	42.0	39.8	36.4	41.9
Mainly father	4.7	6.4	7.1	8.0	10.1	7.0
Both parents	44.0	51.5	46.5	43.7	37.3	45.4
Someone else	3.0	2.9	4.4	8.5	16.3	5.8
No. of observations	827	756	2,065	688	830	5,166
<b>Social activities</b>						
Mainly mother	63.4	52.3	47.2	45.7	40.2	50.3
Mainly father	3.6	4.9	8.4	8.9	12.4	7.4
Both parents	28.3	37.0	38.4	37.1	28.0	34.8
Someone else	4.7	5.8	5.9	8.4	19.4	7.6
No. of observations	839	813	2,191	735	854	5,432

Notes: Data have been weighted. Total number of observations varies due to exclusion of "don't know" or "refused" responses for each item. Percentages may not total exactly 100.0% due to rounding.

## 2.2.6 Frequency of communication

As Figure 2.7 illustrates, most parents indicated they communicated with the focus parent about their child at least weekly (26% of mothers and 28% of fathers) or several times a week (26% of mothers and 30% of fathers). Just over one-tenth of parents indicated communication occurred daily. A slightly higher proportion of mothers than fathers said that communication occurred less than monthly or never (15% cf. 12%).



Notes: Data have been weighted. No. of observations: fathers,  $n = 2,799$ ; mothers,  $n = 3,227$ . The "don't know" and "refused" responses were excluded from this analysis (less than 2%). Percentages may not total exactly 100.0% due to rounding.

Figure 2.7: Frequency of communication between parents, father and mother reports

## 2.3 Summary

### 2.3.1 Family characteristics

The average age of separated parents was 37 years and the vast majority were born in Australia. Levels of education and qualifications were fairly evenly distributed across the sample with roughly one quarter of all parents reporting their highest level of education was a bachelor's degree or higher; other post-secondary qualification (including trades etc.); Year 12 or equivalent; and Year 11 or below. Differences between fathers and mothers were most notably seen in labour force status and income, with the majority of fathers being in full-time employment, and most mothers either working part-time or not being in paid employment. Fathers tended to have higher personal and household income than mothers. Housing tenure for separated parents was relatively insecure, with fewer than one-third of parents owning (or purchasing) their homes, and more than half in rental accommodation. When compared to the general population (among whom around two-thirds of homes are owned or being paid off) (ABS, 2012), separated parents participating in the SRSP 2012 had lower home ownership rates. Sixty-nine per cent of parents had experienced some level of financial stress since the separation.

Two-thirds of separated parents had been married at the time of separation, having been separated for an average of 17 months at the time of interview. The vast majority of separated parents tended to have one or two children from the union, with 20% having three or more children. The average age of the focus child was 7 years. At the time of the interview, three-quarters of the parents had not re-partnered since the separation, but among parents who had re-partnered, a higher proportion of fathers than mothers were living with a new partner.

### 2.3.2 Family relationships and parenting arrangements

The majority of parents reported inter-parental relationships to be “friendly” or “cooperative”, about one-fifth said they were “distant”, just over one-tenth nominated the “lots of conflict” descriptor and about 5% (6% of mothers and 3% of fathers) used the “fearful” descriptor.

The most common parenting arrangement among recently separated parents was where the child(ren) lived most of the time with the mother, but regularly stayed with their father. A shared care-time arrangement (between 35% and 65% of nights with each parent) was in place for one in five families in the study, which is a slightly higher proportion than was reported in the LSSF Wave 1. This difference is likely to be linked to the concentration of children in the SRSP 2012 sample in the 5–11 year age group, which is the age group where shared-care arrangements are most common. For example, 26% of 5–11 year olds in the LSSF Wave 1 were in shared care-time arrangements (Kaspiew et al., 2009, Figure 6.5). Parents’ reports on the exercise of decision-making responsibility in four areas—education, health care, religion or cultural ties, and sporting and social activities—revealed some substantial differences in the perceptions of mothers and fathers as to which parent took most responsibility. Generally, the response patterns indicate that shared decision-making increased with the child’s age.

### 3 Family violence and safety concerns

This chapter sets out parents' experiences of family violence before/during and since the separation. The SRSP 2012 survey was designed to capture greater detail on this issue—including frequency, severity and impact—than the LSSF Wave 1 instrument, and these findings are presented in this chapter. The chapter starts with an in-depth examination of emotional abuse, followed by a detailed discussion of the findings on physical violence experienced by parents. The interaction between the experience of emotional abuse and physical hurt is then explored. Parents' reports of their children witnessing such behaviours and safety concerns (for themselves, their child[ren] or both) as a result of ongoing contact with the focus parent are outlined. The relationship between safety concerns, experience of family violence and current care-time arrangements are then examined.

#### 3.1 *Parents' experiences of emotional abuse*

Parents were asked if at any time before/during separation or since separation, they had experienced any of a number of specified forms of emotional abuse from the focus parent. Parents who reported experiencing any of these were asked whether the child(ren) had seen or heard this abuse.

Participants were asked whether their former partner had:

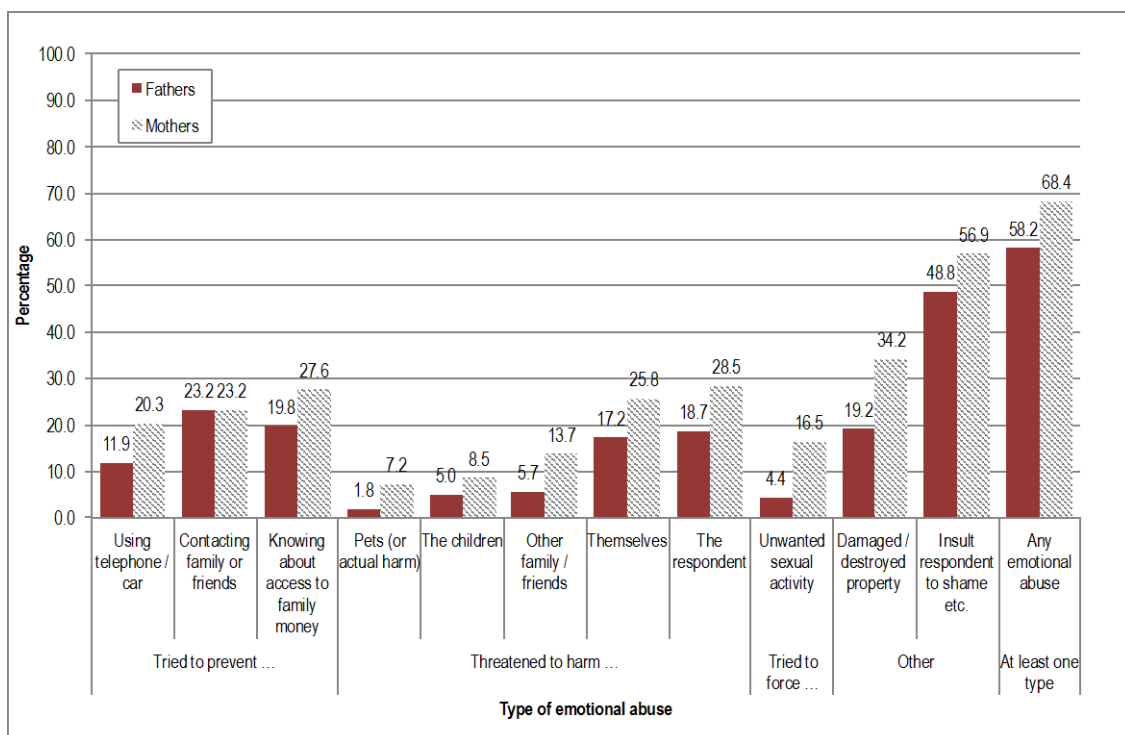
- tried to prevent them from:
  - using the telephone or car;
  - contacting family or friends;
  - knowing about or having access to family money;
- threatened to harm:
  - the children;
  - the participant;
  - themselves;
  - other family or friends;
  - the pets (including causing actual harm to pets);
- damaged or destroyed property;
- insulted the participant with intent to shame, belittle or humiliate; and/or
- tried to force them into unwanted sexual activity.

All these items, except for the one relating to unwanted sexual activity, had also been asked in LSSF Wave 1. The question regarding whether the focus parent tried to force the participant into unwanted sexual activity was a new item for the SRSP 2012. The importance of asking specifically about sexual violence in the context of intimate partner violence is broadly acknowledged (Hegarty, Bush & Sheehan, 2005; Wall, 2011). However, social and cultural beliefs, such as the persistence of the argument that sexuality between partners is private, create a further barrier to victims of intimate partner sexual violence in reporting and help-seeking behaviours (Wall, 2011). The ABS Personal Safety Survey defines sexual violence as either sexual assault or sexual threat (ABS, 2006). Of the women who reported experiencing sexual violence in the 12 months prior to the Personal Safety Survey in 2005, four out of five reported an incident of sexual assault, showing the vast majority of sexual violence experiences involve actual sexual assault (ABS, 2006). To capture the broad range of experiences related to sexual

violence (not just experiences that resulted in sexual assault), the question in the SRSP 2012 was: “At any time (before or during/since) the separation, did (focus parent) try to force you into any unwanted sexual activity?” This item was asked at the end of the list of emotional abuse items and before the physical hurt item. Further discussion on this particular item can be found in section 3.4.

### 3.1.1 Experience of emotional abuse before/during and since separation

Figure 3.1 demonstrates that 68% of mothers and 58% fathers reported experiencing at least one (intensity is considered further below) of these types of emotional abuse before/during separation. Overall, a higher proportion of mothers reported experiencing most types of abuse than fathers, with the exception of behaviour designed to prevent contact with family or friends, where the proportion of affirmative responses were identical. Particularly marked differences—of 10 percentage points or more—are evident in relation to damaging and/or destroying property and attempting to force unwanted sexual activity.



Notes: Data have been weighted. The “don’t know” and “refused” responses were excluded from this analysis (less than 2% for each item). Percentages do not sum to 100.0% as multiple responses could be chosen.

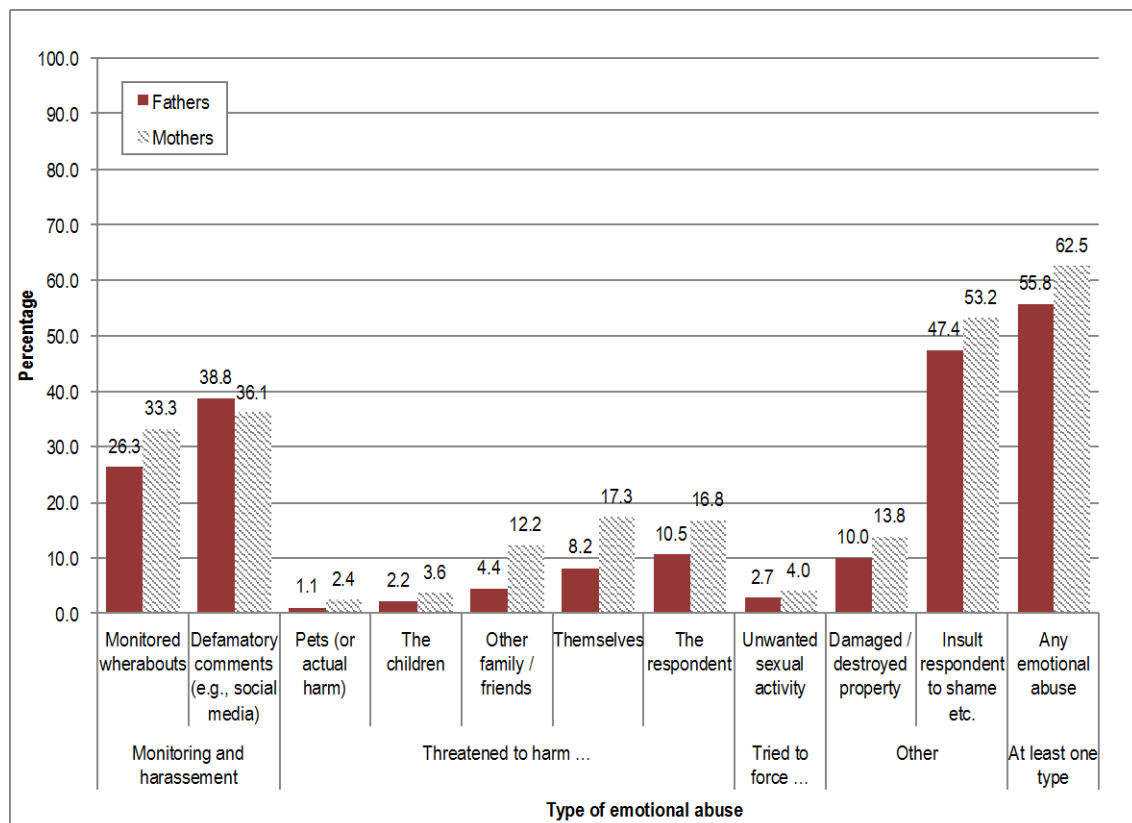
**Figure 3.1: Experiences of emotional abuse inflicted by focus parent *before/during* separation, father and mother reports**

In relation only to the period since separation, Figure 3.2 shows that 63% of mothers and 56% of fathers reported some kind of emotional abuse. The “tried to prevent” response set was omitted from the questions relating to the post-separation period for all parents except those who were still living under the same roof as the focus parent at the time of interview, on the basis that separation would have removed the access necessary to support these behaviours.

Two further items were added—“monitored your whereabouts (e.g., followed you, made constant phone calls, etc.)” and “circulated defamatory comments about you with the intent to shame, belittle or humiliate you (including through social media)”. The latter item was the only one for which affirmative responses by fathers exceeded those for mothers (39% cf. 36%).

The most commonly reported type of emotional abuse in either time frame examined (before/during and since separation) was humiliating insults, with around half the sample reporting an experience of this type (fathers: 48–49%; mothers: 53–57%). The next most commonly reported emotional abuse experienced before/during separation was damage or destruction of property (fathers: 19%; mothers: 34%), but this behaviour was less often reported since separation, with 10% of fathers and 14% of mothers reporting such behaviour from the focus parent.

A similar pattern in reported rates of threats to harm was found before/during and since separation; however, a higher proportion of both mothers and fathers reported the focus parent had made threats to harm themselves or the participant before/during separation compared with since separation.



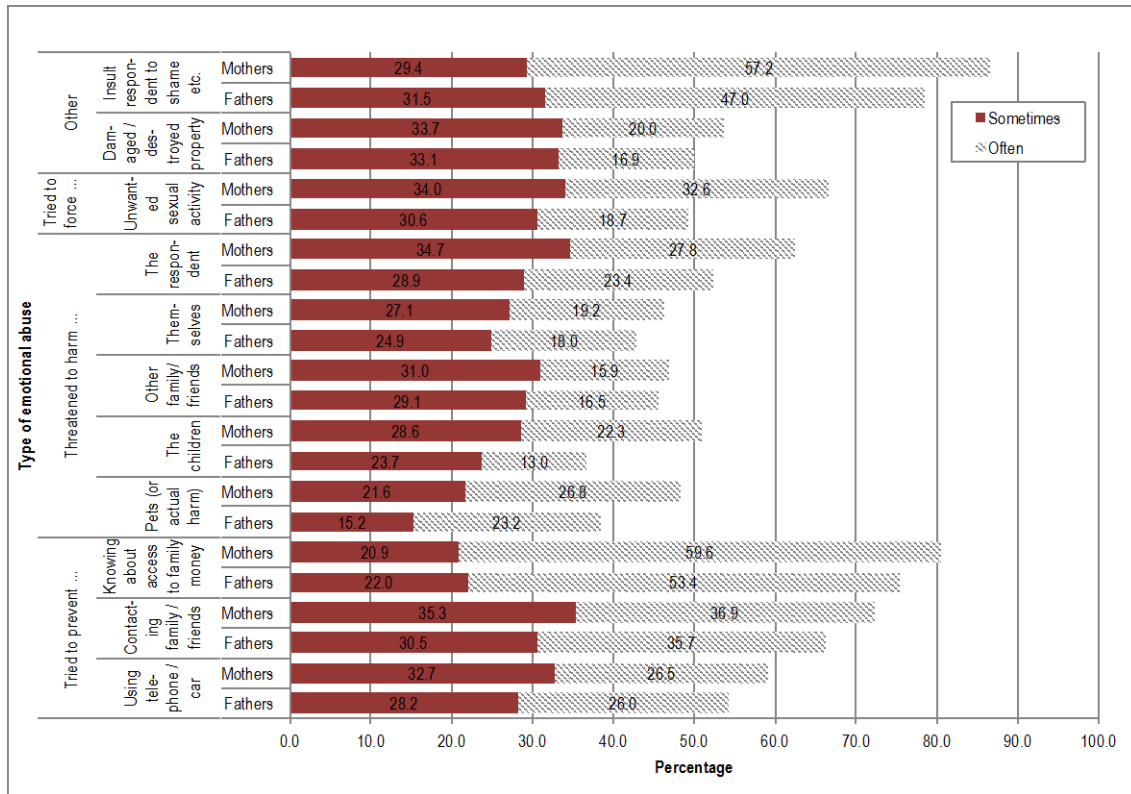
Notes: Data have been weighted. The “don’t know” and “refused” responses were excluded from this analysis (less than 6% for each item). Percentages do not sum to 100.0% as multiple responses could be chosen.

Figure 3.2: Experiences of emotional abuse inflicted by focus parent *since* separation, father and mother reports

### 3.1.2 Frequency of experiencing emotional abuse before/during separation

Where parents reported that they had experienced any of the 11 emotional abuse items in the SRSP 2012 survey before/during separation, they were asked to indicate whether this had occurred often, sometimes, rarely, once only or never in the 12 months before/during separation. These frequency questions in relation to emotional and other types of abuse enhance our understanding of the intensity with which such behaviour occurred. The data presented in Figure 3.3 highlight differences in how frequently each emotional abuse type was experienced by parents and differences in the pattern of responses between fathers and mothers. For example, as shown in Figure 3.3, “prevention tactics” occurred more frequently than threatening behaviours before/during separation.

Of the 12% of fathers and 20% of mothers who reported that the focus parent tried to prevent them from using the telephone or car before or during separation, 54% of fathers and 59% of mothers reported this happened often or sometimes. Attempts to prevent knowledge about access to family money occurred even more frequently. For the 20% of fathers and 28% of mothers who reported experiencing this prior to separation, 75% of fathers and 81% of mothers reported this happened often or sometimes.



Notes: Data have been weighted. The “don’t know” and “refused” responses were excluded from this analysis (less than 3% for each item). Percentages do not sum to 100.0% as multiple responses could be chosen.

Figure 3.3: Frequency of emotional abuse inflicted by focus parent before/during separation, fathers and mothers who reported emotional abuse

Analysis of threatening behaviours shows that a higher proportion of mothers reported more frequent threats from the focus parent before/during separation when compared to the corresponding reports by fathers. This was particularly evident for threats made against the children, where 13% of fathers ( $n = 150$ ) and 22% of mothers ( $n = 293$ ) who reported experiencing this item indicated this occurred often, and 37% of fathers and 51% of mothers reported this occurred either often or sometimes. While these threats occurred relatively frequently, it is worth recalling that only 5% of fathers and 9% of mothers reported experiencing this type of emotional abuse at all before/during separation.

Threats made against the participant were the most frequently reported of the threatening behaviours to occur often or sometimes. For the 19% of fathers and 29% of mothers who reported threats made against them by the focus parent, 52% of fathers and 63% of mothers indicated this occurred often or sometimes.

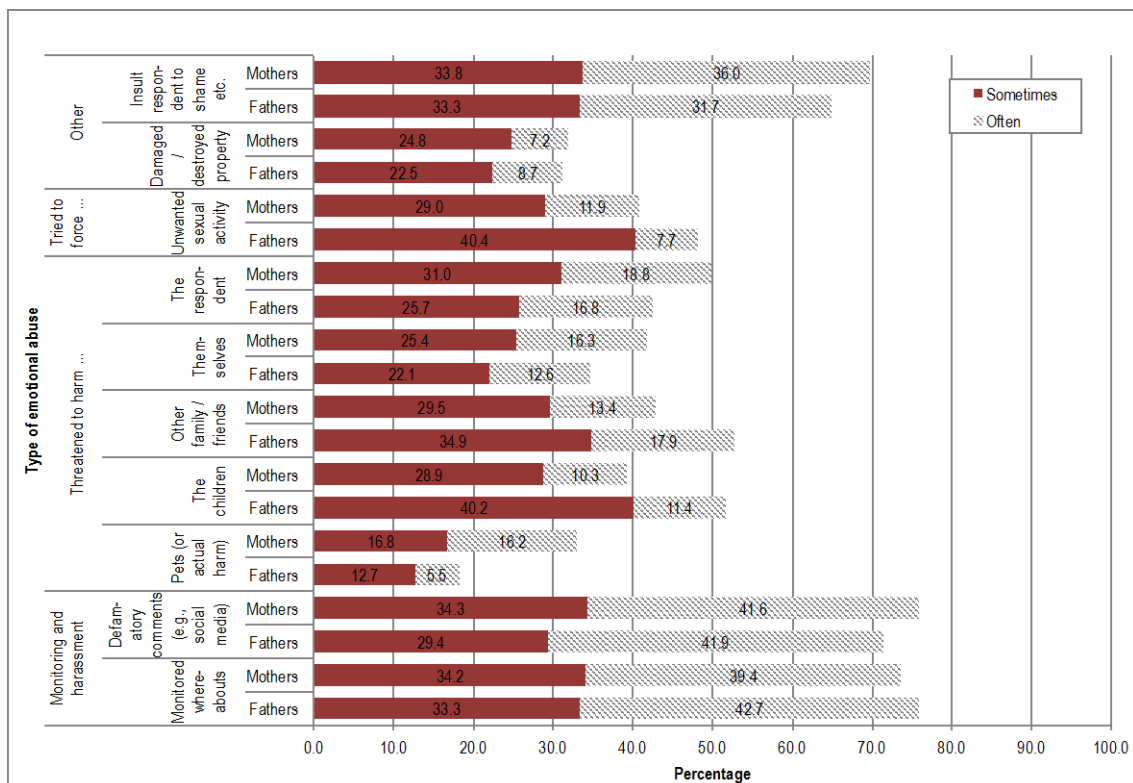
The experience of receiving insults with the intent to belittle, shame or humiliate had the highest reported prevalence (reported by 49% of fathers and 57% of mothers). This item was also experienced most frequently of all the emotional abuse items, with 79% of fathers and 87% of



mothers indicating this behaviour was inflicted by the focus parent often or sometimes before/during separation.

### 3.1.3 Frequency of experiencing emotional abuse since separation

The data indicate that frequency in experiences of emotional abuse diminishes to some extent after separation. Generally, fewer parents reported experiencing emotional abuse often since separation compared to before/during separation (Figure 3.4). This difference was most marked for the item relating to insults with the intent to shame: 32% of fathers reported this occurred often since separation, compared to 47% before/during separation. A little over one-third of mothers (36%) reported experiencing this behaviour often since separation, compared to 57% before/during separation.



Notes: Data have been weighted. Data not shown where sample sizes for frequency of emotional abuse items was fewer than 20 responses. The “don’t know” and “refused” responses (less than 7% for each item) were excluded from the analysis. Percentages do not sum to 100.0% as multiple responses could be chosen.

Figure 3.4: Frequency of emotional abuse inflicted by focus parent *since* separation, fathers and mothers who reported emotional abuse

Responses to the two additional questions regarding how often the focus parent monitored the participant’s whereabouts or circulated defamatory comments through social media suggest that these behaviours may replace other emotionally abusive behaviours in the post-separation period. Both these types of emotional abuse occurred frequently, with 76% of fathers and 74% of mothers reporting that the focus parent often or sometimes monitored their whereabouts. Similar proportions reported that they were often or sometimes subject to defamatory comments through social media (71% of fathers and 76% of mothers).

### 3.1.4 Interaction between incidence and frequency of emotional abuse

In this section, we further analyse parents' experiences of emotional abuse by presenting analysis based on a scale that is a combined measure of the incidence and frequency of emotional abuse. This scale is designed to develop understanding of the nature of the continuum encompassed in experiences of emotional abuse. It supports the development of a description of the intensity of parents' experiences based on the number and frequency of emotionally abusive behaviours reported.

As described earlier, parents were asked if they had experienced one or more of 11 emotional abuse items at any time before/during separation and how often in the 12 months before/during separation they had experienced each one. The intensity indicator presented below is based on an analysis of the number of different emotionally abusive behaviours experienced and reports on the frequency with which they occurred. A score of 0 to 5 was assigned to the frequency response options for every emotional abuse item (0 = emotional abuse item not experienced; 1 = item experienced but not in the 12 months before separation; 2 = experienced once only; 3 = experienced rarely; 4 = experienced sometimes; 5 = experienced often). A score of 0–5 was assigned to each of the 11 items for every participant and these 11 scores were then summed to provide a total score ranging from 0 to 55 for each participant. A 0 score indicates that none of the emotional abuse items were experienced before/during separation, with the maximum score of 55 indicating that a parent reported that each of the 11 emotional abuse items was experienced often.

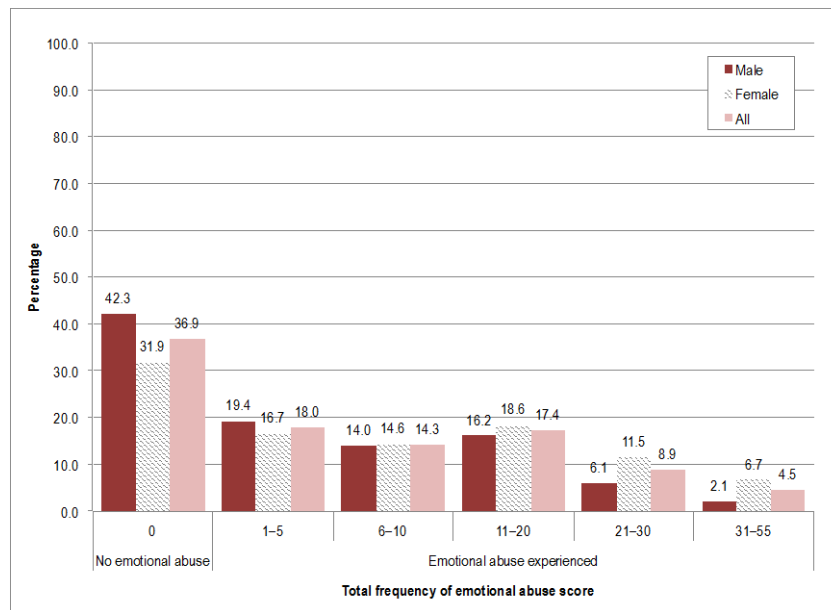
A similar scoring approach was applied for emotional abuse experienced since separation, but due to differences in the number of items asked (see section 3.1.1), the maximum score was 50.

This analysis (Figure 3.5) highlights substantial diversity in the intensity of parents' reported experiences of emotional abuse before/during separation.<sup>17</sup> Some parents' reports indicate low intensity (a total score between 1 and 5) (18%), while at the other end of the scale, 13% of parents' reports resulted in a total score of 21 or greater, representing very frequent experience of at least 5 emotional abuse behaviours from the focus parent.

There were also some differences in these patterns between mothers and fathers, with a higher proportion of mothers than fathers at the higher end of the scale. Among parents with a score of 21 or over, the proportion of mothers (18%) was more than double that of fathers (8%).

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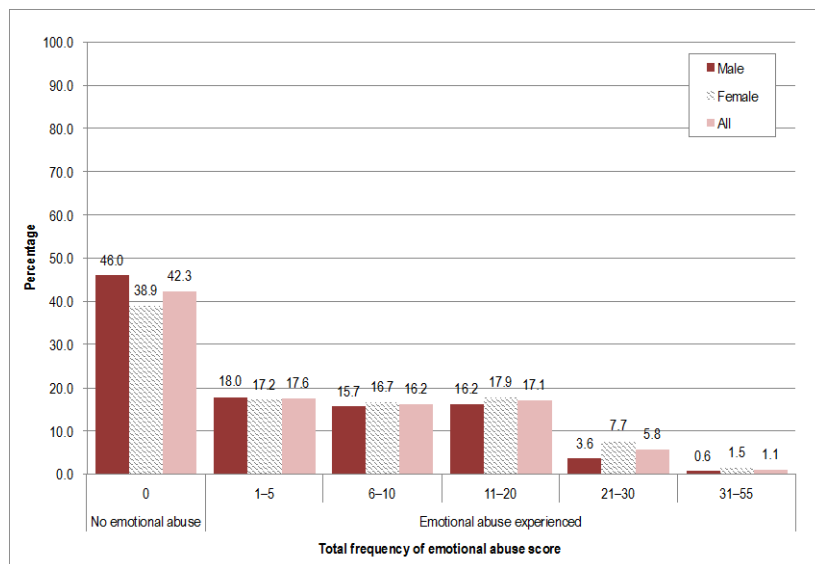
<sup>17</sup> Based on the 5,713 responses where there was complete data for each of the emotional abuse data items before/during separation.



Notes: Data have been weighted. Analysis based on 5,713 responses with no missing data for each of the emotional abuse items. Percentages may not total exactly 100.0% due to rounding.

Figure 3.5: Total frequency of emotional abuse score *before/during* separation, by fathers, mothers and all parents

A similar analysis describing parents’ experiences of emotional abuse since separation is shown in Figure 3.6. Comparison between experiences before/during separation with those since separation, reveal a lower proportion of parents reporting scores over 20 in the post-separation period (13% pre-separation cf. 7% post-separation).



Notes: Data have been weighted. Analysis based on 5,372 responses with no missing data for each of the emotional abuse items. Percentages may not total exactly 100.0% due to rounding.

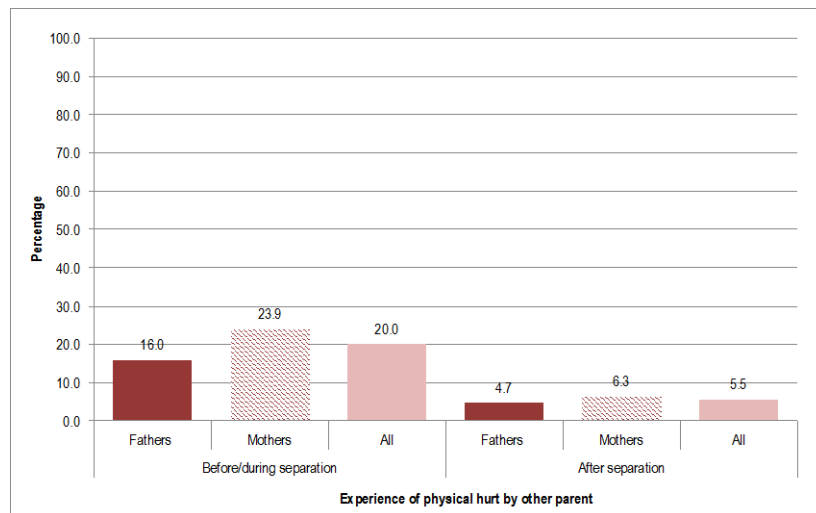
Figure 3.6: Total frequency of emotional abuse score *since* separation, by fathers, mothers and all parents

### 3.2 Parents’ experiences of physical hurt

As with emotional abuse, parents were asked if at any time before/during separation or since separation, they had experienced being physically hurt by the focus parent. Parents who

reported experiencing physical hurt were asked whether the child(ren) had seen or heard this abuse.

A substantial minority of participants reported experiencing physical hurt from the focus parent. Figure 3.7 shows that about one-fifth of parents reported experiencing physical hurt before/during separation (24% of mothers cf. 16% of fathers). Reports of physical hurt since separation diminished substantially, with only about one-twentieth of parents (6% of mothers and 5% of fathers) indicating experiences of physical hurt.<sup>18</sup>



Notes: Data have been weighted. The “don’t know” and “refused” responses were excluded from the analysis (less than 2% for each item).

**Figure 3.7: Experience of physical hurt inflicted by focus parent before/during and since separation, father and mother reports**

Information on the frequency with which physical hurt was experienced (“often”, “sometimes” “rarely (but more than once)”, “once only” or “never”) in the two time frames (in the 12 months before/during separation, and since separation) is set out in Table 3.1. In relation to the before/during separation time frame, a higher proportion of mothers than fathers reported that they had been hurt “often” (12% cf. 8%) and a lower proportion said they had been hurt rarely (but more than once)—35% of mothers cf. 42% of fathers. As with the *incidence* of physical hurt (Figure 3.7), the reported *frequency* of physical hurt since separation declined substantially. Interestingly however, although mothers reported a greater incidence of physical hurt since separation, and a greater frequency before/during separation compared with fathers, they reported a lesser frequency post-separation than fathers. For example, 17% of fathers indicated physical hurt occurred “sometimes” since separation, compared with 13% of mothers. Just over half of mothers indicated it happened “once only”, compared with 46% of fathers.

<sup>18</sup> Four per cent of the sample reported physical hurt both before/during and since separation.

Table 3.1: Frequency of physical hurt inflicted by focus parent, father and mother reports

Frequency of physical hurt	Before/during separation			Since separation		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Often	8.0	12.4	10.7	2.8	2.0	2.4
Sometimes	21.9	23.2	22.7	17.3	12.6	14.5
Rarely (but more than once)	41.6	34.9	37.5	31.6	33.0	32.4
Once only	20.6	22.2	21.6	45.4	50.7	48.6
Never	7.9	7.3	7.6	2.8	1.7	2.1
Total	100.0	100.0	100.0	100.0	100.0	100.0
No. of observations	470	783	1,253	131	209	340

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 100.0% due to rounding.

### 3.3 Impact of physical hurt

The impact of physical hurt was also examined in the SRSP 2012 survey. Where parents reported that physical hurt had been inflicted by the focus parent “often”, “sometimes” “rarely” or “once only”, they were asked whether they had experienced any of six types of injury as a result. More than one injury type could be chosen. These data are summarised in Table 3.2.

Bruises or scratches were by far the most common injury type reported, with 79% of parents reporting experiencing this in the 12 months before/during separation and 73% reporting this post-separation. Other noteworthy features of these data include:

- One-twentieth of mothers who reported experiencing physical hurt before/during separation indicated this resulted in a miscarriage (1% reported this since separation).
- Of parents who experienced physical hurt before/during separation 17% (16% of mothers and 19% of fathers) indicated that it did not result in any of the specified injuries. However, the proportions who experienced this post-separation are markedly higher (85%), with negligible differences between mothers and fathers.
- Two or more injuries before/during separation were reported by a substantial minority of the sample: 26% of mothers 31% of fathers.
- A higher proportion of mothers than fathers reported receiving bruises and scratches (80% cf. 78%) and fractured or broken bones (5% cf. 2%) before/during separation.
- A greater percentage of fathers than mothers reported cuts (other than stab wounds) (26% cf. 15%) and gun shots, stab wounds and burns (4% cf. 2%) before/during separation.

**Table 3.2: Injury type inflicted by focus parent, for participants who reported experiencing physical hurt, father and mother reports**

Type of injury	Before/during separation			Since separation		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Bruises or scratches	77.5	80.2	79.2	67.2	77.3	73.2
Cuts (other than stab wounds)	25.8	14.9	19.1	18.6	18.4	18.4
Fractured or broken bones	1.9	4.7	3.6	0.8	1.9	1.5
Gun shot or stab wounds or burns	3.7	2.0	2.7	0.3	1.2	0.9
Broken teeth	0.6	0.8	0.7	–	0.7	0.4
Other injury	6.9	11.9	10.0	8.0	11.4	10.0
Miscarriage <sup>a</sup>	–	5.3	–	–	1.2	–
No. of observations	470	783	1,253	131	209	340
Of those reporting physical hurt:						
None of these injuries resulted	19.1	15.9	17.2	85.4	84.0	84.5
One of these injuries resulted	50.2	57.8	54.9	10.0	12.1	11.3
Two or more of these injuries resulted	30.7	26.3	28.0	4.5	4.0	4.2
Total	100.0	100.0	100.0	100.0	100.0	100.0

Notes: Data have been weighted. <sup>a</sup> This data item only asked of female participants. Percentages in top panel do not sum to 100.0% as multiple responses could be chosen. Percentages in bottom panel may not total exactly 100.0% due to rounding.

In relation to the differences between women and men in the types of injuries reported, it should be noted that force sufficient to trigger a miscarriage and result in broken bones is consistent with the greater physical capacity of men to inflict injury without weapons because they are, on average, larger than women. Conversely, the higher incidence of reports of injury reflecting the use of weapons among men is consistent with discussion in the family violence literature about women more frequently taking recourse to weapons (e.g., Hester, 2009) because they are, on average, smaller than men. It is also important to note that the survey did not examine whether the physical hurt reported occurred in a defensive or aggressive context.

The prevalence of emotional abuse among parents who reported having experienced physical injury both before/during and since separation was also analysed (see Appendix 3, Tables 3.1 & 3.2). The results showed that among parents who had experienced physical injury before/during separation:

- between 89-96% had also experienced insults with the intent to shame, belittle or humiliate;
- in 75-100% of cases the focus parent had also threatened to harm family and/or friends;
- in 72-80% of cases the participant had experienced damage to property/possessions;
- in 56-86% of cases the focus parent had prevented the participant from contacting friends/family; and
- in 49-92% of cases, the focus parent had prevented the participant from accessing the telephone or car.

Table A3.2 (Appendix 3) illustrates that among parents who had experienced physical injury from the focus parent since the separation:

- In more than 90% of cases, parents had also experienced insults with the intent to shame, belittle or humiliate;

- In more than 73% of cases, the focus parent had monitored the participant's whereabouts;<sup>19</sup> and
- In more than 78% of cases the focus parent had circulated defamatory comments about the participant.<sup>20</sup>

### 3.4 *Experiences of physical hurt and emotional abuse*

This section brings together the analysis of parents' reports of physical hurt and emotional abuse. The discussion analyses the extent to which parents reported experiences of a combination of physical hurt, trying to force unwanted sexual activity and emotional abuse.

This section examines the difference in the patterns of reporting experiencing none, one, two or all three of these behaviours from the focus parent (Table 3.3).

The key insights from this table include:

- The experience of all three behaviours (physical hurt, emotional abuse and attempted unwanted sexual activity) was reported by 5% of the sample before/during separation (8% of mothers and 2% of fathers). This level of intensity was less common post-separation, with 1% of the sample reporting all three indicators of family violence.
- A higher proportion of fathers reported that they had not experienced any of these behaviours. This was particularly evident in their pre-separation experiences, with 41% of fathers indicating that the focus parent had not physically hurt, emotionally abuse or tried to force unwanted sexual activity on them. The corresponding proportion for mothers was 31%.
- The most frequently reported outcome was an experience of emotional abuse, not accompanied by physical hurt or attempted unwanted sexual activity. A majority of the sample (52%) reported this set of circumstances post-separation, and 39% before/during separation.

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<sup>19</sup> Please note that this excludes parents who experienced miscarriages, due to small sample size (n = 2, of which 1 reported their whereabouts being monitored).

<sup>20</sup> Please note that this excludes the parents who experienced fractured/broken bones due to small sample size (n = 5, of which 3 reported defamatory comments).

Table 3.3: Experience of physical hurt, attempted unwanted sexual activity and emotional abuse, father and mother reports

	Before/during separation			Since separation		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Physical hurt and ...						
emotional abuse and unwanted sexual activity	1.8	8.0	5.0	0.7	1.2	1.0
unwanted sexual activity and no emotional abuse	0.0	0.1	0.0	–	–	–
emotional abuse and no unwanted sexual activity	13.4	14.9	14.2	3.7	5.0	4.3
no emotional abuse and no unwanted sexual activity	0.5	0.6	0.6	0.3	0.1	0.2
Subtotal	15.7	23.6	19.8	4.7	6.3	5.5
No physical hurt and ...						
emotional abuse and unwanted sexual activity	2.4	7.6	5.1	1.8	2.6	2.2
unwanted sexual activity and no emotional abuse	0.1	0.6	0.4	0.1	0.2	0.1
emotional abuse and no unwanted sexual activity	40.5	37.3	38.9	49.5	53.5	51.6
no emotional abuse and no unwanted sexual activity	41.3	31.0	36.0	43.9	37.4	40.6
Subtotal	84.3	76.5	80.4	95.4	93.7	94.5
No. of observations	2,853	3,266	6,119	2,853	3,266	6,119

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

### 3.5 Categories of family violence

In subsequent parts of this report, the experience of family violence is dealt with as a set of three analytic categories, as depicted in Table 3.4. We have grouped trying to force unwanted sexual activity with physical hurt since, as Table 3.3 shows, attempting unwanted sexual activity was reported in the absence of emotional abuse and/or physical abuse by less than 1% of parents. While trying to force unwanted sexual activity was included as one of the 11 emotional abuse items in the SRSP 2012 survey, it is here grouped with physical hurt to reflect its serious nature. A further rationale for this grouping is that in the process of “trying to force” unwanted sexual activity on someone, some physical hurt or force may have been involved, even if it did not result in actual sexual activity. Accordingly, the analytic categories are based on groups of parents who reported:

- physical hurt and/or attempted unwanted sexual activity, with or without the presence of the ten non-sexual emotional abuse categories (referred to for succinctness as “physical violence”);
- one or more of the non-sexual emotional abuse items with the absence of physical hurt or unwanted sexual activity (referred to as “emotional abuse”); or
- no family violence (i.e., no emotional abuse, no unwanted sexual activity and no physical hurt (referred to as “no violence”).



Table 3.4: Experience of physical violence or emotional abuse inflicted by focus parent, father and mother reports

Type of family abuse	Before/during separation			Since separation		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Physical hurt and/or unwanted sexual activity	18.2	31.7	25.2	6.6	9.1	7.9
Emotional abuse alone	40.5	37.3	38.9	49.5	53.5	51.6
No violence	41.3	31.0	36.0	43.9	37.4	40.6
No. of observations	2,853	3,266	6,119	2,853	3,266	6,119

Note: Data have been weighted. Emotional abuse since separation includes two additional items: "monitored your whereabouts" and "circulated defamatory comments about you". Percentages may not total exactly 100.0% due to rounding.

### 3.6 Impact of violence on day-to-day activities

The impact of family violence was also explored in the SRSP 2012 survey instrument. Where parents indicated that they had experienced emotional abuse or physical hurt before/during or since separation, they were also asked whether the behaviour of the focus parent had impacted on their daily activities. In relation to physical hurt and/or emotional abuse experienced, 80% of participants indicated that this had impacted on their daily activities before/during separation (with no differences between mothers and fathers), and a smaller majority of participants (60% of mothers and 64% of fathers) reported impacts post-separation.

Where participants reported that the focus parent's behaviour had impacted on their daily activities (either from physical hurt or emotional abuse), every tenth participant was asked a further question about the nature of these impacts.<sup>21</sup> The most frequently reported impact of family violence among these participants was "affected mental health" (52% before/during separation and 53% since separation) (Table 3.5). In around a third of these cases, participants reported feeling less secure or confident (33% before/during separation and 30% since separation).

Of those who reported an impact on their day-to-day activities, the sample was relatively evenly split between those reporting either one impact or two or more impacts, both before/during and since separation (between 48–49% of parents).

Some noteworthy differences in the response patterns of mothers and fathers are also reflected in Table 3.5, namely:

- Higher proportions of mothers than fathers reported experiencing almost all of the specified impacts, both before/during and since separation.
- Greater percentages of mothers than fathers reported experiencing two or more of the impacts: 53% cf. 41% before/during separation and 53% cf. 38% since separation.
- Substantially more fathers than mothers reported having employment and study-related impacts in both time frames; however, this probably reflects the fact that, as reported in chapter 2, fathers have a greater rate of engagement with the workforce (Table 2.1).

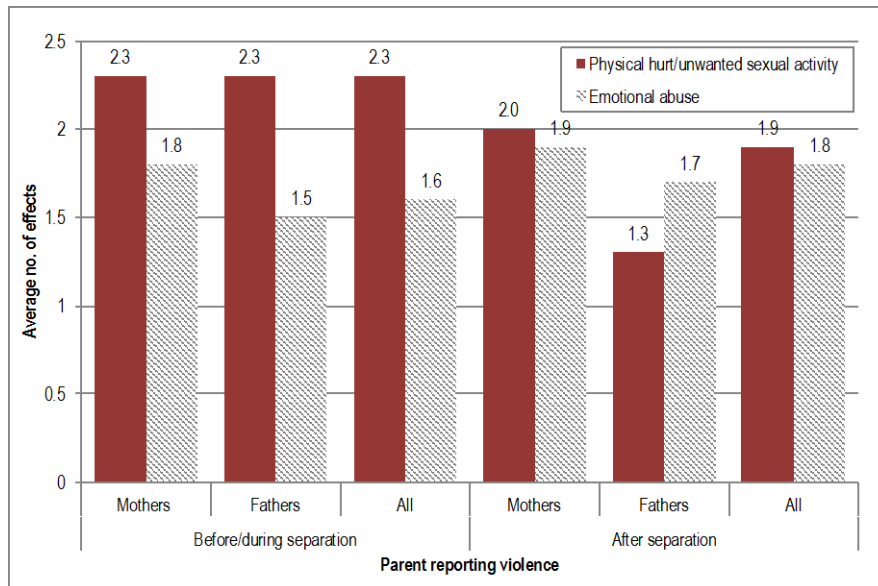
<sup>21</sup> Due to constraints within the study regarding the budget and interview length, it was not possible to ask this question of all qualifying participants.

Table 3.5: Impact on day-to-day activities of experiencing physical hurt or emotional abuse, father and mother reports

Impact on day-to-day activities	Before/during separation			Since separation		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Affected mental health (e.g., increased depression, anxiety or stress)	47.0	55.3	51.8	51.0	53.7	52.7
Felt less confident, less secure or intimidated	22.8	40.0	32.9	20.6	35.7	30.1
Changed social activities (e.g., didn't want to leave the house or see friends)	21.4	35.0	29.4	18.0	35.2	28.8
Took time off work/changed work or study arrangements	37.6	19.7	27.2	32.5	20.8	25.2
Affected eating or sleeping habits	14.4	16.8	15.8	12.2	8.2	9.7
Affected other relationships	15.0	15.7	15.4	8.0	15.2	12.5
Changed household tasks	4.9	9.6	7.6	4.6	4.8	4.7
Other impact	15.5	12.9	14.0	22.3	20.1	20.9
No. of observations	128	195	323	73	135	208
Of those reporting an impact on day-to-day activities:						
None of these impacts resulted	3.1	5.2	4.4	2.2	3.6	3.1
One of these impacts resulted	56.4	41.6	47.8	59.8	43.0	49.3
Two or more of these impacts resulted	40.5	53.2	47.9	38.0	53.4	47.6
Total	100.0	100.0	100.0	100.0	100.0	100.0

Notes: Data have been weighted. Every tenth participant who answered that the focus parent's behaviour before/during or since separation had an impact on their day-to-day activity was asked about the nature of these impacts. Percentages in the top panel do not sum to 100.0% as multiple responses could be selected. Percentages in the bottom panel may not total exactly 100.0% due to rounding.

Further analysis of the impact of family violence on day-to-day activities, by type of violence reported, reveals that before/during separation parents reported a higher average number of impacts when physical violence was experienced (2.3 average impacts) compared to emotional abuse (1.6 average impacts) (Figure 3.8). This pattern was not evident for violence experienced since separation, where there was little difference in the average number of impacts of violence by type of violence reported.



Notes: Data have been weighted.

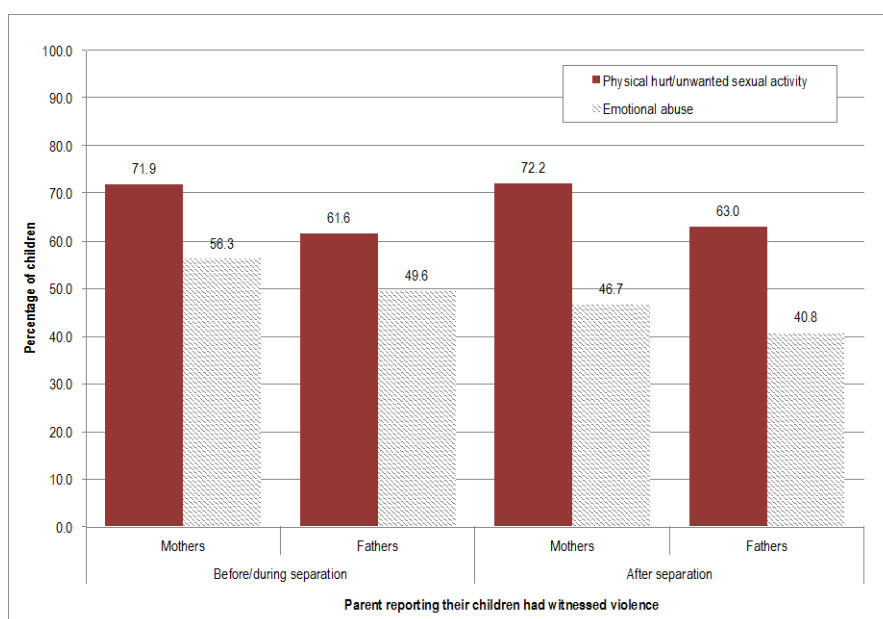
Figure 3.8: Average number of reported impacts on day-to-day activities, by family violence type, father and mother reports

### 3.7 Children witnessing violence

Among those parents who indicated that they had been physically hurt or experienced emotional abuse before/during separation, 53% of fathers and 64% of mothers reported that their children had seen or heard the violence or abuse. The same question was asked of parents who experienced physical hurt or emotional abuse since separation, with 43% of fathers and 50% of mothers reporting that their children had witnessed violence during this period. It should be noted that these proportions only relate to parents who had experienced physical hurt or emotional abuse.

Further analysis by the type of violence experienced shows that both mothers and fathers reported that a higher proportion of children witnessed physical violence relative to emotional abuse (Figure 3.9). This was most pronounced for mothers who experienced violence since separation, with 72% of mothers who reported physical violence indicating the focus child had witnessed this violence, compared to 47% of mothers who experienced emotional abuse in the same time frame.

This issue is further examined in the section on children's outcomes and general wellbeing (Chapter 6).



Notes: Data have been weighted.

Figure 3.9: Proportion of children witnessing violence, by type of family violence, father and mother reports

### 3.8 Safety concerns

Participants were asked whether they held safety concerns for themselves or their child as a result of ongoing contact with the focus parent. Participants who reported that they held such concerns were also asked if their concerns related to contact with the focus parent, the focus parent's partner, another adult, and/or another child and if the concerns related to any of the following issues:

- alcohol or substance abuse;
- mental health issues;
- gambling problems;
- violence or dangerous behaviour;
- emotional abuse or anger issues; or
- something else.

The majority of parents reported that they did not have any safety concerns for themselves or their child due to ongoing contact with the focus parent. Table 3.6 shows the proportions of parents who did report such concerns. Overall, 17% of parents reported safety concerns involving either themselves and/or the child. There were some differences between mothers and fathers, with 20% of mothers reporting safety concerns compared to 14% of fathers.

Of those reporting safety concerns, fathers were inclined to express concern about their child's safety (9% of fathers), while mothers indicated safety concerns for both their child and themselves and for their child only in roughly equal proportions (8%). There were also differences between mothers and fathers in their responses to these safety concerns, with a much higher proportion of mothers (62%) attempting to limit their child's contact with the focus parent due to safety concerns, compared to 28% of fathers who reported this course of action.

**Table 3.6: Safety concerns as a result of ongoing contact with focus parent, and attempts to limit the child's contact with the focus parent, father and mother reports**

Safety concerns held	Fathers (%)	Mothers (%)	All (%)
Yes, for both self and focus child	3.1	8.0	5.6
Yes, for self	1.9	4.3	3.1
Yes, for focus child	8.6	8.1	8.4
None	85.2	76.8	80.9
No contact/not applicable	1.2	2.9	2.1
Total	100.0	100.0	100.0
Total % with safety concerns	13.6	20.4	17.1
No. of observations	2,797	3,199	5,996
Of those reporting safety concerns:			
attempted to limit child's contact with focus parent	27.9	61.8	48.6
No. of observations	402	676	1,078

Note: Data have been weighted. This question was not asked if focus parent lived overseas. The "don't know" and "refused" responses were excluded from this analysis (1% or less). Percentages may not total exactly 100.0% due to rounding.

### 3.9 Behaviours and people generating safety concerns

Overwhelmingly, where safety concerns were reported, both mothers and fathers reported that the focus parent was the source of these concerns. As shown in Table 3.7, a far higher percentage of mothers indicated that the safety concerns related to the focus parent (93% cf. 71%). Fathers tended to be more concerned about other adults (27%) or the focus parent's new partner (19%) when compared to the responses of mothers (12% and 9% respectively).

**Table 3.7: People perceived to be source of safety concerns, father and mother reports**

Person who was source of safety concerns	Fathers (%)	Mothers (%)	All (%)
Focus parent	70.8	92.9	84.3
Another adult	27.3	11.7	17.8
Focus parent's new partner	19.2	9.3	13.1
Another child	6.0	3.8	4.7
No. of observations	407	683	1,090

Notes: Data have been weighted. Percentages do not sum to 100.0% as multiple responses could be chosen.

Information on the behaviours that generated safety concerns was also collected in the SRSP 2012 survey. As Table 3.8 illustrates, the major concern identified by parents was emotional abuse and anger issues, with 77% of parents reporting this as an issue (81% of mothers and 71% of fathers). The other commonly reported behaviours were mental health issues, violent or dangerous behaviour, and alcohol and substance abuse (44–55% of parents with safety concerns).

**Table 3.8: Behaviour generating safety concerns, fathers and mothers who reported having safety concerns**

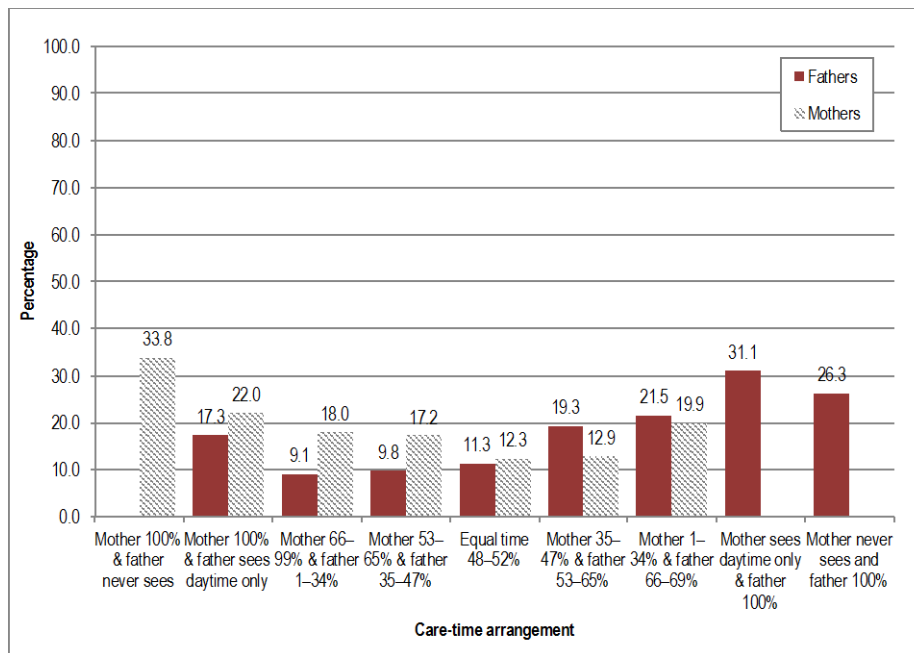
Behaviour that generated safety concerns	Fathers (%)	Mothers (%)	All (%)
Emotional abuse or anger issues	71.3	80.6	77.0
Mental health issues	56.2	54.8	55.3
Violent or dangerous behaviour	47.5	52.3	50.5
Alcohol or substance abuse	39.0	47.7	44.3
Gambling problems	4.4	10.3	8.0
Something else	14.4	11.9	12.9
No. of observations	407	683	1,090

Notes: Data have been weighted. Percentages do not sum to 100.0% as multiple responses could be chosen.

### *3.10 Family violence, safety concerns and care-time arrangements*

As described above, safety concerns reported by parents may relate to the participant and/or their child, and may arise from ongoing contact with the focus parent. Such concerns may also arise from contact with other people, including a new partner, or other adult or child, such as a relative. Figure 3.10, which shows the proportion of parents with safety concerns, further analysed by care-time arrangement, should be interpreted with this in mind. The data show that safety concerns were most frequently reported where the child never saw one of their parents (26–34% of parents). Similarly, arrangements in which one parent had daytime contact only were associated with a higher proportion of safety concerns (22% of mothers and 31% of fathers). These findings are consistent with earlier research reported in the AIFS *Evaluation of the 2006 Family Law Reforms* (Kaspiew et al., 2009), where a similar pattern of results was observed between safety concerns and care-time arrangements involving children not seeing a parent.

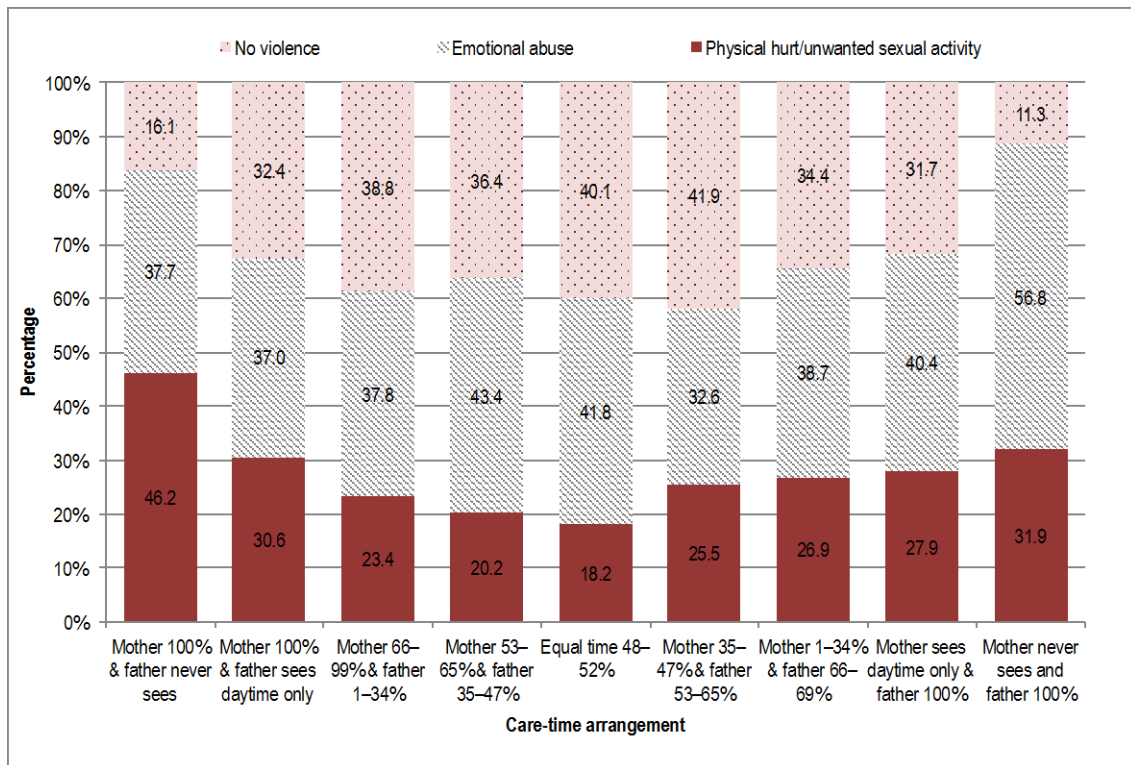
For most of the care-time arrangements where there was comparable data between mothers and fathers, safety concerns were more commonly expressed by mothers. Also interesting to note is that even parents with shared care-time arrangements (where the child spends 35–65% with each parent) were not exempt from safety concerns, with between 10% and 19% of these parents indicating such concerns.



Notes: Data have been weighted. Data not shown where sample sizes for care-time categories were smaller than 20 responses.

Figure 3.10: Safety concerns associated with ongoing contact, by care-time arrangements, father and mother reports

The relationship between post-separation care-time arrangements and the experience of family violence before/during separation is examined Figure 3.11, and tells a similar story as found for the relationship between care-time arrangements and safety concerns. The highest percentage of parents reporting that they had experienced physical violence before/during separation were those whose current care-time arrangements were that the focus child never saw their father (46% of parents with that care-time arrangement), followed by the group whose child never saw their mother (32%). Parents whose children were in an equal care-time arrangement, as well as children who stayed 35–47% of nights with their mother were the groups that had the highest percentages experiencing no violence before/during separation (40% and 42% respectively). However, those groups were not immune from the experience of family violence either. Eighteen per cent of parents with an equal care-time arrangement in place for their children reported the experience of physical violence and 42% reported the experience of emotional abuse. More than one in four parents whose children who stayed 35–47% of nights with their mother reported experiencing physical violence before/during separation.



Notes: Data have been weighted.

Figure 3.11: Family violence experienced *before/during* separation, by care-time arrangement *since* separation, all parent reports

### 3.11 Summary

This chapter has examined mothers' and fathers' reports of their experience of family violence both before/during and post separation. In particular, the following issues were explored:

- the incidence and frequency of emotional abuse and physical hurt;
- the effects of violence on day-to-day activities;
- parents' reports of children witnessing such behaviour;
- safety concerns as a result of ongoing contact with the focus parent and a description of the types of behaviours generating the safety concerns; and
- the intersections between safety concerns, family violence and care-time arrangements.

These analyses provide an important benchmark for parents' experience of family violence and safety concerns before the introduction of the 2012 family law amendments. Overall, the findings highlight that the experience of family violence is common among separated parents, with a majority of parents reporting either physical hurt or emotional abuse both before/during and since separation. The following sections summarise the key findings described in the present chapter.

#### 3.11.1 Experience and frequency of emotional abuse

Most participants reported that the focus parent had inflicted emotional abuse either before/during or since separation. Most of this abuse took the form of insults with the intent to shame or belittle (reported by over half the mothers and just under half the fathers). This item was also experienced the most frequently, with around four-fifths of fathers and mothers who experienced this abuse type indicating it occurred sometimes or often before/during separation.



Some differences in the experience of emotional abuse were evident between mothers and fathers, with a higher proportion of mothers than fathers reporting experience of such behaviour from the focus parent.

### 3.11.2 Experience and frequency of physical abuse

A substantial minority of separated parents reported experiencing physical hurt from the focus parent. One in five participants reported that physical violence was experienced before/during separation, compared to around 1 in 20 parents who reported experiencing physical hurt since the separation.

As with the experience of emotional abuse, there were some differences by gender, with a higher proportion of mothers reporting an experience of physical hurt compared to fathers. This was particularly the case for physical hurt experienced before/during separation.

For those parents who reported being physically hurt, around one-third indicated this occurred sometimes or often prior to separation. Around one-fifth reported this frequency of violence since separation. The most common injury reported in cases of physical hurt was bruising and scratches, with both mothers and fathers reporting this injury type at similar rates.

### 3.11.3 Impact of violence on day-to-day activities

Most parents (four-fifths) who reported experiencing family violence before/during separation reported that it had impacted on their daily activities. A smaller majority of parents (around six-tenths) reported experiencing family violence since separation had impacted on their daily activities.

The most commonly reported impact of experiencing family violence was a deterioration in the mental health of the participant. Parents also reported feeling less secure or confident after experiencing family violence. A higher proportion of mothers reported experiencing almost all of the categories of impacts collected in the questionnaire, compared to fathers' reports. Of those who reported being impacted by family violence, almost half said that they were impacted in two or more ways.

### 3.11.4 Children witnessing violence

Of those parents who experienced violence before/during separation, a majority reported that their child had witnessed physical violence or emotional abuse. Where parents had experienced violence since separation, a little under one-half of these parents reported that their child had witnessed family violence in this time frame. Both mothers and fathers reported that a higher proportion of children witnessed physical violence relative to emotional abuse.

### 3.11.5 Safety concerns

Overall, most parents stated that they did not have any safety concerns as a result of ongoing contact with the focus parent. Of those who did express safety concerns, fathers' concerns tended to concentrate on their child's safety, while mothers indicated safety concerns for both themselves and their child. There were also differences in parents' responses to such safety concerns, with over twice as many mothers compared to fathers attempting to limit their child's contact with the focus parent due to such concerns.

Overwhelmingly, in cases where safety concerns were reported, the focus parent was seen as the source of these concerns, with anger, mental health issues, and violent or dangerous behaviour most frequently being cited as the behaviours generating safety concerns.

### 3.11.6 Safety concerns, family violence and care-time arrangements

Safety concerns were most frequently reported where the child never saw one of their parents (around a third of parents reported safety concerns where the father never saw the child; a quarter where the mother never saw the child).

The relationship between care-time arrangements and experience of family violence before/during separation revealed a similar pattern. The highest percentages of parents who reported they had experienced physical violence were those whose child never saw their father (almost half the parents with that care-time arrangement), followed by parents whose child never saw their mother (around a third).

## 4 Family law services

This chapter provides an overview of the patterns in service use evident among SRSP 2012 parents. The types of services contacted at the time of separation are outlined first. Then, progress in sorting out parenting arrangements and the main pathways used for this are discussed. Use of and outcomes from family dispute resolution processes are considered, followed by an examination of the use of lawyers and courts and the nature of the matters this use involved (e.g., parenting, property). In each of these areas, the experiences of parents who reported experiencing family violence are specifically considered.

### 4.1 *Service use at the time of separation*

Parents were asked whether they contacted specific family law services, along with any other sources of support, at the time of separation. As illustrated in Table 4.1, the majority of parents (55%) contacted a counselling, relationship (including mediation) or family dispute resolution (FDR) service at the time of separation; almost half the parents contacted a lawyer (49%); and one in five parents had contact with the courts (20%). Generally, there were few differences between fathers' and mothers' use of these services at the time of separation. The most notable differences in service use between fathers and mothers were related to contact with legal services (such as Legal Aid) and domestic violence services, where a higher proportion of mothers than fathers contacted these services (legal services: 38% of mothers cf. 26% of fathers; domestic violence services: 14% of mothers cf. 3% of fathers). Parents' contact with specific services was similar to the proportions reported in LSSF Wave 1, with the exception of legal services, where more parents contacted these services in the SRSP 2012 (26% of fathers; 38% of mothers; 32% of all parents) than in the LSSF Wave 1 (17% of fathers; 22% of mothers; 20% of all parents). It is not possible to examine why the use of legal services increased between the two studies; however, it is likely that one relevant factor would be the implementation of the Legal Partnerships Program in recent years, involving partnerships between Family Relationship Centres (FRCs) and publicly funded legal services, which assists FRC clients in receiving legal information and support (Moloney, Kaspiew, De Maio, Deblaquiere, & Horsfall, 2011). Further analysis examined the first four services listed below by parents' personal and household income (see Tables A4.1 & A4.2 in Appendix 4). Parents who reported having contacted a legal service at the time of separation had lower average personal and household incomes than the overall sample (see Table 2.1), and those who contacted counselling/relationship/FDR services, a lawyer or the courts reported higher average personal and household incomes.

**Table 4.1: Services and supports contacted at the time of separation, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Counselling/relationship/FDR service	54.9	54.7	54.8
A lawyer	49.1	49.8	49.4
A legal service	25.5	38.1	32.0
The courts	20.3	20.3	20.3
Domestic violence service	3.4	13.8	8.7
Family members	63.0	67.6	65.3
Other	2.6	3.9	3.3
None	13.6	10.6	12.0
No. of observations	2,853	3,266	6,119

Notes: Data have been weighted. Percentages do not sum to 100.0% as multiple responses could be chosen.

When focusing on parents who experienced the two broad categories of family violence (physical violence with or without the presence of emotional abuse, and emotional abuse alone), the proportions contacting all types of services increased. Table 4.2 shows that 69% of parents who experienced physical violence before/during separation contacted a counselling, mediation or family dispute resolution service, compared with 40% of parents who did not report experiencing any family violence. Almost twice the proportion of parents who experienced physical violence before/during separation contacted a lawyer compared to parents who didn't report any experiences of family violence (63% cf. 33% respectively). One in four parents who experienced physical violence contacted a domestic violence service, compared with 6% of parents who reported experiencing emotional abuse and 1% of parents who didn't report experiencing any family violence.

**Table 4.2: Services and supports contacted at the time of separation, by experiences of family violence *before/during* separation, all parent reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
Counselling/relationship/FDR service	68.8	59.6	39.8
A lawyer	63.4	56.0	32.5
A legal service	48.0	33.4	19.2
The courts	35.7	21.5	8.3
Domestic violence service	24.1	5.9	1.0
Family members	70.7	67.6	59.1
Other	3.9	4.0	2.0
None	5.4	8.5	20.6
No. of observations	1,616	2,433	2,070

Notes: Data have been weighted. Percentages do not sum to 100.0% as multiple responses could be chosen.

Patterns in reported service use according to experiences of family violence since separation are presented in Table 4.3. Again, a higher proportion of parents who reported experiencing family violence since separation had had contact with family law or domestic violence services. More than three-quarters of parents who reported experiencing physical violence since separation (77%) had contacted a counselling, mediation or family dispute resolution service at the time of separation, compared with 39% of parents who did not report experiencing family violence.

More than twice the proportion of parents who reported experiencing physical violence since separation had contacted a lawyer or legal service at the time of separation (68% and 53% respectively), compared with 32% and 19% of parents who did not report experiencing family violence.

**Table 4.3: Services and supports contacted at the time of separation, by experiences of family violence *since* separation, all parent reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
Counselling/relationship/FDR service	77.1	63.8	39.0
A lawyer	67.9	60.5	31.8
A legal service	52.9	39.2	18.7
The courts	38.3	26.3	9.1
Domestic violence service	26.7	11.3	1.9
Family members	74.8	69.2	58.7
Other	3.6	3.6	2.8
None	3.7	6.5	20.7
No. of observations	1,616	2,433	2,070

Notes: Data have been weighted. Percentages do not sum to 100.0% as multiple responses could be chosen.

## 4.2 *Sorting out arrangements after separation*

This section examines whether parents had sorted out their parenting arrangements after separation and what methods they had used or were using to achieve this.

### 4.2.1 Resolution of parenting arrangements

As Table 4.4 shows, the majority of parents reported at the time of interview that they had sorted out their parenting arrangements (72% of fathers and 75% of mothers). Around 1 in 5 parents were in the process of sorting out their arrangements (21% of fathers and 17% of mothers), and 7% had not begun sorting out their parenting arrangements yet.

**Table 4.4: Status of parenting arrangements, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Yes, sorted out	71.9	75.2	73.6
In process of sorting out	21.1	17.4	19.2
No, not sorted	7.0	7.4	7.2
No. of observations	2,831	3,265	6,056

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

A higher percentage of parents who had experienced some form of family violence before/during or since separation than those who didn't experience any family violence reported that the parenting arrangements for their children had not been sorted out at the time of interview (see Table 4.5). Among parents who reported experiencing family violence, a higher proportion of mothers than fathers reported that their arrangements had been sorted out (66% of mothers who experienced physical violence compared with 54% of fathers; and 74% of mothers who experienced emotional abuse compared with 67% of fathers).

**Table 4.5: Status of parenting arrangements, 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</b>	(n = 539)	(n = 1,185)	(n = 1,107)
Yes, sorted out	54.2	66.7	84.7
In process of sorting out	34.4	25.2	11.3
No, not sorted	11.4	8.1	3.9
<b>Mothers</b>	(n = 1,057)	(n = 1,220)	(n = 948)
Yes, sorted out	65.5	73.5	87.2
In process of sorting out	23.9	19.2	8.7
No, not sorted	10.7	7.3	4.2
No. of observations	1,616	2,433	2,070

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.

Table 4.6 shows few notable differences in the status of parenting arrangements when analysed by parents' experiences of family violence since separation (compared with experiences of family violence before/during separation). A smaller proportion of mothers who reported experiencing physical violence since the separation said their parenting arrangements were sorted out, compared with reports of mothers who did not report experiencing family violence since the separation (59% cf. 87%). A similar pattern is evident in fathers' reports of their parenting arrangement status by their experiences of family violence.

**Table 4.6: Status of parenting arrangements, 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</b>	(n = 187)	(n = 1,449)	(n = 1,195)
Yes, sorted out	59.5	61.5	85.5
In process of sorting out	30.1	28.9	11.1
No, not sorted	10.4	9.6	3.5
<b>Mothers</b>	(n = 292)	(n = 1,778)	(n = 1,155)
Yes, sorted out	58.7	69.8	87.0
In process of sorting out	29.5	21.5	8.6
No, not sorted	11.8	8.7	4.4
No. of observations	1,616	2,433	2,070

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.

#### 4.2.2 Agreement types

The majority of parents who had sorted out their arrangements (as well as those who had had a parenting arrangement in place at some stage since separation, but no longer at the time of interview) did not have a written agreement, with 57% of fathers and 65% of mothers reporting this (Table 4.7). Where written agreements were reported, more than half of the parents (58% of fathers and 57% of mothers) indicated that these had not been formalised by a court.

Table 4.7: Formalising parenting arrangements, father and mother reports

	Fathers (%)	Mothers (%)	All parents (%)
<b>Agreement written down</b>			
No	57.1	64.7	61.2
Yes	42.9	35.3	38.9
No. of observations	2,017	3,265	6,056
<b>(Written agreement) formalised by a court <sup>a</sup></b>			
Yes	41.8	42.6	42.2
No	58.2	57.4	57.8
No. of observations	898	884	1,782

Notes: Data have been weighted. The “don’t know” and “refused” responses were excluded from this analysis (less than 1%).  
<sup>a</sup> Sample consists of parents who had sorted out their parenting arrangements. Those who answered “Yes” were asked whether the written agreement had been formalised by a court. Percentages may not total exactly to 100.0% due to rounding.

### 4.2.3 Main pathways for sorting out arrangements

The majority of parents who had sorted, or were in the process of sorting out, the parenting arrangements for their children cited “discussions with the focus parent” as the main pathway for negotiating these arrangements (64%, data not shown). This was more common for parents who had sorted out their parenting arrangements than those who were still in the process of sorting out their parenting arrangements (69% cf. 43%, shown in Tables 4.8 and 4.9, respectively). One in ten parents who had sorted out the parenting arrangements for their children nominated counselling, mediation or family dispute resolution as the main pathway. This figure was higher for those parents still in the process of sorting out their parenting arrangements (15%).

A lower proportion of parents who had sorted out their parenting arrangements cited lawyers<sup>22</sup> or the courts as their main pathways (7% and 3% respectively), compared to those who were still in the process of sorting out arrangements (15% and 14% respectively).

The distribution of pathways used by parents who had sorted out their arrangements is in line with the reports from parents in Wave 1 of the LSSF (see Appendix 4, Table A4.3). Slightly higher proportions of parents in the SRSP 2012 reported their main pathways were counselling/mediation/FDR services and discussions with the focus parent (two percentage points higher for each pathway compared with the LSSF Wave 1).

It is worth noting that although discussions with the focus parent was the most common pathway cited by parents, the vast majority of parents who had sorted out their parenting arrangements using discussions, had had some contact with at least one formal service at the time of separation (78% of parents, see Appendix 4, Table A4.4).

<sup>22</sup> The definition of “lawyer” reflected the parents’ interpretation, and therefore may have included a private lawyer and or more general legal services.

**Table 4.8: Main pathway used among parents who had sorted out their parenting arrangements, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Counselling/mediation/FDR services	10.0	9.1	9.5
A lawyer	6.5	6.6	6.5
The courts	3.3	3.6	3.4
Discussions with focus parent	70.8	67.1	68.9
Nothing specific, just happened	7.4	11.0	9.3
Other	2.0	2.6	2.3
Number of observations	2,033	2,395	4,428

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.

**Table 4.9: Main pathway being used among parents in the process of sorting out their parenting arrangements, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Counselling/mediation/FDR services	15.3	13.6	14.5
A lawyer	16.1	13.6	14.9
The courts	15.1	13.7	14.4
Discussions with focus parent	42.1	43.9	42.9
Nothing specific, just happened	9.0	12.5	10.6
Other	2.5	2.7	2.6
No. of observations	582	572	1,154

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.

A higher proportion of parents who had sorted out their arrangements and had experienced some form of family violence before/during separation used formal pathways to finalise their parenting arrangements in comparison to those who had not experienced any family violence (Table 4.10). Among these parents who reported experiencing physical violence, 10% cited a lawyer and 8% cited the courts as the main pathway used to sort out parenting arrangements, compared to 6% and 1% respectively among those who had not experienced violence. Discussions with the focus parent remained the most common pathway to sorting out parenting arrangements; however, the proportion of parents using this pathway was lower among parents who reported experiencing physical violence (53% cf. 80% of parents who reported they had not experienced any family violence). There were no substantial differences between mothers' and fathers' reports.



**Table 4.10: Main pathway used by parents who had sorted out parenting arrangements, by experiences of family violence *before/during* separation, all parent reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
Counselling/mediation/FDR service	15.0	10.4	6.1
A lawyer	10.4	8.3	3.0
The courts	8.1	4.1	0.6
Discussions with focus parent	52.7	65.0	80.3
Nothing specific, just happened	10.6	9.1	8.8
Other	3.2	3.1	1.2
No. of observations	976	1,684	1,768

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 100.0% due to rounding.

### 4.3 Use of family law services

Extensive data were collected in the SRSP 2012 on parents' use of family law services. The use of services, further analysed by experience of family violence is described in the following sections.

#### 4.3.1 Family dispute resolution

Parents were asked whether they had attempted FDR at any point since separation. Table 4.11 shows that over one-third of all parents reported that at least one parent had attempted FDR (including approximately 6% of cases where only the participant attended FDR and 1% of cases where the participant reported only the focus parent attended FDR). Around 1% of parents did not know whether they had attempted FDR or not.

**Table 4.11: Whether parents attempted FDR, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
At least one parent attempted	40.7	34.3	37.4
Neither parent attempted	58.3	64.9	61.7
Don't know whether FDR attempted	1.0	0.8	0.9
No. of observations	2,850	3,265	6,115

Notes: Data have been weighted. Four participants who did not provide a response were excluded from this analysis.

Parents who attempted FDR were asked about the outcome. Thirty-six per cent of parents who attempted FDR reported that an agreement was reached (shown in Table 4.12). Ten per cent of parents were still in the process of mediation and 4% reported an outcome other than agreement (or no agreement) or that they did not know the outcome of the FDR process. Of the parents who reported that FDR had not resulted in an agreement being reached,<sup>23</sup> about half of these parents (25% of all parents who attempted FDR) said a certificate had been issued under s60I of

<sup>23</sup> This was established across two questions in the survey, where the parents who reported that the outcome of FDR was "no agreement" were then asked, "Was a certificate issued?"

the FLA.<sup>24</sup> The other half of the parents who reported not reaching an agreement said they did not have a certificate issued.

**Table 4.12: Outcome of FDR where FDR attempted, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Agreement reached	35.7	35.4	35.6
No agreement, certificate issued	24.1	25.7	24.9
No agreement, no certificate	24.1	24.4	24.2
No agreement, don't know if certificate issued	2.0	1.4	1.7
FDR/mediation in progress	10.0	9.2	9.6
Other outcome	2.6	2.4	2.5
Don't know outcome	1.5	1.5	1.5
No. of observations	1,180	1,164	2,344

Notes: Data have been weighted. Cases where only the focus parent had attempted FDR were excluded from this analysis.

A smaller proportion of parents who reported experiencing family violence before/during the separation than those who didn't experience family violence reached an agreement through FDR (Table 4.13). However, substantial minorities of parents in the physical violence group (30%) and emotional abuse group (36%) reported reaching agreement through FDR. Less than half (44%) of the group with no family violence reported reached an agreement in FDR. One-third of parents who reported experiencing physical violence before/during the separation and one-quarter of parents who reported experiencing emotional abuse were issued with certificates (compared with 13% of parents who did not experience any violence). Around one-quarter of parents who reported experiencing family violence reported that no agreement had been reached and no certificate had been issued.

**Table 4.13: Outcome of FDR where FDR attempted, by experiences of family violence before/during separation, all parent reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
Agreement reached	29.9	35.7	43.9
No agreement, certificate issued	32.6	24.8	13.0
No agreement, no certificate	22.7	24.3	26.7
No agreement, don't know if certificate issued	2.6	1.2	1.4
FDR/ mediation in progress	8.0	9.8	11.6
Other outcome	2.8	2.7	1.6
Don't know outcome	1.4	1.4	1.8
Number of observations	821	1,038	485

Notes: Data have been weighted. Cases where only the focus parent had attempted FDR were excluded from this analysis. Percentages may not total exactly 100.0% due to rounding.

<sup>24</sup> FLA s60I requires parents to attend family dispute resolution prior to filing a court application for parenting orders. Certificates are issued by FDR practitioners and indicate that a matter has been assessed for FDR and determined unsuitable, or that one party has not engaged with FDR, or that FDR has been attempted without an outcome being reached. Certificates enable parents to lodge a court application if they wish to do so.

### 4.3.2 Legal services

Parents who reported having contacted a lawyer or legal service<sup>25</sup> since separation were asked what issues the lawyer assisted them with. Table 4.14 illustrates the most common issue that lawyers helped parents with was property settlement (61% of all parents). The next most common issues raised with lawyers were parenting arrangements (50% of parents), court proceedings (22%) and child support matters (20%). One in ten parents reported that lawyers assisted them in obtaining court orders for protection (referred to as intervention orders, apprehended violence orders or domestic violence orders, depending on the jurisdiction) against the focus parent.

**Table 4.14: Issues lawyers helped with, where legal services consulted, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Property settlement	61.3	60.4	60.8
Parenting arrangements	51.0	49.1	50.0
Court proceedings	23.3	21.6	22.4
Child support matters	20.0	19.9	20.0
FDR services	11.8	12.3	12.1
Protection orders	8.2	11.9	10.2
Other divorce/separation matters	29.0	27.5	28.2
None of these	5.0	5.6	5.3
No. of observations	1,727	2,141	3,868

Notes: Data have been weighted. Five participants who did not provide a response were excluded from this analysis. Percentages do not sum to 100.0% as multiple responses could be chosen.

Almost two-thirds of the parents who had not experienced family violence before/during separation, compared to only 55% of parents who had experienced physical violence, consulted a lawyer regarding property settlement (Table 4.15). On the other hand, a higher proportion of parents who reported experiencing family violence (particularly physical violence) before/during separation sought assistance from a lawyer regarding parenting arrangements (59%), compared to 39% of parents who had not experienced any family violence. One in ten parents who had not experienced family violence before/during separation consulted a lawyer about court proceedings, compared with one in five parents who had experienced emotional abuse and almost one in three parents who had experienced physical violence. Results for fathers and mothers were very similar.

<sup>25</sup> The set of questions analysed in this section were asked of all parents who reported contacting a lawyer or legal service at the time of separation, as well as those who reported that their main pathway for sorting out parenting arrangements was/is “a lawyer”. These categories are not mutually exclusive.

**Table 4.15: Issues lawyers helped with, by experiences of family violence *before/during* separation, where legal services consulted, all parent reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
Property settlement	54.8	63.1	64.6
Parenting arrangements	59.1	49.7	38.9
Court proceedings	31.3	22.7	10.5
Child support matters	23.0	19.9	16.2
FDR services	16.7	12.3	5.7
Protection orders	19.3	8.0	2.3
Other divorce/separation matters	29.0	29.0	25.6
None of these	4.9	4.9	6.7
No. of observations	1,259	1,680	929

Notes: Data have been weighted. Five participants who did not provide a response were excluded from this analysis. Percentages do not sum to 100.0% as multiple responses could be chosen.

The distribution of issues about which parents consulted lawyers was generally similar between parents who reported experiencing family violence *before/during* and since separation (Table 4.16).

**Table 4.16: Issues lawyers helped with, by experiences of family violence *since* separation, where legal services consulted, all parent reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
Property settlement	50.0	60.2	66.3
Parenting arrangements	60.9	54.6	35.5
Court proceedings	33.3	25.6	11.1
Child support matters	19.9	21.4	16.7
FDR services	16.8	14.4	5.0
Protection orders	23.7	11.0	3.1
Other divorce/separation matters	26.6	29.8	24.9
None of these	5.0	5.1	6.1
No. of observations	1,727	2,141	929

Notes: Data have been weighted. Five participants who did not provide a response were excluded from this analysis. Percentages do not sum to 100.0% as multiple responses could be chosen.

### 4.3.3 Court use

Parents whose separation involved a court case were asked what the case was about. Table 4.17 shows that two-thirds of parents reported their case involved children's care arrangements and two-fifths of cases involving the division of property and finances. A greater proportion of mothers than fathers reported that their case involved safety issues (40% cf. 31% respectively).

**Table 4.17: What parents' cases were about, where courts were used, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Children's care arrangements	72.6	65.3	69.1
Division of property/finances	38.9	40.0	39.4
Safety issues	31.3	40.4	35.8
Child support/financial support for children	11.2	13.9	12.5
Something else	3.3	6.4	4.8
No. of observations	377	394	771

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis ( $n = 8$ ). Percentages do not sum to 100.0% as multiple responses could be chosen.

A higher percentage of parents who had experienced any family violence before/during the separation than those who had not experienced family violence reported their court case involved children's care arrangements, child support or safety issues (Table 4.18). Greater proportions of parents who had reported experiencing physical violence than other parents reported their case involved child support issues (44% cf. 29% who reported emotional violence and 16% who reported no violence). These figures should be interpreted with caution due to the smaller sample sizes.

**Table 4.18: What parents' cases were about, by experiences of family violence *before/during* separation, where courts were used, father and mother reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Fathers</b>			
Children's care arrangements	77.0	71.0	63.5
Division of property/finances	29.9	45.8	40.9
Safety issues	10.2	13.5	3.8
Child support/financial support for children	39.9	27.7	15.8
Something else	3.6	2.6	5.7
No. of observations	152	185	40
<b>Mothers</b>			
Children's care arrangements	65.7	66.9	51.3
Division of property/finances	35.5	48.1	48.1
Safety issues	14.7	13.9	4.1
Child support/financial support for children	46.8	30.8	17.4
Something else	4.9	8.7	11.7
No. of observations	257	116	21
<b>All parents</b>			
Children's care arrangements	70.2	69.5	59.6
Division of property/finances	33.3	46.7	43.3
Safety issues	12.9	13.6	3.9
Child support/financial support for children	44.1	28.8	16.3
Something else	4.4	4.9	7.6
No. of observations	409	301	61

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis ( $n = 8$ ). Percentages do not sum to 100.0% as multiple responses could be chosen.

Parents who used the court to sort out children's care arrangements were asked whether they attended FDR before proceeding to court. Table 4.19 shows that 47% of all parents went directly to court without attending FDR first. A greater proportion of parents who experienced physical violence before/during separation proceeded directly to court than both those who reported emotional abuse and those reported no violence (50%, 43% and 42%, respectively).

**Table 4.19: Whether parents attended FDR before court, by experiences of family violence *before/during* separation, where court case involved children's care arrangements, all parent reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)	All parents (%)
Directly to court	50.4	43.4	42.4	47.0
FDR first	49.6	56.6	57.6	53.0
No. of observations	369	270	47	686

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis ( $n = 16$ ).

## 4.4 Summary

### 4.4.1 Service use at the time of the separation

The most common services accessed by separating parents were FDR and lawyers, with generally little difference in fathers' and mothers' use of these services at the time of separation. The largest difference in fathers' and mothers' service use was found for domestic violence and legal services, with a higher proportion of mothers compared to fathers accessing these. The overall patterns in parents' contact with family law services at the time of separation was similar to those reported in LSSF Wave 1. Contact with all services was more common among parents who had reported experiencing family violence both before/during and since the separation, compared with parents who reported no experience of family violence.

### 4.4.2 Sorting out arrangements after separation

Most parents had sorted out their parenting arrangements for the focus child by the time of the interview, though this was less common among parents who reported experiencing family violence either before/during or since the separation, than among those who had not experienced violence.

The majority of parents who had sorted out, or were in the process of sorting out, the parenting arrangements for their children, cited "discussion with the focus parent" as the main pathway for negotiating parenting arrangements

### 4.4.3 Use of family law services

Extensive data were collected on parents' use of family law services in the survey. The data show that 37% of parents reported they had attempted FDR after separating; more than reported in the LSSF Wave 1, where 28% of parents attempted FDR. Of the parents who attempted FDR, 36% had reached an agreement, but almost 50% had not reached an agreement (half of whom were issued with certificates to proceed to court).

Parents' use of lawyers and the issues lawyers helped them with were similar to those reported in the LSSF Wave 1. Most parents used lawyers to help sort out property settlements and parenting arrangements. Among parents who consulted a lawyer, one in five parents who reported experiencing physical violence before/during the separation and one in four who experienced physical violence since the separation consulted a lawyer about obtaining court orders for protection.

Among parents who used the courts, the most common reason provided for using this pathway was to settle children's care arrangements (more than two-thirds of parents). This was more common among parents who had experienced family violence before/during separation than those who had not. Three times as many parents who reported experiencing physical violence before/during separation said their court case involved safety issues, compared with those who had not report experiencing violence.

Half the parents who experienced physical violence before/during separation went directly to court without having attending FDR, which was higher than the corresponding proportion (around four-tenths) who experienced emotional abuse.

## 5 Disclosure of family violence and safety concerns

One of the key aims of the 2011–12 amendments was to support the disclosure of concerns relating to family violence and safety concerns through the introduction of a range of provisions imposing obligations on parties, professionals and courts. This chapter explores the issues of help-seeking in relation to family violence, disclosure by parents when using family law system services, professionals' actions in eliciting disclosure (according to parents' reports) and the consequences of disclosure. In circumstances where parents chose not to report family violence, the reasons for this choice are explored. This discussion provides an evidence base about these issues in the pre-amendment environment.

### *5.1 Disclosure of family violence to police and other services*

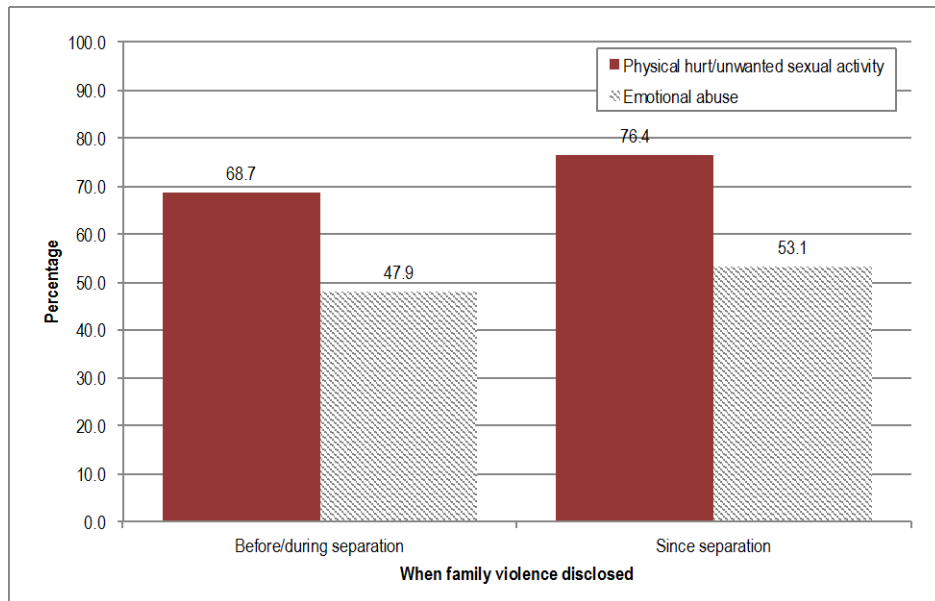
Parents who reported in the SRSP 2012 any experiences of family violence (physical violence or emotional abuse) before/during or since separation were also asked if they had disclosed<sup>26</sup> any of these behaviours or incidents with the police or sought help from health care professionals or family service providers regarding these issues.

The data show that a substantial minority of parents did not disclose family violence where physical violence or emotional abuse was experienced. Overall, a little over half of all parents reported that they had disclosed family violence to the police or other professionals (53%), with a higher proportion of mothers (61%) disclosing violence compared to fathers (44%) (data by mothers/fathers not shown). As shown in Figure 5.1, a higher proportion of parents disclosed family violence when they had experienced physical violence compared to emotional abuse (69% compared to 48% before or during separation; 76% compared with 53% in the post-separation period).

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<sup>26</sup> For clarity, the term “disclosed” is used when referring to reports of family violence or safety concerns made to professionals either before/during or since separation.





Notes: Data have been weighted.

**Figure 5.1: Parents who disclosed their experience of family violence to police and other professionals, by type of violence and when experienced, all parent reports**

As Table 5.1 illustrates, experiences of violence were most commonly disclosed to police (24%), followed by counsellors (19%) and then psychologists/psychiatrists (12%). Where parents disclosed family violence to at least one service or professional, 42% of these parents disclosed violence to two or more of these services.

**Table 5.1: Service or professional to whom family violence disclosed, parents who experienced family violence *before/during* or *since* separation, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Disclosed family violence to at least one service/professional:	44.0	60.9	53.2
Police	17.3	29.9	24.2
Counsellor	13.8	23.4	19.0
Psychologist/psychiatrist	9.3	13.4	11.5
Doctor/GP (incl. hospital admission)	7.6	11.4	9.6
Lawyer	7.5	8.6	8.1
Other support service (incl. phone help line)	3.0	4.8	4.0
Mediation/FDR services	4.3	3.7	4.0
Domestic/family violence service	1.4	5.6	3.7
Other family relationship support service	2.9	3.0	2.9
Family Relationship Centre	2.3	2.7	2.6
Court staff	1.9	2.0	1.9
Other relationship service	0.7	1.4	1.1
Judges/magistrates	0.7	0.8	0.8
Cultural/religious leader	0.4	0.7	0.6
No. of observations	1,962	2,506	4,468
Disclosed family violence to:			
One service/professional	62.6	55.0	57.8
Two services/professionals	23.4	25.7	24.8
Three or more services/professionals	14.0	19.4	17.4
No. of observations	883	1,563	2,446

Notes: Data have been weighted. Percentages in the top panel do not sum to 100.0% as multiple responses could be chosen. Percentages in the bottom panel may not total exactly 100.0% due to rounding.

A higher proportion of incidents of violence were disclosed when they involved physical hurt. Almost 70% of parents who reported physical violence before/during separation disclosed family violence to a professional or family law service, compared to 48% of parents who experienced emotional abuse alone (not shown). A similar pattern emerged for violence experienced since separation, where the corresponding proportions were 76% for those who reported physical violence and 53% for those reporting emotional abuse.

## 5.2 *Reasons for non-disclosure of violence to police or other services*

The previous section established that a sizable minority of parents who experienced family violence chose not to disclose these incidents to police or other services. The reasons why parents chose not to report this violence are of particular interest in this context. Other analyses have identified a range of reasons why individuals may not disclose family violence, including feelings of shame or low self-esteem. Victims of violence may also believe that she or he won't be believed, feel powerless, or fear further violence if they disclose violent incidents (Australian Law Reform Commission & New South Wales Law Reform Commission, 2010).

The SRSP 2012 data shed further light on the reasons for non-disclosure of family violence from the perspective of parents who experienced family violence either before/during or since separation. As shown in Table 5.2, the most frequently cited reason for not disclosing family

violence or seeking help was because the participant believed it was not serious enough to report (43%). In around one-fifth of cases (22%) where violence was not disclosed or help sought, the participant felt they could deal with it themselves, while a further 11% of participants indicated that they did not want or need the service. There was little difference between mothers and fathers in the response patterns in these three areas. Of those who reported at least one reason for not disclosing violence, the majority (82%) reported only a single reason for not doing so.

**Table 5.2: Reasons for not disclosing family violence or seeking help, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Not serious enough to report	43.7	41.3	42.6
Felt you could deal with it yourself	21.1	23.4	22.1
Did not need or want service	12.4	10.1	11.4
Did not want to cause trouble	5.1	5.4	5.2
Did not want to ask for help	3.3	4.8	4.0
Did not think they could help	4.1	3.2	3.7
Received help from family or friends	2.2	3.5	2.8
Would not be believed	3.0	1.4	2.3
Shame or embarrassment	1.8	2.4	2.1
Fear of focus parent	0.8	2.5	1.5
Did not know of any services	1.5	1.3	1.4
Focus parent prevented me	0.3	0.8	0.5
Couldn't afford it	0.6	0.1	0.4
Cultural reasons	0.3	0.2	0.3
Unable to contact service	0.3	0.3	0.3
Language reasons	0.1	0.0	0.0
Couldn't get an appointment	–	–	–
Other reason	12.6	12.1	12.4
<b>No. of observations</b>	<b>1,079</b>	<b>943</b>	<b>2,022</b>
Disclosed family violence to or sought help from:			
One service/professional	82.9	81.1	82.1
Two services/professionals	13.7	14.5	14.1
Three or more services/professionals	3.4	4.4	3.8
<b>No. of observations</b>	<b>998</b>	<b>860</b>	<b>1,858</b>

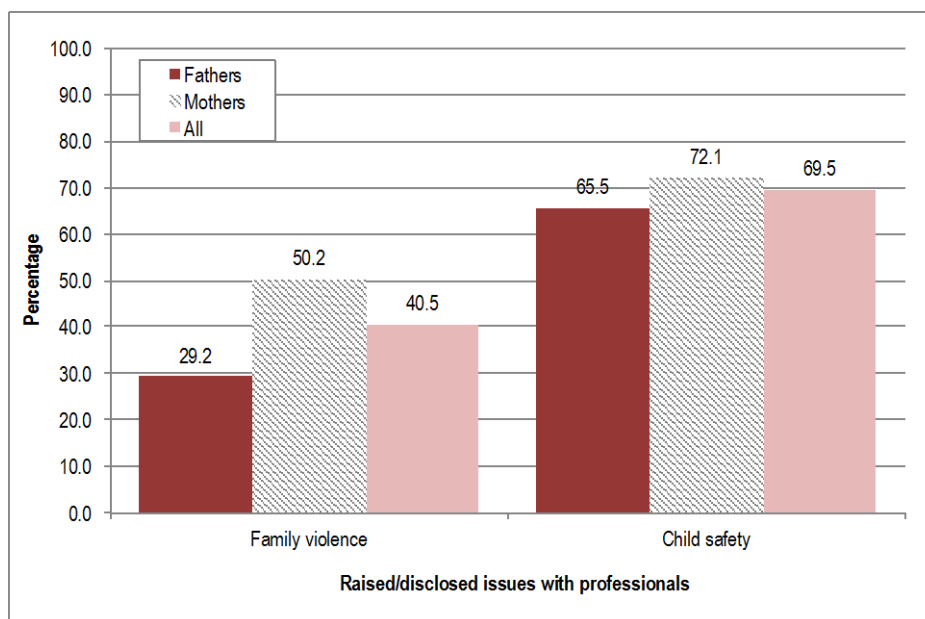
Notes: Data have been weighted. Percentages in the top panel do not sum to 100.0% as multiple responses could be chosen.

## 5.3

5.4 *Disclosure of family violence and safety concerns to family law professionals in reaching parenting arrangements*

The previous section explored the extent to which parents disclosed family violence to police and health care and family law services. In this section, the more specific issue of disclosure of family violence or safety concerns to family law professionals involved in negotiations over care-time arrangements is discussed. Information on these disclosures was collected from parents who used a formal pathway (such as counselling, a lawyer or the courts) to resolve their parenting arrangements, or had sought advice from family law system services even though they reported using an informal pathway (e.g., discussions, or nothing specific), or were still in the process of sorting out arrangements.

Where safety concerns (for themselves, their child or both) regarding ongoing contact with focus parent were present, a higher percentage of parents disclosed these safety concerns to family law professionals, compared to the proportion disclosing family violence in the group who had experienced family violence before/during or since separation. Overall, 70% of parents who had safety concerns at the time of interview disclosed these issues to family law system professionals. This compares to 41% of parents who had experienced family violence and had disclosed the violence to family law professionals. As shown in Figure 5.2, there was little difference in the disclosure behaviour of mothers and fathers in terms of safety concerns (66–72%), while a higher proportion of mothers (50%) compared to fathers (29%) disclosed issues concerning family violence.



Notes: Data have been weighted. Analysis restricted to parents who reported experiencing family violence for first data item, and to parents who reported safety concerns for second data item. Not shown in this figure, a further 2% of participants reported that the focus parent or both parents disclosed family violence issues and 1% reported that the focus parent or both parents disclosed safety concerns. The "don't know" and "refused" responses were excluded from this analysis (1–2%).

Figure 5.2: Parents who disclosed family violence or safety concerns to professionals, father and mother reports

## 5.5 Professional responses to disclosure of family violence or safety concerns

Where parents disclosed family violence or safety concerns, they were also asked about how the professionals at the service responded to their concerns. In relation to both family violence and safety concerns, a little over half the parents who reported making disclosures also reported they were taken seriously and dealt with appropriately (53% for family violence and 51% for safety concerns) (Table 5.3). Similar proportions of parents indicated that their concerns were acknowledged but not considered relevant (31%). Just over one-tenth of parents reported their concerns were ignored or not taken seriously at all (11% for family violence and 13% for safety concerns).

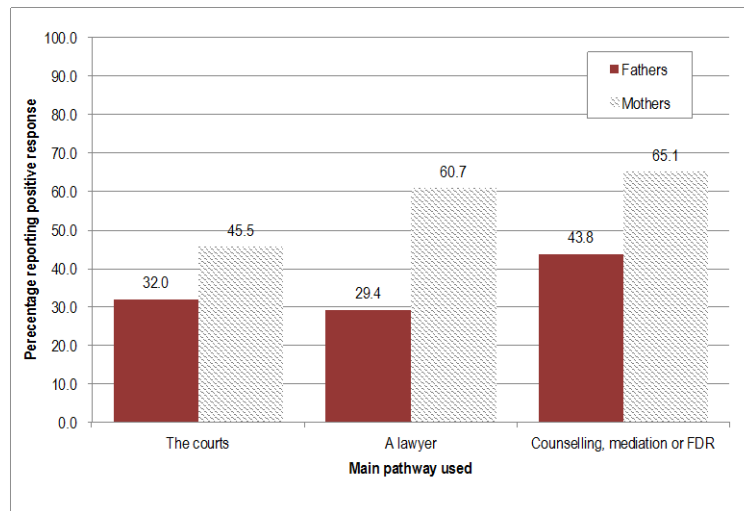
There were fairly major differences in the ways in which mothers and fathers perceived their concerns had been treated, with a lower proportion of fathers indicating that their concerns were taken seriously and dealt with appropriately (38% for family violence and 40% for safety concerns) compared to mothers (62% for family violence and 58% for safety concerns). The proportions of fathers who said their concerns were ignored or not taken seriously were more than double those of mothers (20% cf. 6% for family violence and 21% cf. 8% for safety concerns).

**Table 5.3: Professional responses to disclosures of family violence or safety concerns, father and mother reports**

Professional response	Disclosure of family violence			Disclosure of safety concerns		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Concerns were taken seriously and dealt with appropriately	38.0	61.5	53.4	39.5	58.4	50.9
Concerns were acknowledged but were not considered relevant	38.1	27.5	31.2	33.4	29.4	31.0
Concerns were ignored/not taken seriously at all	19.5	6.2	10.8	20.5	8.2	13.0
Something else	4.5	4.8	4.7	6.7	4.0	5.0
No. of observations	396	786	1,182	412	684	1,096

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from the analysis (2–4%). Percentages may not total exactly 100.0% due to rounding.

Figure 5.3 shows the proportions of parents who considered that their family violence concerns were taken seriously and dealt with appropriately, according to which pathway (counselling, mediation or FDR, a lawyer or courts) they nominated as being the main way they sorted out their parenting arrangements. The analysis shows that a higher proportion of mothers than fathers viewed the consequences of their disclosure positively. Of the three pathways used, a higher percentage of fathers and mothers reported that they had positive responses from services providing counselling, mediation or dispute resolution, rather than lawyers or courts. A similar analysis of parents' disclosure of safety concerns, further analysed by their main pathway used, revealed similar patterns (data not shown).



Notes: Data have been weighted.

**Figure 5.3: Parents reporting that professionals took family violence concerns seriously and dealt with appropriately, by main pathway used to resolve parenting arrangements, father and mother reports**

Parents who reported disclosing family violence and safety concerns were asked what happened as a result of the disclosures. Table 5.4 shows that a substantial minority of parents reported that “nothing happened” in relation to their disclosure of family violence (35%) and safety concerns (41%). A higher percentage of fathers reported this than mothers, with nearly half (46–50%) saying “nothing happened” in relation to family violence or safety concerns, compared to about a third of mothers (29–36%).

The most commonly reported action in relation to disclosures of family violence and safety concerns was making referrals to other support services: 32% after family violence was disclosed and 23% after safety concerns were disclosed. Safety planning, being advised to apply for a court protection order to restrict contact between parties and protect victims or potential victims from violence, and a reduction in the time the focus parent spends with the child were also commonly reported actions put in place after violence concerns were raised, with over 20% of parents reporting these actions.

Table 5.4: Action taken after disclosure of family violence or safety concerns, father and mother reports

Action taken	Disclosure of family violence			Disclosure of safety concerns		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Nothing happened	46.4	29.2	35.2	50.0	35.7	41.3
Referral to relevant support services	23.6	36.2	31.8	17.9	26.9	23.4
Advised to get a protection order	15.8	34.5	27.9	10.4	18.2	15.1
Focus parent's time with child temporarily reduced	10.0	28.2	21.8	10.7	27.8	21.1
Safety plans were put in place	11.9	24.3	20.0	12.8	23.9	19.6
Appointment of an Independent Children's Lawyer (ICL) was requested/granted	14.6	9.2	11.1	13.8	7.5	10.0
Participant's time with child temporarily reduced	17.2	2.8	7.8	15.5	2.7	7.7
Something else	3.8	4.1	4.0	4.2	5.0	4.7
No. of observations	409	794	1,203	426	709	1,136
Of those reporting at least one action:						
One action taken	51.8	43.2	45.7	54.4	52.9	53.4
Two actions taken	25.1	28.5	27.5	25.3	22.1	23.2
Three or more actions taken	23.1	28.3	26.8	20.3	25.0	23.5
No. of observations	224	553	777	216	427	643

Notes: Data have been weighted. The "don't know" and "refused" responses were excluded from the analysis (2–4%). Percentages may not total exactly 100.0% due to rounding.

The patterns of actions that result in the reduction of one parent's time with the focus child highlight the complex dynamics that family violence and safety concerns raise. A much greater proportion of fathers than mothers indicated that their disclosures had resulted in a reduction of their own time with the child (17% of fathers and 3% of mothers in relation to family violence and 16% of fathers and 3% of mothers in relation to safety concerns). Similarly, a higher percentage of mothers than fathers indicated that their disclosures led to the focus parent's time with the child being reduced (28% of mothers cf. 10% of fathers in relation to family violence and 28% of mothers cf. 11% of fathers in relation to safety concerns).

Where parents reported that an action had taken place after violence or safety concerns were disclosed, it was relatively common for multiple actions to occur: 54% of parents reported that two or more actions had taken place after disclosing family violence, and 47% in response to the disclosure of safety concerns.

## 5.6 Professionals eliciting information about family violence

A further key research focus of the SRSP 2012 is the practice among family law professionals of asking about parents' experiences of family violence and safety concerns. The analysis reported in this section provides pre-amendment data that will allow an examination of the

extent and nature of the changes in professional practices if a post-amendment study is conducted.

The SRSP 2012 data show that, from the viewpoint of parents, professionals did not ask about family violence in a substantial minority of cases (Table 5.5). For those parents who resolved their parenting dispute through a formal pathway (such as the courts; a lawyer; or counselling, mediation or FDR), 36% (41% of fathers and 30% of mothers) reported that the professionals involved never asked them about family violence or safety concerns. This proportion was even higher (45%) for parents whose engagement with the family law system was less substantial; that is, those who had sought advice from family law system services, but used informal pathways (“discussions”, “just happened” or “nothing specific”) or were still in the process of sorting out their arrangements.

For both groups, a higher proportion of fathers reported not being asked about these concerns (41–54%) compared to mothers (30–38%).

**Table 5.5: Whether professional asked about family violence or safety concerns, by main pathway used, father and mother reports**

Professional response	Formal pathway			Informal pathway/not resolved		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Yes, asked about family violence	6.7	9.6	8.1	4.7	8.4	6.8
Yes, asked about safety of the child	6.3	5.3	5.8	7.3	5.5	6.3
Yes, asked about both	46.0	54.8	50.2	34.4	48.1	42.0
Subtotal	59.0	69.7	64.1	46.4	62.0	55.1
No, never asked	41.0	30.3	35.9	53.6	38.0	44.9
Something else	3.8	4.1	4.0	4.2	5.0	4.7
No. of observations	690	702	1,392	711	952	1,663

Notes: Data have been weighted. The “don’t know” and “refused” responses were excluded from the analysis (3–4%). Percentages may not total exactly 100.0% due to rounding.

## 5.7 Influence on care-time arrangements of disclosure of family violence and safety concerns

Parents who reported disclosing family violence and safety concerns were also asked to indicate their perception of how these issues influenced their parenting arrangements. As shown in Table 5.6, parents were evenly divided in their opinion on the connection between disclosures of violence and negotiated parenting arrangements. Around one-half (53%) of the parents who disclosed family violence to family law professionals, reported that this “very much” or “somewhat” influenced their parenting arrangements. This was similar to the corresponding proportion of parents who reported safety concerns (56%). Just over a quarter of parents (27% for family violence and 28% for safety concerns) indicated that the disclosures influenced the arrangements “not at all”, with the difference between fathers and mothers who chose this response option in relation to each issue being about 10 percentage points in favour of fathers.

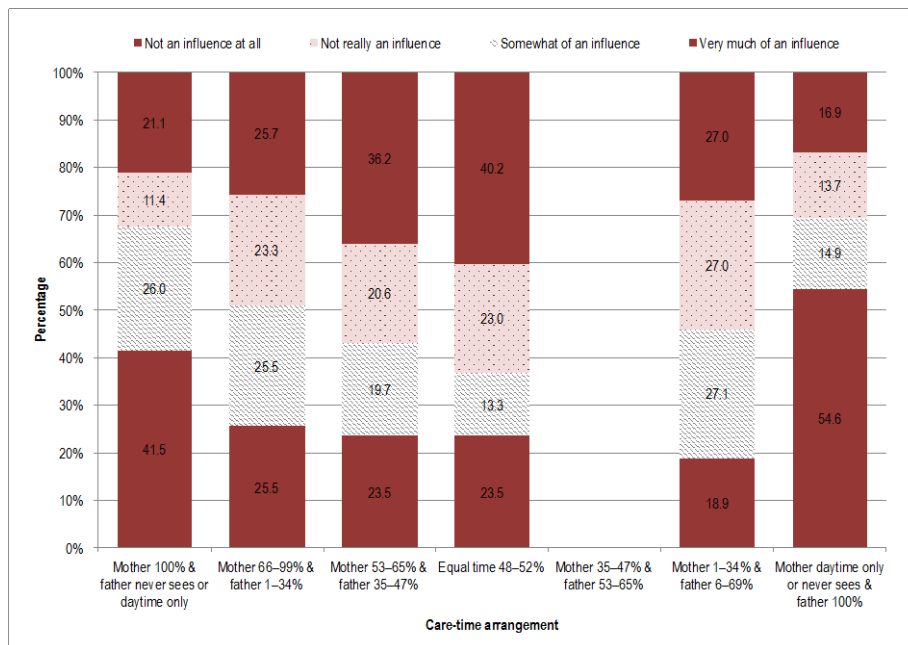


Table 5.6: How much disclosure of family violence or safety concerns influenced parenting arrangements, father and mother reports

How much influenced parenting arrangements	Disclosure of family violence			Disclosure of safety concerns		
	Fathers (%)	Mothers (%)	All parents (%)	Fathers (%)	Mothers (%)	All parents (%)
Very much	28.7	31.5	30.5	25.3	34.2	30.7
Somewhat	19.3	24.8	22.9	22.8	26.7	25.2
Not really	17.6	20.2	19.3	16.6	15.3	15.8
Not at all	34.5	23.4	27.3	35.4	23.8	28.3
No. of observations	395	756	1,151	392	660	1,052

Notes: Data have been weighted. The “don’t know” and “refused” responses were excluded from the analysis (4–11%). Percentages may not total exactly 100.0% due to rounding.

Figure 5.4 shows the extent to which parents indicated their disclosures of family violence and safety concerns were relevant to the parenting arrangement, according to the type of parenting arrangement they reported. A higher proportion of parents reported that the disclosure of family violence had “very much” of an influence in establishing care-time arrangements where their child never saw one parent or had daytime contact only with one of their parents. Responses indicating that disclosures had no influence at all were most common in relation to arrangements where time was substantially shared (36%) or near-equally shared (40%). It is worth noting that for this subpopulation who disclosed family violence to family law professionals, almost all participants (92%) who reported that the father never saw the child or had daytime contact only were female. Similarly, almost 80% of participants who reported that the child never saw their mother or had daytime contact only were male.



Notes: Data have been weighted. Data not shown where sample sizes for care-time categories were fewer than 20 responses.

Figure 5.4: Influence on parenting arrangements of disclosing family violence issues to family law professionals during negotiations, by care-time arrangement, all parent reports

## 5.8 *Reasons for not disclosing safety concerns or family violence issues to family law professionals*

Another key focus of the SRSP 2012 was to ascertain the reasons parents do not disclose safety concerns for their children or family violence issues during discussions with family law professionals. An additional question was asked of parents who reported during the survey that they had safety concerns for the focus child or had experienced family violence either before/during or since the separation, but who had neither been asked by family law professionals about these issues or raised them during discussions. This was a semi-qualitative, open-ended question asking parents, “What was the *main* reason why you *didn’t* raise or disclose any concerns about family violence or the safety of focus child?” and if necessary, “Given your experiences with focus parent’s behaviour that we discussed earlier.”

Coding and analysis of these responses was undertaken and can be found in Appendix 5.

## 5.9 *Summary*

This chapter has set out the extent to which parents who have experienced family violence disclose these behaviours to police and other services or professionals. The reasons why parents chose not to report family violence have also been explored in the preceding analysis. Professional responses to disclosures of violence and the degree to which professionals elicit information from parents about violence have also been described.

### 5.9.1 Disclosure of family violence to police and other services

Overall, the data show that although slightly more than half of the parents who experienced violence before/during or since separation disclosed these behaviours to police or other services, a sizeable minority did not. Our analysis showed that a higher proportion of mothers disclosed violence compared to fathers, as did a higher proportion of parents who experienced physical violence compared to emotional abuse alone. The most common reasons parents gave for not reporting violent behaviour was that they felt the violence was not serious enough to report or they could deal with it themselves.

### 5.9.2 Disclosure of family violence and safety concerns to family law professionals when reaching parenting agreements

For those who sought advice from a family law service to resolve their children’s care-time arrangements, a higher proportion of parents disclosed safety concerns when concerns were present (seven out of ten parents) compared to those disclosing family violence (four out of ten parents). Fathers were less likely to disclose family violence to professionals. There were also fairly substantial differences between the ways in which mothers and fathers perceived their concerns had been treated, with a lower percentage of fathers reporting that their concerns were taken seriously and dealt with appropriately.

Notably, a substantial minority (around four in ten) of parents reported that “nothing happened” in relation to their disclosures of family violence and safety concerns. A higher proportion of fathers reported this response from professionals compared to corresponding reports from mothers.

Where an action was put in place after family violence or safety concerns had been disclosed, the most common response from professionals was a referral to another support service. Safety planning, being advised to apply for a court order to restrict contact between parties and protect

victims or potential victims from violence, and a reduction in the time a parent spent with their child were also commonly reported after family violence had been raised.

### 5.9.3 Professionals eliciting information about family violence

In terms of professionals eliciting information about family violence, the data show that, from the perspective of parents, professionals did not ask about violence in a substantial minority of cases (around one-third of parents who used a formal pathway such as the courts, a lawyer, or counselling, mediation or FDR).

### 5.9.4 Influence on care-time arrangements of disclosing family violence issues

For those parents who disclosed family violence, around half reported that the disclosure of violence either “somewhat” or “very much” influenced their parenting arrangements. A higher percentage of parents reported this level of influence on their negotiated care-time arrangements when the child never saw or had daytime-only contact with their other parent.

## 6 The family law system and outcomes for families

This chapter sets out parents' views of various aspects of the family law system. It first considers how parents responded to a range of propositions about the family law system, including its efficacy in meeting the needs of children and parents and dealing with family violence. Data on the more specific question of whether particular pathways worked for parents and children, according to the SRSP 2012 parents, are then considered. Finally, the level of awareness of the 2011–12 amendments among the parents in the sample is examined.

### 6.1 Effectiveness of the family law system

In order to gain insight into parents' views of the effectiveness of the family system, SRSP 2012 participants were asked six questions requiring responses on a scale of: strongly agree, agree, neither agree or disagree, disagree, strongly disagree, and don't know. For ease of analysis, participants were considered to agree with the statement if they responded "strongly agree" or "agree", and to disagree if they responded: "disagree" or "strongly disagree".

Participants were asked how much they agreed or disagreed that the current family law system effectively:

- addresses family violence issues;
- meets the needs of mothers;
- meets the needs of fathers;
- meets the needs of children;
- protects children's safety; and
- helps parents find the best outcome for their children.

The following discussions and tables show the overall distribution of responses to each statement for mothers and fathers overall and by parents' experiences of family violence before/during and since the separation. There was a relatively high proportion of "don't know" responses to all statements (ranging from 22% to 38%) compared with the other questions in the survey. For this reason, these responses have been included in the tables.

Overall, fewer than one-third of parents (28%) agreed that the system effectively addresses family violence issues, with 17% disagreeing with this statement and 36% reporting that they didn't know (38% of fathers cf. 34% of mothers) (Table 6.1). Tables 6.2 and 6.3 present an analysis of responses according to whether participants had reported experiencing family violence, which goes some way towards further unpacking responses to this issue.

Responses to the questions relating to the needs of mothers and fathers highlight substantial differences in views between fathers and mothers. A higher percentage of fathers than mothers agreed that the system meets the needs of mothers (61% cf. 40%). Not surprisingly, a lower percentage of fathers than mothers disagreed with this statement (5% cf. 20%). Conversely, only one in five fathers agreed that the system meets the needs of fathers (21% cf. 37% of mothers) and almost half disagreed (47% cf. 14% of mothers).

Despite gender differences in their opinions about the system meeting the needs of parents, mothers and fathers reported similar overall responses regarding the system meeting the needs of children. Forty-four per cent of parents agreed the system meets the needs of children, one-fifth disagreed, nearly a quarter said they didn't know and just over a tenth were unwilling to express a view either way.

Just under half of all parents (49%) agreed that the system effectively protects the safety of children (52% of fathers cf. 47% of mothers) and a higher proportion of mothers disagreed with this statement (17% cf. 13% of fathers).

Just over two-fifths of all parents agreed the system effectively helps parents find the best outcome for their children, slightly higher among mothers than fathers (44% cf. 38% of fathers), while one in four fathers disagreed with this statement (cf. 17% of mothers).

**Table 6.1: Parents' views of the effectiveness of the family law system, father and mother reports**

	Fathers (%)	Mothers (%)	All (%)
<b>Addresses family violence issues</b>	(n = 2,833)	(n = 3,251)	(n = 6,084)
Agree	26.6	30.1	28.4
Neither agree/disagree	17.3	19.9	18.6
Disagree	18.1	16.2	17.1
Don't know	38.0	33.9	35.9
<b>Meets the needs of mothers</b>	(n = 2,833)	(n = 3,251)	(n = 6,084)
Agree	61.1	39.8	50.1
Neither agree/disagree	8.2	14.0	11.2
Disagree	4.6	20.1	12.6
Don't know	26.1	26.0	26.0
<b>Meets the needs of fathers</b>	(n = 2,836)	(n = 3,247)	(n = 6,083)
Agree	20.8	37.3	29.3
Neither agree/disagree	10.7	16.1	13.5
Disagree	46.6	14.2	29.9
Don't know	21.9	32.4	27.3
<b>Meets the needs of the children</b>	(n = 2,837)	(n = 3,249)	(n = 6,086)
Agree	45.1	43.5	44.3
Neither agree/disagree	12.2	13.3	12.8
Disagree	20.9	19.0	19.9
Don't know	21.8	24.2	23.0
<b>Protects the safety of children</b>	(n = 2,836)	(n = 3,249)	(n = 6,085)
Agree	51.9	46.7	49.2
Neither agree/disagree	10.9	11.6	11.3
Disagree	13.4	17.4	15.5
Don't know	23.8	24.3	24.1
<b>Helps families to find the best outcome for children</b>	(n = 2,833)	(n = 3,249)	(n = 6,082)
Agree	38.3	43.8	41.2
Neither agree/disagree	13.5	13.8	13.7
Disagree	24.0	17.2	20.5
Don't know	24.3	25.1	24.7

Note: Data have been weighted. Responses of "strongly agree" and "agree", and "strongly disagree" and "disagree" have been combined to "agree" and "disagree" respectively for each statement. The "refused" responses were excluded from this analysis, varying slightly for each statement.

Table 6.2 demonstrates how parents' levels of agreement with the statements about the effectiveness of the system varied with their experiences of family violence before/during separation.

Overall, a higher proportion of parents who reported experiencing family violence before/during separation disagreed with the statements compared with parents who reported no family violence. Levels of disagreement were more pronounced among those who reported physical violence. In particular, almost one-third of parents who had reported experiencing physical violence before/during separation disagreed that the system addresses family violence issues (cf. 10% who reported no violence).

The relatively high proportion of “don’t know” responses for these statements (particularly regarding the effectiveness of the system in addressing family violence) appears to be more common among parents who reported no violence either before/during or since the separation (Tables 6.2 and 6.3). For example, 44% of parents who reported no violence did not know whether the system effectively addressed family violence issues. Though comparatively lower, there remained a notable proportion of parents who reported experiencing physical violence but did not know whether the system effectively addressed family violence issues (23% and 19% of parents who had experienced physical violence before/during and since separation respectively). Similarly, 37% and 32% of parents who reported experiencing emotional abuse before/during and since separation respectively did not know whether the system effectively addressed family violence issues.

A higher proportion of parents who reported experiencing physical violence before/during separation disagreed that the system effectively protects the safety of children, compared with parents who reported no violence (24% cf. 9%). Similar proportions were reported regarding parents’ experiences with family violence since the separation, with 26% of parents reporting physical violence and 19% reporting emotional abuse since separation disagreeing that the system effectively protects the safety children (cf. 9% of parents who reported no violence).

Table 6.2: Parents' views of the effectiveness of the family law system, by experiences of family violence *before/during* separation, all parent reports

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)	All parents (%)
<b>Addresses family violence issues</b>	(n = 1,612)	(n = 2,416)	(n = 2,056)	(n = 6,084)
Agree	28.5	27.6	29.2	28.4
Neither agree/disagree	19.6	19.3	17.2	18.6
Disagree	29.0	16.5	9.5	17.1
Don't know	23.0	36.6	44.2	35.9
<b>Meets the needs of mothers</b>	(n = 1,612)	(n = 2,417)	(n = 2,055)	(n = 6,084)
Agree	47.2	51.9	50.3	50.1
Neither agree/disagree	11.9	10.8	11.2	11.2
Disagree	21.3	12.8	6.3	12.6
Don't know	19.6	24.5	32.2	26.0
<b>Meets the needs of fathers</b>	(n = 1,610)	(n = 2,419)	(n = 2,054)	(n = 6,083)
Agree	32.0	26.1	30.8	29.3
Neither agree/disagree	14.2	13.1	13.4	13.5
Disagree	30.3	35.4	23.8	29.9
Don't know	23.5	25.4	32.0	27.3
<b>Meets the needs of the children</b>	(n = 1,612)	(n = 2,417)	(n = 2,057)	(n = 6,086)
Agree	41.9	43.0	47.4	44.3
Neither agree/disagree	13.5	13.0	11.9	12.8
Disagree	27.7	23.1	11.1	19.9
Don't know	16.9	20.9	29.6	23.0
<b>Protects the safety of children</b>	(n = 1,612)	(n = 2,417)	(n = 2,056)	(n = 6,085)
Agree	47.2	48.9	51.0	49.2
Neither agree/disagree	11.6	11.6	10.7	11.3
Disagree	23.9	16.4	8.6	15.5
Don't know	17.4	23.1	29.8	24.1
<b>Helps to find the best outcome for children</b>	(n = 1,612)	(n = 2,417)	(n = 2,053)	(n = 6,082)
Agree	37.7	40.0	44.9	41.2
Neither agree/disagree	14.2	14.2	12.7	13.7
Disagree	28.8	23.3	11.6	20.5
Don't know	19.4	22.6	30.7	24.7

Note: Data have been weighted. Responses of "strongly agree" and "agree", and "strongly disagree" and "disagree" have been combined to "agree" and "disagree" respectively for each statement. The "refused" responses were excluded from this analysis, varying slightly for each statement.

**Table 6.3: Parents' views of the effectiveness of the family law system, by experiences of family violence *since* separation, father and mother reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)	All parents (%)
<b>Addresses family violence issues</b>	(n = 484)	(n = 3,219)	(n = 2,357)	(n = 6,084)
Agree	28.8	27.4	29.6	28.4
Neither agree/disagree	18.7	19.9	16.9	18.6
Disagree	33.6	20.5	9.6	17.1
Don't know	19.0	32.2	43.9	35.9
<b>Meets the needs of mothers</b>	(n = 484)	(n = 3,243)	(n = 2,357)	(n = 6,084)
Agree	48.0	50.7	49.9	50.1
Neither agree/disagree	12.5	10.9	11.4	11.2
Disagree	21.5	15.7	7.0	12.6
Don't know	18.1	22.8	31.7	26.0
<b>Meets the needs of fathers</b>	(n = 484)	(n = 3,244)	(n = 2,356)	(n = 6,083)
Agree	32.0	27.4	31.2	29.3
Neither agree/disagree	13.8	13.6	13.4	13.5
Disagree	33.6	34.4	23.6	29.9
Don't know	20.7	24.7	31.9	27.3
<b>Meets the needs of the children</b>	(n = 483)	(n = 3,242)	(n = 2,359)	(n = 6,086)
Agree	39.6	42.0	48.1	44.3
Neither agree/disagree	15.7	13.0	11.9	12.8
Disagree	29.3	25.0	11.7	19.9
Don't know	15.5	20.0	28.3	23.0
<b>Protects the safety of children</b>	(n = 485)	(n = 3,241)	(n = 2,357)	(n = 6,085)
Agree	46.2	47.9	51.5	49.2
Neither agree/disagree	11.8	11.7	10.6	11.3
Disagree	26.1	18.7	9.2	15.5
Don't know	15.9	21.7	28.7	24.1
<b>Helps to find the best outcome for children</b>	(n = 484)	(n = 3,241)	(n = 2,357)	(n = 6,082)
Agree	37.0	38.6	45.3	41.2
Neither agree/disagree	14.8	14.2	12.7	13.7
Disagree	31.2	25.8	11.6	20.5
Don't know	17.0	21.4	30.4	24.7

Note: Data have been weighted. Responses of "strongly agree" and "agree", and "strongly disagree" and "disagree" have been combined to "agree" and "disagree" respectively for each statement. The "refused" responses were excluded from this analysis, varying slightly for each statement.

A similar pattern was found for those who reported safety concerns as a result of ongoing contact with the focus parent (Table 6.4). A higher proportion of parents who indicated that they had safety concerns for both themselves and their child (41–43%) disagreed that the family law system protects the safety of children and helps parents to find the best outcome for children, compared parents with no safety concerns (11–17%). Similar proportions of parents who



expressed safety concerns for either themselves (26–32%) or their children (34–36%) also disagreed with these statements.

**Table 6.4: Parents' views on the effectiveness of the family law system, by current safety concerns, all parent reports**

	Yes, for both self and child (%)	Yes, for self (%)	Yes, for focus child (%)	No safety concerns (%)	No contact (%)
<b>Protects the safety of children</b>	(n = 364)	(n = 207)	(n = 515)	(n = 4,742)	(n = 136)
Agree	30.1	52.6	35.1	52.2	40.4
Neither agree/disagree	12.9	9.0	12.8	11.2	7.0
Disagree	42.9	26.1	33.8	10.9	27.1
Don't know	14.1	12.3	18.3	25.7	25.5
<b>Helps to find the best outcome for children</b>	(n = 364)	(n = 207)	(n = 515)	(n = 4,739)	(n = 136)
Agree	30.1	45.9	29.6	43.2	35.3
Neither agree/disagree	13.3	10.9	14.6	13.9	9.3
Disagree	41.4	31.9	36.1	16.8	27.6
Don't know	15.2	11.4	19.7	26.1	27.8

Note: Data have been weighted. Responses of "strongly agree" and "agree", and "strongly disagree" and "disagree" have been combined to "agree" and "disagree" respectively for each statement. The "refused" responses were excluded from this analysis, varying slightly for each statement. Percentages may not total exactly 100.0% due to rounding.

## 6.2 Views on pathways

Parents who had sorted out their parenting arrangements were read a number of statements about the main pathway they used, and asked how much they agreed or disagreed with statements about how well the process worked for them, the focus parent and their children. Further insights were sought on the extent to which they and the focus parent had an adequate opportunity to put their side forward and whether the needs of the child were adequately considered. The results in Table 6.5 show the proportions of parents who agreed or strongly agreed with each statement.

Across all pathways, a smaller proportion of fathers than mothers agreed that the main pathway they used worked for them. Conversely, fathers agreed at a higher rate than mothers that the pathway used worked for the focus parent. A smaller percentage of fathers than mothers agreed that the pathway used worked for the child, the result was what they expected, they had an adequate opportunity to put their side forward, and the needs of the child were adequately considered. The vast majority of fathers and mothers agreed that the main pathway they used provided an adequate opportunity for the focus parent to put their side forward.

Among parents who had sorted out their parenting arrangements using mediation or FDR, 57% of fathers and 76% of mothers agreed the process worked for them. Over 70% of all parents agreed that mediation/FDR produced a result they expected, and more than three-quarters agreed it provided them with an adequate opportunity to put their own side forward.

Among parents who mainly used lawyers to sort out the parenting arrangements for their children, 47% of fathers and 75% of mothers agreed that this pathway worked for them. Eighty-one per cent of mothers who used lawyers as their main pathway, agreed that the needs of the child were adequately considered, compared with 65% of fathers.

Two-thirds of mothers who named courts as the main pathway used to sort out their arrangements agreed that they had an adequate opportunity to put their side forward, compared with 50% of fathers. A lower proportion of fathers than mothers agreed that by using courts the needs of the child were adequately considered (53% cf. 73%).

The majority of both fathers and mothers who used “discussions with the focus parent” as their main pathway, agreed that the process worked for them (82% and 86%, respectively). Between 84% and 98% of fathers and mothers also agreed that the process of discussions worked for the focus parent and the child, both parents had an adequate opportunity to put their side forward, the needs of the children were adequately considered and the result was expected. It should be noted, however, that more than 60% of parents who sorted out their parenting arrangements using mainly discussions with the focus parent had contacted at least one family law service at the time of separation (and 32% contacted at least two services) (not shown).

**Table 6.5: Agreement that main pathway used was effective, parents who had sorted out parenting arrangements, father and mother reports**

	Mediation/ FDR (%)	Lawyers (%)	Courts (%)	Discussions (%)
<b>Fathers</b>	(n = 183)	(n = 128)	(n = 68)	(n = 1,312)
Worked for you	56.8	46.8	41.0	82.3
Worked for focus parent	89.1	84.9	68.4	94.9
Worked for focus child	73.7	51.8	43.3	86.5
Result was expected	73.8	62.5	58.5	87.3
Had adequate opportunity to put side forward	79.3	61.8	50.1	84.0
Focus parent had adequate opportunity to put side forward	96.5	97.2	88.0	97.7
Needs of child were adequately considered	81.5	64.7	52.7	92.2
<b>Mothers</b>	(n = 199)	(n = 149)	(n = 80)	(1,452)
Worked for you	76.3	74.5	64.0	86.3
Worked for focus parent	79.5	68.3	55.1	90.4
Worked for focus child	82.1	79.4	69.4	89.6
Result was expected	72.3	73.2	72.6	88.7
Had adequate opportunity to put side forward	87.1	82.5	66.9	88.2
Focus parent had adequate opportunity to put side forward	97.0	96.1	88.2	96.4
Needs of child were adequately considered	90.0	80.8	73.2	93.7
<b>All parents</b>	(n = 382)	(n = 277)	(n = 148)	(n = 2,764)
Worked for you	66.5	61.2	53.6	84.4
Worked for focus parent	84.3	76.2	61.4	92.6
Worked for focus child	78.0	66.7	57.7	88.1
Result was expected	73.0	68.1	66.3	88.0
Had adequate opportunity to put side forward	83.1	72.6	59.3	86.1
Focus parent had adequate opportunity to put side forward	96.8	96.6	88.1	97.0
Needs of child were adequately considered	85.7	73.2	64.0	93.0

Note: Data have been weighted. The “don’t know” and “refused” responses were excluded from this analysis (less than 1%), resulting in varying sample sizes for each statement. Table shows smallest responding sample size for each pathway/statement for fathers and mothers (statement “worked for focus parent” was the smallest responding sample for fathers, mothers and all parents).

Parents who were still in the process of sorting out the parenting arrangements for their children at the time of interview were asked the extent to which they agreed or disagreed that the process was working for them, for the focus parent and for the children. The results in Table 6.6 show the proportions of parents who agreed or strongly agreed with each statement.

Overall, a smaller percentage of parents who were still sorting out their parenting arrangements agreed with these statements than those who had already sorted out their arrangements. Among parents using mediation or FDR, a smaller proportion of mothers than fathers agreed that the process was working for them (40% cf. 48%) or that the process was working for the focus parent (60% cf. 74%).

Among parents using lawyers to sort out their parenting arrangements, 24% of fathers agreed that the process was working for them, compared with 41% of mothers. A smaller proportion of fathers than mothers agreed that the process of using lawyers was working for the child (25% cf. 44%).

Fewer than half of the parents using discussions as their main pathway for sorting out parenting arrangements agreed that this process was working for them.

**Table 6.6: Agreement that main pathway used was effective, parents in the process of sorting out parenting arrangements, father and mother reports**

	Mediation/FDR (%)	Lawyers (%)	Courts (%)	Discussions (%)
<b>Fathers</b>	(n = 60)	(n = 67)	(n = 84)	(n = 211)
Working for you	47.6	24.0	23.7	43.2
Working for focus parent	74.2	68.3	73.1	85.4
Working for focus child	45.0	25.0	24.8	53.3
<b>Mothers</b>	(n = 57)	(n = 53)	(n = 65)	(n = 210)
Working for you	39.5	40.8	32.6	46.6
Working for focus parent	60.4	49.8	53.4	68.4
Working for focus child	48.9	43.6	36.0	65.7
<b>All parents</b>	(n = 117)	(n = 120)	(n = 149)	(n = 421)
Working for you	44.2	31.2	27.5	44.8
Working for focus parent	68.3	60.5	65.2	77.4
Working for focus child	46.7	32.9	29.5	59.4

Note: Data have been weighted. The "don't know" and "refused" responses were excluded from this analysis (less than 1%), resulting in varying sample sizes for each statement. Table shows smallest responding sample size for each pathway/statement for fathers and mothers (statement "Working for focus parent" was the smallest responding sample for fathers, mothers and all parents).

### 6.3 Awareness of 2011–12 amendments to the Family Law Act

Because the implementation of the 2011–12 amendments occurred just three months prior to the commencement of the SRSP 2012 data collection, parents were asked whether they were aware of these changes. The specific question was: "There have been some recent changes to the family law system that came into effect in June this year. Are you aware of any of these changes?" If participants answered yes, they were asked: "Could you please explain to me your understanding of these changes?"

Of all parents, less than 10% were aware of any changes, and only 2% were able to provide some level of detail about the changes (regardless of how accurate this detail was) (Table 6.7). There was no difference in the level of awareness between fathers and mothers.

**Table 6.7: Parents' awareness of the 2011 changes to the *Family Law Act*, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Yes aware of specific changes	2.0	2.1	2.0
Yes aware, not sure details	7.9	7.0	7.4
Not aware of any changes	90.1	90.9	90.5
No. of observations	2,851	3,263	6,114

Note: Data have been weighted. The "refused" responses were excluded from this analysis ( $n = 5$ ). Percentages may not total exactly 100.0% due to rounding.

Table 6.8 shows that a slightly higher percentage of parents who reported experiencing family violence before/during separation than those reporting no violence were aware of the 2011 changes to the *Family Law Act*. Conversely, a higher proportion of parents who reported no violence before/during separation were unaware of any changes to the *Family Law Act* (92% cf. 89% of parents who reported experiencing physical violence). There was no difference in the level of awareness reported by fathers and mothers.

**Table 6.8: Parents' awareness of the 2011 changes to the *Family Law Act*, by experience of family violence *before/during* separation, all parent reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
Yes, aware of specific changes	3.4	2.1	1.0
Yes, aware, not sure of details	8.1	7.5	6.9
Not aware of any changes	88.6	90.4	92.1
No. of observations	1,615	2,430	2,069

Note: Data have been weighted. The "refused" responses were excluded from this analysis ( $n = 5$ ). Percentages may not total exactly 100.0% due to rounding.

Overall, parents' level of awareness of the 2011 changes were similar for those who reported experiencing family violence since separating. However, among these parents, mothers and fathers appeared to have different levels of awareness (Table 6.9). Approximately 14% of mothers who reported experiencing physical violence since separation were aware of the changes to the family law system, with 5% being able to recall specific detail of the changes (compared with 7% of fathers who were aware of changes and 1% able to recall specific details).

Table 6.9: Parents' awareness of the 2011–12 changes to the *Family Law Act*, 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</b>	(n = 189)	(n = 1,458)	(n = 2,851)
Yes, aware of specific changes	1.2	2.7	1.3
Yes, aware, not sure of details	5.3	8.9	7.2
Not aware of any changes	93.5	88.4	91.5
<b>Mothers</b>	(n = 297)	(n = 1,795)	(n = 1,171)
Yes, aware of specific changes	4.5	2.3	1.2
Yes, aware, not sure of details	9.9	8.1	4.7
Not aware of any changes	85.6	89.7	94.0
<b>All parents</b>	(n = 486)	(n = 3,253)	(n = 2,375)
Yes, aware of specific changes	3.2	2.5	1.3
Yes, aware, not sure of details	8.0	8.4	6.0
Not aware of any changes	88.8	89.1	92.7

Note: Data have been weighted. The "refused" responses were excluded from this analysis (n = 5). Percentages may not total exactly 100.0% due to rounding.

## 6.4 Summary

This chapter has explored parents' views of various aspects of the family law system, including perceptions of whether it meets the needs of parents and children and addresses family violence issues effectively. Parents' perspectives on how well each pathway worked for them, the focus parent and their children have also been analysed. Finally, the level of awareness of the 2011–12 family law amendments among participants was described.

### 6.4.1 Effectiveness of the family law system

The data highlight substantial uncertainty among parents about the effectiveness of the family law system in dealing with family violence issues. Around one-third of parents reported they did not know how they felt about the effectiveness of the current family law system in addressing family violence issues. This was a relatively high proportion of "don't know" responses compared to the responses to other questions asked in the survey. Fewer than one-third of parents agreed that the family law system effectively addressed issues of family violence. The levels of disagreement with this statement were more pronounced among parents who reported experiencing family violence.

A substantial minority of parents who reported holding safety concerns for their child or themselves and their child indicated they did not believe that the family law system protects the safety of children (34% and 43% respectively).

A higher proportion of fathers than mothers agreed that the system effectively meets the needs of mothers. Similarly, a greater percentage of mothers than fathers tended to agree the system meets the needs of fathers. Despite differences in their opinions about the system meeting the needs of parents, similar proportions of mothers and fathers agreed the system effectively meets the needs of children (around 44%), though a smaller percentage of parents who experienced family violence agreed with this.

#### 6.4.2 Effectiveness of family law services

Across all of the pathways considered that were used in sorting out parenting arrangements, a smaller proportion of fathers than mothers agreed that the main pathway used worked for them or the child, the result was what they expected, they had an adequate opportunity to put their side forward, and the needs of the child were adequately considered. For both mothers and fathers, those who nominated “discussions with the focus parent” as their main pathway reported the most positive ratings in terms of how well the process worked for the respective parties.

#### 6.4.3 Awareness of changes to the family law system

Awareness of the 2011–12 amendments was quite low among all parents, but slightly more evident among parents who had experienced family violence before/during separation than those who hadn't. Among parents who reported experiencing family violence since separation, a higher proportion of mothers who had experienced physical violence and fathers who had experienced emotional abuse were aware of the amendments compared to the other groups of parents.

## 7 Child and parent wellbeing

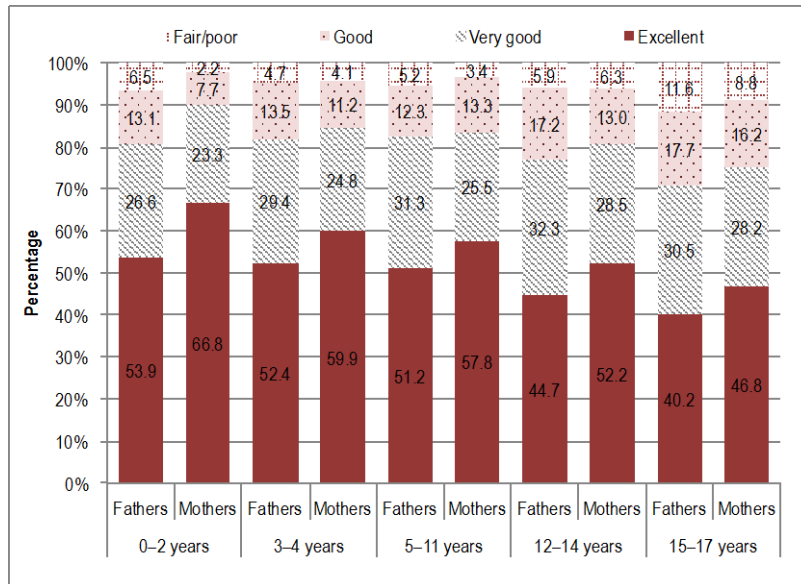
This chapter looks at child and parent wellbeing, focusing particularly on whether the occurrence or witnessing of family violence is related to compromised wellbeing. Family violence is considered to be present when a parent reports physical hurt or emotional abuse from the focus parent. When family violence occurs alongside a relationship breakdown, there can be a compounding effect upon child and parent wellbeing, both immediately and in the long term. One of the aims of the Survey of Recently Separated Parents is to shed light on this issue. However, it is not possible to draw conclusions about causality from these data (i.e., that family violence *leads to* lowered wellbeing). Nevertheless, we can observe whether rates of wellbeing diminish when parental separation and family violence co-occur. We look first at children's wellbeing, and then at that of their parents.

### 7.1 Child wellbeing

This section briefly examines the wellbeing of the total sample of children in the SRSP 2012 to ascertain the proportion doing well or poorly. This information can provide a benchmark against which to compare the wellbeing of children from families in which there had been violence between parents. Parents completed a series of questions, some of which were asked about all children in the sample and others that were asked only about children of particular ages (e.g., toddlers, school-aged children).

#### 7.1.1 Physical health and general wellbeing of focus child

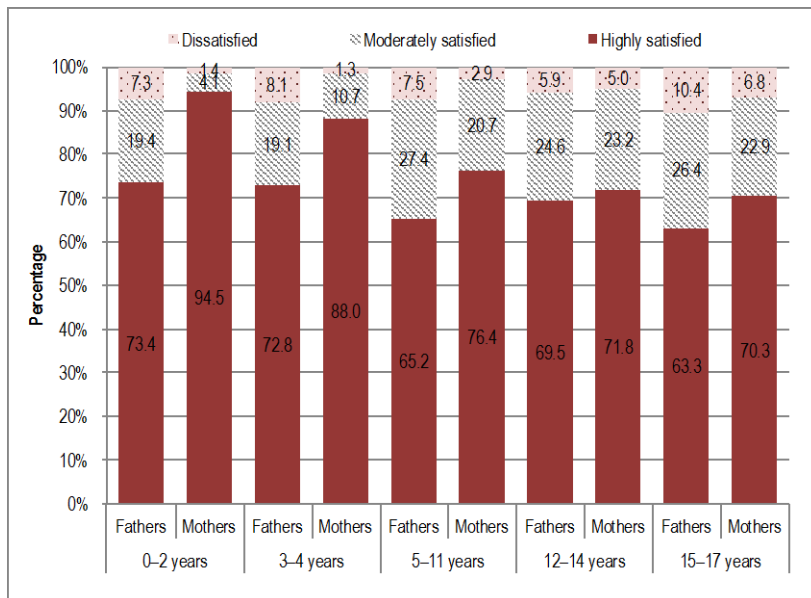
Information on children's physical health was collected by the question: "In general, would you say your child's health is ...", with response options of "excellent", "very good", "good", "fair", or "poor" provided. Due to very low percentages in some response categories (less than one per cent), the "fair" and "poor" responses were later combined. While mothers tended to report higher levels of child health than fathers, patterns were similar across both parents (Figure 7.1). Most children were reported to be in excellent or very good physical health, with rates ranging from 71% to 90% across the age ranges.



Note: Data have been weighted. The “don’t know” or “refused” responses were excluded from this analysis (2%). Percentages may not total exactly 100.0% due to rounding.

Figure 7.1: Perceptions of focus child health, by child age, father and mother reports

To assess children’s general wellbeing, all parents were asked: “On a scale of 0 to 10, how satisfied are you with the wellbeing of your child?” Descriptions were provided for the lowest (“completely dissatisfied”), highest (“completely satisfied”) and midpoint (“neutral—neither satisfied or dissatisfied”) categories. Responses of 0 to 4 were classified as indicating dissatisfaction, 5 to 7 as moderate satisfaction, and 8 to 10 as high satisfaction. As Figure 7.2 shows, around 90% of mothers and fathers were satisfied with the wellbeing of their child at all ages, with most parents being highly satisfied.



Note: Data have been weighted. The “don’t know” or “refused” responses were excluded from this analysis (1%). Percentages may not total exactly 100.0% due to rounding.

Figure 7.2: Overall satisfaction with focus child wellbeing, by child age, father and mother reports



### 7.1.2 Wellbeing of children in infancy and toddlerhood

The behavioural and social wellbeing of children aged 1–3 years was assessed using the Externalising and Internalising Behaviour Problem subscales of the Brief Infant-Toddler Social and Emotional Adjustment scale (BITSEA; Briggs-Gowan & Carter, 2006). The items measure behaviours such as being restless, physically violent or accident prone, as well as fearfulness, sadness, insecurity, and avoidance of contact with others. Parents rated how often their child had shown the behaviours in the past month using a three-point scale (“not true/rarely” = 0, “somewhat true/sometimes” = 1, and “very true/often” = 2).

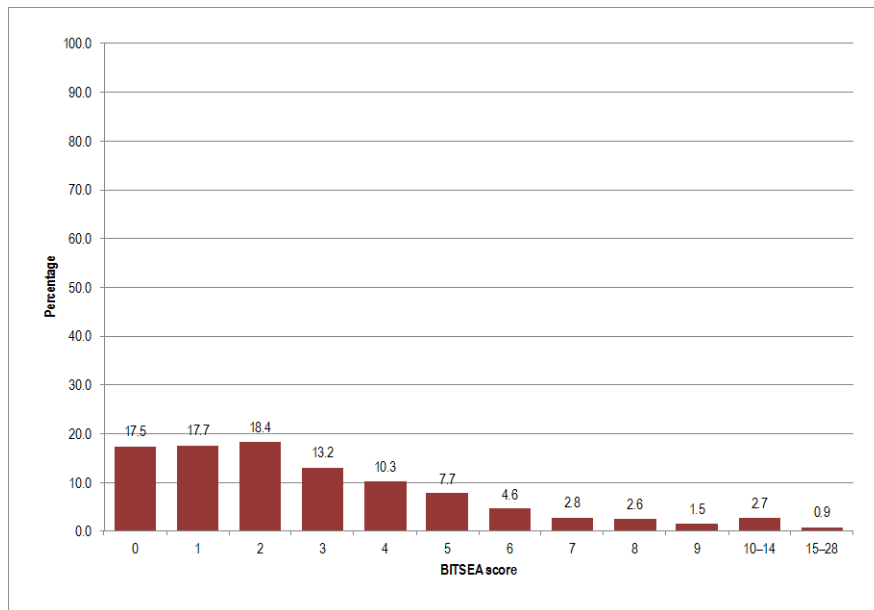
A total, or combined, score was computed by summing the ratings made over all the behaviour problem items (at least 10 items must have been completed for this score to be generated, applying a 0, 1 or 2 for each item completed, depending on their response). This score can shed light on the proportion of children showing multiple problems, as it is the combination of behaviours exhibited by children that is often taken as being indicative of more serious problems. The possible range of scores was 0 to 28. The mean total scores for child behaviour problems, as calculated from father and mother reports, suggest that children tended to show some, but not a large number of behaviour problems (Table 7.1). Scores were very similar for both parents’ reports. Thus, on average, while children were not problem-free, they generally exhibited only a small number of problems.

**Table 7.1: Total behaviour problem (BITSEA) scores, children aged 0–3 years, father and mother reports**

	Fathers	Mothers	All parents
Mean	3.05	3.11	3.09
Standard error	0.14	0.11	0.08
Range	0–28	0–23	0–28
No. of observations	529	847	1,376

Notes: Data have been weighted.

When the scores were further analysed on a continuous scale, this analysis further confirmed that only a minority of children displayed a large number of problems. Around one-fifth (23%) of parents of children aged 0–3 years reported a score of 5 or more, with less than 4% of parents reporting a score of 10 or more (Figure 7.3).



Note: Percentages do not total exactly 100.0% due to rounding.

Figure 7.3: Total behaviour problem (BITSEA) scores, children aged 0–3 years, all parent reports

### 7.1.3 Wellbeing of school-aged children

Three questions were used to measure the social and learning wellbeing of school-aged children: “Compared with children of the same age, how would you say your child is ...”:

- doing with learning or school work;
- getting along with children his/her own age; and
- doing in most areas of his/her life.

The responses options were: “much better”, “somewhat better”, “about the same”, “somewhat worse” and “much worse”. Responses were subsequently recoded as “better” (combining “much better” and “somewhat better”), “about the same” and “worse” (combining “much worse” and “somewhat worse”).

Table 7.2 reveals that approximately 90% of school-aged children were reported by fathers and mothers as doing the same or better than other children of the same age on the three aspects measured. These responses suggest a very positive picture of how school-aged children were perceived to be progressing.

Table 7.2: Relative social and learning wellbeing of focus children, by child age, father and mother reports

	5–11 years			12–14 years			15–17 years		
	Fathers (%)	Mothers (%)	All (%)	Fathers (%)	Mothers (%)	All (%)	Fathers (%)	Mothers (%)	All (%)
<b>Learning or school work</b>	(n=1,095)	(n=1,191)	(n=2,286)	(n=392)	(n=413)	(n=805)	(n=386)	(n=469)	(n=855)
Much better/somewhat better	51.6	47.0	49.2	45.4	46.5	46.0	39.6	40.4	40.0
About the same	39.2	42.3	40.8	46.0	39.3	42.6	48.7	44.6	46.5
Much worse/somewhat worse	9.2	10.7	10.0	8.6	14.2	11.4	11.7	15.0	13.5
<b>Getting on with other children</b>	(n=1,102)	(n=1,193)	(n=2,295)	(n=384)	(n=416)	(n=800)	(n=384)	(n=470)	(n=854)
Much better/somewhat better	41.4	43.0	42.2	43.5	48.2	45.9	40.6	39.2	39.8
About the same	49.9	48.0	48.9	49.4	43.5	46.4	53.5	52.9	53.2
Much worse/somewhat worse	8.7	9.1	8.9	7.1	8.4	7.8	5.9	7.9	7.0
<b>In most areas of life</b>	(n=1,086)	(n=1,189)	(n=2,275)	(n=380)	(n=410)	(n=790)	(n=382)	(n=462)	(n=844)
Much better/somewhat better	39.8	37.5	38.6	39.0	38.2	38.6	33.2	37.7	35.7
About the same	53.5	53.6	53.6	53.0	50.5	51.8	57.0	48.9	52.6
Much worse/somewhat worse	6.7	8.8	7.8	7.9	11.2	9.6	9.8	13.4	11.8

Note: Percentages may not total exactly 100.0% due to rounding.

#### 7.1.4 Concerns about children's wellbeing

Information was sought about difficult child behaviours in the previous three months, with the following issues covered:

- the child had been more distressed by routine separations than usual (e.g., when being dropped off at child care or school);
- the child had been more irritable or upset than usual;
- the child's social interactions had changed for the worse (e.g., becoming less outgoing, more withdrawn);
- the child had been very agitated or upset/withdrawn when going to or returning from spending time with each parent; and
- a professional (e.g., teacher, GP, nurse) said they were worried about the child (e.g., being settled, feeding, sleeping, toileting, health, learning or general development).

Parents could answer "yes" or "no", and the questions were asked about children of all ages.

Table 7.3 shows that between 10% and 20% of children had been more distressed than usual by routine separations such as being dropped off at child care or school during the past three months, while between 10% and 25% had been more irritable or upset according to fathers, with rates being higher according to mothers (13–32%). The most common difficulty reported was children becoming very agitated or upset/withdrawn when going to or returning from spending

time with each parent, with between one-quarter and close to one-half of children having shown such distress. A smaller number (between 7% and 17%) had exhibited a worsening pattern of social interaction in the past three months according to both parents. Lastly, a professional had expressed concerns about the child's behaviour for between 6% and 21% of children.

**Table 7.3: Negative behaviour of focus children by child age, father and mother reports**

	0–2 years (%)	3–4 years (%)	5–11 years (%)	12–14 years (%)	15–17 years (%)
<b>Fathers</b>	(n = 329)	(n = 379)	(n = 1,111)	(n = 371)	(n = 421)
More distressed by routine separation	13.0	20.6	21.7	22.7	17.6
More irritable or upset	10.1	18.8	23.9	23.6	22.3
Agitated or upset when parting from parent	28.6	45.8	41.3	27.9	24.0
Social interactions worse	6.5	10.4	11.7	13.0	12.9
Professional expressed concerns	6.2	8.4	11.7	11.2	17.2
<b>Mothers</b>	(n = 575)	(n = 476)	(n = 1,200)	(n = 407)	(n = 471)
More distressed by routine separation	15.7	22.6	20.9	17.7	15.2
More irritable or upset	13.2	22.2	29.8	32.0	29.0
Agitated or upset when parting from parent	31.1	42.9	41.5	38.2	33.5
Social interactions worse	8.4	10.5	12.7	13.8	16.9
Professional expressed concerns	6.2	11.2	18.9	21.2	19.8

Note: Data have been weighted. Between 4% and 5% of parents responded "don't know", which was more common among fathers (7–9%) than mothers (1–4%). Sample size for each statement/age group varies due to exclusion of "don't know" and "refused" responses from the analysis. Table shows smallest responding sample size for each statement for fathers and mothers (statement with smallest sample size for fathers: "more distressed by routine separation than usual"; statement with smallest sample size for mothers: "very agitated or upset/withdrawn when going or returning from spending time with each parent").

## 7.2 Children's exposure to family violence

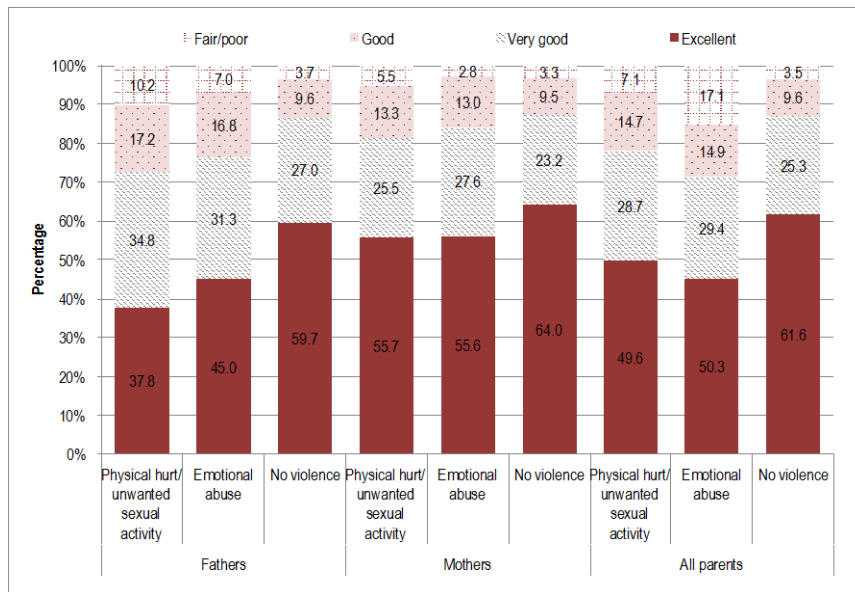
The next section looks at connections between children's wellbeing and family violence. First, we look at children's wellbeing when differing types of family violence had occurred before/during and since, separation. Second, if there was family violence, we investigate whether children who witnessed it differed from those who did not. As the same person reported on both the occurrence of violence and children's wellbeing, some "eye of the beholder" effects (where the reporter's knowledge of the family violence may have influenced their assessment of the child's wellbeing) are likely to have contributed to the findings next reported. However, the size and consistency of differences suggest that the patterns also reflect genuine divergences in children's wellbeing.

### 7.2.1 Children's wellbeing and family violence before/during or since separation

#### *Level of physical health*

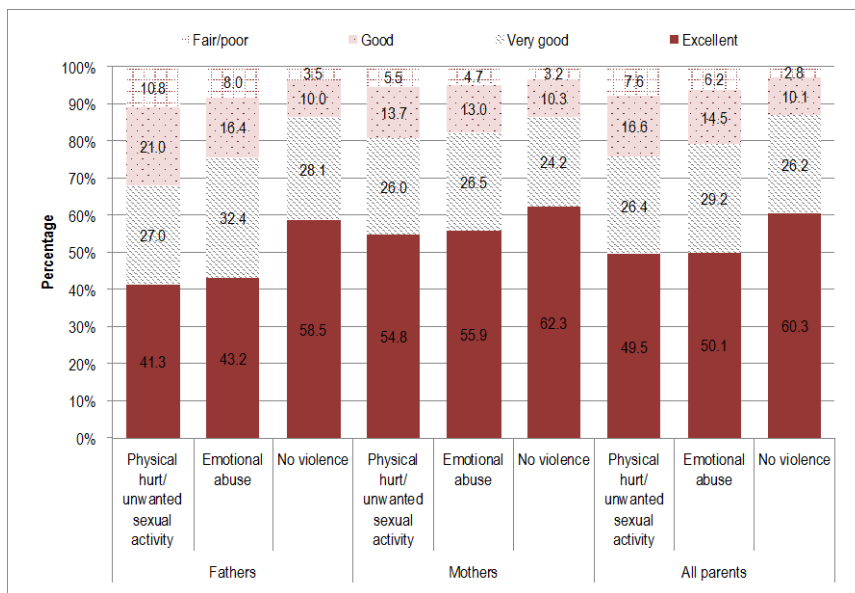
Looking first at children's physical health, while in general a large majority of children were reported as being in excellent or very good health, rates were higher when there had been no violence compared to when violence had occurred (Figure 7.4). Fathers' and mothers' reports differed slightly: according to fathers, children had poorer health when physical violence was reported, and slightly better health when emotional abuse alone was experienced, whereas health rates were similar across the two types of violence by mothers. The patterns were the same for children in differing age bands (0–2, 3–4, 5–11, 12–14 and 15–17 years; not shown).

Similarly, for the period since separation, children tended to have better health when there had been no violence, compared to when either type of family violence had occurred (Figure 7.5).



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

Figure 7.4: Perceptions of focus child's physical health, by parents' experiences of family violence *before/during* separation, father and mother reports



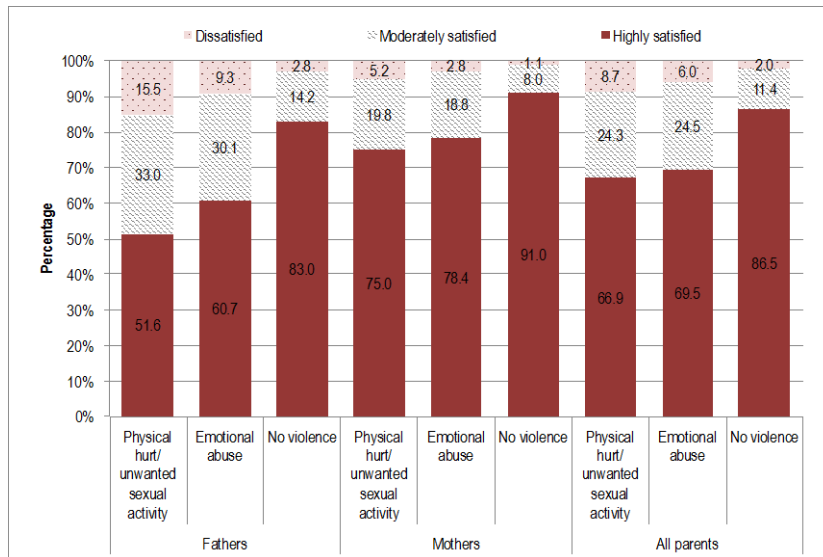
Note: Data have been weighted. Percentages may not total exactly 100.0% due to rounding.

Figure 7.5: Perceptions of focus child's physical health, by parents' experiences of family violence *since* separation, father and mother reports

### Satisfaction with overall child wellbeing

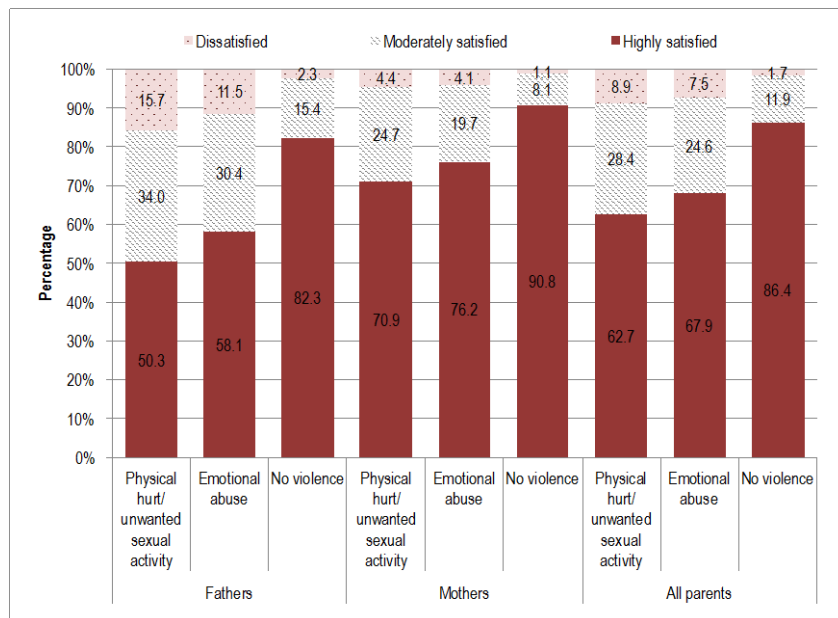
Parents' satisfaction with the wellbeing of their child showed the same pattern of results as found for physical health (Figures 7.6 and 7.7). Thus, according to mothers and fathers alike, the presence of either type of violence before/during or since separation was associated with lower rates of current satisfaction with the child's wellbeing compared to when no violence was reported (17–20% fewer of all parents were highly satisfied if violence had occurred

before/during separation, and 19–24% fewer if it had occurred since). Also, rates of dissatisfaction, while rare generally, tended to be three or more times higher if violence had occurred at either time period. Particularly striking are the reduced rates of high satisfaction among fathers where either type of violence had occurred. Additionally, fathers less often reported high satisfaction when there had been physical violence than when there had been emotional abuse alone at both time periods.



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

Figure 7.6: Overall satisfaction with focus child's wellbeing, by parents' experiences of family violence *before/during* separation, father and mother reports

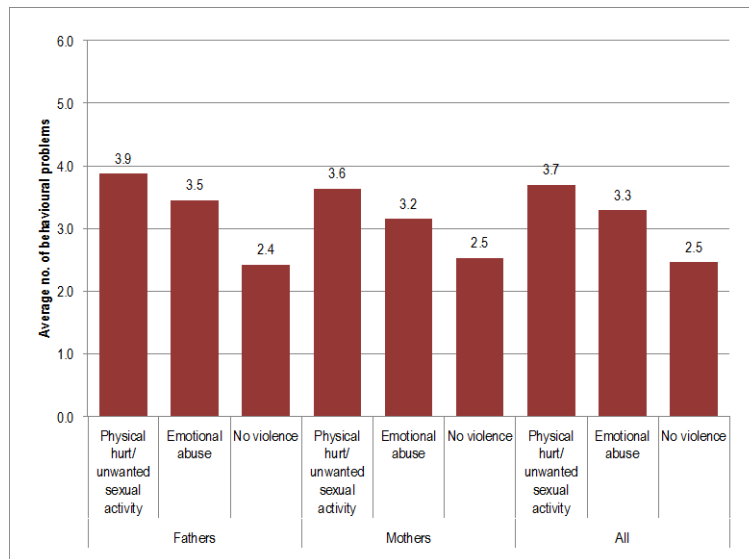


Notes: Data have been weighted.

Figure 7.7: Overall satisfaction with focus child's wellbeing, by parents' experiences of family violence *since* separation, father and mother reports

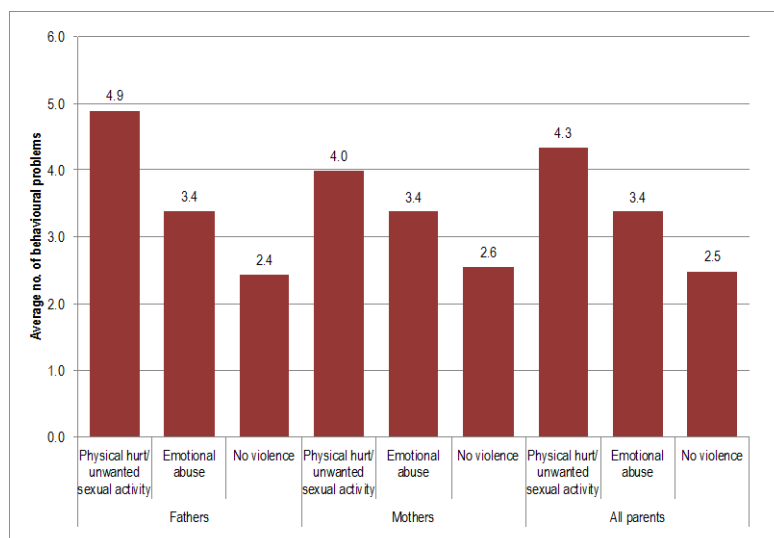
### Behaviour problems

There were sizable differences among 1–3 year old children in levels of behaviour problems according to whether violence was present before/during or since separation (Figures 7.8 and 7.9). Children showed the highest levels of problems when physical violence was reported, lower (but still somewhat elevated) levels when emotional abuse was reported, and the lowest levels when no family violence had occurred. Rates were also considerably higher than the benchmark mean of 3.1 for the whole sample (see Table 7.1). Comparing patterns over the two time periods (before/during and since separation), levels of behaviour problems were higher if family violence had occurred in the period since separation than before/during it (means of 4.3 since cf. 3.7 before/during on physical violence, and 3.4 cf. 3.3 on emotional abuse).



Notes: Data have been weighted.

**Figure 7.8:** Average number of behavioural problems (BITSEA score) for 1–3 year old children, by parents' experiences of family violence *before/during* separation father and mother reports



Notes: Data have been weighted.

**Figure 7.9:** Average number of behavioural problems (BITSEA score) for 1–3 year old children, by parents' experiences of family violence *since* separation, father and mother reports

Looking at the specific types of problem behaviours in children that were measured (see Appendix 6), differences were most evident for violence towards a parent, destructiveness, crying or hanging on when the parent tries to leave, and worrying/being nervous, with the highest rates of problems found when physical violence was present and the lowest when no family violence had occurred. Of concern was the pattern indicating that child violence towards a parent (while relatively uncommon overall) was much more prevalent when a parent had experienced physical violence from the focus parent.

### *Social and learning wellbeing*

While the great majority of 5–17 year olds were rated as doing better or the same as their peers on social and learning wellbeing before/during and since separation (Tables 7.4 and 7.5), a higher proportion of children were reported as doing worse if family violence of either type had occurred. Where physical violence had been reported, rates of poorer wellbeing were generally double that of children where there had not been violence; where emotional abuse had occurred, rates tended to be midway between those for physical violence and no violence. Mother and father reports were similar, and these patterns were consistent across children of differing ages (5–11, 12–14 and 15–17 years; details not shown).

**Table 7.4: Social and learning wellbeing of school-aged focus children, by parents' experiences of family violence *before/during* separation, father and mother reports**

	Fathers			Mothers		
	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Learning or school work</b>	(n = 366)	(n = 837)	(n = 779)	(n = 690)	(n = 880)	(n = 614)
Much better/somewhat better	45.6	48.9	51.4	44.6	46.0	46.6
About the same	39.5	42.8	40.8	38.8	42.7	45.8
Much worse/somewhat worse	14.9	8.4	7.8	16.6	11.4	7.6
<b>Getting on with other children</b>	(n = 367)	(n = 833)	(n = 779)	(n = 690)	(n = 877)	(n = 623)
Much better/somewhat better	33.6	44.2	44.8	44.3	43.0	43.3
About the same	54.9	47.0	50.4	43.9	48.0	52.0
Much worse/somewhat worse	11.5	8.8	4.9	11.8	9.0	4.7
<b>In most areas of life</b>	(n = 359)	(n = 826)	(n = 769)	(n = 689)	(n = 870)	(n = 614)
Much better/somewhat better	32.7	36.5	45.0	36.9	38.0	40.8
About the same	56.7	54.9	50.1	49.9	51.2	54.0
Much worse/somewhat worse	10.5	8.7	5.0	13.1	10.8	5.2

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



**Table 7.5: Social and learning wellbeing of school-aged focus children, by parents' experiences of family violence *since* separation, father and mother reports**

	Fathers			Mothers		
	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Learning or school work</b>	(n = 119)	(n = 1,024)	(n = 839)	(n = 193)	(n = 1,220)	(n = 771)
Much better/somewhat better	39.0	47.4	52.8	52.7	43.8	47.1
About the same	46.5	41.9	40.1	33.7	42.5	44.3
Much worse/somewhat worse	14.5	10.7	7.1	13.6	13.7	8.6
<b>Getting on with other children</b>	(n = 119)	(n = 1,024)	(n = 838)	(n = 193)	(n = 1,221)	(n = 776)
Much better/somewhat better	31.8	41.1	45.6	45.6	42.2	44.9
About the same	55.1	49.3	49.7	42.4	47.9	49.4
Much worse/somewhat worse	13.2	9.6	4.7	12.0	9.9	5.8
<b>In most areas of life</b>	(n = 117)	(n = 1,024)	(n = 833)	(n = 192)	(n = 1,211)	(n = 770)
Much better/somewhat better	34.5	34.6	45.3	37.0	35.9	42.7
About the same	55.4	56.3	49.5	50.9	52.0	51.2
Much worse/somewhat worse	10.1	9.1	5.3	12.0	12.1	6.1

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

#### *Negative changes in patterns of behaviour*

Turning now to whether there had been negative changes in children's pattern of behaviour in the past three months (Tables 7.6 and 7.7), children whose parents had experienced either type of family violence before/during or since separation tended to display double the reported rate of negative changes compared to those whose parents had not experienced violence. Most notably, approximately half the children in families where there had been physical violence had been very agitated/upset when parting from a parent, and more than 40% of those from families experiencing emotional abuse alone had shown such behaviour, compared with one-quarter of children in families where there had not been violence. Increased distress among children was also quite frequent during routine separations (e.g., when going to child care or school), with 21–31% of children whose parents reported either type of violence showing this behaviour compared with 12% of children where there had been no family violence. Slightly higher rates of irritability and distress at parting from parents (either for routine activities or at parenting changeovers) were found when there had been violence since separation compared to before/during separation. Mother and father reports were very consistent on these issues, and patterns across the five child age ranges were similar (0–2, 3–4, 5–11, 12–14 and 15–17 years; details not shown).

**Table 7.6: Negative changes in child behaviour, by parents' 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</b>	(n = 482)	(n = 1,084)	(n = 1,046)
More distressed by routine separation	26.4	24.6	11.9
More irritable or upset	30.1	24.5	12.4
Agitated or upset when parting from parent	50.3	41.4	25.3
Social interactions worse	16.9	13.4	5.9
Professional expressed concerns	13.7	13.5	7.0
<b>Mothers</b>	(n = 1,006)	(n = 1,188)	(n = 935)
More distressed by routine separation	24.4	20.5	11.6
More irritable or upset	29.6	27.6	17.0
Agitated or upset when parting from parent	49.2	42.5	22.0
Social interactions worse	17.2	11.7	7.0
Professional expressed concerns	18.0	17.3	9.4

Notes: Data have been weighted. Sample size for each statement/violence category varies due to exclusion of "don't know" and "refused" responses from the analysis. Table shows smallest responding sample size for each statement for fathers and mothers.

**Table 7.7: Negative changes in child behaviour, by parents' experiences of family violence since separation, father and mother reports**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<b>Fathers</b>	(n = 169)	(n = 1,318)	(n = 1,126)
More distressed by routine separation	30.4	24.8	12.4
More irritable or upset	32.8	26.7	11.7
Agitated or upset when parting from parent	56.9	44.4	24.3
Social interactions worse	15.9	14.8	5.8
Professional expressed concerns	15.0	13.6	7.1
<b>Mothers</b>	(n = 277)	(n = 1,712)	(n = 1,140)
More distressed by routine separation	30.7	22.1	11.8
More irritable or upset	34.8	29.1	16.5
Agitated or upset when parting from parent	56.4	46.6	21.8
Social interactions worse	16.5	13.9	8.2
Professional expressed concerns	20.5	17.4	10.4

Notes: Data have been weighted. Sample size for each statement/violence category varies due to exclusion of "don't know" and "refused" responses from the analysis. Table shows smallest responding sample size for each statement for fathers and mothers.

## 7.2.2 Children's wellbeing and witnessing family violence

The next issue examined is the wellbeing of children who witnessed family violence of either kind (physical violence or emotional abuse). Children were divided into five groups:<sup>27</sup>

- no violence within the family ( $n = 1,651$ );
- violence within the family, never witnessed ( $n = 1,502$ );
- witnessed violence before/during but not since separation ( $n = 1,011$ );
- witnessed violence since but not before/during separation ( $n = 402$ ); and
- witnessed violence both before/during and since, separation ( $n = 1,389$ ).

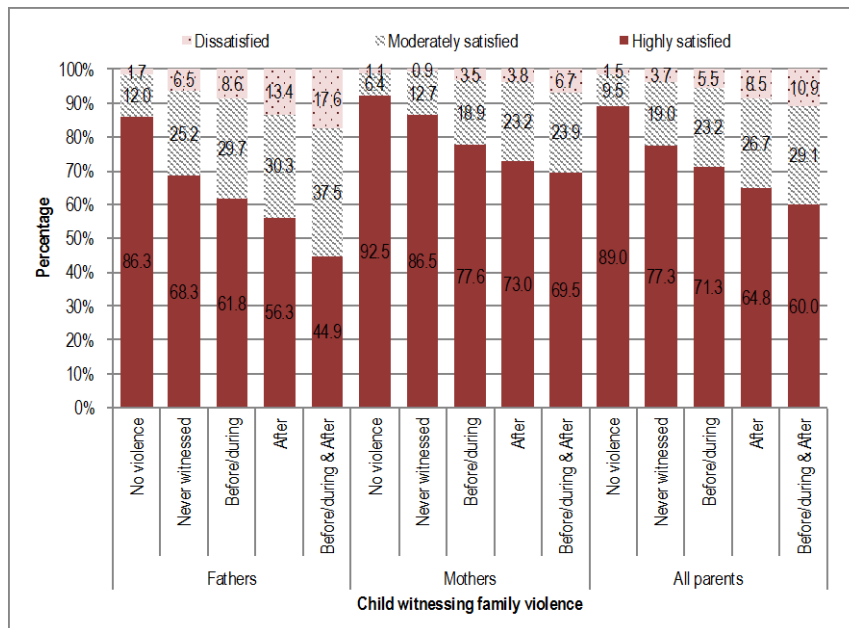
As can be seen from the numbers in the five groups, above, 28% of children were in separated families in which violence had never taken place, and an additional 25% had not witnessed the violence that had occurred within the family. If children witnessed violence, most commonly they witnessed it at both time periods (before/during and since separation; 23%). Next most common was for children to have witnessed violence between parents before/during but not since separation (17%), while 7% of children witnessed violence only since separation. Looking only at families in which violence had occurred, the data reveal that 65% of children in those families had witnessed violence at some stage. It was not possible to explore the effects of witnessing different types of family violence in these analyses (physical violence or emotional abuse) as group numbers were too small for reliable patterns to be obtained.

### *Level of physical health*

Across father and mother reports, there was a consistent pattern showing that children who had witnessed family violence at both time periods or since separation only were doing less well on physical health than children who had never witnessed the violence that had occurred within their families or had witnessed it only before/during separation (Figure 7.10). For example, 8–19% fewer of these children were in excellent health and 4–7% more were in fair/poor or only good health. These patterns suggest that the recency of witnessing violence may have been most salient for children's health. There was also an indication that children from families in which there had never been violence to be doing better than children in families where violence had occurred, regardless of whether children had witnessed it. Nevertheless, it should be noted that a large majority of children were reported to be in excellent or very good health overall.

<sup>27</sup> In a small number of cases ( $n = 54$ ), parents did not know whether the child had witnessed the violence that had occurred. These children were excluded from the analyses.



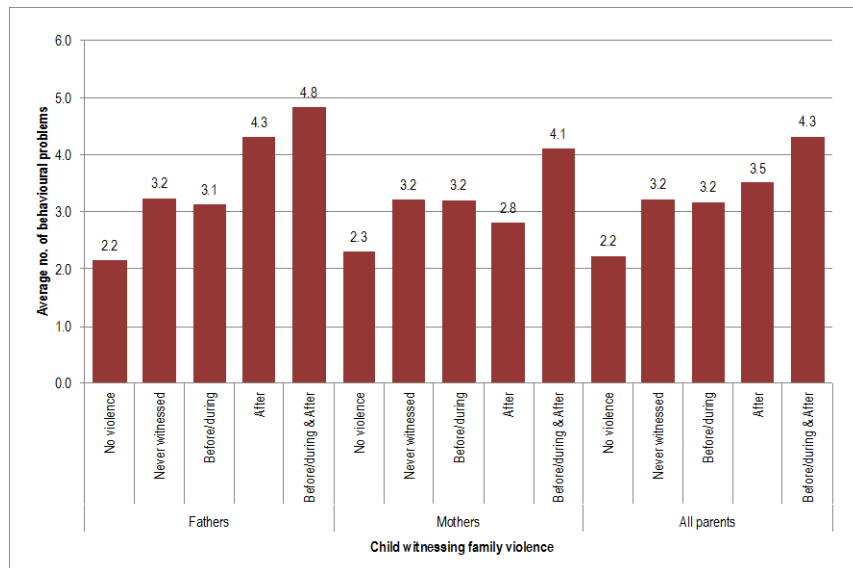


Notes: Data have been weighted. Percentages may not total exactly 100.0% due to rounding.

Figure 7.11: Overall satisfaction with focus child's wellbeing, by whether witnessed family violence, father and mother reports

### Behaviour problems

One- to three-year-old children tended to have considerably higher levels of behaviour problems as measured by the BITSEA total score if they had witnessed family violence over an extended period (i.e., before/during and since separation), as indicated by Figure 7.12. Surprisingly, according to the reports of both sets of parents, children who had witnessed family violence before/during separation had lower levels of behaviour problems than children who had never witnessed the violence that had occurred within their families. Also, according to mothers, if children had witnessed violence since separation, they showed fewer behaviour problems relative to children who had never witnessed it (fathers' reports were very different on this comparison, however). This unexpected pattern may be due to low numbers in some groups (e.g., in the group where the child had witnessed violence before/during but not *since* separation, there were 39 fathers and 100 mothers, while in the group that had witnessed violence since separation, there were only 22 fathers and 37 mothers). These relatively low group numbers may have made the responses for some groups more vulnerable to individual variation. It should also be noted that levels of behaviour problems were much higher among all groups in which family violence had occurred (whether or not it was witnessed) when compared to the group in which violence had never occurred.



Notes: Data have been weighted.

Figure 7.12: Average number of behavioural problems (BITSEA score) for 1–3 year old children, by whether witnessed family violence, father and mother reports

### *Social and learning wellbeing*

Turning now to the social and learning wellbeing of 5–17 year olds (Table 7.8), there was a small but consistent pattern indicating that a higher proportion of children who had witnessed family violence over an extended period (before/during and since separation) were faring worse than children who had witnessed violence at only one time period or had never witnessed it. Thus, among all parents, around 4% fewer of children who witnessed violence at both time periods were seen to be doing better than other children, while around 4% more were perceived to be doing worse, with outcomes fathers' reports showing more marked differences than mothers'. No consistent differences between the other groups of children were discernible (data not shown).

Table 7.8: Social and learning wellbeing of school-aged focus children, by whether witnessed family violence, father and mother reports

	No violence (%)	Never witnessed (%)	Before/ during (%)	Since (%)	Before/ during & since (%)
<b>Fathers</b>					
Learning or school work	(n = 628)	(n = 452)	(n = 286)	(n = 139)	(n = 407)
Much better/somewhat better	51.2	51.4	50.9	52.2	43.4
About the same	41.9	39.4	41.5	35.9	43.8
Much worse/somewhat worse	6.9	9.1	7.7	11.9	12.7
Getting on with other children	(n = 624)	(n = 457)	(n = 284)	(n = 141)	(n = 403)
Much better/somewhat better	45.7	44.1	41.6	45.6	35.8
About the same	50.1	48.6	51.2	44.2	51.8
Much worse/somewhat worse	4.2	7.3	7.2	10.2	12.5
In most areas of life	(n = 619)	(n = 446)	(n = 285)	(n = 140)	(n = 392)
Much better/somewhat better	46.6	38.9	37.6	34.6	35.8
About the same	49.6	53.9	54.7	55.5	51.8
Much worse/somewhat worse	3.8	7.2	7.7	10.0	12.5
<b>Mothers</b>					
Learning or school work	(n = 484)	(n = 425)	(n = 426)	(n = 155)	(n = 647)
Much better/somewhat better	47.0	46.9	41.7	47.1	46.7
About the same	45.0	42.2	43.8	45.1	22.5
Much worse/somewhat worse	8.0	10.9	14.6	7.8	15.3
Getting on with other children	(n = 492)	(n = 424)	(n = 423)	(n = 155)	(n = 650)
Much better/somewhat better	45.5	42.9	43.0	39.4	43.7
About the same	49.7	50.0	48.4	50.1	43.8
Much worse/somewhat worse	4.8	7.1	8.6	10.5	12.5
In most areas of life	(n = 483)	(n = 428)	(n = 416)	(n = 154)	(n = 644)
Much better/somewhat better	43.5	37.3	39.7	34.5	43.7
About the same	50.9	54.0	51.6	57.3	43.8
Much worse/somewhat worse	5.6	8.7	8.7	8.3	12.5

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

### *Negative changes in patterns of behaviour*

In terms of negative changes in children's behaviour in the past three months (Table 7.9), there were clear differences across all five aspects between children who had witnessed family violence at some stage and children who had not witnessed violence or were in families where violence had never occurred. For example, looking at the proportion of children who had been more distressed by routine separations, rates were 21–33% among those who had witnessed violence, compared with 10–18% among the remainder. The most common difficulty was for children to have been very agitated/upset when parting from a parent, with about half the children who witnessed violence over an extended period or since separation showing such distress compared with 39–42% of children who witnessed it before/during separation, 37–38% who never witnessed violence, and 18–22% of children from families in which violence had never occurred. Similar patterns were found for whether children had been more irritable than usual. These behaviours are likely to be difficult for parents to deal with, as well as being

emotionally upsetting. It is therefore troubling to see so many children and families in this situation. Mother and father reports were relatively consistent, and patterns across the five child age ranges were similar (0–2, 3–4, 5–11, 12–14 and 15–17 years; details not shown).

**Table 7.9: Negative changes in child’s behaviour, by whether witnessed family violence, father and mother reports**

	No violence (%)	Never witnessed (%)	Before/during (%)	Since (%)	Before/during & since (%)
<b>Fathers</b>	(n = 840)	(n = 676)	(n = 358)	(n = 179)	(n = 474)
More distressed by routine separations	9.8	17.5	26.9	28.5	33.1
More irritable or upset than usual	10.3	16.0	26.6	34.6	37.8
Very agitated/upset when parting from parent	21.9	37.0	41.6	47.3	54.9
Social interactions worse	5.2	8.2	14.1	18.0	21.8
A professional had expressed concerns	6.2	10.6	8.9	14.5	19.5
<b>Mothers</b>	(n = 746)	(n = 738)	(n = 577)	(n = 200)	(n = 814)
More distressed by routine separations	10.1	17.7	21.3	21.6	26.8
More irritable or upset than usual	15.1	23.4	26.1	29.8	33.6
Very agitated/upset when parting from parent	18.3	37.5	38.9	53.9	54.7
Social interactions worse	6.7	8.9	13.0	16.2	18.1
A professional had expressed concerns	9.5	12.5	17.9	17.7	20.9

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

### 7.2.3 Impact on children of witnessing family violence

A subset of 900 randomly selected parents was asked to describe the effect that witnessing a parent’s violent or abusive behaviour had had on their child.<sup>28</sup> Common themes emerging from these qualitative comments were identified (see Table 7.10; themes are ordered from the most to the least common).

Almost half of this subset of parents felt that witnessing violence had a negative effect on their child’s psychological adjustment, causing distress, fear and anxiety. The second most common impact was on children’s relationships with others, with children becoming more distant and less engaged with others (17%). A similar percentage had shown acting-out behaviours, such as aggression and violence. Approximately one in ten children had behaved towards the responding parent in a similarly negative way as the focus parent behaved. Difficulties in going from one parent’s household to the other’s, or not wanting contact with the focus parent, were mentioned by 7% of parents. All other issues were mentioned by less than 5% of parents and covered a range of topics, such as specific impacts on the child’s personal functioning and social and learning wellbeing, and comments on the severity of the impact.

<sup>28</sup> Due to constraints regarding budget and interview length, not all qualifying participants could be asked this question. Prior to data collection, a proportion of the sample was randomly pre-allocated to be asked this question if they reported during the interview that their children had witnessed family violence. From the sample of 2,802 participants whose children had witnessed violence, 900 were subsequently asked the question.



Table 7.10: Impact of witnessing family violence, father and mother reports

	Fathers (%)	Mothers (%)	All parents (%)
Affected mental health, caused anxiety, fear	43.3	52.9	49.0
Affected relationships, less sociable, more withdrawn	17.2	16.9	17.0
Behavioural issues: anger, aggression, causing harm	11.7	20.0	16.7
Increased negative modelling behaviour	8.6	12.2	10.8
Issues with changeover, or not wanting contact with a parent	4.9	8.8	7.2
More protective of family members	2.0	6.7	4.9
Affected child, no further information	7.6	3.0	4.8
Affected sleeping, bedwetting, eating habits	2.9	5.9	4.7
Trust issues, wary of certain people	2.9	5.5	4.5
Affected learning, school issues	2.2	4.8	3.8
Less confident	2.6	2.6	2.6
Minimal or no impact	2.5	1.9	2.1
Talked of or attempted self-harm	0.7	1.7	1.3
Change in social activities	0.0	1.2	0.7
No. of observations	347	553	900

Notes: Data have been weighted. Percentages do not sum to 100.0% as multiple responses could be chosen.

### 7.3 Parent wellbeing

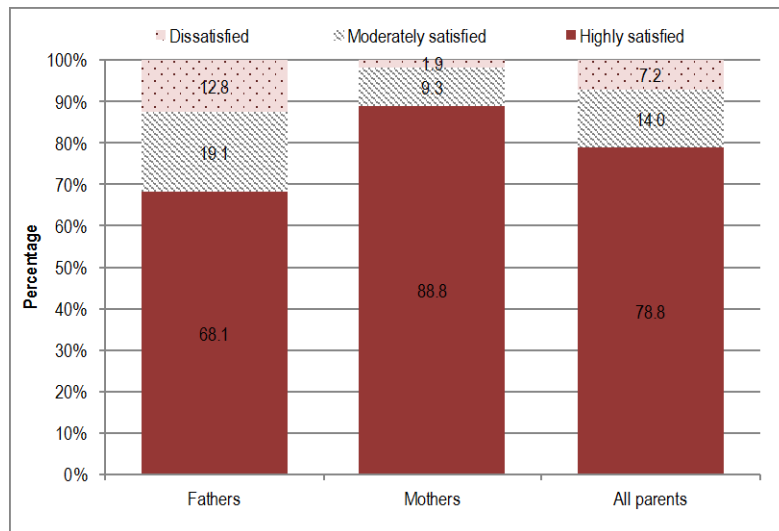
The next section looks at parents' wellbeing, both in general and in relation to their experience of family violence. Wellbeing was investigated by a series of questions asking how satisfied parents were with the following aspects of life:

- their relationship with their child;
- their life as a whole;
- the home in which they lived;
- their financial situation;
- their physical health; and
- their feelings of safety.

Parents reported their level of satisfaction using a scale of 0 ("completely dissatisfied") to 10 ("completely satisfied"). Responses of 0 to 4 were classified as indicating dissatisfaction, 5 to 7 as moderate satisfaction, and 8 to 10 as high satisfaction.

#### 7.3.1 Parents' satisfaction with their relationship with the child

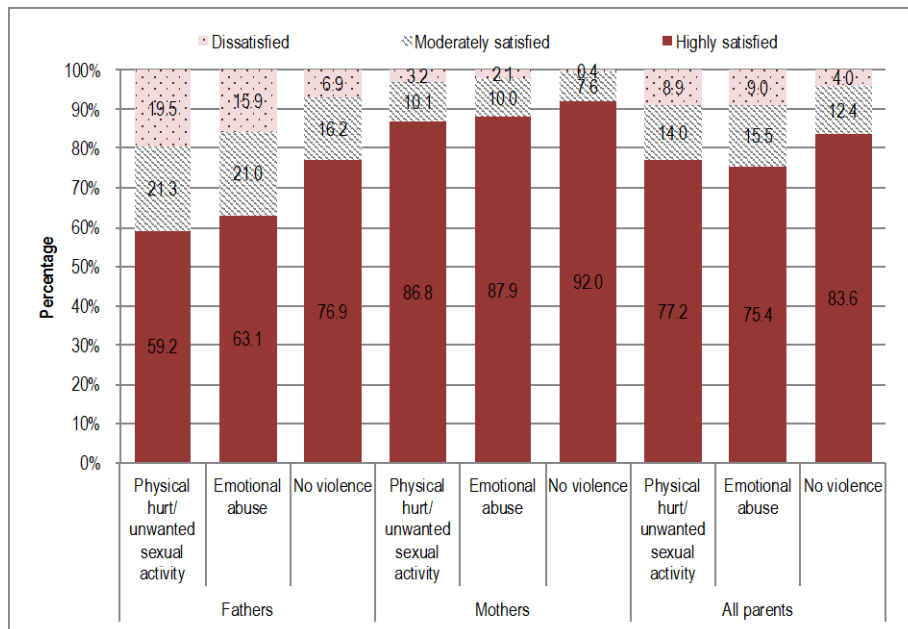
As Figure 7.13 shows, approximately four-fifths of all parents were highly satisfied with their relationship with the child (over two-thirds of fathers and almost nine-tenths of mothers). Few were dissatisfied, although more father than mothers (13% cf. 2%) expressed dissatisfaction.



Notes: Data have been weighted.

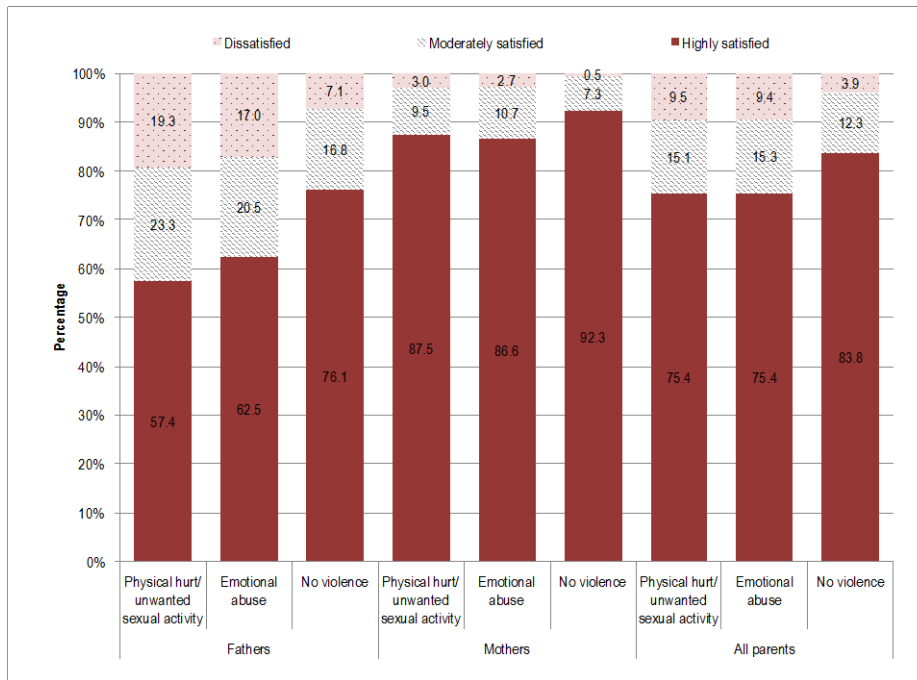
Figure 7.13: Satisfaction with parent-child relationship, father and mother reports

We next investigated whether parents' experiences of family violence before/during or since separation was associated with lower satisfaction with the current parent-child relationship, using the three categories previously described (physical violence, emotional abuse alone, or no violence). Patterns for the time periods before/during and since separation are shown in Figures 7.14 and 7.15. A higher percentage of all parents who had not experienced violence were highly satisfied with their relationship with their child (84% cf. 77% who had experienced physical violence and 75% who had experienced emotional abuse), while a lower proportion were dissatisfied (4% cf. 9% who had experienced physical violence or emotional abuse). The differences in these groups among fathers' reports were stronger than among mothers' reports. Results were consistent for violence experienced both before/during and since separation.



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

Figure 7.14: Satisfaction with parent-child relationship, by parents' experiences of family violence before/during separation, father and mother reports



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

Figure 7.15: Satisfaction with parent–child relationship, by parents’ experiences of family violence *since* separation, father and mother reports

### 7.3.2 Parents’ satisfaction with other aspects of life

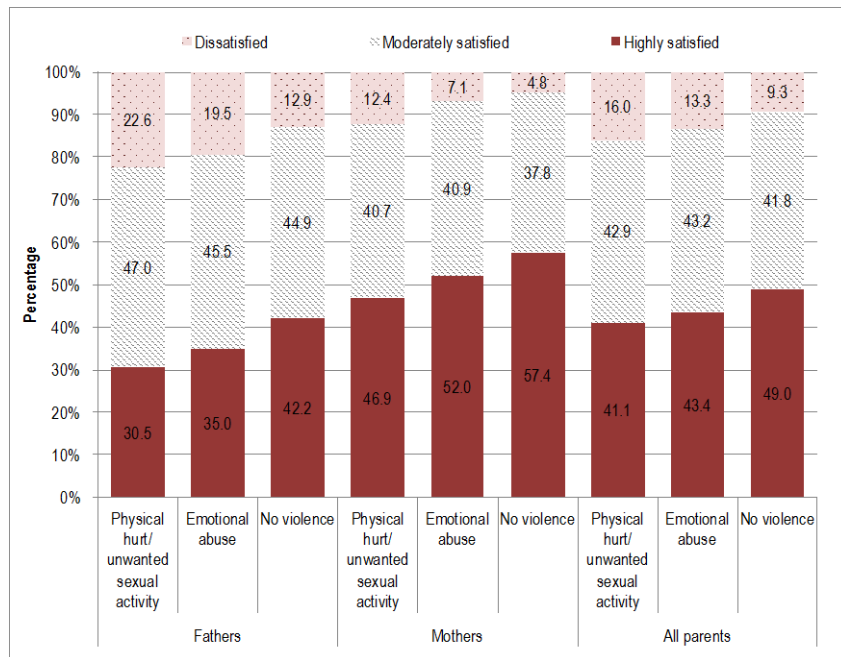
Table 7.11 shows parents’ levels of satisfaction on the other aspects of life assessed. Looking at parents’ satisfaction with their life as a whole, 37% of fathers, 52% of mothers and 45% of all parents were highly satisfied. On the other hand, actual dissatisfaction was uncommon (17% of fathers, 8% of mothers and 13% of all parents). A slightly higher proportion of parents (58%) were highly satisfied with the home in which they lived, while around 10% were dissatisfied. Only approximately one-quarter of parents were highly satisfied with their financial situation, and rates of dissatisfaction tended to be greater (one-third of fathers and one-quarter of mothers). Around two-thirds of parents were highly satisfied with the state of their health, and even more (three-quarters) were highly satisfied with their safety (although more fathers than mothers were highly satisfied), with dissatisfaction being very rare on this aspect. These data indicate that parental wellbeing varied quite widely over the range of items considered.

Table 7.11: Satisfaction with various aspects of life, father and mother reports

	Fathers (%)	Mothers (%)	All parents (%)
<b>Life as a whole</b>			
Highly satisfied	37.2	52.1	44.8
Moderately satisfied	45.5	39.9	42.6
Dissatisfied	17.3	8.1	12.5
<b>Home</b>			
Highly satisfied	52.5	63.6	58.2
Moderately satisfied	35.3	28.1	31.6
Dissatisfied	12.2	8.4	10.2
<b>Financial situation</b>			
Highly satisfied	23.8	25.8	24.8
Moderately satisfied	43.3	47.4	45.4
Dissatisfied	33.0	26.8	29.8
<b>How safe you feel</b>			
Highly satisfied	81.1	74.4	77.7
Moderately satisfied	15.1	20.2	17.7
Dissatisfied	3.8	5.4	4.6
<b>Physical health</b>			
Highly satisfied	64.1	66.8	65.5
Moderately satisfied	28.5	27.6	28.1
Dissatisfied	7.3	5.6	6.5
<b>Wellbeing of focus child</b>			
Highly satisfied	68.3	81.2	75.0
Moderately satisfied	24.0	15.8	19.7
Dissatisfied	7.7	3.0	5.3

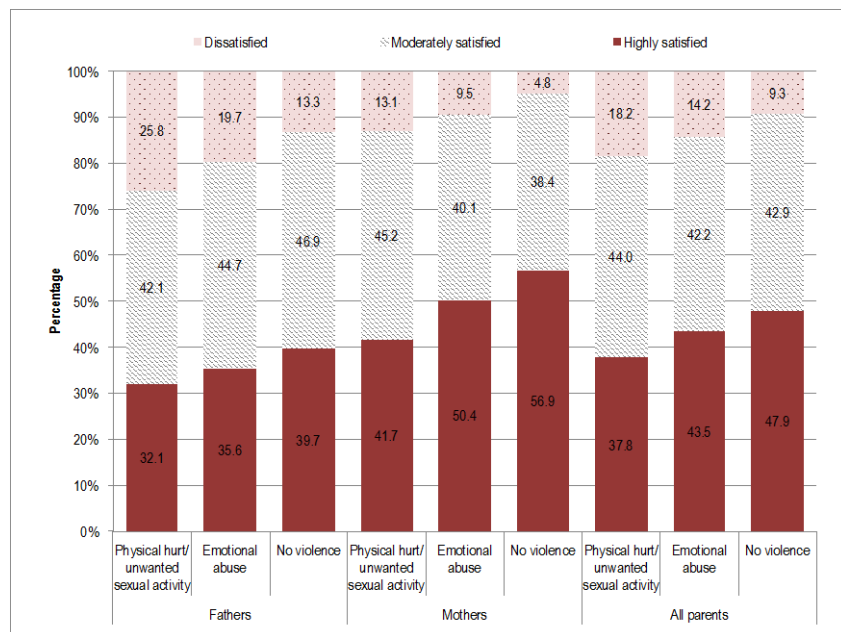
Notes: Data have been weighted. Percentages may not total exactly 100.0% due to rounding.

In the next analyses, we examined whether parents' satisfaction was related to whether family violence had occurred at some stage. Looking at satisfaction with life as a whole, Figures 7.16 and 7.17 illustrate the consistent pattern found. Rates of satisfaction were lower when family violence had occurred (differences of between 4 and 9 percentage points in rates of high satisfaction over the two types of violence and time periods when considering fathers and mothers separately; and similar differences in rates of dissatisfaction).



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

Figure 7.16: Satisfaction with life as a whole, by parents' experiences of family violence before/during separation, father and mother reports



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

Figure 7.17: Satisfaction with life as a whole, by parents' experiences of family violence since separation, father and mother reports

## 7.4 Summary

This chapter provides insight into child and parent wellbeing in the context of a recent parental separation that may also have involved the physical injury and/or emotional abuse of a parent by the focus parent.

### 7.4.1 Children's wellbeing overall

A generally positive picture emerged of the wellbeing of the entire sample of children, with the great majority found to be faring well on all aspects of wellbeing as assessed from parental reports. In general, slightly higher levels of wellbeing were evident from mother rather than father reports, and some age differences were also evident, with older children often found to be doing less well than younger children.

### 7.4.2 Children's wellbeing in the context of family violence

The picture was less positive when the presence of family violence was considered. We looked first at the type and timing of family violence—focusing on whether parents experienced physical violence, emotional abuse alone, or no violence—and the periods before/during or since separation. Children showed the highest levels of problems when parents had experienced physical violence, elevated but lower levels when emotional abuse had occurred, and the lowest levels of problems when there had not been violence between parents. These patterns were consistent across the two time points (before/during, and since, separation) and were more often reported by fathers than mothers.

### 7.4.3 Children's exposure to family violence

The effects of children witnessing family violence were also explored. Five groups of children were compared: those whose families had not experienced violence, those whose families had experienced violence but children had not witnessed it, those who witnessed family violence before/during separation but not since, those who witnessed violence since separation but not before/during, and those who witnessed violence both before/during and since, separation. For approximately one-quarter of children, there had never been violence within the family, while another quarter had not witnessed the violence that had occurred. If children had witnessed violence, most commonly they witnessed it at both time periods (23%). More than twice as many children had witnessed violence before/during separation (17%) than since (7%). The results revealed the highest levels of wellbeing among children in families where there had never been violence and the lowest levels among children who were exposed to violence over an extended period, or since separation. Children who had witnessed violence before/during separation, or had not been exposed to the violence that had occurred, tended to be faring midway between these groups. Father reports generally painted a starker picture of children's wellbeing than mother reports.

A number of conclusions may be drawn from these two sets of findings: firstly, that there are clear benefits for children if violence between parents can be avoided; secondly, a family environment in which violence has taken place may affect children even if they have not witnessed its occurrence; and thirdly, although children can recover once violence ceases, when it continues or begins after separation, the repercussions for children are greatest.

### 7.4.4 Parents' wellbeing overall

Turning now to parents' wellbeing, a rather varied picture emerged when the responses of the entire sample of parents were considered. Most parents were highly satisfied with some aspects of life (their relationship with their child, their own safety), about half to two-thirds were highly satisfied with other aspects (physical health, housing circumstances), while only 45% were highly satisfied with their life as a whole, and 25% with their financial situation. Mothers tended to express greater satisfaction than fathers.

#### 7.4.5 Parents' wellbeing in the context of family violence

Levels of satisfaction among parents in the context of experiencing family violence were then explored. As found for children, parents who experienced physical violence had the lowest levels of satisfaction and those who had never experienced violence had the highest, with those experiencing emotional abuse being midway between the other groups. Again, fathers' reports revealed more internal variance in their responses than mothers' reports. The patterns were very similar across the two time periods (before/during and since, separation). Thus for parents, too, outcomes tended to be poorer when family violence had occurred.

## 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 (%)
Full assessed amount	72.3	57.9	65.0
More than assessed amount	22.5	14.6	18.5
\$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
Less than assessed amount	5.2	27.6	16.5
\$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**

	Payers (%)	Payees (%)	All parents (%)
<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**

	Physical hurt and/or unwanted sexual activity (%)	Emotional abuse (%)	No family violence (%)
<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**

	Payers (%)	Payees (%)	No liability (%)
<b>Fathers</b>	( <i>n</i> = 2,125)	( <i>n</i> = 363)	( <i>n</i> = 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>	( <i>n</i> = 251)	( <i>n</i> = 2,666)	( <i>n</i> = 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.

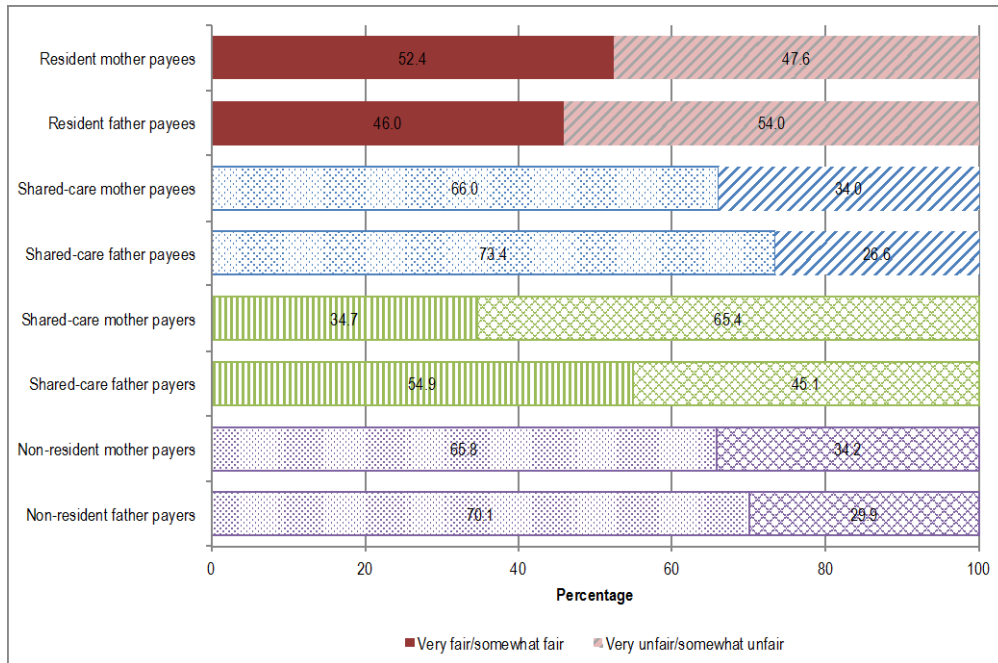
**Table 8.17: Perceived fairness of child support assessment for self, by experiences of family violence *since* separation, payer and payee reports**

	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.

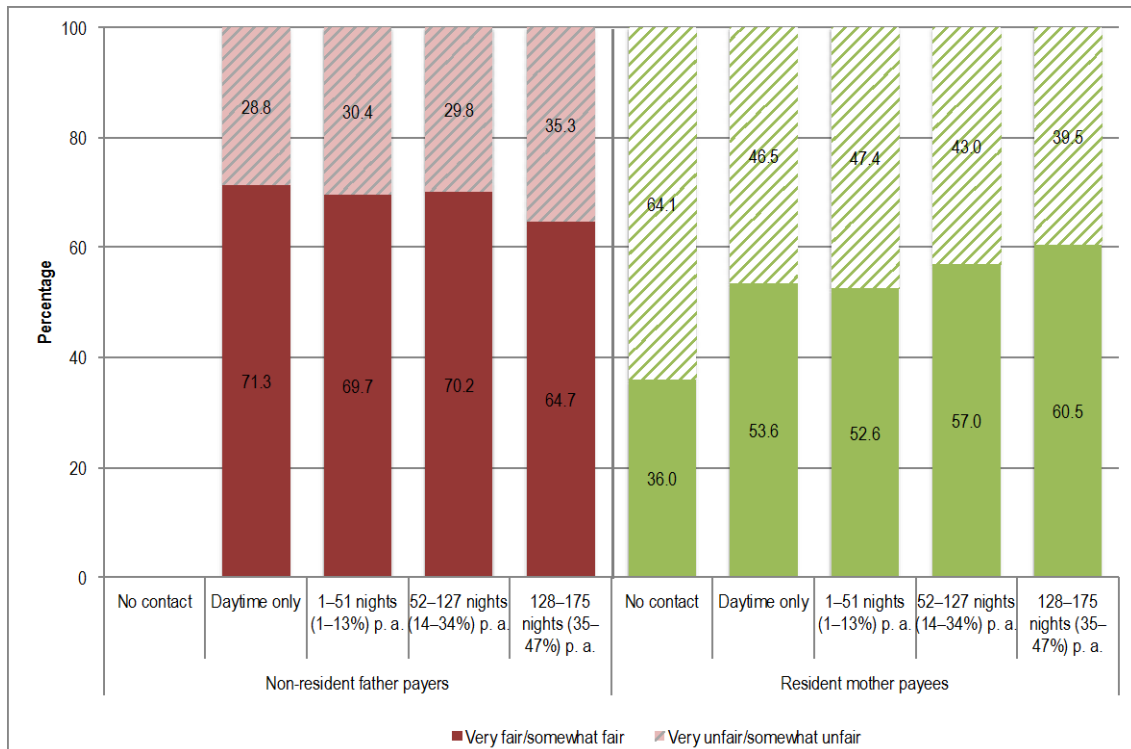
Overall, non-resident parents who paid child support and parents with shared-care arrangements who received child support had the highest proportions of parents who perceived the child support amount to be fair (between 64–69%). Three-fifths (61%) of mothers in shared-care arrangements who paid child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

## 9 Summary of key findings

This report has set out the key findings from the SRSP 2012, which surveyed 6,119 parents who had separated between 31 July 2010 and 31 December 2011. The sample for the survey was drawn from the DHS-CSP database. The data provide insight into the experiences of parents who had separated some five years after the 2006 family law reforms and twelve months before the 2011–12 legislative amendments to the *Family Law Act 1975* (Cth) became substantively operative.

An extensive focus on family violence and child safety concerns was adopted in the SRSP 2012, in light of the LSSF findings about the extent and effects of these issues, and the intention of the 2011–12 amendments to improve the family law system's response to them. Accordingly, the SRSP survey instrument collected data on the extent, nature and impact of family violence in considerable depth. Disclosure of these issues to family law system and other professionals was also examined, together with parents' views on the adequacy of system responses to them.

### 9.1 Characteristics of SRSP 2012 families

Most parents who responded to the SRSP survey were born in Australia (80%), with only 20% reporting they had been born elsewhere. The average age of the parents in the sample was 37 years, and two-thirds of parents in the sample had been married at the time of separation, with just over a quarter reporting cohabiting relationships pre-separation. Around half of the sample reported having a post-secondary qualification (including a tertiary degree or trade qualification), just over a quarter nominated Year 11 as their highest qualification and 22% had Year 12 as their highest qualification. A higher proportion of fathers than mothers were employed full-time (76% cf. 20%) and a higher percentage of mothers than fathers reported part time employment (39% cf. 10% of fathers) or unemployment (41% cf. 15%). Just under one-third of the sample owned or were purchasing their home, with minimal differences found between fathers and mothers in this regard. Fathers reported a higher personal and household income at a much greater rate than mothers, but 70% of parents indicated experiencing some financial stress after separation.

On average, the parents had been separated for 17 months at the time of interview. Most had one or two children, with only 21% having three or more. The median age of the focus child was 6 years, with most focus children in the sample clustered in the 5–11 year age group. Most focus children in the sample had care-time arrangements where they spent most nights with their mothers (53%), and just over one-fifth of focus children were in shared care-time arrangements (i.e., involving a 34–65% night split between parents). As discussed in section 2.1.1, the difference in sample extraction between LSSF Wave 1 and the SRSP 2012 produced families with slightly older children (contributing to the higher proportion of shared care-time arrangements in the SRSP 2012, compared to the LSSF Wave 1).

## 9.2 Experiences of family violence

The patterns in reports of experiences of family violence reported by SRSP parents are similar to the patterns reported by parents in LSSF Wave 1.<sup>29</sup> Forty-one per cent of LSSF Wave 1 parents and 36% of SRSP 2012 parents reported no family violence experiences before/during separation. In LSSF Wave 1, 38% of parents reported experiencing emotional abuse before/during separation, compared with 44% of SRSP 2012 parents. Twenty-one per cent of LSSF Wave 1 parents and 20% of SRSP 2012 parents reported physical hurt before/during separation. A higher proportion of mothers in both samples reported experiencing physical hurt and a marginally higher proportion reported emotional abuse.

While reports of physical violence since separation diminish a great deal, substantial proportions of SRSP 2012 parents (56% of fathers and 53% of mothers) reported experiencing emotional abuse since separation. SRSP 2012 data on the frequency with which family violence was experienced indicate that the frequency of emotional abuse generally diminished after separation. Analysis based on a scale reflecting the number of different types of emotional abuse and the frequency with which they are reported indicates that the intensity of emotional abuse varied considerably. Intensity scores for most parents who reported experiencing emotional abuse before/during separation were clustered in three out of five potential categories, indicating low to medium intensity. Differences between men and women were more marked in the two high-end categories of the scale, with 6% of men and 12% of women with a score or 21–30 and 2% of men and 7% of women in the highest intensity category with a score of 31–55.

The reported incidence of physical hurt diminished substantially between the period before/during separation and since separation (from 16% to 5% for fathers and 24% to 6% for mothers). While 19% of fathers and 16% of mothers did not indicate specific injuries resulting from physical hurt before/during separation, these proportions rose to 85% in relation to the post-separation time frame, with almost no difference between fathers and mothers.

## 9.3 Safety concerns

Just under one-fifth of parents (20% of mothers and 14% of fathers) indicated they held safety concerns as a result of ongoing contact with the focus parent. These concerns may have related to the parents' own safety (2% of fathers and 4% of mothers), the child's safety (9% of fathers and 8% of mothers) or the safety of both the child and the participant (3% of fathers and 8% of mothers). A higher proportion of mothers than fathers attempted to stop or limit contact because of these concerns (62% cf. 28%) and proportionately more mothers than fathers indicated that the concerns arose from the focus parent's behaviour (93% cf. 71%). Fathers reported at a higher rate than mothers that the concerns related to another adult (27% cf. 12%) or the focus parent's new partner (19% cf. 9%). The most commonly reported behaviours causing safety concerns were emotional abuse and anger issues (81% of mothers and 71% of fathers), mental health issues (55% of mothers and 56% of fathers), and violent or dangerous behaviour (52% of mothers and 48% of fathers).

A much higher percentage of parents with safety concerns reported parenting arrangements where the child had no or minimal contact with the focus parent (e.g., 34% of mothers and 26% of father with safety concerns reported parenting arrangements where the child never saw the

<sup>29</sup> For comparability between the SRSP 2012 and LSSF, the experience of "unwanted sexual activity" has been excluded from the analysis between reports of family violence in LSSF Wave 1 and SRSP 2012, as this was not asked in LSSF Wave 1.

focus parent). However, safety concerns were also evident among parents with shared care-time arrangements. For example, 17% of mothers and 10% of fathers with arrangements involving 53–65% nights with the mothers and 35–47% nights with the father, reported safety concerns.

#### *9.4 Experiences with the family law system*

As with LSSF Wave 1, the SRSP 2012 data confirm that parents who reported past or current family violence and/or the presence of safety concerns indicated at a higher rate than other parents that they used family law services. For example, of the 72% of fathers and 75% of mothers who reported having sorted out their parenting arrangements at the time of interview, 8% who had experienced physical violence nominated the courts as their main pathway, compared with 1% who reported no family violence. Where the family violence had occurred before/during separation, reliance on counselling, FDR or mediation was reported by 15% of the physical violence group, 10% of the emotional abuse group and 6% of the no violence group. A lower proportion of parents who reported family violence reached agreement via counselling, FDR or mediation, compared to parents with no violence, but agreement was nonetheless reached via this means in a substantial minority of cases where family violence was reported: where no violence was reported before/during separation, 44% of parents said they reached agreement, compared with 36% who reported emotional abuse and 30% who reported physical violence.

In relation to parents disclosing concerns about family violence and ongoing safety concerns, and professionals eliciting such disclosures, the data indicate an uneven set of behaviours and practices. Overall, a higher percentage of mothers than fathers disclosed their concerns about both issues and indicated that their disclosures had been dealt with appropriately. Parents also disclosed safety concerns at a greater rate than a history of family violence. Half the mothers and 29% of the fathers who reported having experienced family violence and who had had contact with family law system professionals said they had disclosed issues about family violence to the family law professionals. A greater proportion indicated raising their safety concerns within in this context: 66% of fathers and 72% of mothers. Of fathers who disclosed concerns with professionals, the proportion who indicated their concerns had been taken seriously and dealt with appropriately were 38% for family violence and 40% for safety concerns. This compares with 62% of mothers for family violence and 58% for safety concerns.

Where family violence was disclosed, 29% of mothers and 46% of fathers said “nothing happened” as a result, meaning there was no service response to their disclosure. In relation to safety concerns, 50% of fathers and 36% of mothers said that “nothing happened”. Where a formal pathway was nominated as the “main pathway” used for reaching parenting arrangements and parents indicated in the SRSP 2012 survey that they had experienced family violence or held safety concerns, 41% of fathers and 30% of mothers indicated they had never been asked about either of these issues by professionals.

Among parents who disclosed family violence or safety concerns to family law professionals, around half felt that doing so had influenced the outcome of the parenting arrangements in some way. Shared care-time was the most common parenting arrangement among parents who felt that disclosing family violence or safety concerns had had no influence at all on the outcome of parenting arrangement negotiations.

#### *9.5 Parents' views on the effectiveness of the family law system*

Findings on parents' views of the effectiveness of the family law system in various areas highlight very mixed views among parents, with considerable uncertainty in relation to some

issues. Gender and experiences of family violence and safety concerns evidently play a role in shaping attitudes. In relation to the issues of core interest in this study, just over a quarter (28%) of parents affirmed the family law system's effectiveness in dealing with family violence. Clearly negative responses (disagree, strongly disagree) were made by 29% of parents who reported physical violence before/during separation and 17% of parents who reported emotional abuse. "Don't know" responses were made by 44% of the no family violence group, 37% of the emotional abuse group and 23% of the physical violence group.

A majority of fathers (61%) agreed that the system effectively met the needs of mothers, and a minority (21%) agreed that it met their needs as fathers. In contrast, mothers' views were less polarised, with 40% responding positively to the statement that "the family law system meets the needs of mothers" and 37% agreeing to the same statement in relation to fathers. A similar pattern was found for those who reported safety concerns as a result of ongoing contact with the focus parent, with a greater proportion of parents who held safety concerns disagreeing that the family law system protects the safety of children and helps parents to find the best outcome for children.

In relation to evaluations of specific pathways, again fathers disagreed at a higher rate than mothers that their main pathway worked for them or the child, that they had an adequate opportunity to put their side forward and that the needs of the child were adequately considered. Among parents who had sorted out their parenting arrangements, apart from discussions between parents, FDR was the next most common pathway that fathers (74%) and mothers (82%) said worked for the focus child. The other formal pathways had lower agreement rates and greater disparities according to gender. In relation to whether lawyers as a pathway worked for the focus child, 79% of mothers agreed compared with 52% of fathers. Responses among parents who sorted out their parenting arrangements in court revealed even greater divergence, with 69% of mothers agreeing it worked for the child compared with 43% of fathers. Similar patterns emerged among parents who were in the process of sorting out parenting arrangements, but with consistently lower levels of agreement that the processes were working for the child.

Very low awareness of the 2011–12 amendments was evident among parents in the SRSP 2012, with just over 90% of both mothers and fathers indicating they weren't aware of any changes. Only 2% of parents said that knew any specific information about the changes, and this was most evident among parents who had reported family violence, particularly mothers who had experienced physical violence.

## *9.6 Child and parent wellbeing*

Overall, parents' reports on the wellbeing of the SRSP 2012 focus children indicated that the majority were faring well. Mothers' reports on wellbeing measures tended to suggest a more positive picture than fathers' reports, and younger children as a group seemed to be experiencing fewer problems than older children. However, a comparison of children's wellbeing according to the violence categories used for this analysis indicates that children in the physical violence group showing the most problems, and children in the no violence group the least.

Analysis based on different experiences of family violence reinforces evidence of the detrimental effect on children of being exposed to family violence. The five groups were: no violence occurred, violence occurred but never witnessed, witnessed before/during separation, witnessed since separation, and witnessed before/during and since separation. Lower wellbeing was evident for children in the four groups in which violence was reported. This was particularly marked for children who witnessed violence both before/during and since



separation. For example, in relation to whether children became very agitated or upset when parting from a parent, increasing proportions of both fathers and mothers answered affirmatively across the five groups, with 18% of mothers and 22% of fathers in families where no violence occurred saying their child displayed this behaviour, compared with 55% of both mothers and fathers whose children had witnessed family violence before/during *and* since separation.

Where parents had reported that their children had witnessed physical violence or emotional abuse, every tenth parent was asked to describe the impact this had on the child. The four most commonly reported issues were:

- impact on mental health, with anxiety and fear (43% of fathers and 53% of mothers);
- adverse impact on relationships, child less sociable and more withdrawn (17% of fathers and 17% of mothers);
- behavioural issues, including anger, aggression, causing harm (12% of fathers and 20% of mothers); and
- increase in behaviour that suggested violent behaviours were being adopted by the child (9% of fathers and 12% of mothers).

Parents' reports of their own wellbeing suggest a varied picture, with high satisfaction being evident in some areas and lower satisfaction in other areas. Most parents indicated they were satisfied with their relationship with their child and their own safety; however, only 45% were highly satisfied with their life as a whole and 25% with their financial situation. Where wellbeing was considered in the context of the three analytic groups of family violence, results were consistent with the overall patterns in child wellbeing: the no violence group had the highest levels of wellbeing, the physical violence group the lowest, and the emotional abuse group in between.

## 9.7 Child support

Nine in ten parents in the SRSP 2012 reported that they paid or received child support payments. The majority of fathers reported that they paid child support (81%), while the majority of mothers reported that they received child support (85%).

The main method of transfer for child support payments was directly between parents, with almost two-thirds of all parents naming this as the method, followed by payments via the DHS Child Support Program (33%) and other methods, such as in-kind payments (3%). Higher proportions of transfers made via CSP were reported by parents who 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.

Payers of child support, particularly fathers, reported higher levels of compliance with the amount than other parents. Among those who reported the lowest levels of child support compliance were payees who had experienced family violence. 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, just fewer than half of the parents reported that the focus parent was fully compliant with their child support (i.e., the full amount was paid on time), but 1 in 4 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.

Regarding the amount of child support, the majority of parents considered this to be personally fair. Among parents with higher proportions who perceived the amount of child support to be personally unfair, were those who experienced family violence either before/during or since the separation, father payees with majority care time, mother payers with shared-care arrangements and mother payees where the child had no contact with the focus parent.

## *9.8 Conclusion*

This report sets out the key findings from the 2012 Survey of Recently Separated Parents. It has described the experiences of just over 6,000 separated parents whose interaction (where such interaction was reported) with the family law system mainly occurred in 2011. The report reinforces existing evidence (Kaspiew et al 2009) that shows that experiences of family violence are common among separated parents. The findings presented in this report enhance the evidence base on the nature and intensity of family violence among separated couples significantly. There is considerable diversity in the nature and intensity of the experience of family violence reported by parents. These reports indicate that physical hurt diminishes significantly after separation. Analysis based on a scale reflecting the number of different types of emotional abuse and the frequency with which they are reported indicates that the intensity of emotional abuse varied considerably. Differences between fathers and mothers were more marked in the two high-end categories of the scale, with greater proportions of mothers in the two highest intensity categories compared to fathers.

A sizable minority of parents who experienced physical hurt and emotional abuse did not disclose family violence to police or other services. Where parents did disclose family violence to family law system professionals, the survey findings suggest mixed responses to these concerns. The survey data also demonstrate mixed views among parents about the effectiveness of the family law system in dealing with family violence and child safety. Parents who reported experiencing family violence or child safety concerns were significantly more likely than other parents to express a negative view about the system's capacity to deal with these issues effectively.

Overall, parental assessments of child well being indicate that the majority of children were faring well. The picture was less positive when family violence was considered. Comparisons of children's well being showed that children whose parents reported an experience of physical violence had lower well-being compared to children whose parents reported no family violence.

Notably, there were very low levels of awareness of the 2011-12 amendments with very few parents indicating they were aware of any changes. Awareness of the changes was most evident among parents who had reported family violence, particularly mothers who had reported physical violence.

The SRSP findings through a detailed focus of family violence and safety concerns provide an important benchmark covering the experiences of parents affected by these issues. The survey results outline parents' experiences interacting with the family law system in 2011, some twelve months prior to the 2011/12 amendments becoming effective.

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## Appendix 1: SRSP 2012 call statistics and responding sample

### A1.1 Call statistics

A total of 28,200 individual sample records were attempted during the SRSP main survey fieldwork (20 August to 30 September 2012). Records were attempted up to eight times to make initial contact and then a further five times to complete the interview.

In total, 6,119 interviews were conducted. This reflects a final response rate of approximately 47% of the in-scope sample, with an interview achieved for every 4.6 sample records. These figures compare favourably with the final figures from the establishment wave of the Longitudinal Study of Separated Families (LSSF), which had a final response rate of 43% of the in-scope sample and required 5.1 sample records per interview achieved.

A brief summary of the total call outcomes for the sample attempted is provided in Table A1.1.

Table A1.1: Call outcomes of total sample

Call outcome	%	N
Completed interviews	21.7	6,119
Unusable phone number (fax machine/modem, disconnected, etc.)	16.9	4,769
No contact achieved throughout fieldwork (answering machine, no answer)	31.3	8,814
Out-of-scope (wrong number, separated before July 2010, no longer separated focus child lives independently, focus child/parent deceased, etc.)	7.8	2,188
Unresolved appointments	1.2	321
Refusals (inc. household/participant terminated interviews, etc.)	21.2	5,989
Total	100.0	28,200

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

### A1.2 Responding sample

Overall, the distribution of completed interviews by state and gender are in line with the notional targets anticipated prior to fieldwork. The achieved number of interviews (by the notional targets) varied by gender and payer/payee status. For example, male payees achieving a higher number of interviews than anticipated and male payers slightly lower than anticipated. As expected, a higher percentage of payers were male (86%), and payees were mostly female (86%). The vast majority of interviews were conducted in English (98%), with very small numbers of interviews translated and conducted in Arabic ( $n = 20$ ), Vietnamese ( $n = 16$ ), Mandarin ( $n = 7$ ) and Cantonese ( $n = 5$ ). Table A1.2 shows a breakdown of key demographic characteristics of the responding sample.

Table A1.2: Characteristics of responding sample

Characteristics	%	N
<b>Total</b>	100.0	6,119
<b>Gender</b>		
Male	46.6	2,853
Female	53.4	3,266
<b>State</b>		
NSW	27.0	1,655
QLD	25.0	1,531
VIC	23.5	1,438
WA	10.2	622
SA	8.2	504
TAS	3.4	205
ACT	1.7	103
NT	1.0	61
<b>Language of interview</b>		
English	99.2	6,071
Arabic	0.3	16
Cantonese	0.1	5
Mandarin	0.1	7
Vietnamese	0.3	20
<b>Child support status</b>		
Payer	45.2	2,765
Payee	54.8	3,354
<b>Aboriginal/Torres Strait Islander</b>		
Yes	2.8	150
No	97.2	4,704

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

## Appendix 2: Care-time arrangements

Table A2.1: Parenting time by focus child age

Proportion of nights per year with each parent		Age of child (years)					All children
		0-2	3-4	5-11	12-14	15-17	%
		%					
Mother 100%, father never sees	(1)	12.9	4.1	4.0	5.7	12.3	6.9
Mother 100%, father sees daytime only	(2)	26.8	12.3	7.6	8.5	13.6	13.1
Mother 87-99%, father 1-13%	(3)	12.9	14.9	10.2	13.7	15.2	12.5
Mother 66-86%, father 14-34%	(4)	35.7	44.3	45.8	35.4	25.0	40.0
Mother 53-65%, father 35-47%	(5)	5.1	11.6	14.0	12.9	5.7	10.7
Equal time 48-52%	(6)	2.7	6.6	12.0	12.9	11.3	9.2
Mother 35-47%, father 53-65%	(7)	1.3	2.8	2.2	3.2	2.2	2.2
Mother 14-34%, father 66-86%	(8)	0.9	1.7	2.0	4.3	4.4	2.2
Mother 1-13%, father 87-99%	(9)	0.5	0.6	1.3	1.3	3.8	1.3
Mother sees daytime only, father 100%	(10)	0.7	0.8	0.7	0.9	3.5	1.1
Mother never sees, father 100%	(11)	0.6	0.5	0.3	1.3	3.2	0.8
No. of observations		765	743	2,031	657	705	4,901
<b>Selected combined care-time groups</b>							
100% nights with mother	(1)+(2)	39.7	16.4	11.5	14.2	25.8	19.9
Most nights with mother	(3)+(4)	48.6	59.2	56.0	49.1	40.2	52.6
Shared care-time	(5)+(6)+(7)	9.1	21.0	28.2	29.0	19.2	22.1
Most nights with father	(8)+(9)	1.4	2.2	3.3	5.6	8.1	3.5
100% nights with father	(10)+(11)	1.3	1.3	1.0	2.2	6.7	1.9
Mother or father never sees	(1)+(11)	13.5	4.5	4.2	7.0	15.4	13.5

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

## Appendix 3: Experiences of emotional abuse and physical injury

Table A3.1: Prevalence of emotional abuse items *before/during* separation, by injury types for parents who experienced each injury *before/during* separation

Emotional abuse item	Type of injury (% of those who experienced physical injury type who also experienced emotional abuse item)							Total experienced emotional abuse item	
	Bruises or Scratches	Cuts other than stab wounds	Fractured or broken bones <sup>#</sup>	Broken teeth <sup>#</sup>	Gunshot / stab wounds <sup>#</sup>	Miscarriage <sup>#</sup>	Other injury <sup>#</sup>	N	%
Prevented contact with family/friends (%)	56.1	67.7	78.5	80.6	75.4	82.3	68.5	1421	23.2
Prevented access to telephone/car (%)	49.5	62.5	65.7	89.2	68.5	65.8	63.4	987	16.2
Prevented access to money (%)	48.3	56.3	58.8	66.9	71.1	85.6	67.0	1533	23.8
Insulted you with the intent to shame/belittle/humiliate (%)	91.0	95.3	88.5	100.0	87.9	93.4	95.7	3317	52.9
Threatened to hurt children (%)	22.8	36.5	31.4	54.0	32.5	43.4	25.0	445	6.8
Threatened to hurt you (%)	28.8	42.2	53.0	86.8	55.8	51.2	34.9	605	9.8
Threatened to hurt family/friends (%)	77.7	89.0	86.7	100.0	84.5	75.2	82.4	1506	23.8
Damaged/destroyed property (%)	71.6	76.8	76.3	73.6	78.7	79.8	76.3	1668	27.0
Threatened to harm pets (%)	13.2	20.1	19.0	45.6	24.6	24.5	20.4	298	4.6
Threatened to harm themselves (%)	44.2	53.9	53.5	64.1	43.4	68.0	46.7	1335	21.7
Unwanted sexual activity (%)	27.8	32.3	31.4	41.8	24.2	61.6	33.7	688	10.6
No. of observations*	909	218	41	9	28	37	117	4,015	63.5

Notes: Data have been weighted. \* Shows total number of respondents who experienced each injury type. <sup>#</sup> Data for these injury types should be interpreted with caution due to small sample sizes.

Table A3.2: Prevalence of emotional abuse items *since* separation, by injury types for parents who experienced each injury *since* separation

Emotional abuse item	Type of injury (% of those who experienced physical injury type who also experienced emotional abuse item)							Total experienced emotional abuse item	
	Bruises or Scratches	Cuts other than stab wounds	Fractured or broken bones <sup>#</sup>	Broken teeth <sup>#</sup>	Gunshot / stab wounds <sup>#</sup>	Miscarriage <sup>#</sup>	Other injury <sup>#</sup>	N	%
Insulted you with the intent to shame/belittle/humiliate (%)	91.4	93.3	100.0	100.0	100.0	100.0	100.0	3158	50.4
Threatened to hurt children (%)	12.0	13.2	0.0	100.0	0.0	0.0	13.2	189	2.9
Threatened to hurt you (%)	35.7	38.9	22.3	100.0	85.9	47.9	32.2	526	8.4
Threatened to hurt family/friends (%)	70.6	62.5	81.3	100.0	100.0	100.0	73.7	877	13.8
Damaged/destroyed property (%)	49.7	68.7	58.3	0.0	54.7	47.9	49.5	742	12.0
Threatened to harm pets (%)	8.8	8.0	0.0	0.0	0.0	0.0	17.4	117	1.8
Threatened to harm themselves (%)	36.9	36.4	11.7	0.0	40.7	52.1	34.1	782	12.9
Unwanted sexual activity (%)	17.0	26.5	23.0	0.0	0.0	0.0	23.9	203	3.4
Monitored your whereabouts (%)	73.0	77.5	81.3	0.0	100.0	47.9	77.6	1793	29.9
Circulated defamatory comments about you (%)	77.9	78.6	56.9	0.0	100.0	100.0	86.1	2239	37.4
No. of observations*	244	60	5	1	3	2	34	3,734	59.3

Notes: Data have been weighted. \* Shows total number of respondents who experienced each injury type. # Data for these injury types should be interpreted with caution due to small sample sizes.



## Appendix 4: Family law service use—Additional analysis

Table A4.1: Selected family law services contacted at the time of separation, by personal income, father and mother reports

	Fathers (\$)	Mothers (\$)	All parents (\$)
<b>Counselling/relationship/FDR service</b>			
Median (\$1,000s)	57.2	35.1	44.0
Mean (\$1,000s)	70.4	42.2	55.8
SD (\$)	1,692	870	966
<b>A lawyer</b>			
Median (\$1,000s)	60.0	36.4	45.0
Mean (\$1,000s)	74.3	43.2	58.0
SD (\$)	1,944	812	1,062
<b>A legal service</b>			
Median (\$1,000s)	50.0	32.7	36.4
Mean (\$1,000s)	60.7	38.3	46.9
SD (\$)	2,606	736	1,125
<b>The courts</b>			
Median (\$1,000s)	55.0	35.0	42.6
Mean (\$1,000s)	71.3	41.9	56.0
SD (\$)	3,442	1,006	1,791

Notes: Data have been weighted.

Table A4.2: Selected family law services contacted at the time of separation, by household income, father and mother reports

	Fathers (%)	Mothers (%)	All parents (%)
<b>Counselling/relationship/FDR service</b>			
Median (\$1,000s)	68.0	38.0	48.0
Mean (\$1,000s)	81.5	48.2	63.9
SD (\$)	1,820	1,126	1,090
<b>A lawyer</b>			
Median (\$1,000s)	70.0	39.0	50.0
Mean (\$1,000s)	85.9	48.8	66.0
SD (\$)	2,046	1,067	1,170
<b>A legal service</b>			
Median (\$1,000s)	63.0	38.2	46.8
Mean (\$1,000s)	69.7	44.5	53.8
SD (\$)	2,325	1,167	1,172
<b>The courts</b>			
Median (\$1,000s)	55.0	35.0	40.0
Mean (\$1,000s)	80.6	49.2	64.0
SD (\$)	3,154	1,796	1,824

Notes: Data have been weighted.

**Table A4.3: Main pathway used among parents who had sorted out parenting arrangements, comparison between SRSP 2012 and LSSF Wave 1, father and mother reports**

	SRSP 2012			LSSF wave 1 (2008)		
	Fathers (%)	Mothers (%)	All (%)	Fathers (%)	Mothers (%)	All (%)
Counselling/mediation/FDR services	10.1	9.1	9.6	8.1	7.5	7.8
A lawyer	6.5	6.7	6.6	5.8	6.6	6.2
The courts	3.3	3.6	3.5	3.4	2.6	3.0
Discussions with focus parent	70.6	67.1	68.8	68.6	63.1	65.9
Nothing specific, just happened	7.4	11.0	9.3	12.0	16.9	14.4
Other	2.0	2.5	2.3	2.2	3.3	2.8
No. of observations	2,017	2,351	4,368	3,249	3,130	6,379

Note: Data have been weighted. For comparability between SRSP 2012 & LSSF Wave 1 samples, populations comprise parents who were married or cohabiting at the time of separation. Percentages may not total exactly 100.0% due to rounding.

**Table A4.4: Services and supports contacted at the time of separation by parents whose main pathway for sorting out parenting arrangements was "discussions", father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
<b>Services contacted</b>	<b>75.8</b>	<b>80.4</b>	<b>78.1</b>
Counselling/relationship/FDR service	38.0	42.4	40.3
A lawyer	33.6	36.0	34.9
A legal service	15.5	27.5	21.7
The courts	8.8	10.1	9.5
Domestic violence service	1.1	5.8	3.5
<b>Family members contacted</b>	<b>59.0</b>	<b>64.8</b>	<b>61.9</b>
<b>Others contacted</b>	<b>2.4</b>	<b>4.0</b>	<b>3.2</b>
<b>No services or supports used</b>	<b>20.0</b>	<b>14.5</b>	<b>17.2</b>
No. of observations	1,380	1,547	2,927

Notes: Data have been weighted. Percentages do not sum to 100.0% as multiple responses could be chosen.

## Appendix 5: Reasons for not disclosing of family violence or safety concerns to family law professionals

**Table A5.1: Reasons for not disclosing issues of family violence or safety concerns for focus child to family law professionals, father and mother reports**

	Fathers (%)	Mothers (%)	All parents (%)
Wasn't a concern / an issue	30.4	24.2	27.7
Felt the child was safe / issue between parents only / no contact with focus parent	21.4	29.1	24.9
Didn't think it was serious or frequent enough to raise / wasn't a priority at the time	14.9	12.8	13.9
No (family) violence	6.0	5.4	5.8
Verbal/emotional violence only	3.0	6.4	4.5
Didn't think I would be believed / taken seriously	3.3	4.0	3.6
Issues with facing/raising the issue (ashamed/overwhelmed/didn't know who to contact etc.)	3.7	2.6	3.2
Conditioned to behaviour / trying to protect focus parent	2.9	2.3	2.6
Didn't want to make worse overall	2.3	1.2	1.8
Fearful of consequences	1.7	0.9	1.3
Other reasons	1.9	1.9	1.9
Don't know	8.5	9.2	8.8
No. of observations	656	570	1,226

Notes: Data have been weighted. Sample consists of parents who reported in the SRSP that they had experienced one or more of the emotional abuse items and/or physical hurt from the focus parent either before/during or since separation, yet had not raised/disclosed these experiences during discussions with family law professionals. The "refused" responses were excluded from this analysis (2%).

**Table A5.2: Reasons for not disclosing issues of family violence or safety concerns for focus child to family law professionals, by experiences of family violence *before/during* the separation, father and mother reports**

	Physical hurt/unwanted sexual activity (%)	Emotional abuse (%)	No family violence before/during separation (%)
<b>Fathers</b>	(n = 149)	(n = 416)	(n = 91)
Wasn't a concern / an issue	16.6	32.8	42.2
Felt the child was safe / issue between parents only / no contact with focus parent	25.1	21.6	14.8
Didn't think it was serious or frequent enough to raise / wasn't a priority at the time	19.1	14.6	9.2
No (family) violence	2.7	6.5	9.4
Verbal/emotional violence only	2.4	3.3	2.4
Didn't think I would be believed / taken seriously	6.4	2.2	3.2
Issues with facing/raising the issue (ashamed/overwhelmed/didn't know who to contact etc.)	5.9	3.6	0.0
Conditioned to behaviour / trying to protect focus parent	3.7	2.4	3.5
Didn't want to make worse overall	4.1	1.7	2.3
Fearful of consequences	3.3	0.6	4.1
Other reasons	2.4	1.8	1.5
Don't know	8.3	8.8	7.5
<b>Mothers</b>	(n = 173)	(n = 328)	(n = 69)
Wasn't a concern / an issue	32.2	27.6	28.4
Felt the child was safe / issue between parents only / no contact with focus parent	2.6	2.7	0.0
Didn't think it was serious or frequent enough to raise / wasn't a priority at the time	6.6	1.0	0.0
No (family) violence	17.5	11.1	9.1
Verbal/emotional violence only	6.7	3.0	2.5
Didn't think I would be believed / taken seriously	2.2	0.9	0.0
Issues with facing/raising the issue (ashamed/overwhelmed/didn't know who to contact etc.)	1.1	1.0	0.0
Conditioned to behaviour / trying to protect focus parent	5.0	8.1	2.0
Didn't want to make worse overall	10.0	27.4	44.8
Fearful of consequences	2.5	6.6	6.9
Other reasons	3.9	1.3	0.0
Don't know	9.9	9.4	6.4

Notes: Data have been weighted. Sample consists of parents who reported in the SRSP that they had experienced one or more of the emotional abuse items and/or physical hurt from the focus parent either before/during or since separation, yet had not raised/disclosed these experiences during discussions with family law professionals. The "refused" responses were excluded from this analysis (2%).

**Table A5.3: Reasons for not disclosing issues of family violence or safety concerns for focus child to family law professionals, by experiences of family violence *since* the separation, father and mother reports**

	Physical hurt/unwanted sexual activity (%)	Emotional abuse (%)	No family violence since separation (%)
<b>Fathers</b>	(n = 49)	(n = 516)	(n = 91)
Wasn't a concern / an issue	20.3	30.3	36.9
Felt the child was safe / issue between parents only / no contact with focus parent	19.4	20.7	26.5
Didn't think it was serious or frequent enough to raise / wasn't a priority at the time	15.3	15.5	11.3
No (family) violence	3.6	6.0	7.8
Verbal/emotional violence only	3.5	3.2	1.2
Didn't think I would be believed / taken seriously	6.1	3.6	0.0
Issues with facing/raising the issue (ashamed/overwhelmed/didn't know who to contact etc.)	6.1	3.1	5.4
Conditioned to behaviour / trying to protect focus parent	5.6	3.0	0.4
Didn't want to make worse overall	3.5	2.3	2.1
Fearful of consequences	3.7	1.8	0.0
Other reasons	3.5	2.1	0.0
Don't know	9.5	8.4	8.5
<b>Mothers</b>	(n = 52)	(n = 425)	(n = 93)
Wasn't a concern / an issue	11.4	25.8	25.0
Felt the child was safe / issue between parents only / no contact with focus parent	44.4	27.8	25.9
Didn't think it was serious or frequent enough to raise / wasn't a priority at the time	10.3	13.0	13.2
No (family) violence	3.0	5.4	6.6
Verbal/emotional violence only	3.2	7.7	2.8
Didn't think I would be believed / taken seriously	7.6	3.3	5.0
Issues with facing/raising the issue (ashamed/overwhelmed/didn't know who to contact etc.)	2.7	2.6	2.8
Conditioned to behaviour / trying to protect focus parent	5.5	2.0	2.0
Didn't want to make worse overall	0.0	1.6	0.0
Fearful of consequences	1.5	1.0	0.0
Other reasons	1.4	1.6	3.6
Don't know	9.3	8.2	13.2

Notes: Data have been weighted. Sample consists of parents who reported in the SRSP that they had experienced one or more of the emotional abuse items and/or physical hurt from the focus parent either before/during or since separation, yet had not raised/disclosed these experiences during discussions with family law professionals. The "refused" responses were excluded from this analysis (2%).

## Appendix 6: Behaviour problems (BITSEA) in infants & toddlers, by experiences of family violence

Table A6.1: Percentage of children “sometimes” or “often” showing the problem behaviour (BITSEA), by family violence *before/during* separation, father and mother reports

	Physical hurt and/or unwanted sexual activity			Emotional abuse			No family violence		
	Fathers (%)	Mothers (%)	All (%)	Fathers (%)	Mothers (%)	All (%)	Fathers (%)	Mothers (%)	All (%)
<b>Externalising</b>									
Is restless and can't sit still	52	43	42	45	42	40	47	43	41
Hits, bites or kicks you or other parent	26	26	14	27	27	18	27	27	16
Gets hurt so often that you can't take your eyes off him/her	17	12	14	19	14	17	18	13	16
Is destructive—breaks or ruins things on purpose	22	10	9	22	20	11	22	17	11
Hits, shoves, kicks or bites children (not siblings)	16	15	8	21	17	16	20	17	12
Purposely tries to hurt you or other parent	8	11	2	9	8	5	8	9	4
<b>Internalising</b>									
Cries or hangs onto you when you try to leave	65	58	50	58	54	47	60	55	48
Is afraid of certain places, animals or things	34	9	22	32	32	24	33	31	23
Worries a lot or is very serious	27	26	10	22	17	12	23	21	11
Seems nervous, tense or fearful	16	20	9	16	14	8	16	17	8
Seems very unhappy, sad, depressed or withdrawn	16	13	5	6	4	4	9	8	5
Does not make eye contact	15	10	8	9	8	7	11	9	7
Avoids physical contact	7	10	5	5	3	5	6	6	5
Has less fun than other children	8	6	3	6	4	3	6	5	3

Note: Data have been weighted. The proportion of parents with “don't know or can't say” responses ranged from 5% to 7% over the 14 items. For fathers, rates of these responses ranged from 9% to 11%, and for mothers, from 2% to 3%. These data suggest that around 10% of fathers felt they had insufficient knowledge to reliably report on their child's wellbeing. The data are based on the reports of 853 mothers and 584 fathers, and exclude “don't know or can't say” responses. Percentages may not total exactly 100.0% due to rounding.

**Table A6.2: Percentage of children “sometimes” or “often” showing the problem behaviour (BITSEA), by family violence *since* separation, father and mother reports**

	Physical hurt and/or unwanted sexual activity			Emotional abuse			No family violence		
	Fathers (%)	Mothers (%)	All (%)	Fathers (%)	Mothers (%)	All (%)	Fathers (%)	Mothers (%)	All (%)
<b>Externalising</b>									
Is restless and can't sit still	54	47	40	47	45	37	50	46	39
Hits, bites or kicks you or other parent	35	25	14	34	26	20	34	25	17
Gets hurt so often that you can't take your eyes off him/her	19	13	14	16	18	16	17	16	15
Is destructive—breaks or ruins things on purpose	29	15	9	23	21	11	25	19	10
Hits, shoves, kicks or bites children (not siblings)	17	14	8	22	20	15	20	18	12
Purposely tries to hurt you or other parent	22	9	2	13	8	4	17	9	3
<b>Internalising</b>									
Cries or hangs onto you when you try to leave	75	59	48	66	53	49	70	56	49
Is afraid of certain places, animals or things	40	28	23	39	31	25	39	30	24
Worries a lot or is very serious	34	25	10	25	18	14	28	21	12
Seems nervous, tense or fearful	21	17	10	14	15	9	17	16	10
Seems very unhappy, sad, depressed or withdrawn	16	14	5	7	5	4	10	8	4
Does not make eye contact	15	11	7	10	7	8	12	9	8
Avoids physical contact	10	8	6	5	4	4	7	6	5
Has less fun than other children	4	6	4	7	3	4	6	4	4

Note: Data have been weighted. The proportion of parents with “don't know or can't say” responses ranged from 5% to 7% over the 14 items. For fathers, rates of these responses ranged from 9% to 11%, and for mothers, from 2% to 3%. These data suggest that around 10% of fathers felt they had insufficient knowledge to reliably report on their child's wellbeing. The data are based on the reports of 853 mothers and 584 fathers, and exclude “don't know or can't say” responses.