



Post-divorce parenting patterns

A summary of findings from the Institute's Australian Divorce Transitions Project

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In recent years there has been an increasing emphasis on the importance of shared responsibility for children after parental separation. This is evidenced by changes to the Family Law Act in 1996 which, among other things, replaced the language of “guardianship”, “custody” and “access” with the less proprietorial “residence” and “contact” (Family Law Reform Act 1995).

This article summarises findings of a survey of post-divorce parenting patterns just before the 1996 changes. Data are drawn from the Australian Divorce

Transitions Project (ADTP), a national random telephone survey of 650 divorced Australians conducted by the Australian Institute of Family Studies. These data were collected in 1997, with virtually all respondents divorcing and arriving at their parenting arrangements before the 1996 reforms. A unique feature of the data set is that it includes divorced men and women from a broad range of circumstances, including resident parents, non-resident parents, urban and rural dwellers, and respondents from varying educational and socio-economic circumstances. ►

The sample on which the present analysis is based comprised 237 divorced parents. The men and women in the sample had not been married to each other. Most of the women were resident parents (87 per cent) while most men were non-resident parents (73 per cent). Here, the focus is on these two most common groups – resident mothers (n=141) and non-resident fathers (n=96). As a consequence of this focus, the examination of contact is restricted to father–child contact.

Children's living arrangements

As commonly found (ABS 1998, 1994; Harrison and Tucker 1986), children were most likely to be in the care of their mother. Resident mothers (as reported by 61 per cent of resident mothers and 71 per cent of non-resident fathers) appeared to have the dominant say over living arrangements for the children. By contrast, according to both resident mothers and non-resident fathers, just under one-third of non-resident fathers had input into this decision. Most respondents (82–87 per cent) indicated that children's living arrangements were finalised without the need for a court order.

Most respondents said that children's living arrangements had not changed since just after separation (80 per cent of resident mothers, 77 per cent of non-resident fathers). Given that respondents, on average, had been separated for around five years, this suggests a high level of stability in children's living arrangements. Consistent with previous research (Funder 1993), this pattern of stability also indicates that children's ongoing living arrangements are usually established at the point of parental separation.

Despite this stability, resident and non-resident parents differed markedly in their desire to alter their children's living arrangements. Only 3 per cent of resident mothers wanted to change children's living arrangements, compared with 41 per cent of non-resident fathers. Around two-thirds of these fathers wanted children to reside with them, while the remaining third wanted equal care of children.

Women's ongoing primary responsibility for the daily care of children during marriage and post-separation is well documented (ABS 1998; Gilding 1997; Harrison and Tucker 1986) and so the above findings are not surprising. Also not surprising is the number of non-resident fathers who wanted to change the post-separation arrangements in favour of having the children reside for more of the time with them (see, for example, Murray Woods & Associates 1999; Kaye and Tolmie 1998).

Contact

As regards father–child contact, non-resident fathers were more likely than resident mothers to report contact, either weekly (34 per cent and 25 per cent respectively) or fortnightly (38 per cent and 19 per cent). This means that almost three-quarters (72 per cent) of non-resident fathers reported seeing their children at least fortnightly whereas only 44 per cent of resident mothers reported at least fortnightly father–child contact. Resident mothers (27 per cent) were more likely than non-resident fathers (15 per cent) to report that the non-resident parent rarely (once a year) or never saw his children.

In passing, it is interesting to note that the frequency of contact by telephone and/or by letter tended to reflect the frequency of in-person contact: the more frequent the in-person contact, the more frequent other forms of contact tended to be.

A marked feature of the data was that non-resident fathers reported more contact than resident mothers. Differing perceptions of involvement levels on the part of resident and non-resident parents are well documented (Braver et al. 1991; Wolffs 2000). However, there are a number of other possible reasons for divergent reporting, most notably sample bias. It is possible, for instance, that fathers recruited into the study were more involved with their children than is typical, and/or that the ex-husbands of the mothers in the study were less involved with their children than is typical. In the case of non-resident fathers at least, there is a common bias in telephone interview samples towards higher income earners; non-resident fathers in this category are more likely to exercise regular contact with their children than those with lower incomes (Bradshaw et al. 1999).

Also examined were the average number of nights per fortnight that children usually stayed with their non-resident parent, as reported by respondents. Again differences were evident in women's and men's reports, with women more likely than men to say that regular father–child contact did not involve any overnight stays (50 per cent compared with 15 per cent). As before, these differences are likely to be a function of sampling issues, and/or a tendency for women and men to have different perceptions of their involvement with children. Where regular overnight contact occurred, children usually stayed with their non-resident parent for an average of two to three nights per fortnight.

The apparent stability in children's residence arrangements also reflected stability in parent–child contact arrangements. Around half of divorced mothers and fathers reported no change in the frequency of contact since separation. Decreasing contact was more likely to be reported by both women and men (38 per cent and 34 per cent) than increasing contact (12 per cent and 21 per cent). The two most common reasons reported for a decline in father–child contact given by both men and women were the wishes of the former spouse and distance.

About half the respondents believed that their contact arrangements were fair to both their children and to themselves. There was thus a strong tendency for parents' views on their own and their children's situation to have converged by five years after separation. Nevertheless, a substantial minority believed that the arrangements were unfair to both their children and to themselves, with non-resident fathers being more likely to hold this view than resident mothers (35 per cent compared with 21 per cent). Resident mothers, on the other hand, were more likely than non-resident fathers to believe that the arrangements were unfair to the children but fair to themselves (15 per cent compared with 4 per cent).

It is also noteworthy that the resident mothers who were inclined to see the arrangements as fair to themselves but as unfair to their children reported less frequent father–child contact than mothers who perceived the contact arrangements as fair to both themselves and their children (10 per cent and 57 per cent reported weekly or fortnightly father–child contact). Thus while limited father–child contact may have

suiting some mothers, these mothers nonetheless appeared to perceive benefits to their children of ongoing contact with their fathers.

The correlates of contact

Previous research suggests that a range of factors interact to influence the level of contact between non-resident parents and their children (Bradshaw et

It would thus appear from the findings described in this paper that the 1996 changes are more likely to have been embraced by non-resident fathers than by resident mothers. While differing sample groups and research methodologies make comparisons difficult, this conclusion is consistent with research conducted subsequent to the implementation of the Family Law Act changes (Dewar and Parker 1999; Rhoades, Graycar and Harrison 2000).

A clear pattern emerging from the data was the desire of many men for more time with their children.

al. 1999; Funder 1993; Maclean and Eekelaar 1997; Seltzer et al. 1989). For instance, contact is more likely to occur when parents live within close proximity to each other, where child support is being paid, and the non-resident parent has had some involvement with the children prior to parental separation (Fehlberg and Smyth 2000).

Consistent with this body of research, the data indicated that ongoing regular contact tended to occur where (a) fathers lived relatively near their children (typically within 50 kilometres), (b) the level of conflict between parents was not high, and (c) child support was being paid. It is possible that these factors may be indicative of a measure of commitment on the part of one or both parents to foster a good working relationship regarding their children.

Conclusion

In exploring patterns of residence and contact, the Institute's Australian Divorce Transitions Project was somewhat limited by not being able to make direct comparisons between former spouses; rather, separate samples of men and women were surveyed. Nevertheless, a number of themes emerge from these data on patterns of parenting after divorce prior to the 1996 changes to the Family Law Act.

First, following parental separation, children were most likely to live with their mother; this situation, usually established at the point of separation, remained relatively stable over time and was more acceptable to women than to men. Second, the level of contact exercised by non-resident fathers was described differently by women and men: men's estimates of how involved they were with their children were higher than women's estimates of how involved their former spouses were. Third, consistent with prior work in Australia and overseas, the data confirmed the relevance of geographical distance, parental conflict, and the payment of child support to the occurrence of father-child contact. Of course, these factors are likely to be closely inter-related.

In more global terms, a clear pattern emerging from the data was the desire of many men for more time with their children. When the non-resident fathers' views are compared on the issues of children's living arrangements and parent-child contact, fathers who wanted children's living arrangements to change were also more likely to perceive the contact arrangements as unfair to themselves, their children, or both (71 per cent), as compared to fathers who did not want their children's living arrangements to change (31 per cent).

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