

Shared Care Parenting Arrangements since the 2006 Family Law Reforms

Report for:
Australian Government, Attorney-General's Department

Social Policy Research Centre
University of New South Wales
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Glossary

ABS	Australian Bureau of Statistics
AIFS	Australian Institute of Family Studies
CFC	Caring for Children After Parental Separation
CSA	Child Support Agency
FCTS	Family Characteristics and Transitions Survey 2006-07
HILDA	Household Income and Labour Dynamics in Australia
LSAC	Longitudinal Study of Australian Children
LSSF	Longitudinal Study of Separated Parents
SPRC	Social Policy Research Centre

Executive summary

The Social Policy Research Centre (SPRC) has been commissioned by the Attorney General's Department to undertake research on the implications of the changes to the 2006 Family Law Reforms on Shared Care Parenting, and the circumstances under which shared care arrangements work, and do not work, in the best interests of the child. This research has been undertaken in consortium with the Australian Institute of Family Studies (AIFS), and the University of Sydney Law School, and led by the SPRC.

Sources of information

The study was conducted using a range of different datasets, surveys and interviews. The findings presented in this report come from the following sources:

- *Growing up in Australia*: the Longitudinal Study of Australian Children (LSAC).
- The Household, Income and Labour Dynamics in Australia (HILDA) Survey.
- The Caring for Children After Parental Separation study (CFC) (2003).
- The ABS Family Characteristics Surveys (FCS) (1997 and 2003), and the Family Characteristics and Transitions Survey 2006-07 (FCTS), with some additional information as supplied from the Australian Bureau of Statistics and the Australian Institute of Family Studies.
- A survey of more than 1000 parents, which included both parents who had shared care arrangements and those who did not. These parents were recruited by various means including mailouts to a stratified-random sample of CSA clients, and a sample of parents recruited via solicitors, legal aid centres and other family support centres.
- A survey of 136 children, conducted online.
- Interviews with parents.
- Case studies of children.
- Data from emails sent to the National Children's and Youth Law Centre by children who had questions or concerns about parenting arrangements.

Each dataset had strengths and limitations. In some, the sample sizes were small, or gave information about the circumstances of young children only. While no one dataset provides a complete picture, and the findings from each needs to be interpreted with an awareness of its limitations, together, they provide a quite comprehensive and well-rounded picture of the experience of shared care in Australia in comparison to other kinds of parenting arrangements. They also provide some indications of how that experience may have changed since the 2006 reforms to the Family Law Act 1975.

Findings

The prevalence of shared care

Shared care arrangements remain unusual in Australia. Nearly 8% of parents who do not live together have a shared care arrangement involving 35% or more nights with each parent, with just over half of these (4%) having an equal time arrangement. As many as a quarter of

recently separated parents may try shared care for a period of time. However it is very uncommon for there to be a shared care arrangement if the parents have never lived together.

There has been a steady increase in the proportion of parents who have a shared care arrangement since the late 1990s, and this is consistent with the experience of other countries. Shared care is more likely to be adopted, at least for a period of time, by parents who have quite recently separated, and this is one reason why the incidence of shared care among those who separated since 2006 may be greater than for the population as a whole.

For a substantial proportion of the population of parents who live apart, shared care is not an option because they live too far apart to make it work. Shared care necessitates that parents are in reasonable proximity to each other at least once a child starts school, since the child needs to be able to travel to school from each parent's house. The choice of care arrangements is thus highly dependent on parents' circumstances.

The duration of shared care

Many shared care arrangements do not last. Over time, the pattern of care often reverts to the more common situation of primary care by one parent, usually the mother. While shared care arrangements may not be as likely to last as long as other patterns of care, equal time arrangements appear to be more stable than unequal shared care arrangements.

It is not surprising that some families try shared care soon after separation but change to another care arrangement in the course of time. In the aftermath of separation, parents may well live in reasonable proximity to one another. However, if the family home has to be sold, or it is not possible for the parents to afford two homes in the area where once they had only one, one or both parents will have to move to an area where housing is cheaper. Such economic factors are one reason why a shared care arrangement may not last. Repartnering and other life changes are other reasons why some form of shared care, which was practicable in the immediate aftermath of separation, ceases to be so as time goes on.

How shared care arrangements were made

The great majority of shared care or near shared care arrangements are made without the intervention of the courts and adjustments appear to be made through negotiation between the parents. Parents with shared arrangements or where the children were mostly with their mother were less likely to have come to those agreements via litigation than those in other arrangements.

Characteristics of shared care families

Shared care is slightly more common among children of primary-school or early teen ages than among children of younger or older ages.

Parents in shared or near shared care have different demographic and socio-economic characteristics from parents in other post-separation care arrangements. Children in shared or near shared care are more likely to have parents with higher levels of education and higher incomes than children in other types of arrangements.

Fathers in shared care arrangements are more likely than fathers in other care arrangements to provide additional, in-kind child support such as buying clothes and toys, or helping out with child-care, preschool or school expenses in addition to the formal child support payments.

Fathers in shared care arrangements are more likely than fathers in other care arrangements to help the mother out in other ways such as looking after the children if the mother is called in to work or has an appointment she needs to attend.

A great majority of both fathers and mothers with shared care or near shared care arrangements reported that they were flexible. Fathers in shared care arrangements reported a greater level of flexibility than those who were not in shared care arrangements.

According to children's accounts of shared care, mothers are more likely than fathers to organise and take them to medical or dental appointments and to buy their clothes, or for these responsibilities to be shared reasonably equally. If they were sick, and a parent needed to stay home to look after them, it was usually the parent with whom they were staying at the time who did so. This was also the case in relation to taking the child to extracurricular activities such as sports.

The wellbeing of children in shared care

The research indicated many positive aspects of shared care or near-shared care for children's wellbeing. Compared to those with other care arrangements, the shared-care families tended to have higher levels of cooperation between the parents and more joint decision-making. However, in a significant proportion of these families, disharmony in relationships and parenting was apparent. Sharing the parenting time makes it more likely that parents will share decision-making, but it does not guarantee this.

The Parents' Survey showed that compared to other forms of care, parents in shared care have lower levels of conflict. The only significant differences, however, were for *fathers* who reported less conflict when they had shared care arrangements than when their children spent more time with their mother ('mostly mother' and 100% with mother'). There were no significant differences for mothers.

There was less likely to be a history of violence among the group who had equal time arrangements than any other group. Parents in shared care in this research also had fewer safety concerns than in other patterns of care.

Violence, conflict and concerns about the safety of the children were highly correlated with one another, in terms of reported effects on the wellbeing of children. Mothers of children in shared care arrangements who reported safety concerns were not significantly more negative than mothers with the children mostly in their care (66-99% of the time) except where they held serious concerns about the safety of the children. The pattern is similar for mothers' reports of conflict. The proportion of mothers who reported that shared care arrangements were working badly was not significantly different from mothers with "mostly mother" arrangements where there was low or even medium levels of conflict. However, the picture is quite different, when they report high levels of conflict. Thus where mothers have serious concerns about the safety of their children or there is high conflict, they are more likely to report negative outcomes for children than when the children are in primarily their own care.

Mothers who had concerns about the safety of the children or who reported high conflict were more likely to report negative outcomes than those mothers who had concerns about their own safety. However, where mothers held some concerns about their own safety (but did not report serious concerns), those in shared care arrangements were twice as likely to report negatively compared with those where the children were with them most of the time.

Where mothers held serious levels of concern for their own safety, there was little difference between mothers in shared care and when the children lived primarily with them.

Parents in shared or near shared care arrangements in general held favourable views about their arrangements, with the great majority indicating that their arrangements worked for father, mother and children. These patterns were apparent for both fathers and mothers. Living closer together, and close to school was a positive aspect of the arrangements, and one that a number of parents put some effort into, trying to stay within the same suburb if possible. However, not all those parents or children who were in shared care arrangements were happy with it. About 10% of fathers and mothers in shared or near shared care considered their arrangements did not work for their children.

Many children who were in shared care arrangements reported positive benefits from shared care. Indeed, a number of the children who were not in shared care wanted more time with their non-resident parent (mainly fathers) and some specifically wanted a shared care arrangement. However, just as there were some children who would have liked to be in an equal time arrangement, so there were children who were in such arrangements who wanted to live primarily with one parent.

Children in shared care indicated that they felt closer to their mother than to their father, but they were no less close to their mothers than children living with their mothers most of the time. They reported that the main benefit of shared care was maintaining a relationship with both parents. Having equal time was also seen to be fair. Having some respite from one parent in the move to the other was also a perceived benefit for some children. The costs or disadvantages of shared care for children were the moves back and forth, the lack of one place to call home, especially with the demands of the senior years of high school, and the risk of leaving things behind. Some children perceived these to be issues for them, while others did not.

There are practical problems involved in shared care, such as children leaving clothes, school items or homework at the other parent's house, but these problems were not at all unique to shared care. Nonetheless, there were clear differences between shared care and other arrangements in relation to problems for children leaving things at the other parent's home. Mothers with shared care reported that it was more frequently a problem than fathers did. The issues raised by practical problems were primarily related to the conflict between the parents which was associated with practical problems, rather than the fact that things had been left behind per se.

Fathers with shared care arrangements overall report that children are faring better than in other forms of care after controlling for a range of other factors, while mothers' reports did not differ significantly between shared care and moderate levels of care by the non-resident parent. Children who spend all their nights with one parent appear to have the lowest levels of wellbeing.

Does shared care benefit children?

It is clear that children are perceived to be doing well in shared care and there are few difficulties associated with this arrangement. However, it does not work well for all parents or all children.

Furthermore, while the outcomes were positive in shared care families, when other factors such as the demographics of the parent, the family socio-economic status and the level of

conflict between the parents are taken into account, the differences between children's wellbeing in different care arrangements do not appear to be significantly different. This indicates that it is not the care arrangements themselves that make the difference to children's reported wellbeing. Rather, factors such as the parent's relationship, whether the arrangement was imposed by a court, equitable sharing of financial resources through child support, and parents sharing decisions (rather than the other parent solely, or the courts) seem to be more significantly associated with children's wellbeing than the amount of time the children spend with each parent.

While the care arrangement in itself may not be the differentiating factor, this research indicates that children fare better when they have the involvement of both parents in their lives than when they are in one parent's care only and do not see the other at all. However, more time with the non-resident parent does not per se, equate to more beneficial outcomes for children, because there are so many other factors that affect children's wellbeing. The explanation for the relatively high wellbeing of children in shared care may therefore lie to a considerable extent in the greater degree of cooperation and shared decision-making in these arrangements.

These results should not be interpreted to mean that it does not matter what care arrangements are chosen for particular children. In the circumstances of a particular child or family, one parenting arrangement may well be much more appropriate than another.

The benefits to children from parental satisfaction

There is one advantage that shared care clearly has over any other form of care arrangement: it is that both parents are generally happy with it. While each parent might well be just as happy to have primary care of the child, shared care does offer a means for both parents to be involved in childrearing. This research indicated that parents were satisfied with the arrangements if they had the care of their children. They were unhappy if they did not. The diminished time with the children involved in a shared care arrangement compared to primary maternal care did not diminish mothers' support for shared care. Indeed a slightly greater proportion of mothers in shared care arrangements were satisfied with this than those with primary care of their children. The 'fairness' of shared care also resonated with many children, who saw it as an advantageous form of care arrangement for this reason.

It is possible that one reason for the higher levels of cooperation in shared care families and lower levels of conflict, is that both parents are happy with the arrangement. This satisfaction may well create an environment that is more conducive to the wellbeing of children than other patterns of care. In this sense, shared care may have positive benefits for children that derive from the pattern of care itself, and not just from other factors associated with families who choose shared care.

What factors most benefit children after separation?

This research confirms that children's wellbeing is optimised under certain circumstances:

- Parents are able to cooperate about the arrangements for the children
- Parents have a say in making decisions about the child
- There is relatively little conflict between the parents

- Parents believe that each parent is paying their fair share of the costs associated with raising children.

Care arrangements which are negotiated between parents, as opposed to those which are imposed by court, appear to be associated with higher levels of wellbeing for children. However it is unclear whether this is a result of the fact that most parents who go to court have high levels of conflict. It is likely that parental conflict rather than involvement with the court is the main cause of difficulties for the children.

It is also important for children to have some say in the arrangements and to feel that the arrangements meet their needs - as well as those of their parents. Children and young people do not necessarily want to impose their own will on the situation, but it is very important to them that their voice is heard and their views are taken into account.

Conclusions

Overall, this research paints a positive picture of shared care in terms both of parental satisfaction and children's wellbeing. However, it remains only a relatively small minority of parents who can share the care of the children and fewer still manage to sustain it for a substantial period of time. Much of the success of shared care derives from factors other than the care arrangement itself, and in particular, higher levels of cooperation and joint decision-making and a lower incidence of reported violence or safety concerns. There are nonetheless, some parents who share care who do not have a cooperative relationship, and some children whose experience of shared care is not positive. There is no reason to suggest that shared care is intrinsically better or worse than the more common pattern of primary maternal care, except for the fact that it is one form of care with which both parents are satisfied, and this may be a factor in reducing conflict over post-separation parenting arrangements.

1 Introduction

1.1 Background

In the last ten years or so in Australia, there has been considerable discussion and debate about the merits of shared care as a form of parenting arrangement after separation.

Ten or fifteen years ago, shared care was a comparatively rare phenomenon. In 1997, for example, the Australian Bureau of Statistics recorded that 978,000 children under 18 in Australia were living with one of their biological parents while their other parent lived elsewhere. Only 3% of these children lived in a shared care arrangement in which each parent cared for the child at least 30% of the time (ABS, 1998). The proportion of children in shared care has nonetheless been rising significantly since that time. By 2003, the ABS was reporting that 6% of children were in shared care (ABS, 2004). A study of the first wave of the Household, Income and Labour Dynamics in Australia (HILDA) Survey found even higher figures of shared care when including day-time contact. 16% of children who saw their fathers did so on at least 30% of the days of the year but only 7% stayed overnight at least 30% of the time (Parkinson & Smyth, 2003. p. 15).

In June 2003, the then Prime Minister, John Howard established a Parliamentary Committee to explore the option of a rebuttable presumption that children will spend equal time with each parent. This inquiry generated substantial interest. The Family and Community Affairs Committee of the House of Representatives received more than 1700 submissions and took evidence all over the country. The issue of a presumption of equal time also generated a great deal of discussion in the media.

One of the major concerns of the Committee was to get away from what they saw as the standard pattern of contact for non-resident parents of every other weekend and half the school holidays. This, they dubbed the 80-20 rule, on the basis that it gave non-resident parents approximately 20% of the time with their children. In its report (Family and Community Affairs Committee, 2003, p. 21), the Committee wrote:

“Out of court negotiated outcomes have favoured sole residence because they have been influenced by community perceptions, by experience of women as primary carers and by perceptions and outcomes in court decisions. This has been illustrated by suggestions in evidence to the committee that there is an 80–20 rule in the courts. This is the perception of a common outcome of, usually, the mother with sole residence and the father with alternate weekends and half the school holiday contact.”

The Committee recommended against a presumption of equal time in its report. Instead, it recommended in favour of equal parental responsibility. However, it did make it clear that it felt the system should move away from any assumption that the normal pattern of contact should be every other weekend and half the school holidays. It considered that “the goal for the majority of families should be one of equality of care and responsibility along with substantially shared parenting time” (Family and Community Affairs Committee, 2003, p. 30). The Committee gave the following explanation of its reasons for rejecting a presumption of equal time (Family and Community Affairs Committee, 2003, p. 31):

“Two aspects of an equal time template have been highlighted. First, there are dangers in a one size fits all approach to the diversity of family situations and the changing needs of children. Secondly, there are many practical hurdles for the majority of families to have to overcome if they are to equally share residence of children. Many have pointed to the increased

risk of exposure of children to ongoing conflicted parental relationships and the instability that constant changing would create for children. Family friendly workplaces are rare, as are the financial resources necessary to support two comparable households. Some parents lack the necessary child caring capabilities. Distance between households creates problems for transport and for schooling. Second families can also bring complications. Indigenous families' approach to parenting does not fit with the expectations of equal time."

After extensive further consideration of the Committee's report, and further parliamentary committee reports (Chisholm, 2007) the Federal Parliament enacted the *Family Law Amendment (Shared Parental Responsibility) Act* 2006.

1.2 The 2006 amendments

The concerns of the Committee found expression in a revised statement of the objects of Part VII of the Family Law Act on parenting arrangements. Section 60B(1) of the Act now provides:

- (1) The objects of this Part are to ensure that the best interests of children are met by:
 - (a) ensuring that children have the benefit of both of their parents having a meaningful involvement in their lives, to the maximum extent consistent with the best interests of the child; and
 - (b) protecting children from physical or psychological harm from being subjected to, or exposed to, abuse, neglect or family violence; and
 - (c) ensuring that children receive adequate and proper parenting to help them achieve their full potential; and
 - (d) ensuring that parents fulfil their duties, and meet their responsibilities, concerning the care, welfare and development of their children.

When determining the best interests of the child, there are two primary considerations (s.60CC(2)). These are:

- (a) the benefit to the child of having a meaningful relationship with both of the child's parents; and
- (b) the need to protect the child from physical or psychological harm from being subjected to, or exposed to, abuse, neglect or family violence.

There are then a large number of other factors that are described as 'additional' considerations (s.60CC(3)). It is the additional considerations that help to determine how it is that the objects of the legislation, and the primary considerations, are to be achieved (Parkinson, 2006a).

The emphasis on the meaningful involvement of both parents in the absence of violence or abuse does not translate into a presumption of shared parenting, and still less, equal time. The most that the legislation imposes by way of presumed outcome is a presumption in favour of equal shared parental *responsibility*. This can be rebutted in cases where there is a history of violence or abuse (s.61DA). If there is equal shared parental responsibility, parents have a duty to consult, and to try to reach agreement, on major decisions such as education, health, religion and changes in children's living arrangements, at least when that has a significant impact upon the ability of the other parent to spend time with the child (s.4, - definition of "major long-term issues"; s.65DAC).

While there is no presumption of equal *time*, the option must at least be considered positively in cases where there is to be equal shared parental responsibility. Section 65DAA of the Act provides:

If a parenting order provides (or is to provide) that a child's parents are to have equal shared parental responsibility for the child, the court must:

- (a) consider whether the child spending equal time with each of the parents would be in the best interests of the child; and
- (b) consider whether the child spending equal time with each of the parents is reasonably practicable; and
- (c) if it is, consider making an order to provide (or including a provision in the order) for the child to spend equal time with each of the parents.

If equal time is contra-indicated, then the court must give similar consideration to 'substantial and significant time'. That is defined in the following way:

a child will be taken to spend substantial and significant time with a parent only if:

- (a) the time the child spends with the parent includes both:
 - (i) days that fall on weekends and holidays; and
 - (ii) days that do not fall on weekends or holidays; and
- (b) the time the child spends with the parent allows the parent to be involved in:
 - (i) the child's daily routine; and
 - (ii) occasions and events that are of particular significance to the child; and
- (c) the time the child spends with the parent allows the child to be involved in occasions and events that are of special significance to the parent.

Before the court can order equal time or substantial and significant time, it must be satisfied that such an arrangement is 'reasonably practicable'. The High Court of Australia has held in *MRR v GR* [2010] HCA 4 that unless the court makes a finding of fact that the arrangement for equal time or substantial and significant time is reasonably practicable, the court has no power to make such an order. Reasonable practicability is given meaning by s.65DAA(5):

"in determining ... whether it is reasonably practicable for a child to spend equal time, or substantial and significant time, with each of the child's parents, the court must have regard to:

- (a) how far apart the parents live from each other; and
- (b) the parents' current and future capacity to implement an arrangement for the child spending equal time, or substantial and significant time, with each of the parents; and
- (c) the parents' current and future capacity to communicate with each other and resolve difficulties that might arise in implementing an arrangement of that kind; and
- (d) the impact that an arrangement of that kind would have on the child; and
- (e) such other matters as the court considers relevant.

The obligation to consider shared parenting was not only placed upon the courts. It was also placed upon 'advisers' which means legal practitioners, family counsellors, mediators and the courts' own family consultants. Section 63DA(2) provides:

If an adviser gives advice to people in connection with the making by those people of a parenting plan in relation to a child, the adviser must:

- (a) inform them that, if the child spending equal time with each of them is:
 - (i) reasonably practicable; and

- (ii) in the best interests of the child;
- (b) they could consider the option of an arrangement of that kind; and
- (c) inform them that, if the child spending equal time with each of them is not reasonably practicable or is not in the best interests of the child but the child spending substantial and significant time with each of them is:
 - (i) reasonably practicable; and
 - (ii) in the best interests of the child;
 - (iii) they could consider the option of an arrangement of that kind.

There is no similar requirement for advisers to consider other issues such as “the need to protect the child from physical or psychological harm from being subjected to, or exposed to, abuse, neglect or family violence” (s.60CC(2)(b)). The legislation was, in this respect, heavily weighted towards consideration of shared care, with less emphasis being placed on family violence or other such concerns (Chisholm, 2009).

The rationale for the obligations on advisers was that the Family and Community Affairs Committee (2003) wanted to reach those people who negotiate parenting arrangements with the assistance of lawyers, mediators, and other professionals but who resolve matters without the need for a judicial determination. The Committee wrote:

“Legislation can have an educative effect on the separating population outside the context of court decisions, if its messages are clear, it is accessible to the general public and well understood by those who offer assistance under it.” (Family and Community Affairs Committee 2003, pp. 39-40)

The 2006 legislation certainly encouraged both advisers and the courts to give serious consideration to shared parenting arrangements. The Full Court of the Family Court of Australia has summarized the legislative intent of the 2006 amendments as follows (*Goode & Goode* (2006) FLC 93-286 at para 72):

“In our view, it can be fairly said there is a legislative intent evinced in favour of substantial involvement of both parents in their children’s lives, both as to parental responsibility and as to time spent with the children, subject to the need to protect children from harm, from abuse and family violence and provided it is in their best interests and reasonably practicable.”

There is little question that the 2006 amendments to the *Family Law Act* 1975 represented major changes to the law. They were accompanied by major changes to the service system, and in particular the establishment of 65 Family Relationship Centres around the country.

The Howard government commissioned a comprehensive evaluation program for the first time in the history of Australian family law. The evaluation, conducted by the Australian Institute of Family Studies, was a very large scale study indeed and has already yielded much information about many aspects of the 2006 reforms (Kaspiew et al, 2009), including much information about shared care.

1.3 Shared care: international trends

In evaluating the 2006 reforms, and in considering shared care generally, it is important to see the growth in shared care in comparative perspective. Australia is not alone in

emphasising the importance of both parents remaining involved in children's lives. Indeed, it reflects trends in legislation around the western world (Parkinson, 2006b).

Furthermore, even after the 2006 reforms, the prevalence of shared care in Australia is rather lower than in other parts of the western world where statistics are available. This may be illustrated by the AIFS findings concerning equal time arrangements. The AIFS study showed that amongst people who had separated since 2006, 7% had an equal time arrangement (48-52% of time with each parent). These are people who have recently separated. Across the population of separated parents, including those who separated many years ago, one might expect that the levels of shared care would be lower.

By way of contrast with the AIFS findings in Australia, a Canadian survey in 2001 found that according to mothers' reports, 9.1% of children were in approximately equal time arrangements (Swiss & Le Bourdais, 2009). A survey of 559 parents in Britain found that 12% reported that they shared the care of the child more or less equally (Peacey & Hunt 2008, p. 19). This study was not confined to those who had recently separated. The *Children Act* 1989 in England and Wales gives no guidance on how children's time with each parent should be allocated. In Arizona, 15% of court orders for child support involved approximately equal parenting time (Venohr & Kaunelis, 2008).

In Sweden, the growth in equal time arrangements has been particularly dramatic. In 1984-5, 1% of Swedish parents who were living apart had equal time arrangements. By 2006-7 it had increased to 28% (Lundstrom, 2009). Almost half of the 6-9 year old children whose parents do not live together live in approximately equal time arrangements. This growth in the incidence of equal time arrangements has risen substantially over the last 20 years without a legislative environment that specifically encourages it.

International comparisons are also instructive in relation to what the Australian legislation calls "substantial and significant time". In other countries, shared care is often defined as a minimum of 30% of nights with each parent. The AIFS study showed that amongst people who had separated since 2006, 16% had a shared care arrangement involving 35% of nights or more with each parent (Kaspiew et al, 2009). In Wisconsin, where a shared parenting arrangement is defined as involving at least 30% of the time with each parent, 32% of divorced couples had a shared care arrangement in court orders in 2000-2002 (Melli, Cook & Brown, 2006; Melli & Brown, 2008). In Washington State, 46% of parenting plans filed in dissolution cases gave at least 35% of the time with the child to the father in 2007-08, in cases where there were no risk factors present (George, 2008). The statistics from Wisconsin and Washington State are not entirely comparable with Australia because they only reflect the levels of shared care amongst couples who have divorced, whereas the Australian statistics include those who cohabited outside marriage and those who have never lived together. Levels of non-resident parent involvement with children is typically lower in these groups, and in particular where the parents did not live together prior to separation (Amato, Meyers & Emery, 2009). Even still, they illustrate that the levels of shared care after the 2006 reforms are not particularly high in comparison with other jurisdictions where research is available.

1.4 Controversies about shared parenting

The 2006 reforms, flowing from the unanimous recommendations of the bipartisan Hull Committee, enjoyed all-party support when going through the Parliament. Nonetheless, the legislation has not been without controversy. As elsewhere, there have been four main objections to the encouragement of shared care. The first is the view that while chosen shared care - that is, an arrangement mutually agreed by both parents - ought not to be regarded as problematic, imposed shared care is. The second is that the encouragement of shared care

exposes women and children to a greater risk of domestic violence. The third is that shared care is inappropriate for young children. The fourth relates to children's views and willingness to comply with such arrangements.

Imposed shared care

Criticism has been expressed of the legislative encouragement given to courts to consider shared care when deciding disputes between parents that cannot be resolved without adjudication. For example, McIntosh (2009) observes:

“The attributes that increase the likelihood of shared arrangements working smoothly..are not typically characteristic of parents who litigate or who otherwise require significant support to determine and administer their post-separation parenting plans.”(p. 393)

This suggests that while shared care which is chosen by parents may work well, there are significant issues involved in the imposition of shared care. There is, of course, not a clear divide between one and the other. Rather, there are, gradations of agreement that might be reached about shared care, or any other parenting arrangement. On the one hand, there will be cases where both parents fully agree on shared care (both want it). In the middle will be cases where one wants it and one does not, but they end up agreeing on shared care because the parent who is not keen on it is prepared (reluctantly) to give it a go. There will be other parents who do not think it is the best option but are willing to agree to substantially shared care because they want to avoid litigation. At the other end of the spectrum are cases where neither wants shared care because both want primary care. However, they agree on shared care as a compromise. This spectrum is not easily captured by a binary categorization into those who agree on shared care and those who do not. A further complexity is that there is a spectrum of shared care from 30%-35% of nights (depending on the definition in each jurisdiction) through to equal time, and compromises could be struck at many places along that continuum as well.

While it is likely that few imposed parenting arrangements work better than arrangements that the parties have agreed to themselves, there may be particular issues about imposed shared care because of the level of co-operation required to make it work. McIntosh and Chisholm (2008) expressed particular caution about shared care arrangements in high conflict families, based upon findings concerning children's wellbeing in McIntosh's clinical sample that indicated children are at risk of poor mental health where there is high, ongoing conflict between their parents. Conversely, children seemed most likely to benefit from shared care arrangements where there was low hostility between the parents.

There is extensive evidence of the harm caused to children who are exposed to continuing conflict between their parents after parental separation (Ayoub, Deutch, & Maraganore, 1999), and given the greater degree of interaction between parents that is typically involved in shared care, it is to be expected that a shared care arrangement may add to the burdens these children suffer. The legislation requires the court, in considering whether a shared care arrangement is 'reasonably practicable', to examine 'parents' current and future capacity to communicate with each other and resolve difficulties that might arise in implementing an arrangement of that kind' (s.65DAA(5)(c)).

The AIFS evaluation (Kaspiew et al, 2009, p.132-33) indicates there has been a substantial increase in shared care in judicially determined cases. Shared care (35%-65% with each parent), rose from 4% to 33.9% of cases in the cases where contact arrangements were specified. Prior to the 2006 reforms, 65.2% of the mothers had primary care. After the reforms it was 47.8%, a 26.7% decrease as a proportion of the previous levels of maternal

primary care. Fathers in 30.8% of cases had primary care prior to the reforms, and this dropped to 18.3% afterwards, a 40.6% decrease as a proportion of the previous levels of paternal primary care. It is clear then that the reforms have had a major impact on the outcomes of judicially determined cases, with many more shared care arrangements being made, at the expense of both maternal and paternal primary care, but, to a greater extent, at the expense of paternal primary care.

This suggests also that shared care may be emerging as a compromise between parents both of whom seek primary care awards in their favour. It may be that where shared care is imposed as a compromise in cases that are litigated through to trial, children are exposed to higher levels of conflict than would have been the case if a clearer choice between maternal and paternal care had been made.

Safety concerns in shared care cases

A second concern that has often been expressed (eg Rathus, 2007) is that the encouragement of shared care exposes mothers and children to a greater risk of violence, abuse and continuing control by former partners than if there was no such encouragement towards shared care. This does not necessarily arise from the legislation itself, which makes clear that the presumption of equal shared parental responsibility does not apply if there are reasonable grounds to believe that a parent of the child (or a person who lives with a parent of the child) has engaged in abuse of the child or family violence (s.61DA(2)). However, the issue is that women in particular will feel pressured into accepting a shared care arrangement when they have significant safety concerns for themselves or their children because they feel the system is weighted in favour of shared care.

The AIFS evaluation certainly indicates grounds for concern. It found that families where there was a reported history of physical violence or emotional abuse were as likely to have shared care-time arrangements as those where there were no such reports (Kaspiew et al, 2009, pp. 164-65). However, it is not only mothers in shared care arrangements who have safety concerns. Indeed while 16% of mothers who reported equal time arrangements had concerns about their own safety or the safety of the child in the other parent's care, the percentage of fathers expressing such concerns was higher (17.9%). In the shared care cases where the mother had care of the child or children for the majority of the time (53-65% of nights), 19.4% of mothers and 16.2% of fathers expressed concerns about their own safety or the safety of the child in the other parent's care. In the smaller number of shared care cases where the father had care of the child or children for the majority of the time, 20% of fathers and no mothers expressed such safety concerns (Kaspiew et al, 2009, p. 166).

Not all these concerns relate to family violence or child abuse perpetrated by the other parent. As the researchers pointed out, the safety concerns could also be about harm inflicted by someone other than the other parent, such as a new partner or a relative. Nonetheless, the vast majority of parents with safety concerns indicated that they had experienced physical violence or emotional abuse (Kaspiew et al, 2009, p.166).

Shared care with young children

A third level of concern is about shared care arrangements with pre-school children. In particular, there has been considerable debate among researchers about whether infants and toddlers should stay overnight with non-resident parents (Kelly & Lamb, 2000; Warshak, 2000; Lamb & Kelly, 2001; Solomon & Biringen, 2001; Gould & Stahl, 2001; Biringen et al, 2002; Warshak, 2002). If there is doubt about the circumstances in which overnight stays with non-resident parents are appropriate for very young children, it is not surprising that there should be huge concerns about shared care arrangement involving infants and toddlers.

In the Australian context, particular concern has been expressed about shared parenting arrangements when mothers are breast-feeding (Sweet & Power, 2009).

Attachment theory (Bowlby, 1997) suggests that the healthy emotional development of children is strongly associated with having a continuous, warm and trusting relationship with a caregiver during the first three years of life. While young children develop different attachments to each parent, McIntosh and Chisholm (2008) point out that the development of any attachment security may be jeopardised by shared care arrangements that involve frequent moves between households, and that where a very young child has developed a secure attachment with only one of the two parents, this security of that attachment may be compromised by reduction of time spent with this parent.

Whatever the differences of view among experts, there seems to be some community support for the idea that a shared care arrangement can be appropriate, even with children under three. The AIFS evaluation indicated that a substantial minority of both fathers (32%) and mothers (23%) in the general population thought an equal time arrangement for a child under three was 'totally appropriate', while only 6.5% of fathers and 11% of mothers thought it was totally inappropriate (Kaspiew et al, 2009, p. 116).

There is, however, some difference between what parents say and what those with children of this age do in relation to their arrangements for children under three. Two per cent of children under 3, whose parents were living apart, were in equal time arrangements in 2008. The corresponding figure for 3-4 year olds was 9% (Kaspiew et al, 2009, p. 119). Thus more 3-4 year olds were in equal time arrangements than for the population of children across the age range, where 7% were in equal time arrangements.

The AIFS data on recent separations contrasts with the position in relation to all children whose parents live apart. According to the ABS (2008), among children aged under 18 years who have a parent living elsewhere, those aged 5-9 years or 10-14 years are more likely than younger and older children to spend at least 30% of time with their other parent (9-10% vs 7% of children aged under 5 and only 3% of teenage children).

The imposition of shared care arrangements on children

A further concern about shared parenting, is that it may be an arrangement that is adopted because of adult agendas and interests and may be insensitive to children's needs. Children are the ones required to do the switching from one home to another, not parents, and their views need to be taken into account.

Norwegian researchers who surveyed 527 parents with equal time arrangements found that 25% of the children participated to a significant degree in the decision; 21% reported that the child had some influence in the decision, and 55% said that the child had no influence at all. Age was of course a significant factor in whether children's views were taken into account (Skjorten & Barlindhaug, 2007).

We still, however, know relatively little about the views of children, and especially Australian children who experience shared care arrangements. Children's views were not part of the AIFS evaluation. The most extensive research is that conducted in Britain by Carol Smart and colleagues (Smart, Neale and Wade, 2001; Smart, 2002). In interviews with 30 children and young people in shared care arrangements in Britain, they found that children's reactions to shared care arrangements were quite varied. For some, where the arrangement was inflexible and the idea of 'equal time' was invested with heavy ideological or emotional significance by a parent, it could be very oppressive. For others, the arrangement worked very well and provided benefits not only in having the regular involvement of both parents,

but also in giving chances for a brief “sabbatical” in the relationship with each of them as the child moved from one household to the other.

In a follow-up of these children, 3-4 years later, Smart (2004) identified three factors which made the difference between successful and unsuccessful shared care arrangements. These were: a) whether the arrangement was based on the needs and wishes of the parents or those of the children; b) whether the arrangements were flexible enough to accommodate changing needs and circumstances; c) whether the children felt equally ‘at home’ in both of their parents’ homes.

A Swedish study involving responses from 22 young people in shared care arrangements also found a range of reactions to shared care, with interviewees valuing the opportunity to spend a great deal of time with both parents but some at least, finding the constant transition between homes was a problem. Some would have preferred to have one primary abode. (Carlberg et al, 2004).

1.5 Durability of shared care arrangements

Parenting arrangements after separation may well vary over time – with some patterns being more likely than others to change. The most durable pattern of care is where mothers are primary or sole carers. Shared care arrangements are less likely to last over a substantial time period. According to Wave 1 and Wave 4 of the HILDA Survey (conducted in 2001 and 2004), only half the children who spent 30-69% of time with each parent in 2001 were still in this arrangement three years later, while around one-third of these children had moved to a weekly, fortnightly or monthly arrangement. A similar pattern of results emerged in a smaller scale study undertaken by the AIFS from 2003 to 2006 (Smyth et al., 2008). These results do not take into account the possible changes that occurred year by year across this three-year period, nor the length of time that the arrangement recorded in the Wave 1 had been operating prior to this initial survey. Factors distinguishing between care arrangements that were durable and those that changed were not identified. The circumstances in which shared care is considered by families, and in which shared care arrangements are taken up and sustained or abandoned are of considerable policy significance.

The AIFS evaluation (Kaspiew et al, 2009) found that equal time arrangements are more durable, 4-5 yrs on, than unequal shared care (35-47% of nights with father, or arrangements where father is the primary carer). Sixty per cent of the focus children with equal care time at separation had the same arrangement at the time of the survey.

It is not surprising that shared care should prove less durable than care arrangements in which children live primarily with one parent. This is because there are so many different factors that could affect shared care arrangements. For a school-age child to be in a shared care arrangement either involving equal time or overnight stays with the parent who is not the primary carer during the school week, both parents have to live within a reasonable travelling distance of the child’s school.

There are a variety of reasons why that proximity may not be able to be maintained. In the immediate aftermath of separation, one parent may stay in the home while the other one finds a place to rent nearby, as a temporary arrangement while they negotiate a property settlement. When that property settlement is finalised, one or both parents find that they have to move to a cheaper housing area with the consequence that a shared care arrangement becomes impracticable. Changes of employment, for either parent, or the consequences of repartnering may also necessitate moves that impact upon the viability of a shared care arrangement even if the relocation is to a place that is not very far away, such as moving within the same city.

Further reasons why a shared care arrangement may not be sustainable is that one or other parent finds their work schedule can no longer accommodate the arrangement and it makes more sense to concentrate time with the children on days off; the child does not find it easy to cope moving between the two homes; or the child forms a much stronger attachment with one home or family than the other and expresses a preference in favour of spending the majority of time with one parent.

While it is also possible, of course, that circumstances will change such that parents adopt a shared care arrangement instead of having weekend and holiday time with the non-resident parent, the circumstances necessary to sustain a shared care arrangement are such that the pattern of change is more likely to be away from shared care than towards it.

1.6 Research questions on shared care arrangements

Sometimes the question is asked whether ‘shared care’ is better or worse for children than care arrangements in which children live primarily with one parent. Such evidence as there is comparing children’s wellbeing in different forms of care arrangement does not provide clear and unequivocal answers (Gilmore, 2006). The question presupposes firstly that one could conduct a randomised trial in which parents and children who were in all other respects similar, and where there were no differences in levels of interparental conflict or risk of violence, could have the option of either a shared care arrangement or a more traditional resident/non-resident parent arrangement. Then if sufficient numbers could be found in each group to compare them, the different care arrangements could be analysed to determine which is ‘better’.

Of course, reality is different. Shared care is only an option for some families. The parents need to be able to afford two viable homes sufficiently well furnished to allow children to stay comfortably in each home. They need to live reasonably close to one another. They also need to have sufficient flexibility in their working arrangements (or sufficient support in terms of child care through before and after school care services, relatives or friends) to make the arrangement practicable.

Differences between shared care families and other parents and children may also reflect differences in the level of involvement that each parent has with the children. Not all children whose parents live apart have both parents playing an active role in their lives, or wanting to do so. In 2006-07, of the children aged 0 to 17 years with a natural parent living elsewhere, 28% saw their other natural parent less than once per year or never (ABS, 2008). There are also many other factors, beyond the structure of the care arrangement, which affect children’s wellbeing, in particular the closeness of the parent-child relationship, parental capacity, interparental conflict, safety issues, adjustments to new partners or stepfamilies and other such factors.

There are also issues about whether shared care is likely to be more appropriate at some ages than others. There are not only questions about young children. There are also issues about shared care for older teenagers. Time with peers becomes progressively important as children mature. Teenagers spend less time at home than when younger and tend to rely increasingly on their friends (and to argue more frequently with their parents, with typical arguments including issues surrounding the teenagers’ desire for greater freedom). Given this growing independence and greater reliance on friends, along with more intensive needs for study to progress well in their schooling, teenagers of separated parents may not find it easy to be in a shared care arrangement especially if there is frequent and considerable travelling time involved in fulfilling this arrangement.

Thus the question ought not to be whether, in the abstract, shared care is better or worse than other patterns of parenting after separation, but when it works well, and when it works less well, for those families for whom it is at least a logistical possibility. This is the focus of the research presented in this report.

2 Methodology

The definition of shared care is quite broad and has changed slightly over the years. Children who spend 30–70% of nights with each parent were traditionally seen as having a shared care arrangement (see Smyth 2009). Consistent with this definition, the ABS has included this range of nights in its reports on the different patterns of care (e.g. ABS 2008). However, since the implementation of the new Child Support Scheme in July 2008, children who spend 35–65% of nights (or 128 to 237 nights each year) with each parent have been classified by the CSA as having a shared care arrangement.

The study utilised both quantitative and qualitative methodologies. It involved analysis of a range of existing datasets as well as a survey of parents and of children devised for the purposes of this study. Each dataset and survey instrument had its strengths and limitations, and no one part of the study gives a comprehensive picture about shared care. By analysing a range of different sources of information, a more comprehensive picture could be obtained.

2.1 Existing datasets

The Australian Institute of Family Studies conducted an analysis of existing datasets on the prevalence of, and characteristics associated with, shared care in Australia. These included:

1. Growing up in Australia: the Longitudinal Study of Australian Children (LSAC) Wave 1 (2004) and Wave 2 (2006).
2. The Household, Income and Labour Dynamics in Australia (HILDA) Survey
3. Caring for Children After Parental Separation survey (CFC) (2003)
4. *The ABS Family Characteristics Surveys (FCS) (1997 and 2003) and Family Characteristics and Transitions Survey 2006-07 (FCTS)*. The analysis also uses customised tables based on the FCS and FCTS data and generated by the ABS.

Most of the LSAC analysis is based on Wave 2 data for the elder of the two cohorts of children (when these children were 6–7 years old). To boost the sample size in the assessment of the relationship between care arrangements and the developmental progress of children, supplementary analysis was undertaken, in which Wave 1 data for the elder cohort were combined with Wave 3 data for the younger cohort. These two cohorts were 4–5 years old at the time of these surveys.¹

These datasets are referred to in this report as the ‘secondary’ datasets.

2.2 Parent Survey

This component involved developing a postal survey of parents concerning their experience of parenting arrangements, with a particular focus on shared care.

Sampling

The parent surveys were distributed to several different target groups of parents. These included parents who used the services of a private family law solicitor or who used legal aid

¹ This approach was not relied upon for the entire LSAC-based analysis because information about care time and the father was not derived in Wave 3 for a substantial minority of children.

or a family support service. The other large target group were parents registered with the Child Support Agency.

The distribution via solicitor's offices was based on a nationwide sample of offices drawn from a database of family law solicitors covering all states with the exception of Tasmania. Letters were written to solicitors, requesting that they contact the research team if they were willing to contact their clients to ask them whether they would be willing to participate in the research. An 1800 number was provided for families and solicitors to contact should they have any queries. 1500 surveys were sent out in late 2009 to solicitors, legal aid centres and other family support centres, and these centres in turn sent the surveys on to parents who either had had a shared care arrangement prior to 2006 or to those who were currently in a shared care situation. The surveys were sent out with a reply paid envelope, and surveys were returned directly to the Social Policy Research Centre.

In January 2010, a further 10,000 mail-out surveys were posted to parents via the Child Support Agency, with the aim of providing better coverage nationally. In particular, the CSA survey was designed to provide access to more low income groups which are only minimally represented in those surveyed via solicitors, and to build a more adequate sample of those previously and presently involved in shared care, as well to recruit a group not in shared care for purposes of comparison.

It was determined that the CSA would recruit a sample stratified into three groups:

1. Those who were actively involved in shared care from July 1 2007 to June 30 2008
2. Those who used to be in shared before July 1 2007
3. Those not in shared care at the time of selection for the survey.

These groups were determined on the basis of establishing a sample of persons who were involved in shared care post the 2006 family law reforms (Group 1), a sample from before the reforms (Group 2), and a sample not in shared care for comparison purposes (Group 3). It was originally intended that Group 1 would be recruited only from people who had registered with the CSA subsequent to the 2006 family law reforms, but the resulting number of clients was too small to enable effective recruiting and analysis. As a consequence, the sample frame was expanded to include anyone actively involved in shared care for the whole of the 2007-2008 period, to ensure that there was a reasonable chance for the reforms to filter through and have a visible effect upon shared care arrangements. Clientele who requested to be excluded from CSA surveys were excluded from this survey as well. Of the 10,000 persons targeted in the sampling frame, 5,000 were from group 1, and 2,500 were from each of groups 2 and 3.

The surveys were also sent as far as possible to matched couples. That is, half the sample in each strata consisted of a randomly selected CSA client, and the other half of the strata sample consisted of the ex-partners of these selected individuals. However, due to the low response rate overall, chances were much reduced that both partners in a matching pair would respond to the survey, and only 67 matches, or 134 persons (13 % of the sample) met these criteria. This number was deemed too small to conduct any viably representative or statistically significant analysis on, and approaches looking at matched pairs were set aside for the analysis.

Content

The survey covered a range of issues around how parents perceive shared care to be working for their children, what the issues were, and how the shared care arrangements were working

for them as parents. Issues concerned with how parents perceive shared care to be working for their children included:

- How well the children are doing with the arrangements
- How happy the children are
- Child safety
- Parent satisfaction with the arrangements
- The kind of practical difficulties do parents face in shared care arrangements

Issues concerned with how parents perceive shared care to be working for them as parents included:

- Issues around parental conflict
- Tasks each parent undertake on behalf of the child
- Costs each parent bears on behalf of the child
- Whether costs are shared fairly.

Survey Response

Of the 10,000 surveys sent out, a total of 1,047 were returned, resulting in a response rate of 10.5%. This rate is consistent with other surveys to specialised groups of respondents, such as CSA clientele in shared care arrangements. The sample was cleaned for missing data, and a further 19 records were dropped on the basis of insufficient information about shared care arrangements.

The final working sample size was 1,028. Of these, almost a half (43%) were from the CSA target group ‘being in shared care from 2007-08’, a quarter were from the CSA sample of persons who used to be in shared care before the middle of 2007, and 14 and 16% respectively were from the CSA non-shared care and the solicitor’s samples. These figures can be seen below in Table 2.1.

Table 2.1: Parents Survey Sample, by source, solicitors and CSA

	Sample Size	%
Solicitor’s mail out sample	169	16.4
CSA - Was in shared care mid 2007-8	440	42.8
CSA - Used to be in shared care pre-mid 2007	271	26.4
CSA - Not in shared care at time of selection	148	14.4
Total	1,028	100.0

2.3 Survey of children and young people

A team from the University of Sydney had responsibility for this part of the project. An online survey for children and young people was hosted by a number of different websites whose target audience is children and young people.² These include Kids Helpline, the

² The survey was located on the KidsZone areas of these websites to provide access for children and young people and to be less likely to be used by adults. The cooperation and assistance of these organisations is much appreciated.

National Children's and Youth Law Centre, and the Commissions for Children and Young People in New South Wales, Western Australia, Queensland and Tasmania. These agencies host their own websites with specific "KidsZones" that children and young people go to for information and advice so it is likely that the respondents on these sites and particularly on Kids Helpline may have concerns about their circumstances though not necessarily related to shared care or post-parental separation issues. The sample is not necessarily representative of children and young people in shared care or in other post-separation arrangements but may be a bellwether for concerns about such arrangements when they are not working well and where there are issues about the quality of the relationship between children and their parents, and between the parents.

The survey included questions asking about: the practical aspects of the parenting arrangements; the division of parenting tasks between their parents; children's views about how well their arrangements were working for them; what aspects they liked and did not like; and what they would change if they could.

The children and young people who responded to the survey did so anonymously, providing some demographic information such as their age and gender, and who they live with most of the time.³

2.4 Interviews with parents and children

Parents who completed the written survey were invited to participate in an interview to explore their experience of care. Forty interviews were conducted, mainly by telephone.

We also interviewed four children as case studies of shared care in practice. Permission to interview children proved difficult to obtain. While many parents were keen to participate in an interview to communicate their views about post-separation parenting and shared care arrangements, they were much less keen for their children to participate in an interview.⁴ This is a common problem in research in relation to family law and issues relating to the privacy of the family. It was mostly parents who believed their children were happy with the arrangements who consented to their children's participation. These children's views are important, however, and provide an insight to what makes shared care work well from their perspective.

2.5 National Children's and Youth Law Centre mail

The National Children's and Youth Law Centre, based in Sydney, has a "LawMail" service. Children and young people can write in on an anonymous basis to ask questions about issues which are troubling them, and on which they were seeking legal advice. The National Children's and Youth Law Centre extracted a sample of emails which had been sent in the years 2004 and 2007 relating to parenting after separation and these were analysed to supplement the material available from the children's surveys

³ Ethics approval was obtained from the Human Ethics Committee at the University of New South Wales and co-signed by the University of Sydney to allow children and young people to provide their own consent following advice from Dr Merle Spriggs concerning the requirements for informed consent without parental consent (See Spriggs, 2009). Their confidentiality should be protected by their anonymity.

⁴ The experience from other research indicates that the main reasons that parents are not happy for their children to participate are that they do not want them to have to relive any of the upset or difficulties associated with the separation and subsequent arrangements or that they are apprehensive about what their children might say about problems within the family to an 'outsider' (Smart & Neale, 1999, p. 21).

3 Analysis of HILDA, LSAC and ABS Data on shared care

This chapter, which is based on pre-existing datasets, provides detailed information about the incidence of shared care arrangements, along with a general description of characteristics of parents and children in different care arrangements. Particular attention is also given to aspects of shared care (or near shared care) arrangements in place, for example: the way such arrangements were reached, their level of stability, and parents' evaluations of these arrangements. The final section compares the developmental progress of children with shared care and other arrangements.

While estimates of the proportion or number of children in shared care vary with definitions and data sources, it has already been noted in Chapter 1 that shared care is relatively uncommon in Australia. As a consequence, the number of parents or children identified as having a shared care arrangement in general surveys is quite small. To overcome this difficulty, a range of survey datasets was used. If similar trends are suggested by the different surveys, then we can place greater confidence in these trends. The surveys used are *Growing up in Australia: the Longitudinal Study of Australian Children* (LSAC) Wave 1 (2004) and Wave 2 (2006),⁵ the *Household, Income and Labour Dynamics in Australia (HILDA) Survey*, and *Caring for Children After Parental Separation* survey (CFC) (2003), and the ABS *Family Characteristics Surveys* (FCS) (1997 and 2003), *Family Characteristics and Transitions Survey 2006-07* (FCTS). The analysis also uses customised tables based on the FCS and FCTS data and generated by the ABS.

This CSA definition of shared care (35% or more nights with each parent) is used in this discussion of the incidence of shared care. In addition, the prevalence of approximately equal shared care is discussed (here defined as 48–52% of nights, or 176–189 nights each year). However, because of the small sample sizes in the HILDA and LSAC datasets, most of the analysis in this chapter focuses on a larger group, here called 'shared care or near shared care' (where the child is in the care of each parent for 29–71% of nights, or 104–258 nights, per year).

3.1 The incidence of shared care

The term "shared care" implies that children in this arrangement would spend similar amounts of time with each parent. In LSAC, when parents with 4–5 year old children were asked a direct question about whether their children were in shared care, around one in ten reported that this was the case. However, more objective measures are usually used to assess the incidence of shared care, as different parents may apply different criteria when deciding on whether their children are in shared care.

The present analysis focuses on the incidence of shared care, defined as 35–65% of nights with each parent, and equal care (where the child spent 48–52% of nights with each parent). These results are based on the customised tables of results from the above-mentioned ABS surveys FCS 1997, FCS 2003 and FCTS 2006-07. Information was collected about each child under the age of 18 years who had a parent living elsewhere. The respondents in each survey were parents who reported that they had at least one child living with them at least half of the

⁵ Most of the LSAC analysis is based on Wave 2 data for the elder of the two cohorts of children (when these children were 6–7 years old). To boost the sample size in the assessment of the relationship between care arrangements and the developmental progress of children, supplementary analysis was undertaken, in which Wave 1 data for the elder cohort were combined with Wave 3 data for the younger cohort. These two cohorts were 4–5 years old at the time of these surveys. This approach was not relied upon for the entire LSAC-based analysis because information about care time and the father was not derived in Wave 3 for a substantial minority of children.

time. Therefore, the results are based on the reports of the child’s main carer (or on the reports of one parent where the care time is equal). Most respondents were mothers.

Table 3.1 shows the proportion of all children, and the proportions of children of different ages, with shared care arrangements and the proportion with equal care, as reported by these main carers. According to the ABS surveys, almost 8% of children aged under 18 years old were in shared care in 2006–07, compared with 6% in 2003, and just under 3% in 1997. In 2006-07, 4% of children were in equal shared care, compared with almost 2% in 2003 and almost 1% in 1997. Smyth (2009) has also observed the increased prevalence of shared care arrangements, using Child Support Agency registration data. In addition, pre- and post-reform samples of court files concerning children’s matters suggest that the proportion of children who are allocated shared care has increased since the reforms were introduced – a trend that is especially apparent in judicially determined cases (Kaspiew et al. 2009).

Table 3.1: Children aged under 18 years who had a natural parent living elsewhere: Percentage in shared care by children's age, 1997, 2003 and 2006-07

	Age of children (years)				All
	0-4	5-11	12-14	15-17	
Shared care (35-65% of nights per year with each parent)					
1997	2.7	3.0	1.9	*1.9	2.6
2003	4.9	6.7	7.3	4.0	6.0
2006–07	7.3	10.3	7.5	*3.2	7.7
Equal shared care (48-52% of nights per year with each parent)					
1997	*0.7	0.9	*0.5	*0.2	0.7
2003	**0.3	2.5	*2.7	*1.5	1.9
2006–07	*3.7	5.4	*3.7	**1.8	4.0

Note: Children were excluded from the analysis if they lived with grandparents or a guardian, or, in 2006-07, their length of overnight stays was not stated (3% of children).

* Estimates with a relative standard error of 25% to 50% should be used with caution.

** Estimates with a relative standard error greater than 50% are considered too unreliable for general use.

Source: ABS 1997 and 2003 FCS and the 2006-07 FCTS, customised Tables.

Table 3.1 also shows that the increasing prevalence of shared and equal shared care from 1997 to 2006-07 is evident across all age groups of children, although the proportions of children in shared care or equal shared care varies according to the age of the child. While patterns across the three surveys vary to some extent, in general, children of primary school age (i.e., 5–11 years) or early teens were more likely than preschoolers or older teenagers to be in a shared care arrangement. In other words, both very young children and older teenagers appear to be less likely than children whose ages lie between these extremes to experience shared care arrangements. This trend has also been observed by Smyth et al. (2004) and Kaspiew et al. (2009).⁶

The lower incidence of shared care among very young children may well be related to a strong preference among parents for maternal care when children are young, although a confounding factor is that for the youngest children, a higher proportion of single parents will have never had a relationship with the child’s father (Gray & Baxter, 2008). Shared care would be very unlikely for such children. The increasing independence of children during their teenage years may reduce the likelihood of shared care arrangements.

⁶ It is also worth noting that analysis of LSAC and CFC suggests that the incidence of shared care does not vary according to the child’s sex.

The LSAC, CFC and HILDA surveys also suggest that shared care arrangements apply to a small minority of children. In LSAC in 2004, less than 5% of children aged 4 to 5 years who had a parent living elsewhere were classified as having a shared care arrangement, using the above definition. In CFC 2003, 10% of separated parents indicated that their study child experienced shared care. In HILDA, 6% of non-resident parents and 4% of resident parents in 2001 (Wave 1) reported that their children were in shared care. In 2007 (Wave 7) the percentages were 7% and 9% respectively for non-resident parents and resident parents. While these results for HILDA support the notion that the incidence of shared arrangements is increasing, sample attrition issues may explain some of the change.

While the *incidence* of shared care at any one point in time is low, Table 3.1 suggests, the percentage of parents who engage in shared care *at one time or another* is somewhat higher. Analysis of seven waves of the HILDA (covering the years 2001-2007) shows that in this time, 10% of mothers with a resident child whose other parent lived elsewhere reported a shared care arrangement at some time in this period, as did 13% of fathers who were non-resident parents during this period. Again, these estimates, while they are consistent with the results from other surveys reported above, should be treated with caution, since sample attrition in HILDA may bias results upwards. (For a discussion of separation of partners and sample attrition in the HILDA survey, see Redmond, 2008.) Moreover, it appears that most parents did not persist with a shared care arrangement for an extended period of time.

3.2 Characteristics of parents in shared care and other care arrangements

In this section we examine how child and parental characteristics vary across different care arrangements. The analysis focuses first on certain demographic characteristics reported by parents with shared care and parents with other care arrangements. This is followed by a comparison across the care groups of characteristics that are clearly socio-economic in nature.⁷ This analysis is based on the CFC, LSAC and HILDA, each of which has rich demographic information and sufficient detail on care arrangements.⁸

Each survey contributes in different ways to this analysis. The CFC is particularly valuable because it provides very detailed information about children in separated families and circumstances of care arrangements, and covers children up to 17 years old. LSAC covers young children only. In this analysis, we focus on the older cohort in LSAC, using data from Wave 1 (conducted in 2004), when the children were aged 4-5 years, and in Wave 2 (conducted in 2006), when these children were 6-7 years old.⁹ A range of relevant details about parents and children was collected in LSAC, making it particularly useful for analysis of shared care among young children. HILDA has less information on the characteristics of

⁷ Some of the measures here classified as “demographic” also have socio-economic implications, for example, the current partnership status of mothers with different care arrangements.

⁸ It was not possible to conduct this analysis with the data of the three ABS surveys, for the children with a parent living elsewhere were not linked, in the datasets, with the parent with whom they lived for at least half of the time.

⁹ While it was possible to follow these children to age 8-9 years, using Wave 3, the care arrangements were missing for a significant proportion (21%) of single parents in this wave, making analysis problematic. Wave 1 data for the infant cohort were not used because at Wave 1, a smaller number of infants had a father living elsewhere (N=465, 9% of the sample), and of these, a very small proportion were in shared or near shared care (N=21, 4.5%). At age 2-3 years (wave 2), 479 had a father living elsewhere (10.5%), of which 10.2% (N=49) were in shared or near shared care. (However, as already noted, the supplementary analysis that explores links between care arrangements and children’s developmental progress combined data from Wave 1 for the elder cohort with Wave 3 for the infant cohort, despite the lack of information on care arrangements in Wave 3 for a substantial minority of parents.

children than is the case for LSAC, but has detailed data on the social and economic characteristics of their parents. Furthermore, as is the case for CFC, information about care arrangements in HILDA covers children up to the age of 17 years.

Although both LSAC and HILDA surveys have large sample sizes, the low prevalence of shared care means that very small numbers of children or parents in each of these surveys fit the definition of shared care (35–65% of nights with each parent). This is also the case for CFC. The analysis presented in this chapter therefore focuses on families with “shared or near shared care”, that is, on families whose child was in the care of each parent for at least two nights per week (i.e., 29–71% of nights with each parent). As very few children are reported to live with their father for more than half of the time, the focus is on children who were either in shared or near shared care and those who live predominantly with their mother. The classification of children’s care arrangements adopted in this analysis is outlined in Table 3.2. The labels attached to the care groups have been adopted to facilitate discussion and should not be interpreted as value judgements. It should also be noted that each of the surveys (LSAC, HILDA, CFC) focused on the care arrangements of only one child per family. In both HILDA and CFC, this child was the respondents’ youngest child from a previous relationship.

Table 3.2: Classification of care groups

No contact	No contact between father and child
Limited time	Father had up to 51 nights per year (1–13% or less than one night per week) or had daytime-only contact
Moderate time	Father had 52–103 nights per year (14–28% or less than 2 nights per week)
Shared or near shared care	Father had at least 104–258 nights per year (29–71% of nights or at least 2 nights per week)

In order to assess the extent to which the results varied when the broader “shared or near shared care” rather than narrower “shared care” arrangement was used (i.e., 29–71% of nights versus 35–65% of nights), the 2003 CFC data were also used to compare selected demographic characteristics of parents with shared care arrangements (i.e., 35–65% of nights per year) to those with other care arrangements. The patterns emerged in these results are similar to those based on near shared care, although it needs to be pointed out that the number of parents with shared care arrangements was quite small (54 fathers and 37 mothers).

The sample size and distribution of the four types of care arrangements in the three surveys are shown in Table 3.3. The numbers of fathers or mothers reporting shared or near shared care are still small, with sample sizes ranging from 60 to 84. Although these surveys are very different in their scope, there is a considerable level of agreement among them concerning the proportions of children experiencing each care arrangement. Where father reports were available (in the CFC and HILDA) reported contact is higher, with one in five fathers in both surveys reporting a shared or near shared care arrangement. By contrast, only one in eight mothers in all three surveys reported a shared or near shared care arrangement. Although a slightly higher proportion of mothers than fathers in the CFC indicated that their child never saw his or her father, no such sex difference was apparent in the HILDA dataset.

Table 3.3: Care groups across surveys

	Time with father				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
CFC Fathers' reports	18.8	33.7	27.4	20.1	100.0
Number of fathers	59	106	86	63	314
CFC Mothers' reports	24.3	44.7	18.7	12.3	100.0
Number of mothers	118	217	91	60	486
LSAC – Mothers' reports: Children aged 4-5 years	23.6	40.7	24.3	11.5	100.0
Number of observations	173	298	178	84	733
HILDA Father's report Wave 7	11.8	37.5	29.1	21.7	100.0
Number of observations	40	122	102	67	331
HILDA Mothers' report Wave 7	11.6	51.1	24.7	12.6	100.0
Number of observations	56	237	121	62	476

Source: CFC 2003, LSAC 2004, HILDA 2001 and 2007.

The characteristics of the parents themselves are likely to influence the nature of post-separation care arrangements. Table 3.6 and Table 3.8 present demographic characteristics of mothers in the CFC, HILDA and LSAC, while CFC and HILDA data on the characteristics of fathers are presented in Table 3.5 and Table 3.7. Information about fathers is not derived from LSAC, as such details were only provided for a small and non-representative sub-sample of fathers.

Broadly, the three survey datasets provided consistent results concerning demographic characteristics of separated mothers and fathers. In all three surveys, the ages of mothers did not vary significantly according to care groups. This was also true for the fathers in the CFC and HILDA. Mothers with shared or near shared care arrangements (along with other mothers whose child spent some time with the father) were less likely to live with a partner than were mothers whose child never saw the father. According to the CFC, 20% of mothers with shared or near shared care arrangements and 31% of those with children who had no contact with father lived with a partner. The figures were similar in the HILDA sample, but somewhat lower in the LSAC sample. A lower proportion of fathers in the CFC with shared or near shared care arrangements were living with a partner, compared with other fathers who had either moderate, limited, or no time with the child. However, the difference between those with shared or near shared care arrangements and those whose child never saw the father did not reach statistical significance (24% and 33% respectively were living with a partner, compared with 43–50% whose child had limited or moderate time with the father). The HILDA data provided a generally similar overall pattern: fathers who entered shared care or near shared care arrangements were more likely to be single compared with those with less care time or no care time (20% vs 38–40%).¹⁰

The duration of separation is a key factor influencing parents' relationship status, given that there are likely to be fewer opportunities to find a new partner for many parents soon after separation than later on when they have settled down into new circumstances. For example,

¹⁰ In the LSSF W1 2008 study which focused on parents who had been separated relatively recently (up to 26 months prior to interview) (Kaspiew et al. 2009), fathers who never saw their child were the most likely to have repartnered (21%), followed by fathers with equal care arrangements (17%), although differences across the care-time arrangements were quite small during this early stage of separation.

among separated LSAC parents, 95% of those who had separated within two years prior to their Wave 1 interview were single compared to 82% of those who had been separated for more than two years.

Duration of separation was significantly related to post-separation care arrangements. The reports of both mothers and fathers in the CFC and of mothers in LSAC suggest that parents with shared or near shared care have been separated for a shorter period, on average, than those with other care arrangements. Indeed, 40% of 4–5 year old children in shared or near shared care had experienced parental separation in the previous two years, compared with 6% of those children with no contact with their father and 27% of those children with limited time with their father.¹¹ These trends may suggest that shared or near shared care is particularly likely to occur early in the separation. However, it is important to point out that, for some of these young LSAC children in shared or near shared care, the parents' separation did not occur in the recent past. For instance, for 20% of children with these arrangements, parental separation occurred more than three years prior to interview. In addition, 7% of children with shared or near shared care had never lived with both parents together.

Shared or near shared care is likely to be facilitated if parents live reasonably close together. It is therefore not surprising to find that the both fathers and mothers in all three surveys with shared or near shared care arrangements were much more likely than other parents to report living close to their child's other parent.¹² Around three quarters of the parents in these samples with shared care or near shared care reported living fewer than 20km from their child's other parent, compared to around a fifth of parents whose child had no contact with the father, less than half of parents whose child had limited time with the father, and around half the parents whose child had moderate time with the father.

Another characteristic examined here is the nature of the parental relationship at separation. The LSAC data show that parents with shared or near shared care were the least likely of all groups to have lived together for fewer than two years (or not at all). Much the same proportion of mothers with shared or near shared care and those whose child spent a moderate time with the father indicated that they had lived with the child's father for 5 years or more (62–64%), compared with 45% of those whose children had with limited time with the father and 18% of those who never saw the father.

Overall, 42% of LSAC mothers had been married to the child's father. By comparison, the proportion who had been married to the other parent was higher among those with shared or near shared care (52%) and even higher among those whose child spent a moderate time with the father (62%). However, virtually all the mothers in these two groups indicated that they had been living with their child's other parent, with a higher proportion in the shared or near shared group than the other group indicating that they had been cohabiting (45% vs 35%). The relationship history picture for mothers whose child never saw their father is, not surprisingly, very different: less than one in five of these mothers (18%) had been legally married to their child's other parent, 44% had been cohabiting and 38% had never lived with the other parent.¹³

¹¹ The proportion of 4-5 year old children in LSAC Wave 1 with "moderate time" with their father who experienced parental separation no more than two years prior to the interview was similar to that for children with shared or near share care arrangements (39% and 41% respectively).

¹² This trend was also apparent in the LSSF W1 2008 study (Kaspiew et al. 2009).

¹³ Again, these trends are consistent with those reported by Kaspiew et al. (2009), based on the LSSF W1 2008. The parents of children with equal care time were the most likely to have been married to each other, while the parents of children who never saw their father or who saw the father during the daytime only were the least likely to have been married to each other.

Table 3.4: Separated mothers: Demographic characteristics by care group, 2003 (CFC W1)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Age					
Mean	37.1	37.1	38.3	37.4	37.4
SD	7.9	7.8	7.1	7.2	7.6
Whether living with a partner					
Yes	30.5	19.4	23.3	20.0	22.9
No	69.5	80.7	76.7	80.0	77.1
Total	100.0	100.0	100.0	100.0	
Time since separation					
Mean	7.5 ^a	5.5 ^a	5.2	4.2	5.7
SD	4.6	4.4	4.2	3.4	4.4
Distance from former partner (km)					
0-19	22.5 ^a	43.0 ^a	62.6	78.3	47.6
20-49	6.7	19.2	24.2	13.3	20.0
50-99	6.7	5.1	5.5	1.7	5.1
100+ & overseas	64.0	32.7	7.7	6.7	30.4
Total	100.0	100.0	100.0	100.0	100.0
Number of mothers	118	217	91	60	486

Notes: See Table 3.2 for the classifications of four care groups.

^a Difference between the group and shared care was statistically significant ($p \leq 0.05$) based on t-test for age of study child, age of fathers and personal income and on chi-square test for other variables.

Source: CFC 2003

Table 3.5: Separated fathers: Demographic characteristics by care group, 2003 (CFC W1)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Age					
Mean	41.0	42.4	39.7	41.4	41.2
SD	9.0	7.2	8.1	9.5	8.3
Whether living with a partner					
Yes	32.8	42.9 ^a	50.0 ^a	23.8	39.1
No	67.2	57.1	50.0	76.2	60.9
Total	100.0	100.0	100.0	100.0	100.0
Time since separation (years)					
Mean	6.2 ^a	6.2 ^a	6.1 ^a	4.8	5.9
SD	3.7	4.4	4.1	4.1	4.2
Distance from former partner (km)					
0-19	26.0 ^a	44.8 ^a	47.7 ^a	73.0	48.4
20-49	10.0	10.5	25.6	11.1	14.8
50-99	2.0	9.5	9.3	9.5	8.2
100+ & overseas	62.0	35.2	17.4	6.4	28.6
Total	100.0	100.0	100.0	100.0	100.0
Number of fathers	59	106	86	63	314

Notes: See Table 3.2 for the classifications of four care groups.

^a Difference between the group and shared care was statistically significant ($p \leq 0.05$) based on t-test for age of study child, age of fathers and personal income and on chi-square test for other variables.

Source: CFC W1 2003

Table 3.6: Separated mothers: Demographic characteristics by care group, 2007 (HILDA W7)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Age					
Mean	37.2	39.2	37.2	37.3	37.6
SD	10.3	8.6	7.5	8.3	9.0
Whether living with a partner					
Yes	26.0	38.9	20.8	15.2	30.8
No	74.0	61.1	79.2	84.8	69.2
Total	100.0	100.0	100.0	100.0	100.0
Distance from former partner (km)					
0-19	29.1	34.5	49.3	82.3	38.6
20-49	15.6	9.8	17.3	6.6	11.8
50-99	7.8	9.6	12.1	6.1	8.8
100+ & overseas	47.5	46.1	21.3	4.5	40.8
Total	49	227	119	60	606

Number of mothers

Notes: See Table 3.2 for the classifications of four care groups. Total columns include cases where data on amount of time spent with father is missing.

Source: HILDA Wave 7

Table 3.7: Separated Fathers: Demographic characteristics by care group, 2007 (HILDA W7)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Age					
Mean	40.8	45.2	41.7	38.3	42.5
SD	7.8	7.7	6.1	8.8	7.7
Whether living with a partner					
Yes	39.0	38.2	39.5	19.7	36.6
No	61.0	61.8	60.5	80.3	63.4
Total	100.0	100.0	100.0	100.0	100.0
Distance from former partner (km)					
0-19	21.8	37.9	50.4	77.4	43.6
20-49	11.3	16.2	13.9	18.7	14.0
50-99	10.8	7.5	6.4	2.7	6.5
100+ & overseas	56.1	38.4	29.4	1.3	35.7
Total	100.0	100.0	100.0	100.0	100.0
Number of fathers	40	121	102	67	381

Notes: See Table 3.2 for the classifications of four care groups. Total columns include cases where data on amount of time spent with father are missing.

Source: HILDA Wave 7

Table 3.8: Separated mothers: Demographic characteristics by care group, 2004 (LSAC W1)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Age					
Mean	30.9	32.6	32.1	32.3	32.0
SD	6.1	6.3	5.5	6.0	6.1
Whether living with a partner					
Partnered	20.8	9.1	14.6	11.9	13.5
Single	79.2	90.9	85.4	88.1	86.5
Total	100.0	100.0	100.0	100.0	100.0
Time since separation					
Up to 12 months	2.9	12.5	14.6	15.5	11.1
13 to 24 months	3.5	14.6	24.7	25.0	15.6
25 to 36 months	9.9	19.3	19.1	32.1	18.5
Over 36 months	27.9	30.5	27.5	20.2	28.0
Child never lived with PLE	55.8	23.1	14.0	7.1	26.8
Total	100.0	100.0	100.0	100.0	100.0
Distance from former partner (km)					
Less than 5km	5.2	21.1	23.6	42.9	20.5
5-19km	8.7	19.1	31.5	32.1	21.2
20-99km	13.9	21.8	30.3	22.6	22.1
100-499km	8.1	14.8	8.4	1.2	10.1
500 or more km or overseas	37.0	19.1	4.5	1.2	17.7
Don't know	27.2	4.0	1.7	-	8.5
Total	100.0	100.0	100.0	100.0	100.0
Time lived with other parent prior to separation(a)					
Never or less than 2 years	57.6	30.1	17.0	8.3	30.9
2-5 years	25.0	25.0	21.5	27.4	24.4
5-10 years	12.8	27.4	44.6	42.9	29.9
More than 10 years	4.7	17.5	17.0	21.4	14.8
Total	100.0	100.0	100.0	100.0	100.0
Whether was legally married to other parent					
Yes, was married	18.0	41.7	61.8	52.4	42.3
Not married but lived together	44.2	43.7	34.8	45.2	41.8
Did not live together	37.8	14.6	3.4	2.4	15.9
Total	100.0	100.0	100.0	100.0	100.0
Number of mothers	172	295	178	84	729

Notes: See Table 3.2 for the classifications of four care groups.

Source: LSAC 4-5 year cohort (wave 1, 2004)

The following tables provide information about the educational attainment, employment status, financial circumstances and housing tenure of parents with the different care arrangements. The CFC-based trends for separated mothers and fathers (with a child under 18 years old) are presented in Table 3.9 and Table 3.10 respectively, and the HILDA-based

trends for such parents are shown in Table 3.11 and Table 3.12. The trends for separated mothers of young children in the LSAC study are presented in Table 3.13

There is broad agreement across the three surveys on these socio-economic characteristics of mothers. That is, mothers with shared or near shared care arrangements were the most likely, or among the most likely of the four groups, to have a degree and to be in paid work, and to have relatively high personal income. However, while the CFC and LSAC showed that mothers with shared care or near shared care arrangements had significantly higher median incomes than mothers whose child had no contact with the father, the HILDA data suggested that mothers whose child spent a moderate time with the father had the highest incomes.

There is also some disagreement between the CFC and HILDA on the socio-economic characteristics of fathers according to the amount of time they spent with their children. Fathers with shared or near shared care arrangements had the highest education levels in both surveys. However, the CFC shows that employment and median income among fathers, and the probability that they owned or were buying their home, tended to increase with the amount of time that they spent with their child. In HILDA on the other hand, there was little significant difference between the employment rates, incomes and home ownership rates of fathers according to their care arrangements.¹⁴

LSAC data show that mothers with shared or near shared care were the most likely of all groups to indicate that wages, salary or business proceeds formed their main source of income (rather than government benefits or Child Support) (45% vs 24–27%) and these mothers, along with those whose child spent a moderate amount of time with the father, were the least likely of the four groups to indicate that they were either “very poor”, “poor” or “just getting along” (51–52% vs 58–61%). HILDA data, however, suggest that mothers in shared care or near shared care arrangements were slightly more likely than other mothers to report instances of financial hardship. In addition, the proportion of fathers in HILDA who reported financial hardship did not vary significantly according to the amount of time that they spent with their child. It is important to note that these differences between the surveys (especially between the HILDA and the CFC) may be due to a number of technical factors, including sampling variation (associated with small sample sizes), and information used to derive the amount of time fathers spent with their children.

¹⁴ The LSSF W1 2008 suggested that parents with equal care time arrangements had the highest median incomes of all groups, while those whose child never saw the father had lowest median incomes. Mothers with shared or equal care time were the most likely to have paid work, while the proportions of fathers with paid work did not vary across the care time groups to the same extent. Nevertheless, fathers with 1–34% of nights, along with those who had 35–47% of nights (a variant of shared care), were the most likely to have full-time paid work (81–82%, compared with 75% with equal care time, and only 64% who never saw their child). The fathers who were least likely to have full-time paid work were those who cared for their child for most or all nights per year (Kaspiew et al. 2009)

Table 3.9: Separated mothers: Socio-economic characteristics by care group, 2003 (CFC W1)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Education					
Degree or higher	18.6	17.5	23.1	28.3	20.2
Other post-school qualification	31.9	25.4	30.8	21.7	27.4
Year 12 or lower (no qualification)	49.6	57.1	46.2	50.0	52.4
Total	100.0	100.0	100.0	100.0	100.0
Employment					
Full-time	20.7	18.4 ^a	24.2	28.3	21.3
Part-time	32.8	32.6	31.9	43.3	33.8
Not employed	46.6	49.1	44.0	28.3	44.9
Total	100.0	100.0	100.0	100.0	100.0
Annual personal income					
Median	\$20,856	\$21,358	\$23,463	\$23,453	\$21,990
Mean	\$24,582 ^a	\$25,450 ^a	\$35,279	\$32,149	\$27,804
SD	\$14,461	\$14,281	\$48,045	\$22,840	\$24,914
Housing tenure					
Own outright or purchasing	31.4	42.4	50.6	53.3	42.6
Renting	61.9	53.5	46.2	43.3	52.9
Other	6.8	4.2	3.3	3.3	4.5
Total	100.0	100.0	100.0	100.0	100.0
Number of mothers	118	217	91	60	486

Notes: See Table 3.2 for the classifications of four care groups.

^a Difference between the group and shared care was statistically significant ($p \leq 0.05$) based on t-test for age of study child, age of fathers and personal income and on chi-square test for other variables.

Source: CFC 2003

Table 3.10: Separated fathers: Socio-economic characteristics by care group, 2003 (CFC W1)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Education					
Degree or higher	8.6	20.2	16.3	22.9	17.5
Other post-school qualification.	37.9	29.8	36.1	36.1	34.3
Year 12 or less (no qualification)	53.5	50.0	47.7	41.0	48.2
Total	100.0	100.0	100.0	100.0	100.0
Employment					
Full-time	60.3	72.4	73.3	70.0	69.9
Part-time	6.9	10.5	11.6	16.7	11.3
Not employed	32.8	17.1	15.1	13.3	18.8
Total	100.0	100.0	100.0	100.0	100.0
Annual personal income					
Median	\$26,743	\$35,000	\$40,000	\$45,000	\$37,000
Mean	\$35,562 ^a	\$35,930 ^a	\$44,789	\$56,863	\$42,310
SD	\$34,500	\$23,104	\$35,840	\$53,827	\$36,944
Housing tenure					
Own outright or purchasing	30.5	44.3	54.7	58.1	47.3
Renting	52.5	41.5	33.7	32.3	39.6
Other	17.0	14.2	11.6	9.7	13.1
Total	100.0	100.0	100.0	100.0	100.0
Number of fathers	59	106	86	63	314

Notes: See Table 3.2 for the classifications of four care groups.

^a Difference between the group and shared care was statistically significant ($p \leq 0.05$) based on t-test for age of study child, age of fathers and personal income and on chi-square test for other variables.

Source: CFC W1 2003

Table 3.11: Socio-economic characteristics of separated mothers by care group, 2003 (HILDA W7)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Education					
Degree or higher	12.3	14.6	20.2	27.6	16.5
Post-school diploma	9.1	15.0	15.8	5.3	12.3
Post-school certificate	19.2	22.8	23.8	18.4	23.9
Finished Year12	19.1	13.2	20.7	17.2	14.8
Did not finish Year 12	40.2	34.3	19.6	31.5	32.5
Total	100.0	100.0	100.0	100.0	100.0
Employment					
Full-time	23.8	34.4	33.9	37.9	30.7
Part-time	25.0	30.7	36.4	31.2	29.0
Not employed	51.2	34.9	29.8	31.0	40.3
Total	100.0	100.0	100.0	100.0	100.0
Annual personal income					
Median	44205	54130	56805	45393	50748
Mean	48443	63330	60873	58613	58914
SD	24648	38768	31788	42376	38603
Financial hardship					
Does not experience	44.5	55.8	56.8	69.2	53.4
Experiences one instance	20.6	19.3	10.7	15.9	15.8
Experiences 2+ instances	34.9	24.9	32.5	15.0	30.8
Total	100.0	100.0	100.0	100.0	100.0
Housing tenure					
Own outright or purchasing	41.8	53.1	52.3	51.2	47.7
Other	58.2	46.9	47.7	48.8	52.3
Total	100.0	100.0	100.0	100.0	100.0
Number of mothers	55	237	121	62	661

Notes: See Table 3.2 for the classifications of four care groups. Total column includes cases where data on amount of time spent with father are missing.

Source: HILDA Wave 7

Table 3.12: Socio-economic characteristics of separated fathers by care group, 2003 (HILDA W7)

	Amount of time between father and study child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Education					
Degree or higher	13.3	13.9	12.5	18.5	13.1
Post-school diploma	3.8	7.7	5.0	0.8	7.3
Post-school certificate	37.6	43.3	41.8	31.3	37.8
Finished Year12	15.5	4.9	14.5	18.6	11.1
Did not finish Year 12	29.8	30.2	26.2	30.8	30.7
Total	100.0	100.0	100.0	100.0	100.0
Employment					
Full-time	75.8	77.2	80.7	69.3	75.0
Part-time	11.9	6.2	11.3	7.3	9.2
Not employed	12.2	16.6	8.0	23.4	15.8
Total	100.0	100.0	100.0	100.0	100.0
Annual personal income					
Median	62793	51865	63711	58380	55197
Mean	61893	64023	69662	75156	67021
SD	40489	39491	41847	59966	45066
Financial hardship					
Does not experience	66.8	59.0	61.6	55.2	56.5
Experiences one instance	6.2	15.9	11.0	17.6	15.0
Experiences 2+ instances	27.1	25.0	27.8	27.2	28.5
Total	100.0	100.0	100.0	100.0	100.0
Housing tenure					
Own outright or purchasing	36.3	42.0	48.9	38.3	42.7
Other	63.7	58.1	51.1	61.7	57.4
Total	100.0	100.0	100.0	100.0	100.0
Number of fathers	40	121	102	67	384

Notes: See Table 3.2 for the classifications of four care groups. Total column includes cases where data on amount of time spent with father are missing.

Source: HILDA Wave 7

Table 3.13: Separated mothers: Socio-economic characteristics by care group, LSAC

Amount of time between father and child					
	No contact	Limited time	Moderate time	Shared or near shared care	Total
Education					
Degree or higher	8.1	12.8	15.7	22.6	13.5
Other or no qualifications	91.9	87.3	84.3	77.4	86.5
Total	100.0	100.0	100.0	100.0	100.0
Employment					
Full-time	12.9	10.1	13.6	15.7	12.2
Part-time	23.4	25.6	29.4	47.0	28.4
Not employed	63.7	64.3	57.1	37.4	59.3
Total	100.0	100.0	100.0	100.0	100.0
Usual weekly personal income					
Median	407.5	476.3	499.0	510.0	466.5
Mean	454.0	514.0	582.0	610.3	527.8
SD	225.1	247.0	389.4	398.9	307.0
Housing tenure					
Own outright or purchasing	22.0	31.5	33.7	33.3	30.0
Renting	66.5	60.1	62.4	61.9	62.4
Other	11.6	8.4	3.9	4.8	7.6
Total	100.0	100.0	100.0	100.0	100.0
Main source of Income					
Wages, salary or business	24.4	23.7	26.6	45.2	27.1
Government payments	74.4	72.9	65.0	47.6	68.4
Child support	1.2	3.1	8.5	6.0	4.3
Other	-	0.3	-	1.2	0.3
Total	100.0	100.0	100.0	100.0	100.0
How family is getting along with respect to needs					
Prosperous/ very comfortable	9.8	10.4	8.5	10.7	9.9
Reasonably comfortable	28.9	31.7	39.6	38.1	33.7
Just getting along, poor or very poor	61.3	57.9	52.0	51.2	56.5
Total	100.0	100.0	100.0	100.0	100.0
Number of mothers	173	298	178	84	733

Notes: See Table 3.2 for the classifications of four care groups.

Source: LSAC 4-5 year cohort (Wave 1, 2004)

3.3 The inter-parental relationship and shared care

An important aspect of post-separation parenting involves the ways in which parents manage their relationship with each other. This section, which is based on Wave 1 of LSAC (2004), briefly explores mothers' reports of the quality of their relationship with their child's father, the extent to which they consult with him on major decisions that are relevant to the child, his

contributions to the child's financial or material wellbeing, and his child care contributions when the mother has other commitments.

Half of the separated mothers said that they got on "very well" or "well" with the child's father, with just one quarter indicating that they got on "poorly", "very poorly" or "badly" (Table 3.14). The quality of the inter-parental relationship was considerably more likely to be described in negative terms by those whose child never saw the father than by mothers in each of the three other groups. Most probably, a poor quality inter-parental relationship often contributes to a loss of face-to-face contact between father and child, while loss of such contact may also contribute to the deterioration in the inter-parental relationship. Other factors, of course, may contribute to both outcomes (e.g., problems relating to mental health or substance misuse). Mothers with moderate or shared or near shared care were the least likely to provide unfavourable assessments of the quality of their relationship with their child's father.

A relatively high level of cooperative parenting was apparent among parents with shared or near shared care, in the sense that mothers with these care arrangements were the most likely of all groups to say they "often", "always" or "almost always" asked their child's father for his views when making major decisions that were relevant to the child (called "shared parental responsibility"). This was reported by 54% of mothers with shared or near shared care, 40% of those whose child spent "moderate time" with the father, and only 26% of those whose child spent a "limited time" with the father (26%). Such consultation was, of course, rare among those whose child never saw the father. Nevertheless, 35% of mothers with shared or near shared care said that they "rarely", "never" or "almost never" consulted with the other parent.

Not surprisingly, when asked about how often they disagreed with the other parent about basic child-rearing issues, nearly two-thirds of the mothers whose child never saw the father indicated that they did not discuss child-rearing issues at all. Of the three groups of mothers whose child saw the father, much the same proportions indicated that they "often", "always" or "nearly always" disagreed with the father on these matters (29–33%). However, a lower proportion of mothers with shared or near shared care stated that such disagreements occurred "rarely", "almost never", or "never", compared with mothers whose child saw the father for moderate or limited periods (29% vs 34–37%). Such trends suggest that there is considerable variation among parents with shared or near shared care regarding the nature of the inter-parental relationship, with some being considerably more collaborative than others. The same is true for other parents whose child spends limited or moderate time with the father.

Just under one in five of the separated mothers said that there was "often", "always" or "almost always" anger or hostility between themselves and the other parent. Again, the reports of mothers whose child never saw the father differ from those of other mothers because many of the former group had no contact with the child's other parent. The patterns of answers of mothers in the three other groups (where the child spent time with the father) were fairly similar, with 18–22% reporting that the relationship "often", "always" or "almost always" entailed anger. Nevertheless, compared with mothers whose child spent a limited amount of time with the father, mothers with shared or near shared care and those whose child spent a "moderate" amount of time with the father were more likely to indicate that such feelings occurred "rarely", "almost never" or "never" (48–50% vs 42%). Table 3.15 summarises mothers' reports concerning the fathers' financial or material support for the child. Three-quarters of mothers indicated that they had a child support agreement with the other parent, with this being least likely when the child never saw the father (55% had a child

support agreement), followed by those with shared or near shared care (72% had a child support agreement).

Apart from meeting child support obligations, the father can contribute through providing occasional money, helping with bills, or buying various items for the child. Table 3.15 shows that, according to mothers, such contributions were most likely to be experienced among families with shared or near shared care. This trend was most apparent in relation to: (a) the buying of clothes, toys or presents for the child (38% of mothers with shared or near shared care said that the father did this “often”, compared to 26% of mothers whose child spent a moderate time with the father and 18% of those whose child spent a limited time with the father) and (b) the provision of extra money to help with the child’s childcare, preschool or school expenses (where such support was seen as “often” occurring by 21% of mothers with shared or near shared care, and only 9% of those whose child saw the father for a moderate and limited time).

Fathers can provide further assistance by looking after the child while the mother works, studies or attends appointments. This also appeared to be most likely to occur in families with shared or near shared care families: 33% of mothers with these arrangements reported that the father “often” helped out in this way, compared with 17% of those whose child spent a moderate time with the father, and 11% of those whose child spent a limited time with the father).

Together, these data suggest that that there is considerable diversity in the ways families function within and across the care groups. While parents with shared care or near shared care seemed more likely than other groups to have a collaborative parental relationship on some dimensions, there was also evidence that some parents with shared or near shared care arrangements were not getting along at all well. Similarly, while fathers with shared or near shared care appeared to be the most likely of all groups to contribute in tangible ways to the upbringing of the child, a significant proportion of fathers with these arrangements were not contributing in these ways.

Table 3.16 shows both fathers’ and mothers’ reports of child support payments as recorded in Wave 7 of the HILDA. The large discrepancy in father and mother reports of child support payments is notable. However, both groups are in agreement that the incidence of child support payment/receipt was lowest where the father had no contact with the child, and highest where the father had moderate time with the child. Average payments among those paying were also lowest among the ‘no contact’ group’ and highest in the ‘moderate time’ group. When viewed as a percentage of household income, there was little variation in fathers’ reports of child support payments across the four groups. Among mothers in the ‘moderate time’ group who received child support, it equalled a quarter of net household income. Among mothers in the ‘shared or near shared care’ group, it equalled less than a fifth of net household income.

Table 3.14: The nature of the inter-parental relationship by care group, LSAC

	Amount of time between father and child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
How well gets along with child's other parent					
Very well or well	19.0	55.8	59.0	52.4	49.9
Neither well nor poorly	27.6	19.7	23.0	28.6	23.1
Poorly, very poorly or badly	53.5	24.5	18.0	19.1	27.1
How often ask other parent their views about major decisions relevant to the child					
Often, always or almost always	5.2	25.8	39.9	53.6	28.2
Sometimes	2.0	10.1	15.2	11.9	9.8
Rarely, almost never or never	92.9	64.1	44.9	34.5	62.0
How often disagree with other parent about basic child-rearing issues					
Often, always or almost always	13.6	31.2	28.7	33.3	27.0
Sometimes	3.9	21.5	28.1	36.9	21.1
Rarely, almost never or never	18.7	34.2	36.5	28.6	30.8
Don't discuss	63.9	13.1	6.7	1.2	21.1
How often is there anger or hostility between respondent and other parent					
Often, always or almost always	12.3	22.0	19.7	17.9	18.8
Sometimes	9.0	33.1	30.3	32.1	27.1
Rarely, almost never or never	23.2	41.9	48.3	50.0	40.4
No contact	55.5	3.0	1.7	-	13.7
Number of mothers	173	298	178	84	733

Notes: See Table 3.2 for the classifications of four care groups.

Source: LSAC 4-5 year cohort (Wave 1, 2004)

Table 3.15: Contributions made by child's other parent by care group, LSAC

	Amount of time between father and child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Whether has child support agreement					
Yes	54.7	78.6	88.6	72.0	75.2
No	45.3	21.5	11.4	28.1	24.8
Total	100.0	100.0	100.0	100.0	100.0
Child support received last month (\$)					
(includes those who received no child support) Mean					
	\$72	\$168	\$271	\$239	\$184
	SD 169	266	312	344	282
How often other parent...					
Buys clothes, toys or presents for child					
Often	1.9	17.9	25.9	37.5	18.5
Sometimes	7.1	29.7	40.6	42.5	28.8
Rarely or never	91.0	52.4	33.5	20.0	52.7
Total	100.0	100.0	100.0	100.0	100.0
Pays for child's medical or dental bills, health insurance or medicines					
Often	0.7	5.2	7.6	13.9	5.8
Sometimes	2.0	10.4	12.9	19.0	10.1
Rarely or never	97.4	84.4	79.5	67.1	84.1
Total	100.0	100.0	100.0	100.0	100.0
Gives extra money for child's childcare, preschool or school expenses					
Often	0.7	8.7	9.4	20.7	8.5
Sometimes	2.6	9.7	9.4	15.9	8.8
Rarely or never	96.7	81.7	81.2	63.4	82.7
Total	100.0	100.0	100.0	100.0	100.0
Gives extra money to help out, like pay the rent, household bills or car repairs					
Often	0.7	6.5	5.1	7.3	5.0
Sometimes	1.3	11.0	10.3	7.3	8.3
Rarely or never	98.1	82.5	84.6	85.4	86.8
Total	100.0	100.0	100.0	100.0	100.0
Looks after the child while you work, study or attend appointments					
Often	-	11.0	16.6	32.9	12.5
Sometimes	2.0	15.8	22.9	21.5	15.2
Rarely or never	98.0	73.3	60.6	45.6	72.4
Total	100.0	100.0	100.0	100.0	100.0
Number of mothers	173	298	178	84	733

Notes: See Table 3.2 for the classifications of four care groups. Frequency counts differ slightly across items due to small numbers of mothers reporting "not needed" or "don't know" to the questions above.

Source: LSAC 4-5 year cohort (Wave 1, 2004)

Table 3.16: Father and mother reports of child care payments by child's father, by care group, HILDA Wave 7

	Amount of time between father and child				Total
	No contact	Limited time	Moderate time	Shared or near shared care	
Father report - child support paid					
Yes	63.9	85.7	92.6	66.7	81.0
No	36.1	14.3	7.5	33.3	10.0
Total	100.0	100.0	100.0	100.0	100.0
Mean monthly payment (all)	307	557	688	406	480
SD	447	645	550	608	591
Mean monthly payment (among those paying)	481	650	743	608	631
SD	479	652	535	657	603
Per cent income (among those paying)	9.3	12.1	13.8	12.4	12.1
SD	8.1	10.4	9.3	12.4	10.6
Mother report - child support received					
Yes	28.5	51.1	67.1	42.9	51.4
No	71.5	48.9	32.9	57.1	48.6
Total	100.0	100.0	100.0	100.0	100.0
Mean monthly receipt (all)	130	256	451	308	228
SD	355	440	603	536	448
Mean (among those receiving)	459	500	672	719	275
SD	549	506	627	615	306
Per cent income (among those receiving)	12.4	11.5	18.7	16.2	13.4
SD	20.3	13.2	25.1	17.1	18.0
Number of fathers	40	121	102	67	384
Number of mothers	55	237	121	62	661

Notes: See Table 3.2 for the classifications of four care groups.

Source: HILDA Wave 7

3.4 Transitions into and out of shared care

Table 3.1 showed that shared care was most likely to take place for children who were in their primary school or early teen years. Waves 1 and 2 of LSAC provide the opportunity to examine changes in care patterns for children who are entering their primary school years. These children were 4-5 years old in Wave 1 and 6-7 years in Wave 2. A simple cross-sectional analysis shows that 11% of 4-5 year olds whose father lived elsewhere were in shared or near shared care. At 6-7 years old, 15% of children were in this situation.¹⁵ Table 3.17 shows the transitions into and out of the four different care arrangements for all children whose father lived elsewhere across the two year periods, along with the care arrangements for children who were living with both parents at age 4-5 years and had experienced parental

¹⁵ Some of this apparent difference could be because of selective attrition, as Wave 2 response rates were relatively low for single mothers who had no contact with the parent living elsewhere. However, even if the sample at age 4-5 years is restricted to those who went on to respond at age 6-7 years, there is an apparent increase in the proportion in near shared care, with a recalculated estimate of 12% in near shared care for the 4-5 year olds.

separation by age 6–7 years. Omitted from this analysis are children whose families did not participate in Wave 2 and those whose parents were separated in Wave 1 but had apparently reconciled by Wave 2.

Most of the children who experienced parental separation between age 4–5 years and 6–7 years (and who were not in the care of their father for most or all of the time), were either in the care of their father for a limited or moderate amount of time when 6–7 years old (35% and 30% respectively). Nevertheless, a relatively high proportion – one-quarter – were in shared or near shared care during this period. Only 9% never saw their father.

There was considerable apparent stability in the care arrangements experienced by children whose parents were separated during both periods, although the extent to which the same arrangements applied in both waves varied inversely with the amount of time the child spent with the father.¹⁶ That is, children who had no face-to-face contact with their father when aged 4–5 years were the most likely of all the groups to be in the same situation when aged 6–7 years (79%), while the following proportions of children with other care arrangements in Wave 1 had the same arrangements in Wave 2: 70% of those with limited time with their father, 61% of those who spent a moderate time with their father, and 55% of those in shared or near shared care. In other words, the shared or near shared care arrangement appeared to be the least stable. However, it needs to be pointed out that no information was available about the overall length of time that children had been in the different care arrangements by the time they were 4–5 years old. This finding is borne out by analysis of the first seven waves of the HILDA data, which shows that most periods of shared care or near shared care appeared to last for just one wave of the data (that is, a year or less), with relatively few lasting through two or more waves.

Changes in care arrangements tended to involve movements to “adjacent” arrangements, that is, arrangements that involved the least change. For example, of the children who were experiencing shared or near shared care when aged 4–5 years, 34% were seeing their father for a moderate amount of time when aged 6–7 years, 9% were spending a limited amount of time with him and another 2% were not seeing him at all. There was some movement into the shared or near shared care, primarily involving children who were previously spending a moderate amount of time with their father. The net increase in the overall incidence of shared or near shared care arrangements for all children aged 6–7 years whose father lived elsewhere (including those with shared or near shared care) appears to be because of the inflow of children with more recently separated parents, rather than any tendency for others to increase children’s time with their father.

¹⁶ Some children’s arrangements may have changed during the two-year period, but by Wave 2, had reverted to those that were apparent in Wave 1. Thus, the level of apparent stability may represent an over-estimate of actual stability, although it seems reasonable to suggest that the over-estimate would be small. For succinctness, the discussion assumes that arrangements that were identical during the two waves of data collection did not change at all over the two-year interval between waves.

Table 3.17 Changes in care arrangements of children in two years between age 4-5 years and age 6-7 years

	Child has a parent living elsewhere at age 6-7 years - contact groups				
	No contact	Limited ime	Moderate time	Shared or near shared	Total with PLE
Child lives with both parents at 4-5 but does not at 6-7 years	9.4	34.9	30.2	25.5	100.0
Child has a parent living elsewhere at both waves - care group at age 4-5 years	19.8	38.9	29.1	12.3	100.0
No contact	79.2	15.6	4.2	1.0	100.0
Limited time	10.1	70.1	17.9	1.9	100.0
Moderate time	1.5	22.5	60.9	15.2	100.0
Shared or near shared	1.5	9.2	33.9	55.4	100.0
Total has PLE at age 6-7 years	17.4	38.0	29.3	15.3	100.0

Notes: See Table 3.2 for the classifications of four care groups.

Source: LSAC 4-5 year cohort, Wave 1 (2004) and Wave 2 (2006)

While a range of factors would influence parents' decisions about care arrangements, it is difficult to identify a common set of variables that predicts changes in these care arrangements, given the small number of responding families with the different care arrangements – especially shared or near shared care (N = 84). An examination of several factors in the LSAC data led to no clear identifying characteristics relating to the family, mother or child that could predict those children with each of the four different care-time arrangements (taken separately) whose time with their father either increased, decreased or remained apparently stable over the two year period. Of course, any change for children who were not seeing their father at all in Wave 1 could only occur in one direction. In this analysis, a small number of children who were in shared or near shared care in Wave 1 were in the care of their father for most or all of the time in Wave 2. The characteristics of these children and their families were not examined in this analysis.

The analysis focused on the arrangement outcomes that were apparent in Wave 2 (i.e., when the children were 6–7 years old). The interval between separation and Wave 2 interview appears to be one important predictor of care arrangements. Table 3.18 shows the extent and nature of any change that occurred in relation to each care arrangement experienced by children whose parents had been separated for 2 to nearly 4 years (i.e., when the child was approximately 2–4 years old), 4 to nearly 5 years (i.e., when the child was approximately 1–2 years old) and more than 5 years (i.e., before or only a very short period after the child was born). The children whose arrangements were most likely to be stable over the two-year period were those whose parents had been separated for more than 5 years or since the child was born. Overall 82% were in the same care arrangement at age 4–5 years and 6–7 years, compared with 64–65% of those whose parents separated more recently.

For nearly two-thirds of the children whose parents had been separated for the longest period of time (before or soon after the child was born), time with father remained either limited or did not occur at all, compared with only 39% of children whose parents had been separated for 4 to nearly 5 years (when the child was around 1–2 years old), and only 26% of those whose parents had separated for 2 to nearly 4 years (when the child was around 2–4 years old).

Another 15% of children whose parents had separated for more than 5 years or since the child was born apparently continued to experience moderate levels of contact. This situation was

experienced by much the same proportion of children whose parents had been separated for 4 to nearly 5 years (16%) and by a slightly higher proportion of children whose parents had been separated more recently (23%). The latter children (who were the oldest of the three groups of children when parental separation occurred) were also the most likely of these groups to have apparently continued to experience shared or near shared care over the period investigated (16%), while those whose parents had been separated for more than five years or since the child was born were the least likely to experience apparently stable shared or near shared care arrangements (3%).

It seems reasonable to suggest that this pattern of trends relates to age of the child when parental separation took place and the associated level of investment that the father had in the child's life by the time separation took place. Some of the fathers who were not living with the mother when the child was born may have never lived with the mother and may have developed little attachment to the child. In addition, infants' time with the father is likely to be limited for practical reasons, especially where the infant is being breastfed. Where separation occurs when the child is at least two years old, shared or near shared care is likely to be more practical and an arrangement that fathers may be more likely to seek, given their increased opportunity to have already developed a strong bond with the child.

Table 3.18: Increases and decreases in care by time since separation, LSAC Wave 2

	Interval between separation and Wave 2 interview			Total
	2 up to 4 years	4 up to 5 years	More than 5 years or since birth	
Total with no apparent change in arrangements	64.4	64.6	81.7	74.5
Total with changed arrangements	35.6	35.4	18.3	24.5
Continued to have no or limited time	26.1	38.5	64.4	50.8
Decreased to no or limited time	12.2	13.5	4.4	7.9
Increased to moderate time	7.0	11.5	7.5	8.1
Continued to have moderate time	22.6	15.6	14.6	16.6
Decreased to moderate time	6.1	7.3	2.7	4.4
Increased to shared or near shared care	10.4	3.1	3.7	5.1
Continued to have shared or near shared care	15.7	10.4	2.7	7.1
Total	100.0	100.0	100.0	100.0
Number of observations	115	96	295	506

Source: LSAC 4-5 year cohort, Wave 1 (2004) and Wave 2 (2006)

3.5 How contact arrangements were developed

There are a number of different ways in which care arrangements are likely to be developed by parents. For example, decisions for the child to experience shared or near shared care are likely to be made by both (rather than one) parent, whereas this may be less the case where fathers spend little if any time with their child. This issue is explored in this section with the use of data from CFC. Respondents were asked to indicate whether the care arrangements were made mainly by themselves, by the child's other parent, by both parents together, by the child, or whether the arrangement was the result of a court order, or "just happened" (or came about in the absence of any apparent decision-making process). This question was not asked of parents whose child never saw the father. Table 3.19 shows that patterns of answers provided by fathers and mothers whose child saw the father for a limited or moderate amount of time and by those who were experiencing shared or near shared care.

A fairly similar pattern of answers was provided by mothers and fathers. Around half the mothers and fathers in the total sample indicated that the arrangements for their child were

mainly developed between themselves, and nearly one quarter indicated that they were made by one parent only, with fathers being more likely than mothers to state that the mother made the decision. Only 15% of fathers and 8% of mothers said that the arrangements occurred through a court order, 5–8% indicated that the decision was mainly made by the child, and 6% of fathers and 14% of mothers said that the arrangements “just happened” or came about without in the absence of any apparent decision-making process.

Most parents with shared or near shared care reported that their arrangements resulted from joint decision-making (60% of fathers and 67% of mothers), and these parents were more likely than their counterparts whose child saw the father for a limited amount of time to indicate that their care arrangements were developed between themselves. In relation to the other main pathways leading to the arrangements that were in place, there were no consistent patterns between fathers and mothers with shared or near shared care and those whose child spends limited or moderate time with the father.

Table 3.19: The main ways that contact arrangements were developed for study child, separated fathers and mothers, 2003 (CFC W1)

	Amount of time between father and child			All
	Limited	Moderate	Shared or near shared care	
Fathers' reports				
One parent	25.5	23.3	17.5	22.8
The father (or self)	1.9	3.5	3.2	2.8
The mother	23.6	19.8	14.3	20.0
Both of you	38.7 ^a	50.0	60.3	47.8
The children	12.3	1.2 ^a	11.1	8.2
Court order	13.2	23.3 ^a	6.4	14.9
No real decision, just happened	10.4	2.3	4.8	6.3
Total	100.1	100.1	100.1	100.0
Number of fathers	106	86	63	255
Mothers' reports				
One parent	33.0 ^a	21.0	16.2	23.9
The father	12.9	5.5	8.3	10.3
The mother (or self)	16.1	12.1	6.7	13.6
Both of you	41.9 ^a	54.9	66.7	49.2
The children	4.6	2.2	8.3	4.6
Court order	6.0	14.3	6.7	8.2
No real decision, just happened	18.4 ^a	11.0	3.3	14.1
Total	99.9	100.0	100.0	100.0
Number of mothers	217	91	60	368

Notes: See Table 3.2 for the classifications of four care groups.

Parents whose study child had no contact with the parent living elsewhere were not asked of the question.

^a The difference in the proportion of parents with this time arrangement differed significantly from the proportion of parents with shared or near shared care ($p \leq 0.05$). This analysis was based on chi-square test, when all other main ways were combined.

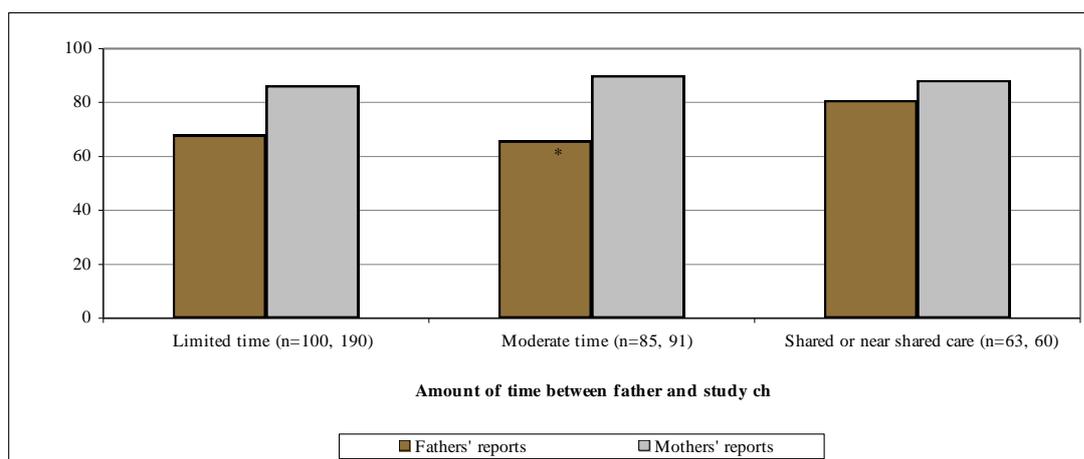
Source: CFC 2003.

3.6 Parents' views about their care arrangements

This section, which is based on CFC data, examines views of parents about the flexibility and workability of their care arrangements for each party (mother, father and child). Parents whose child had no contact with the father were not asked about the flexibility of their arrangements.

Most fathers and mothers (71% and 88% respectively) whose child spent at least some time with father considered their arrangements to be flexible (i.e., “very flexible” or “fairly flexible”).¹⁷ Figure 3.1 shows parents’ views about the flexibility of their arrangements according to care group. A great majority of fathers and mothers (81% and 88%) in shared or near shared care reported that their arrangements were flexible. For mothers, views about the flexibility of their care arrangements did not vary significantly with the amount of time that their child spent with the father. However, fathers with shared or near shared care were more likely than fathers with limited or moderate time with their study child to indicate that their arrangements were flexible (81% compared to 66–68%).¹⁸

Figure 3.1: Proportion of non-resident fathers and resident mothers who reported the arrangement as “very flexible” or “fairly flexible” by care arrangements



Notes: See Table 3.2 for the classifications of the care groups. The number of fathers and mothers for each group who answered the questions are shown in parentheses. Parents whose study child never saw the other parent were not asked this question. In total, 3% of non-resident fathers and 9% of resident mothers did not respond to the question or expressed uncertainty about the issue. These parents were excluded from the analysis. * Indicates that the difference between the group in question and those with the shared or near shared care group is statistically significant based on chi-square test ($p \leq .05$).

Parents in the CFC W1 2003 were also asked to indicate whether they believed that their care arrangements were working for themselves, the other parent, and their study child.¹⁹ Most fathers and mothers considered that their arrangements were working well (i.e., “really well” or “fairly well”) for the mother (92% and 82%), for the father (60% and 84%), and for their study child (65% and 75%). Compared with mothers, fathers were more likely to consider that their arrangements were working well for the mother, but less likely to believe that these arrangements were working well for themselves and for their study child.

¹⁷ Parents whose child spent at least some time with the father were asked whether their current arrangements for their study child to see the parent living elsewhere were flexible or inflexible. Further probing was then initiated to assess whether parents viewed the arrangements as “very flexible”, “fairly flexible”, “neither flexible nor inflexible”, “fairly inflexible” or “very inflexible”.

¹⁸ In the LSSF W1 2009, most mothers and fathers reported that their arrangements were flexible. Parents with the majority of care time were more likely to view the arrangements as flexible than those with the minority of care time, and of those with shared care, fathers were more likely than mothers to describe the arrangements as flexible (80–82% vs 71–75%) (Kaspiew 2009).

¹⁹ Parents were asked to indicate whether their contact arrangements or shared parenting arrangements were working “really well”, “fairly well”, “not so well” or “badly” for themselves, their study child’s other parent, and their study child (taken separately).

Figure 3.2 a-Figure 3.2c show parents' views of the workability of their care arrangements for mother, father and child, according to the amount of time that the child saw the father. Fathers and mothers with shared or near shared care tended to express positive views about such matters (88–97% reported that the arrangements were working for mother, father and study child (taken separately)).

Mothers with shared or near shared care, along with mothers whose child had moderate time with the father, were more likely than their counterparts whose child had limited or no time with the father to believe that their arrangements were working well for themselves (91–94% vs 77–78%). However, fathers' views about whether their arrangements were working for the mother varied little according to the amount of time that the fathers spent with their children (89–94% maintained that the arrangements were working well for the mother).

Mothers' and fathers' views about the workability of arrangements for the father and for the child varied to a greater extent according to the care arrangements in place than was the case for views about the workability of these arrangements for the mother. Furthermore, the views of fathers on these matters varied to a greater extent according to care arrangements than was apparent for the views of mothers.

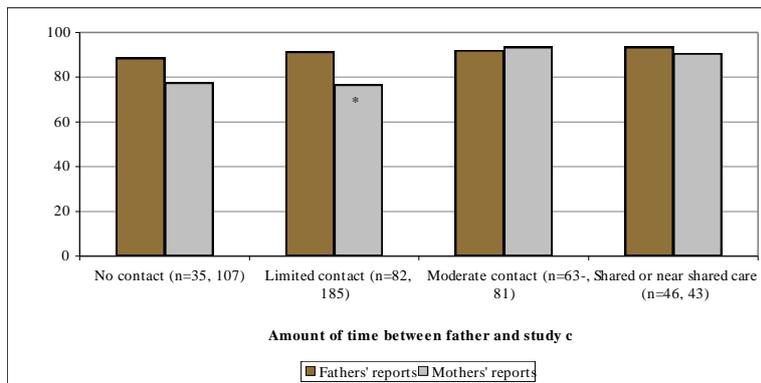
Regarding workability for the father, the more time that fathers spent with their children, the more likely were these men to report that their arrangements were working well for themselves. Such views were expressed by 91% of fathers with shared or near shared care, 70% of those with moderate time, 62% of those with limited time, and only 8% of those who never saw their child. The same direction of trends was apparent for mothers' views about the workability of care arrangements for the father, although most mothers in all groups provided favourable assessments, and mothers in each group were more likely than their male counterparts to indicate such views. Specifically, favourable views were expressed by 97% of mothers with shared or near shared care, 90% of those whose child had moderate time with the father, 85% of those whose child had limited contact, and 66% of those whose child never saw the father.

The general direction of trends in assessments of the workability of care arrangements for the study child was similar to that regarding the workability of care arrangements for the father – especially from the fathers' perspective. Specifically, fathers with shared or near shared care were the most likely to believe that their arrangements were working well for their child (91%), followed by fathers with moderate or limited time with their child (70% and 66% respectively), while only a minority of fathers with no contact with their child held this view (22%). Among mothers, such favourable views were expressed by similar proportions of those who had shared or near shared care and those whose child spent a moderate time with the father and by similar proportions of those whose child spent a limited time or no time with the father. However, the former two groups (where the father had moderate, shared or near shared care) were more likely than the latter two groups (where the father had limited or no time with the child) to believe that the arrangements were working well for their child (88–91% vs 68–71%).²⁰

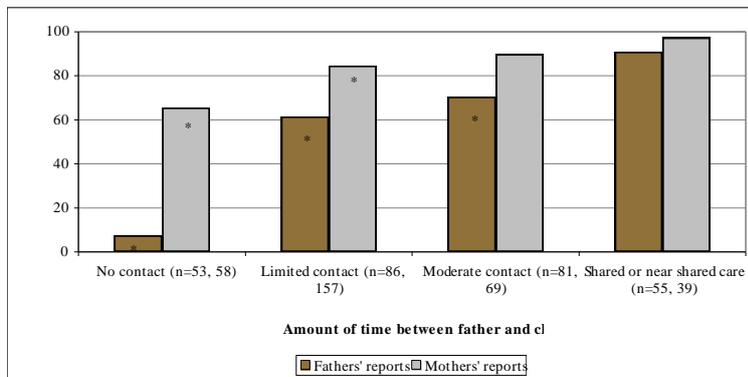
²⁰ The LSSF W1 2008 tapped the perceived workability of “parenting arrangements” for father, mother and child. Compared with parents with the minority of care time, those with the majority of care time were more likely to believe that the arrangements worked well for themselves and less likely to believe that they worked well for their child's other parent. Among those with shared care, fathers were more likely than mothers to believe that the arrangements were working well for them and for their child, with the former of these two trends (regarding “personal workability” being the stronger).

Figure 3.2: Percentage reporting current parenting arrangements worked “really well” or “fairly well” for each party, by care arrangement of study child

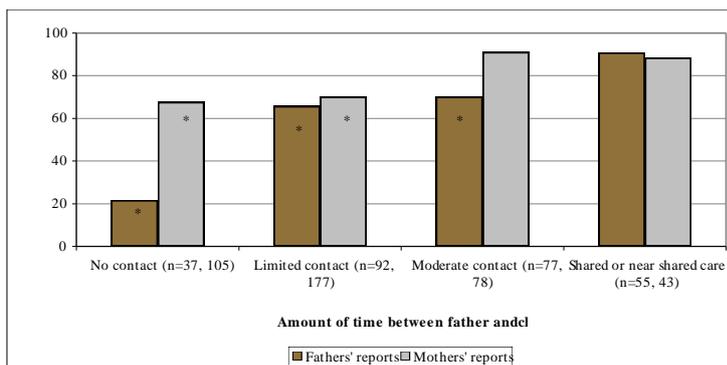
(a) For mother:



(b) For father:



(c) For study child:



Notes: See Table 3.2 for the classifications of four care groups. The number of fathers and mothers for each group who answered the questions are shown in brackets. Parents who did not respond to the question or expressed uncertainty were excluded from the analysis. The following percentages of parents were excluded: workability for mother – 28% of fathers and 14% of mothers; workability for father – 9% of fathers and 34% of mothers; workability for study child – 17% of fathers and 17% of mother. Higher proportions of fathers and mothers whose child never saw father were excluded due to non-response or expressions of uncertainty. * Indicates that the difference between the group and those in “Father with 104+ nights” group is statistically significant based on chi-square test ($p \leq .05$).

In summary, fathers and mothers with shared or near shared care tended to hold favourable views about their care arrangements for their study child. The majority reported that the arrangements were flexible and were working for each party (mother, father and study child,

taken separately). Fathers with shared or near shared care were more likely than fathers who had less time with their study child to hold favourable views about the workability of their care arrangements for themselves and for their study child. The vast majority of fathers in all care groups believed that the arrangements were working well for the mother. The views of mothers with shared or near shared care tended to be similar to those of mothers whose child spent a moderate amount of time with the father. In general, these two groups were more likely to provide favourable assessments of the workability of their care arrangements for each party, compared with mothers whose child spent no or limited time with the father.

3.7 Children's care arrangements and developmental progress

The analysis in this section, which examines the relationship between care arrangements and children's developmental progress, is based on data from Wave 2 of LSAC concerning the elder of the two cohorts of children (the "K cohort", aged 6–7 years in Wave 2). A range of developmental progress measures was available in Wave 2, including teachers' and children's own reports of the child's wellbeing. Given the small number of cases in some of the care groups, much of the analysis in this section on children's developmental progress was then repeated when Wave 1 data for this cohort of children (the "K cohort", when aged 4–5 years old) and Wave 3 data for the younger cohort (the "B cohort", when aged 4–5 years old) were combined (see Appendix A). This supplementary analysis was undertaken to assess the robustness of the findings outlined in this section.

Attention is largely directed to two aspects of children's developmental progress: their socio-emotional progress, as measured by the Strengths and Difficulties Questionnaire (SDQ) (Goodman, 2001), completed by mothers, and children's receptive language development, as measured by the Peabody Picture Vocabulary Test (PPVT) (Dunn & Dunn, 1997). In addition, results of analysis of teachers' reports and of the mothers' reports concerning other aspects of their child's progress are briefly summarised.

It is important to note that the focus in this section is on *associations* between care arrangements and children's developmental progress rather than on the impact of care arrangements on the children. More sophisticated methods would be required to examine causation, and the small number of children in each of the care groups examined makes such analysis problematic.

Figure 3.3 shows the extent to which children's mean SDQ scores (based on parents' ratings) vary (a) according to whether or not they had a parent living elsewhere ("ple") (shown in the two sets of bars on the right hand side) and (b) according to the care arrangements they experienced if their parents had separated (shown in the four sets of bars on the left hand side). A higher score on the SDQ scale suggests a greater number of socio-emotional difficulties.

The mean score for children with a parent living elsewhere was considerably higher than that for children in intact families. Although the mean scores for children with separated parents tended to decrease with increasing time with their father (to the point at which the child spent a moderate amount of time with him), there was a great deal of variation in total SDQ scores within each care group. As a result, the mean scores did not vary significantly across the care groups.

Any developmental differences between the children in the different care arrangements may be largely explained by systematic differences in the circumstances (other than care arrangements) of families in which these children are raised. For example, Section 3.2 showed that children with shared or near shared care had mothers and fathers with relatively high socio-economic status and some of the experiences linked with high socio-economic

circumstances may contribute to better developmental outcomes for these children. Therefore, multivariate analysis that takes into account some of the mothers' socio-economic and other demographic characteristics was conducted. Specifically, the analysis controlled for the age and educational level of the mother, along with an indicator of her mental health, as well as their child's age and sex. No account was taken of the circumstances of the fathers, even though the strength of the relationship between fathers' circumstances and their child's developmental progress may increase with increases in the amount of time that fathers spend with their child.²¹

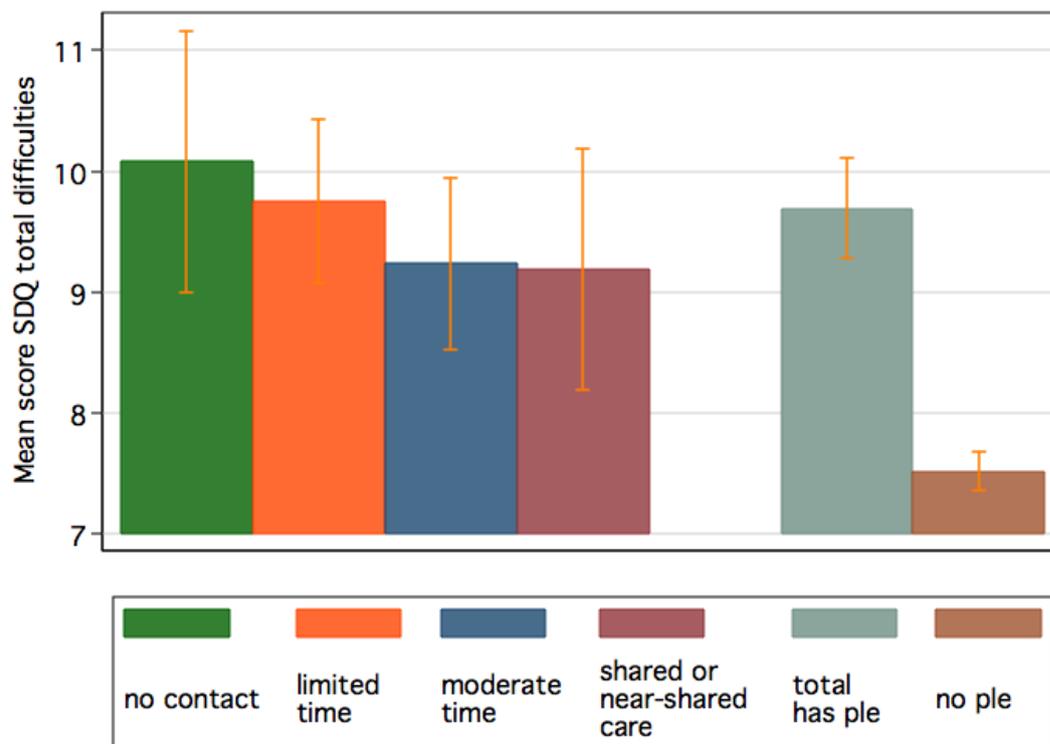
It is also likely that a range of family process variables, including the quality of the relationships between the parents and between the child and each parent, will be important factors contributing to how well children fare in different post-separation care arrangements. A few quite simplistic measures were available concerning the inter-parental relationship. The analysis here focuses on three indicators of co-parenting based on mothers' reports: (a) whether there is often, always or almost always anger or hostility between parents [here called "hostile relationship"] (2) whether the parents get along poorly, very poorly or badly [here called a "bad relationship"] and (3) whether the parents had no contact with each other [called "no contact between parents"].

Three multivariate models were introduced. The first examined the effects of the care arrangements net of the child's age and sex. The second added the effects of three measures of the inter-parental relationship, and the third added the effects of the mother's socio-economic and other demographic measures.

Table 3.20 shows that no significant differences in the SDQ scores of children in the different care arrangements were apparent in any of these three models. When all the factors were taken into account (i.e., the third model), differences in SDQ scores were apparent according to the child's sex, mothers' rating of their financial wellbeing and mothers' age and educational level. Relatively poor progress, as measured by the SDQ, was apparent for boys; for children whose mothers were no more than 30 years old; for those whose mothers had left school prematurely; and for those whose mothers considered that they were at best "just getting by" financially. In the second model, a hostile inter-parental relationship was associated with relatively high SDQ scores (suggesting poorer progress) for the children. However, this effect was no longer significant when the various characteristics of the mother were introduced.

²¹ In many cases, information about the father was not available.

Figure 3.3: Socio-emotional difficulties at age 6-7 years children with a parent living elsewhere (LSAC Wave 2, 2006)



Notes: A higher score equates to more socio-emotional difficulties. This is as derived from responses of the child's primary carer. 95% confidence intervals are shown.

Source: LSAC 6-7 years cohort, Wave 2 (2006)

Table 3.20: Multivariate analysis of SDQ Total Difficulties at age 6-7 years, children with a parent living elsewhere (LSAC Wave 2, 2006)

	Simple	95% CI	Plus relationship	95% CI	Plus other family	95% CI
Care group=no contact	0.7	(-0.8,2.2)	0.1	(-1.8,1.9)	-0.2	(-2.1,1.6)
Care group==limited time	0.6	(-0.7,1.9)	0.6	(-0.7,1.9)	0.3	(-0.9,1.6)
Care group==moderate time (reference=shared or near shared care)	0.1	(-1.2,1.5)	0.1	(-1.2,1.5)	0.0	(-1.3,1.3)
Bad quality relationship			-0.9	(-2.0,0.2)	-0.7	(-1.8, 0.4)
Hostile relationship			1.5*	(0.2,2.9)	1.2	(-0.1,2.5)
No contact between parents			1.3	(-0.2,2.9)	1.0	(-0.5,2.6)
Boy (relative to girl)	1.4**	(0.5,2.2)	1.3**	(0.4,2.2)	1.3**	(0.5,2.1)
Child's age, months	0.0	(-0.1,0.2)	0.0	(-0.1,0.2)	0.0	(-0.1,0.1)
Financially: Just getting along/poor/very poor (relative to reasonably comfortable or better)					2.0***	(1.2,2.9)
Mother low mental health (K6)					1.4	(-0.3,3.3)
Mother aged <=30 years (Maternal education-: reference=incomplete secondary)					1.9***	(0.9,2.9)
Complete secondary with/without post-school diploma/certificate					-1.2*	(-2.2,-0.2)
Bachelor degree or higher					-0.7	(-2.,0.6)
Constant	8.5***	(7.3,9.7)	8.4***	(7.2,9.6)	8.0***	(6.6,9.5)
Number of observations	638		638		638	
R-square	0.02		0.03		0.09	

Notes: * p<0.05; ** p<0.01; *** p<0.001

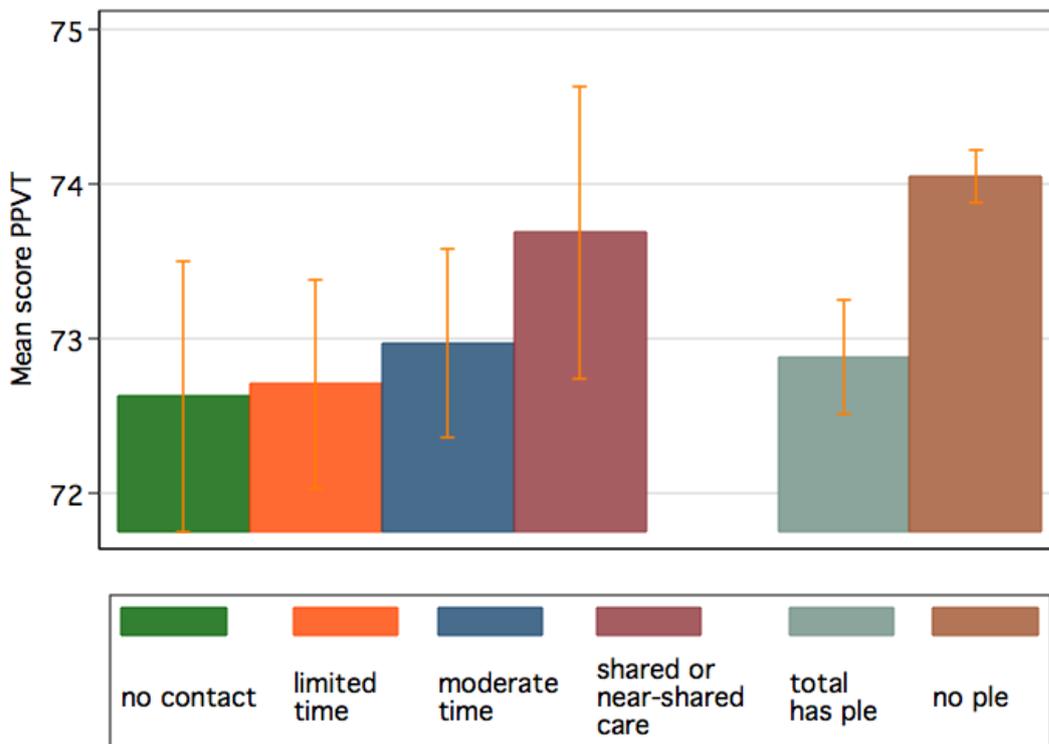
Source: LSAC 6-7 years cohort, Wave 2 (2006)

Figure 3.4 provides mean scores on one aspect of children's cognitive development: their receptive language ability, as measured by the PPVT. A higher score suggests superior performance. The pair of bars on the right hand side suggest that the average progress of the children without a parent living elsewhere was considerably greater than that of children with a parent living elsewhere. While the four bars on the left hand side suggest that children of separated parents who had more contact with their father had higher average PPVT scores, there was a great deal of variation in the scores of children within each group. As a result, differences across the care groups were not statistically significant.

However, the multivariate results show significant variation in the PPVT scores of children in some care groups. Specifically, the children who never saw their father had slightly lower

scores than those with shared or near shared care when the effects of the child’s sex and age were controlled, but this difference was no longer significant when the family background factors were introduced (in the second and third models). There was also a small but significant difference between the scores of children with limited contact and those of children with shared or near shared care, after taking account of the child’s age and sex and indicators of the inter-parental relationship (the first and second models). However, this difference was no longer significant when the other background variables were taken into account.

Figure 3.4: PPVT by care group at age 6-7 years



Notes: A higher score equates better language abilities. 95% confidence intervals are shown.
 Source: LSAC 6-7 years cohort, Wave 2 (2006)

Table 3.21: Multivariate analysis of PPVT at age 6-7 years

	Simple	95% CI	Plus relationship	95% CI	Plus other family	95% CI
Care group=no contact	-1.7*	(-3.1,-0.3)	-0.9	(-2.6,0.9)	-0.6	(-2.4,1.1)
Care group==limited time	-1.5*	(-2.7,-0.2)	-1.4*	(-2.7,-0.2)	-1.2	(-2.4,0.5)
Care group==moderate time	-1.1	(-2.3,0.2)	-1.0	(-2.3,0.3)	-0.9	(-2.1,0.4)
(reference=shared or near shared care)						
Bad quality relationship			-0.7	(-1.8,0.4)	-0.8	(-1.8, 0.3)
Hostile relationship			-0.3	(-1.5,1.0)	-0.3	(-1.6,1.0)
No contact between parents			-0.9	(-2.3,0.6)	-0.8	(-2.3,0.7)
Boy (relative to girl)	0.4	(-0.4,1.2)	0.4	(-0.5,1.2)	0.3	(-0.5,1.1)
Child's age, months	0.1	(0.0,0.2)	0.1	(0.0,0.2)	0.1	(0.0,0.2)
Financially: Just getting along/poor/very poor (relative to reasonably comfortable or better)					-0.3	(-1.1,0.6)
Mother: low mental health (K6)					1.0	(-0.7,2.8)
Mother aged < =30 years (Education:- reference=incomplete secondary)					-0.1	(-1.1,0.9)
Complete secondary with/without post-school diploma/certificate					1.1*	(0.2,2.1)
Bachelor degree or higher					2.0**	(0.7,3.3)
Constant	74.2***	(73.1,75.4)	74.5***	(73.3,75.6)	73.4***	(72.0,74.8)
Number of observations	649		649		648	
R-Square	0.015		0.022		0.042	

Notes: * p<0.05; ** p<0.01; *** p<0.001

Source: LSAC 6-7 years cohort, Wave 2 (2006)

So far, only two possible measures of children's developmental progress have been examined. When a larger set of measures was considered, none provided evidence that children with shared or near shared care differed greatly in their developmental progress relative to those with other care arrangements. This was especially the case when other characteristics of the children or families were taken into account. A summary of findings relating to a larger set of outcome measures is given Table 3.22

Table 3.22: Summary of multivariate analysis of children’s outcomes by care group, children age 6-7 years (LSAC Wave 2, 2006)

		Relative to shared or near shared care		
		No contact	Limited	Moderate
Parent-report SDQ	Total difficulties			
	Hyperactivity			
	Emotional symptoms		Worse	
	Peer problems			
	Conduct problems			
	Prosocial behaviour			
Teacher report	Total difficulties	Worse (a)		
	Hyperactivity	Worse (a)		
	Emotional symptoms			
	Peer problems	Worse (b)		
	Conduct problems			
	Prosocial behaviour			
Child-assessed	Approach to learning	Worse (a)		
	PPVT		Worse (a)	
	Child-reported emotional symptoms			

Note: (a) Non-significant if parental relationship quality measures are included in the models.
 (b) Only significant once relationship quality variables are included.
 Each outcome was analysed using ordinary least squares, including care groups as explanatory variables along with other child and family characteristics as shown in Table 3.21
 These results show that outcomes were worse for either no contact or limited contact, compared to shared or near shared care. Where cells are blank, the difference was not significantly different from the shared or near shared care mean.
 SDQ items include total difficulties as well as the relevant subscales, along with a measure of prosocial behaviour.
 Approach to learning is a teacher-assessed measure of engagement in learning. This measure assesses qualities such as eagerness to learn new things and working independently. The scale was used in the Early Childhood Longitudinal Study (Kindergarten Class) and adapted from the Gresham and Elliott Academic Competence Scale (Gresham & Elliott, 1990).
 Child-report emotional symptoms is a scale created from children’s reports of frequency of feeling (1) sad; (2) angry or mad; (3) scared or worried; and (4) happy. For each of the first three of these measures, 1 = “hardly ever”, 2 = “sometimes” and 3 = “never”. The values were reversed for the measure of happiness.

Source: LSAC 6-7 years cohort, Wave 2 (2006)

Appendix A provides the supplementary analysis based on the combined data for the two LSAC cohorts when they were 4–5 years old. When the effects of the child’s age and sex were controlled, children with shared or near shared care arrangements appeared to have superior socio-emotional development (as perceived by mothers) compared with children with limited or no time with their father, and the former group also appeared to have superior receptive language skills compared with the other three groups of children. While size of these effects diminished considerably when all the measures of family characteristics were introduced, children with shared or near shared care appeared to be progressing significantly better in these two areas than children who never saw their father.

Such differences between the analysis of the combined and single samples may have resulted from differences in the size of the samples (given that larger samples are more likely to yield significant results) and/or from differences in the impact of care arrangements on these aspects of developmental progress for children aged 4–5 years compared with children aged 6–7 years. Both sets of analysis suggest, however, that: (a) children with shared or near shared care tend to be progressing as well as, if not better than, children with other care arrangements, and (b) some of the differences in developmental progress in these two areas

that may be apparent in children with the different care arrangements can be explained in terms of maternal characteristics. It is likely that the link between care arrangements and these two aspects of developmental progress would be further weakened if other family characteristics (including paternal characteristics) were also included in the models.

These results are broadly consistent with those that emerged in the evaluation of the 2006 family law reform undertaken by AIFS (Kaspiew et al., 2009). Net of other factors controlled, fathers' reports suggested that children with equal care-time arrangements and those with shared care-time involving more nights with the mother than father (53–65% with the mother and 35–47% with the father) were faring better than those who were with their father for a minority of nights, while mothers' reports suggested that the wellbeing of children with these two types of care arrangements did not differ significantly.²²

3.8 Summary

Shared care arrangements are fairly uncommon among children after parental separation, but appear to have become more prevalent in the last decade. Analysis of the HILDA data suggests that a tenth or more separated parents and their children had a shared care or near shared care arrangement at one time or another between 2001 and 2007. Shared care is more commonly experienced by children of primary-school or early teen ages than by very young children and older teenagers.

Much of the analysis in this chapter was based on the Caring for Children after Parental Separation survey (CFC) (2003), the Household Income and Labour Dynamics Australia (HILDA) Survey (2001-2007) and the Growing Up in Australia: Longitudinal Study of Australia Children (2004 and 2006). Due to the small number of cases involving shared care (entailing the child spending 35–65% of nights with each parent), attention was directed to parents whose child had shared or near shared care (where the child spent 29–71% of nights with each parent) and those whose child spent most or all nights with the mother.

The results suggest that the parents of children with shared or near shared care are more inclined than other parents to live fairly close to each other. The demographic and socio-economic characteristics of these parents also differed from parents in other caring configurations in a number of ways. In particular, parents of children in shared or near shared care tended to have higher educational attainment and higher incomes than the other parents.

The comparison of demographics showed that, compared with parents whose child had limited or no time with the father (0–13% of nights), those whose child spent a “moderate” time with their father (14–28% of nights per year) and those whose child had shared or near

²² These results are based on the LSSF W1 2008. Child wellbeing measures included: ratings of health; learning skills, peer relationships, and overall progress compared with age-related peers; conduct problems; and emotional problems. There was an insufficient number of cases with shared care involving more nights with the father than mother to assess the relationship between the child's wellbeing and this type of arrangement, net of other factors in the model. The other factors that were taken into account were: the child's age and sex, the responding parent's age; educational attainment, employment status, relationship status at separation; Indigenous status; whether born overseas, whether living with a partner, and whether, according to this parent, there had been any mental health problems or substance misuse issues prior to separation. Across all care arrangements, children appeared to fare less well where there had been a history of family violence, where parents expressed ongoing safety concerns for themselves or their child relating to contact with the other parent, and where they reported a highly conflictual or fearful inter-parental relationship. However, where mothers' expressed safety concerns, the children in shared care arrangements appeared to fare less well (based on mothers' assessments of child wellbeing) than those who spent most nights with their mothers.

shared care arrangements were more likely to have been previously married to each other and to have lived together for a relatively long time. These results may reflect the impact of fathers' pre-separation opportunities for bonding with the child: the greater these opportunities, the more likely the fathers may have been to care for their child for a substantial number of nights.

An important factor in explaining the likelihood of shared care or near shared care appears to be the recency of the parental separation. The analysis of transitions in care arrangements showed that children of recently separated parents were more likely to be in shared or near shared care, compared with children whose parents had separated some time ago. Over a period of two years, some children moved into and some out of shared care. However, no clear picture emerged regarding the nature of factors that might lead to such transitions.

Most shared or near shared care arrangements appeared to be the result of negotiation between parents themselves and a small minority indicated that their arrangement was imposed by a court order. Parents with shared or near shared care were more likely than those whose child had limited or moderate time with the father to have developed their arrangements between themselves.

Compared to those with other care arrangements, the parents with shared care or near shared care appeared to engage in higher levels of cooperative parenting, although in a substantial proportion of these families, disharmony in inter-parental relationships and in child-related decision-making was apparent.

Most fathers and mothers with shared or near shared care arrangements indicated that their care arrangements were flexible, and most believed that their arrangements worked well for father, mother and child (taken separately). Nevertheless, a minority of parents with shared or near shared care (about 10% of fathers and mothers) considered their arrangements did not work well for their child.

At age 6–7 years, there was considerable variation in how well children in LSAC were faring within the different care groups in terms their social-emotional development and cognitive development (as measured by a test of language skills). Their developmental progress in these areas held only a weak relationship with their care arrangements. Whether this was viewed as a simple comparison of outcomes across the groups, or entailed multivariate analysis to take account of other differences in families, children's developmental progress rarely varied significantly according to their care arrangements. In particular, there was no evidence that being in shared or near shared care, as opposed to having slightly lower levels of contact (moderate contact), resulted in poorer outcomes for children. However, when the data for the children in the two LSAC cohorts when aged 4–5 years were combined, those with shared or near shared care appeared to be progressing as well as, if not better than, those who stayed with their father less often or not at all.

The bulk of evidence based on these results and those of the large-scale study of separated families conducted by AIFS (Kaspiew et al., 2009) suggest that children with shared care are faring at least as well as, if not better than, children with other care arrangements. However, it is worth noting that the Kaspiew et al. (2009) study suggests that children with shared care fare less well than those with other care arrangements where mothers' hold safety concerns for themselves or their child relating to ongoing contact with the child's father.

4 Analysis of the Parents' Survey

This section outlines the results of the Parents' Survey and the follow-up interviews with 40 parents. It examines the incidence of shared care arrangements among the parents who responded to the survey, the demographic characteristics of parents and children by the type of child care arrangement that they are currently involved in, and information about how parenting arrangements are reached. It also examines parents' views about these arrangements and the factors that predict how well parents believe these arrangements work for their children and how satisfied they are with them. Outcomes such as how well parents perceive their child to be doing within those arrangements may be a feature of the arrangement itself, the degree of conflict they have with their former partner and/or the practical ease of the arrangements. It may also be a function of the parents' background, including their educational and occupational background and their gender.

As outlined earlier in the methodology section (2.1), the parents came from several target groups: those who used private family law solicitors or legal aid, and parents registered with the Child Support Agency (CSA).

The majority of the total sample of 1,028 parents (859, 84%) was recruited through the Child Support Agency. Just under half of these parents (440, 43%) were in shared care through the period of mid 2007-to mid 2008 and about a quarter (271, 26%) had children who had been in shared care prior to mid-2007 ("used to be in shared care). The remainder of the CSA registered parents were not in shared care at the time of the sample selection. In addition to the CSA samples, almost a fifth of the parent respondents (169, 16%) were recruited through solicitors.

The 40 parents who were interviewed were selected from those who indicated on the survey that they were willing to be interviewed. The aim was to have a mix of mothers and fathers mostly in shared care or previously with shared care arrangements from a range of socio-economic and location backgrounds and who were satisfied or dissatisfied with their arrangements.

4.1 Overall sample characteristics and demographics

Table 4.1 provides the basic demographic characteristics of the 597 mothers and 429 fathers who responded to the survey. Where possible, this information has been contrasted against available data on the CSA clientele population, for the purposes of identifying any large sample biases. It is an important precaution to remember that this sample is *not* representative of all separated parents. It is at most representative of only those parents registered with CSA, and within the constraints of the strata and convenience sampling methods used. It is also likely to be subject to biases of representation due to the small response rate (10.5%), though there is little that can be done about this issue.

Table 4.1: Basic Demographic characteristics of sample

Characteristics		Mothers		Fathers		Total	
		n	%	n	%	N	%
Age	20-34	55	9%	14	3%	69	7%
	35-49	468	79%	260	61%	728	71%
	50+	72	12%	155	36%	227	22%
Location	Urban	289	50%	235	55%	524	52%
	Regional/remote	294	50%	189	45%	483	48%
Education	Less than secondary	101	17%	74	17%	175	17%
	Secondary	145	24%	84	20%	229	23%
	Post-secondary (non university)	165	28%	148	35%	313	31%
	Post Secondary (university)	181	31%	119	28%	300	29%
Main activity	Full time employment	187	32%	235	55%	422	42%
	Part time employment	163	28%	32	8%	195	19%
	Disability or unemployed	60	10%	43	10%	103	10%
	Not in labour force	127	21%	33	8%	160	16%
	Self employed	54	9%	81	19%	135	13%
Family Income	Less than \$800	268	46%	139	34%	407	41%
	\$800 – 1749	219	38%	146	35%	365	37%
	\$1750+	95	16%	127	31%	222	22%
Totals		597	58%	429	42%	1026	100%

* There are two missing cases on gender of parent.

Overall, the sample is made up of respondents who are older than typical CSA clients, with 71% aged 35-49 and a further 22% aged 50 and above, compared to CSA population where almost 30% are less than 35 years of age. Just under half of the parents live in regional/rural areas, with more fathers (55%) living in urban locations than in regional/rural areas. In contrast, mothers were roughly evenly distributed between urban and rural/regional areas.

This sample is relatively highly educated, with 60% having completed post secondary education. While fathers and mothers have comparable levels of post secondary education, mothers are more likely to have a university degree and fathers are more likely to have a trade certificate or diploma.

Over three quarters of the sample is engaged in some form of employment. Compared with fathers, mothers are substantially more likely to be employed part time (rather than full time) or not in the labour force. This pattern broadly follows the pattern in the general population.

Household incomes vary considerably, as would be expected with the range of different methods of recruiting the sample. 41% of respondents have a household income of less than \$800 per week, while 23% have an income above \$1750. This is explained by the inclusion of both single and dual income households in the sample. Regardless of household status, fathers report higher incomes, with 31% of fathers falling into the highest bracket compared with just 16% of mothers. While the proportion of respondents with household incomes of

less than \$800 per week is well below the national average, this is to be expected given the socio-economic profile of divorced and separated mothers and fathers.

Table 4.2 provides details of the parents' relationship status, both for their former and current relationships.

Table 4.2: Parents' former and current relationships

Characteristics		Mothers		Fathers		Total	
		n	%	N	%	N	%
Time since separation	Up to 5 years	112	19%	74	17%	186	18%
	5 to 10 years	112	19%	93	22%	205	20%
	10+ years	372	62%	261	61%	633	62%
Length of relationship	Up to 5 years	108	20%	68	17%	176	19%
	5 to 10 years	185	33%	122	31%	307	32%
	10+ years	260	47%	207	52%	467	49%
Re-partnering respondent	Yes	246	43%	189	49%	435	46%
	No	320	57%	197	51%	517	54%
Re-partnering former partner	Yes	305	58%	212	57%	517	58%
	No	219	42%	157	43%	376	42%

Most participants have been separated for a relatively long period of time, with over 60% having been separated for 10 years or longer. Similarly, most former relationships were long term in nature, with just under half having lasted at least 10 years and a further third spanning five to ten years. These factors together largely explain both the high proportion of respondents in the oldest age group and the preponderance of adolescent children involved in the present study. About half of the respondents report re-partnering since their initial separation. This rate is slightly higher for fathers. Both mothers and fathers were also more likely to report that their former partner had re-partnered than had done so themselves.

Table 4.3 shows the age and gender of the children as reported by the parent respondents. The average of the children was 14 years, reflecting the age of the parents and the relatively long period of time since separation.

Table 4.3: Mean age of the children (years) for mothers and fathers

	Fathers		Mothers		Total	
	N	Mean age	n	Mean age	N	Mean age
Child 1	480	16.0	499	16.0	979	16.0
Child 2	331	13.7	386	13.8	717	13.7
Child 3	166	11.4	179	11.6	345	11.5
Child 4	51	10.4	52	10.1	103	10.2
Total	1028		1116		2144	

Gender missing for 77 records where ages present (35 child 1, 22 child 2, 13 child 3, 7 child 4)

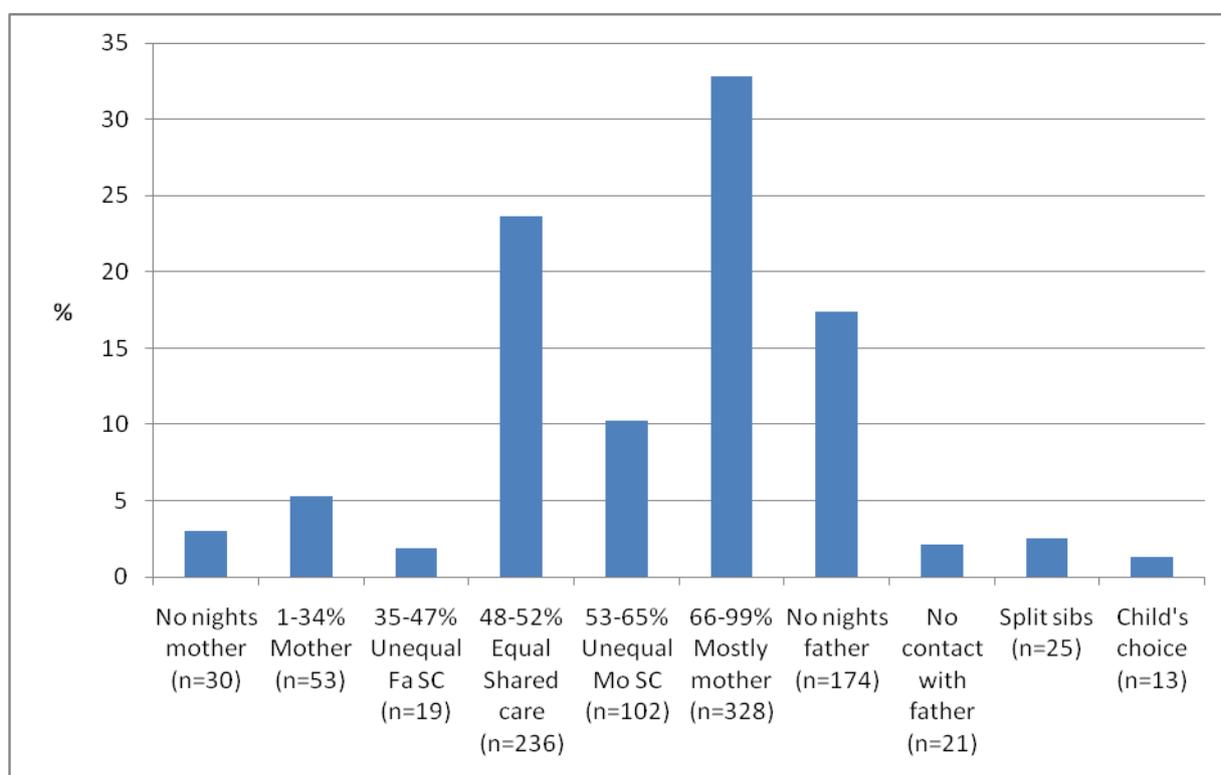
4.2 Parenting arrangements

The overall sample was selected to include parents with current shared care arrangements and those not currently in shared care, as outlined earlier. A combination of questions from the survey was used to categorise parents according to the living arrangements for their children from their former relationship. These measures included the number of nights per year the children lived with them, whether parents indicated that a child was in shared care or not, and

an extensive review of the qualitative information in response to questions about shared care arrangements and other arrangements.²³

Figure 4.1 shows the frequency of living arrangements in these families. In just over half of the sample, the mother was responsible for most or all care for the child, with the child spending at least 66% of nights with her, and in 18% of cases spending no nights with the father. Over a third of all respondents reported a shared care arrangement for at least one of their children. Of those in a shared care arrangement, the majority (66%) were in an equal shared care arrangement (48-52%), commonly referred to as 50:50 arrangements. In the unequal shared care arrangements most of the children spent the greater proportion of nights with their mother; unequal shared care arrangements where children spent the greater proportion of nights with fathers comprised only 5% of shared care arrangements.

Figure 4.1: Frequency of care arrangements (%)



- * “Split arrangements” refer to one or more children living with one parent, and the other children living with the other parent.
- * “Child’s choice” indicates that there was no set pattern and the children moved from one house to another or lived.

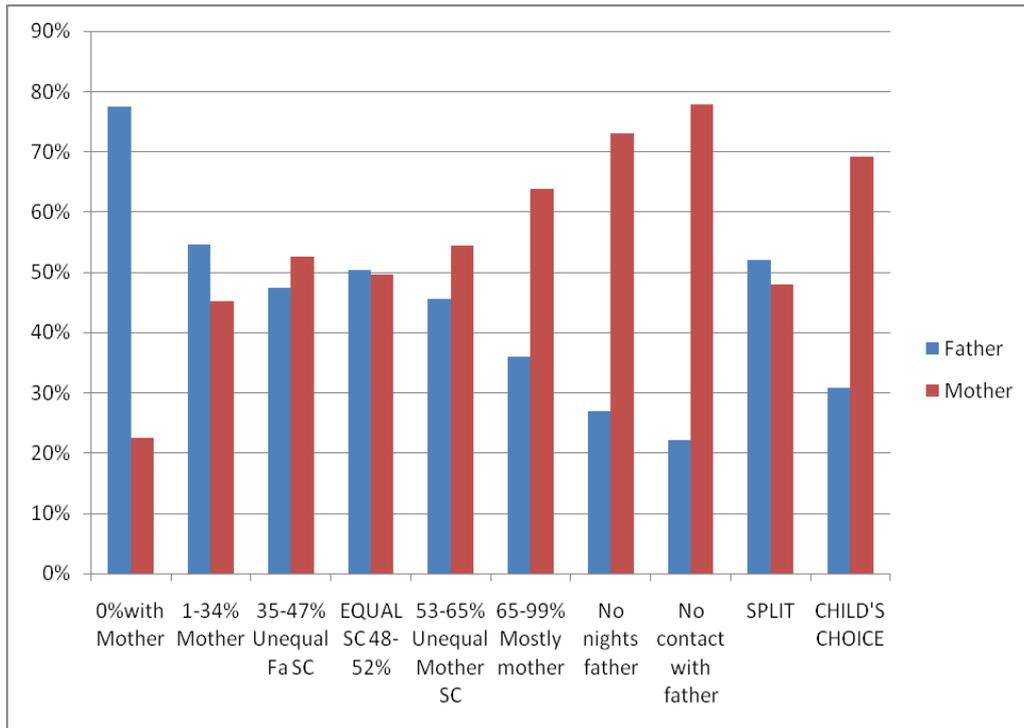
Figure 4.2 presents the same breakdown of reported living arrangements by the gender of the parent respondent. It suggests an expected response bias in the present sample. While fathers and mothers are equally likely to report a shared care arrangement, the number of mother respondents increases as the proportion of their time with the children increases. The same pattern is evident for fathers.

²³ Parents were asked for example:

Please describe the current arrangements for the children in your own words:

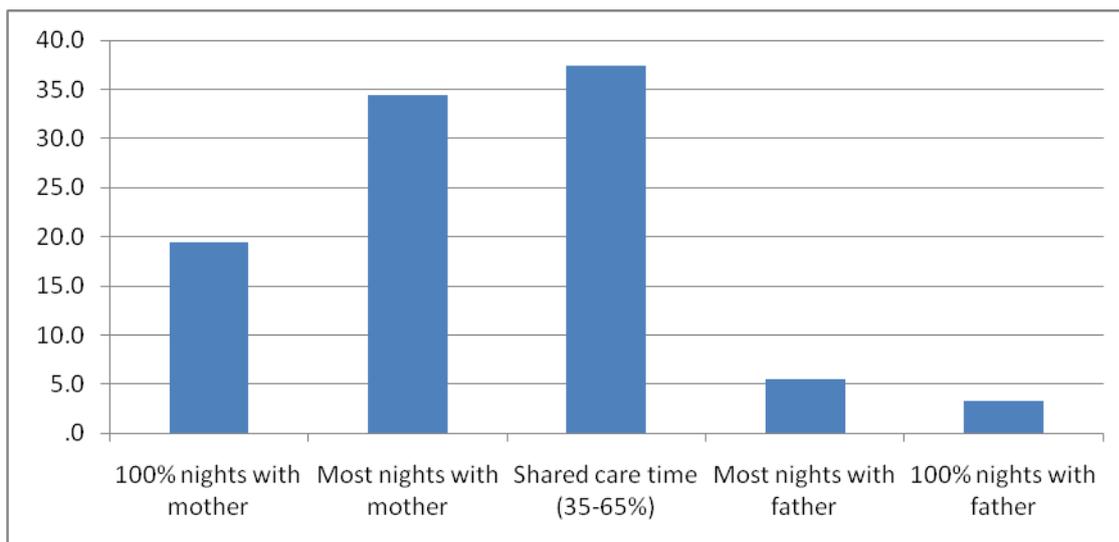
(For example, 'they spend half their time with me and half with their father/mother', or 'they spend every other weekend and half the school holidays with their father and the rest with me' etc.) (BOX PROVIDED)

Figure 4.2: Percentage of time with mother by parent gender



For the purposes of most of the more complex analyses to follow, we have **defined shared care** as **35 to 65% of nights** (128 to 237 nights each year) with each parent. This is consistent with the definition used by the Australian Institute of Family Studies in their major evaluation report (Kaspiew et al., 2010) and with the classification used by the Child Support Agency; it also overcomes some of the difficulties of small sample sizes for some care arrangements (see Figure 4.3).

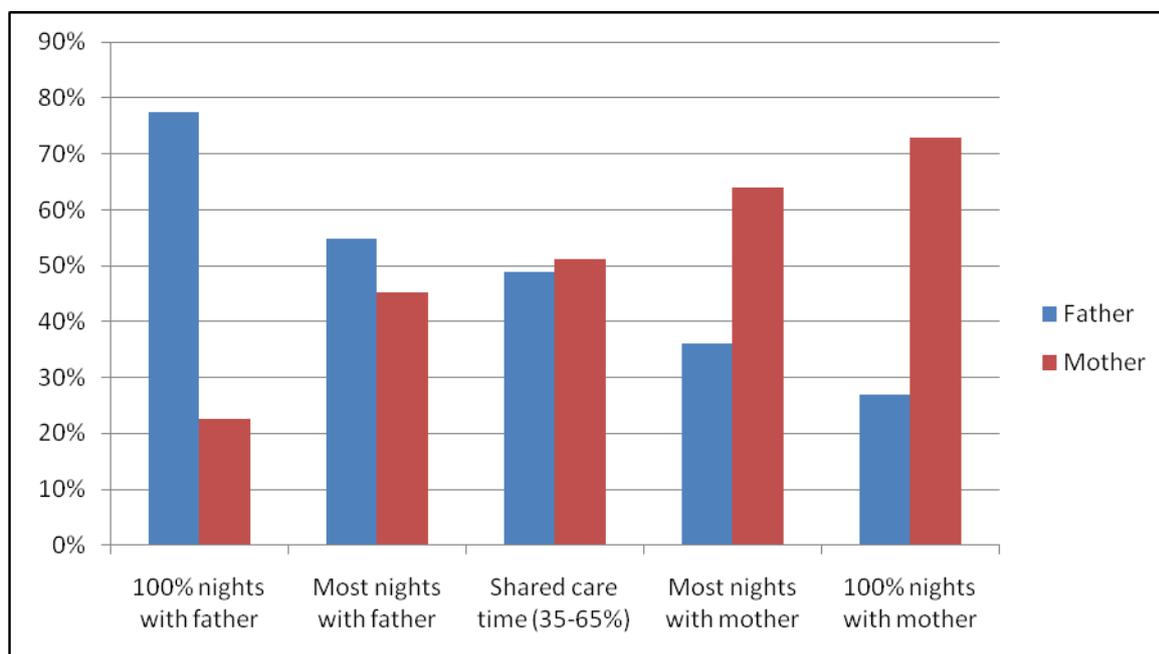
Figure 4.3: Frequency of living arrangements using 35-65% shared care (AIFS categories)



As Figure 4.3 shows, the most common arrangement was shared care defined as 35-65% of time with each parent. This is to be expected from the method for recruitment of this cohort. The next most common was children having the greater proportion of time with their mother.

When this is broken down by parent gender, the same distribution is evident, as expected (Figure 4.4).

Figure 4.4: Care arrangement (AIFS Categories) by parent gender



The following figures provide a breakdown of the sample's demographic characteristics by shared care and other living arrangements where there were significant differences by care arrangement.²⁴

Figure 4.5 shows the educational background for both father and mother respondents in the different care arrangements. Both mothers and fathers with shared care arrangements were the most likely to have a tertiary education.

²⁴ Further analyses indicated few differences between parents with shared care arrangements and those with other arrangements in relation to whether one or both parents had re-partnered. The main difference was that mothers where the children lived with them 100% of the time were more likely than other groups to report that the father had re-partnered but they themselves had not. There were no other significant differences.

Figure 4.5a: Education by care arrangement, father respondents

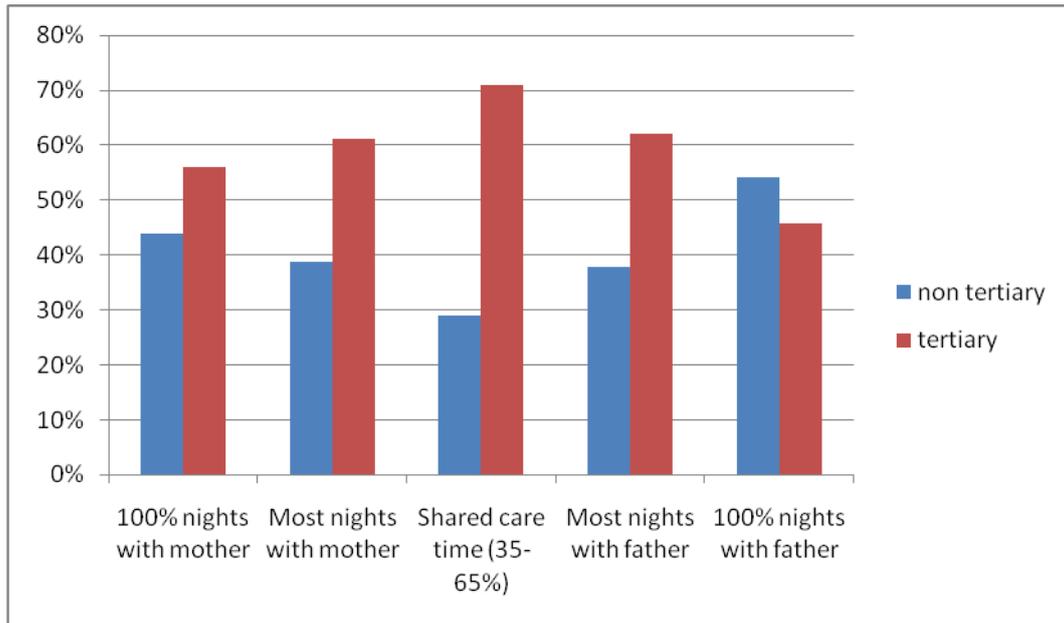


Figure 4.5b: Education by care arrangement, mother respondents

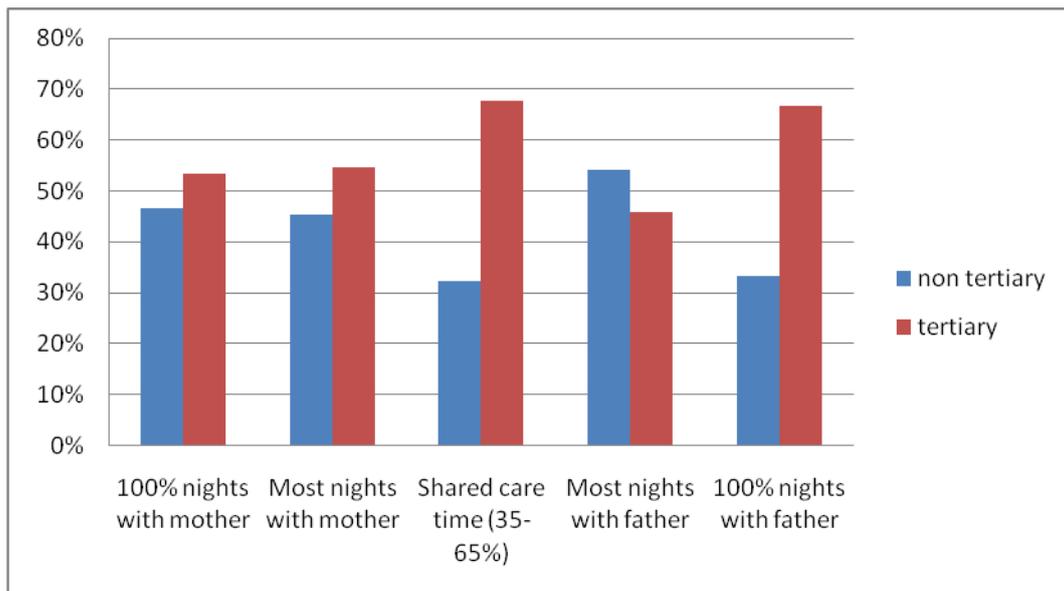
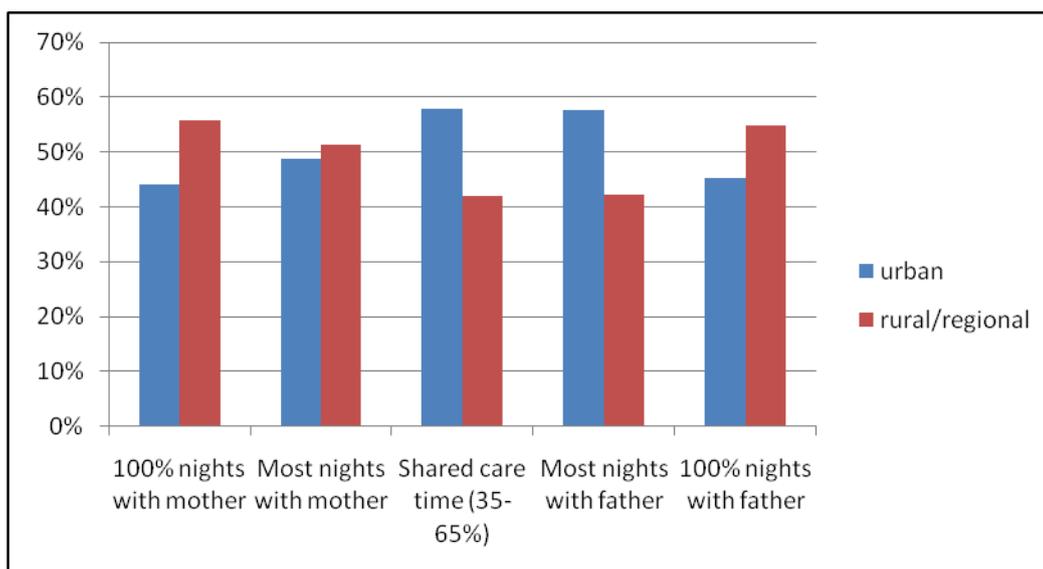


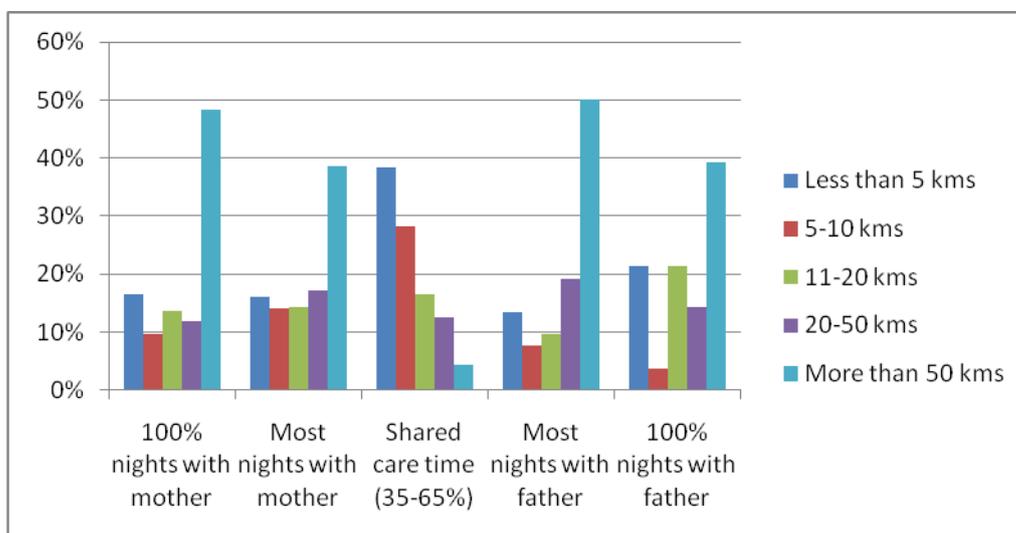
Figure 4.6 shows that parents with shared care arrangements and fathers whose children live with them most nights, but not exclusively, are more likely to live in urban areas than those in other arrangements. Parents reporting that their children live with them 100% of the time were more likely to live in regional/rural areas.

Figure 4.6: Location by care arrangement



Not surprisingly, parents in shared care arrangements were more likely to live within 10 kms of the other parent, as Figure 4.7 shows. Living close to the other parent makes it easier for children to travel between each home and their school as well as reducing the travel time between both homes. It also makes it easier to sort out practical problems that arise when children leave their homework or sports uniform at the other parent’s house.

Figure 4.7: Distance between parents by care arrangement



As Figure 4.8 shows, those in shared care were more likely to have separated within the past four years than those whose children were living mostly with their mother. This may be related to changes in family law legislation in 2006 which encouraged consideration of shared care arrangements, although the growth in popularity of shared care long pre-dates 2006 and has parallels in other jurisdictions.

Figure 4.8: Time since separation by care arrangement

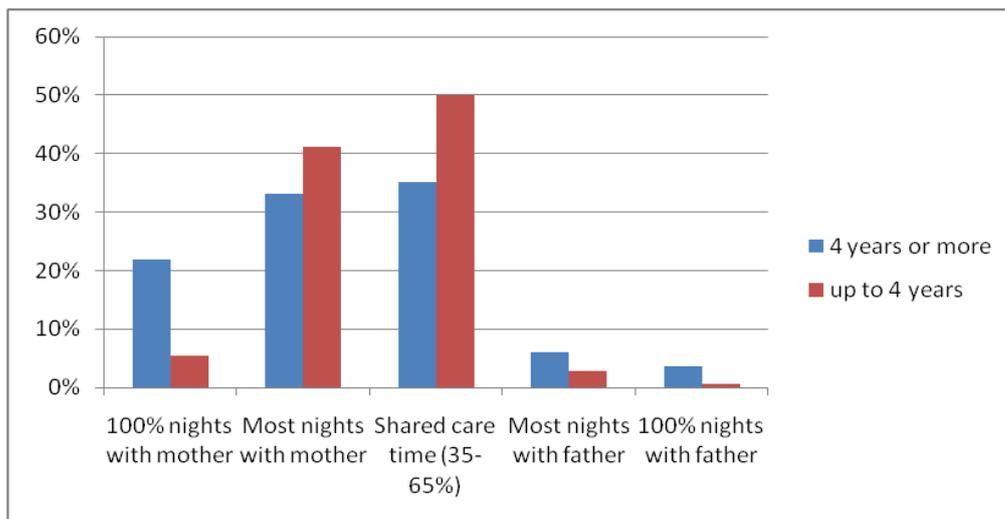
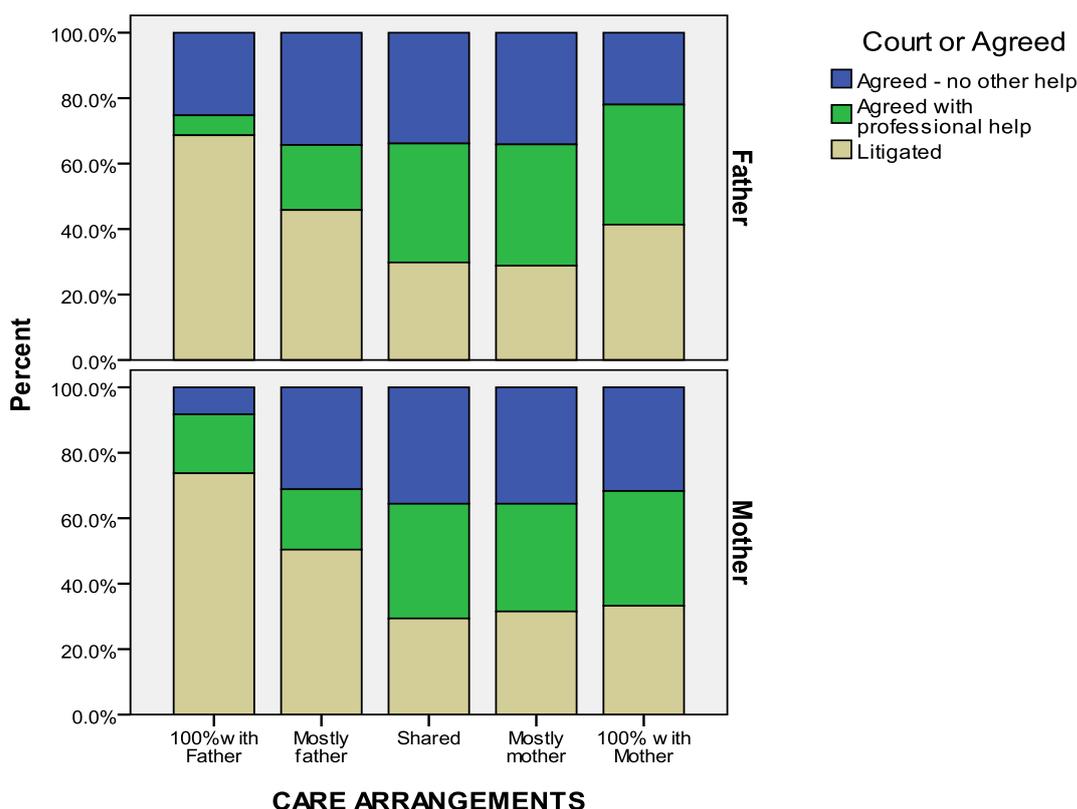


Figure 4.9 shows the proportion of mothers and fathers who came to the arrangement by agreement (with or without professional help) and those who proceeded to litigation. It indicates that parents with shared arrangements or where the children were mostly with their mother were less likely to have come to those agreements via litigation than those in other arrangements.²⁵ The most likely arrangement to have been achieved via litigation was where children were in the care of their fathers 100% of the time, and this was often associated with safety concerns.

²⁵ An analysis of the interviews with parents in shared care indicates that some fathers commenced litigation some time after the separation. The fathers in some cases were reportedly incrementally increasing their ‘demand’ for extra nights up to 50:50 time and in some this occurred after the 2006 legislative reforms; in others the fathers’ demand for increased time was a response to ‘threatened’ relocation by the mother.

Figure 4.9: Means of resolution of care arrangements by parent



4.3 Perceived practical difficulties with the arrangements

Parents were asked a series of questions about some of the practical aspects of parenting between two households. They were asked to rate the level or frequency of difficulty for children for each of the following practical tasks:

- Getting from one home to the other
- Getting to or from school
- Child leaves things at other home, e.g. clothes, toys, school or sporting gear
- Child's ability to see/contact friends
- Not having one place to call home
- Attending after school and weekend activities (e.g. music lessons, sports).²⁶

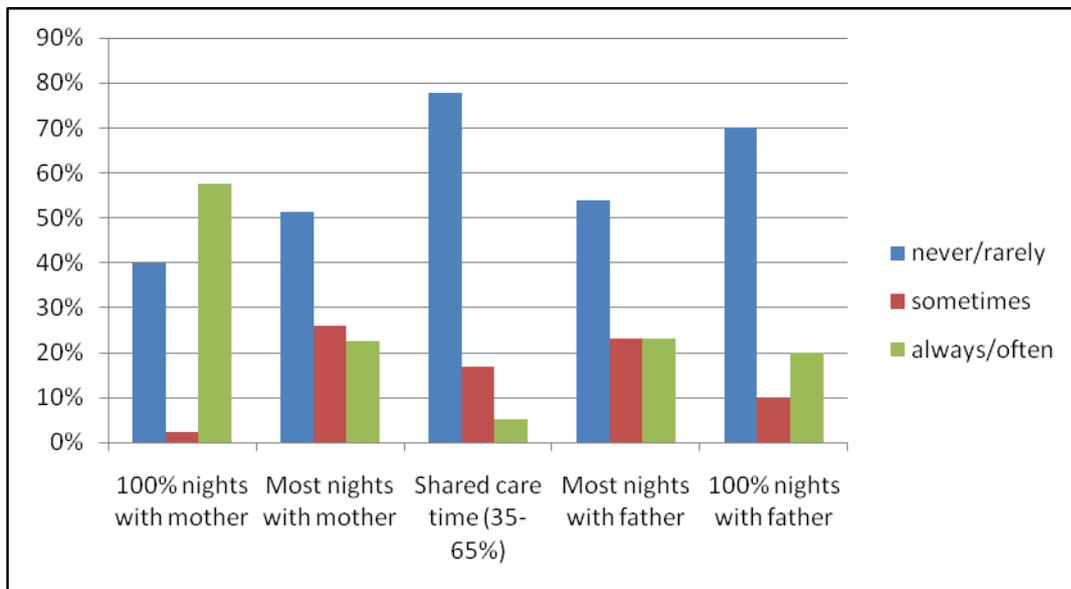
Problems associated with distance between parents' homes

As Figure 4.10 shows, both mothers and fathers with shared care arrangements reported the least problems for children getting from one home to the other. As outlined earlier (Figure 4.7), parents in shared care are more likely than those with other arrangements to be living close together, so this is not surprising. Parents whose children are 100% of the time with the other parent report more problems but in a number of cases, this was because they were reporting on previously shared care.

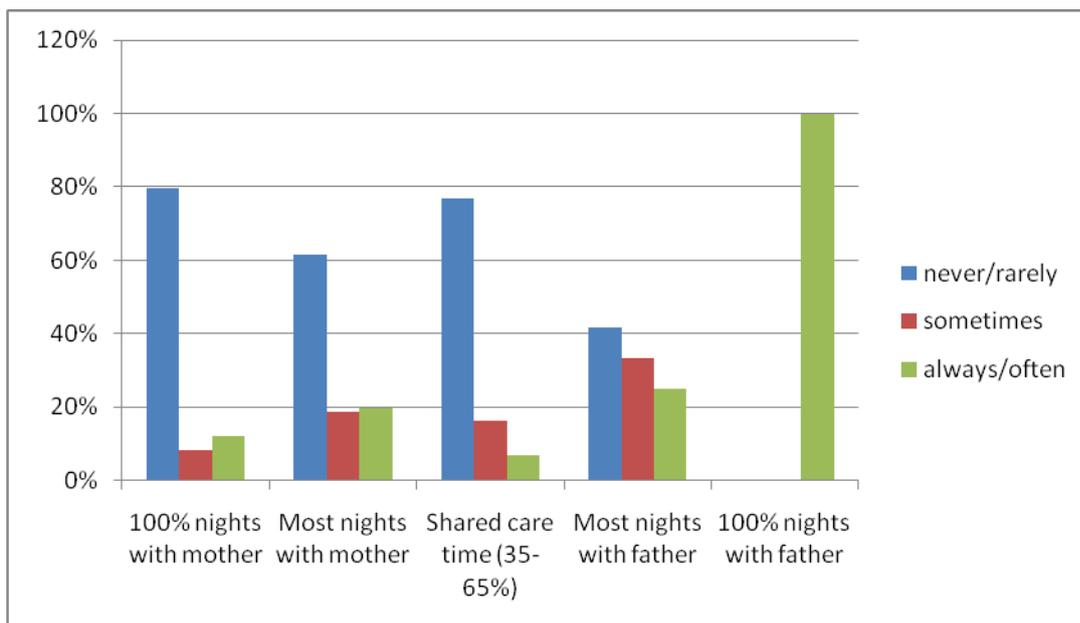
²⁶ Parents' responses to these questions were combined into an index of "practical difficulty" ranging from 6 to 30 points; it was used in Ordinary Least Squares (OLS) regression.

Figure 4.10: Problems for children getting between parents' homes by care arrangement

a) father respondents



b) mother respondents



Parents' comments in response to the open-ended questions in the survey and in the interviews also confirm the positive association between parents living closer together and parents being more likely to say the arrangements work well and that children are happy with them.²⁷ For parents with shared care arrangements in particular, living closer together, and

²⁷ The correlations were low but highly significant: between distance and how well parents rated the arrangements as working, $r (n = 940) = .15, p = .0001$; between distance and how happy parents rated their children to be with the arrangements, $r (n = 982) = .12, p = .0001$; and between distance and how satisfied parents were with the arrangements, $r (n = 980) = .11, p = .0001$.

close to school was a positive aspect of the arrangements, and one that a number of parents put some effort into, trying to stay within the same suburb if possible.

The children were always put first and that we lived within walking distance of their father. (651, Mother whose children 'used to be' in shared care)

And so how far apart in distance were you back then and how much has that changed? Not much because obviously with shared care the children have to go to a central school so we need to stay close. (Interview 17, mother of 12 and 9 year olds)

So, how far apart do you live from each other? I live in (N suburb in Sydney) and he lives in (C suburb, about 6 kms away). *Oh, that's really close, isn't it?* Yeah, and that was kind of, look, I had it in my head that that was stipulated in our... in our settlement, that we not move more than a 10 kilometre radius apart. But I don't actually know if it was. Do you know what I mean? I think that's just something I think that we agreed. Verbally. But I don't know if it was actually written down. (Interview 33, mother of 12 and 9 year olds)

Well, up until recently it was probably about 25 kilometres away from each other. And now he's moved in with his new partner, it's actually only about 6 or 7 kilometres away. It's not far away from where I live and the kids like it much better because it's closer and they don't have to travel in the car all over the place. And where he used to live was quite isolated, so even though it had a beach there and whatnot, it was just a really small town so they never went anywhere else. (Interview 05, mother of 11 and 9 year olds)

Both children and parents did not like the practical difficulties which were encountered when parents were living some distance apart, regardless of the type of care arrangement. When asked what their children did not like about the current arrangements, distance was mentioned by parents both with shared care and other arrangements. It was a problem in some cases as children grew older, especially in regional areas:

Other parent lives 30km out of town and child is at an age where he wants a part time job. There may come a day when he has to decide what he wants, job or seeing other parent every other week - it's not easy to pick up child when living so far away. (885, mother with 15 year old son in shared care)

What aspects of the arrangements is your child most unhappy with? Distance from old friends at his dad's. He likes the inner city (my house) and feels isolated at his dad's. (1032, mother whose 14 year old son used to be in shared care, but now lives with father)

How far away I live and that we are unable to see each other every day. (332, mother with shared care arrangements for 14 year old daughter)

The travel time 2 hrs per trip so I can't go to all school things. (341, father with shared care of 12 year old living in rural NSW)

Distance between homes 100 km and 1½ hour drive (617, father whose 12 and 7 year-old daughters were with their mother 80% of the time)

Where parents had moved long distances apart, the problems and children's unhappiness and discomfort with the arrangements increased.

What aspects of the arrangements is your child most unhappy with? The distance from father and paternal family following mother relocating from Brisbane to Melbourne. No male family or male input in Melbourne. (347, father of 14 year old boy living interstate with his mother)

The child does not see the father very often, the father chose to live very far away and in a very isolated place far from any towns. The father also works a lot and is not always available for any child care. (277, mother of 12 year old girl)

What aspects of the arrangements is your child most happy with? Flying on the planes. What aspects of the arrangements is your child most unhappy with? The distance (986, father of 8 year old living with mother, father in rural area of WA)

Similarly shared care was also associated with fewer problems for parents getting children to and from school (Figure 4.11), with parents in shared care arrangements indicating that distance and travel to school from both homes was a priority and an area where they tried to cooperate.

So (being close) ... and walk to school is ... has always been a priority for us and we knew the second child would be going to that same school. So ... and, you know, we like the area and it was obviously going to be good for them and it was sheer luck that we got the places as close as they are, I mean they're literally two or three minutes walking distance. (Interview 40, mother with shared care for children 15 and 12 at separation)

How did they find travelling to the different schools from the different homes? That's not a problem, wasn't a problem at all. (Interview 34, father of 21 year old and 16 year old still at school)

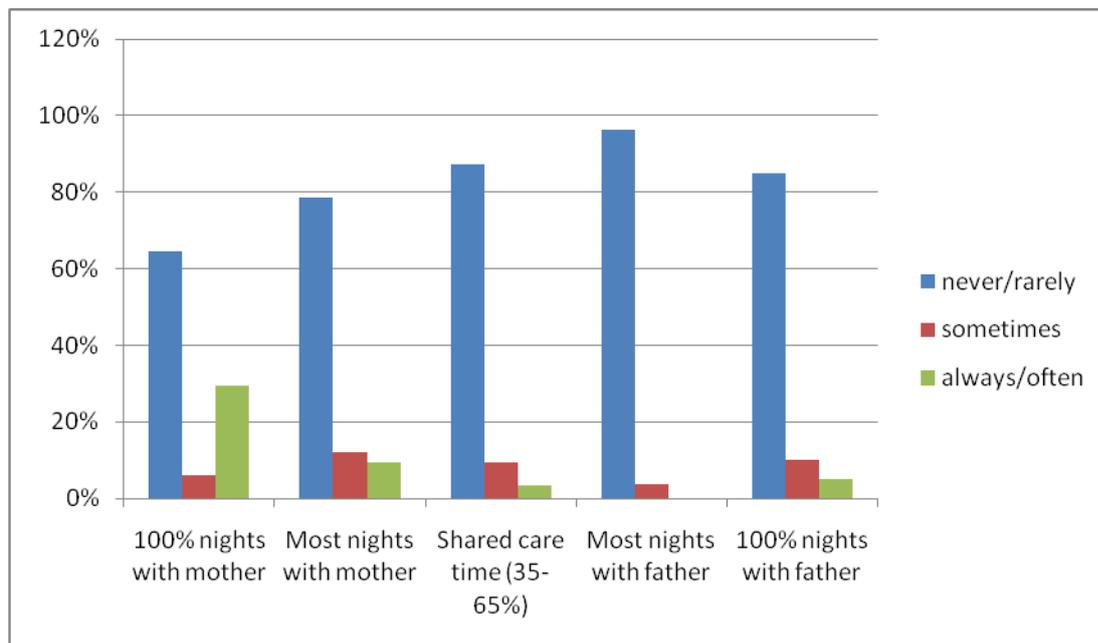
In some cases, however, parents' comments indicate some differences between homes in that regard.

What aspects of the arrangements is your child most unhappy with? Feeling unsettled and (she) has to catch 2 buses and a train to school from father's house, very different. (111, mother with shared care arrangements for 15 year old daughter)

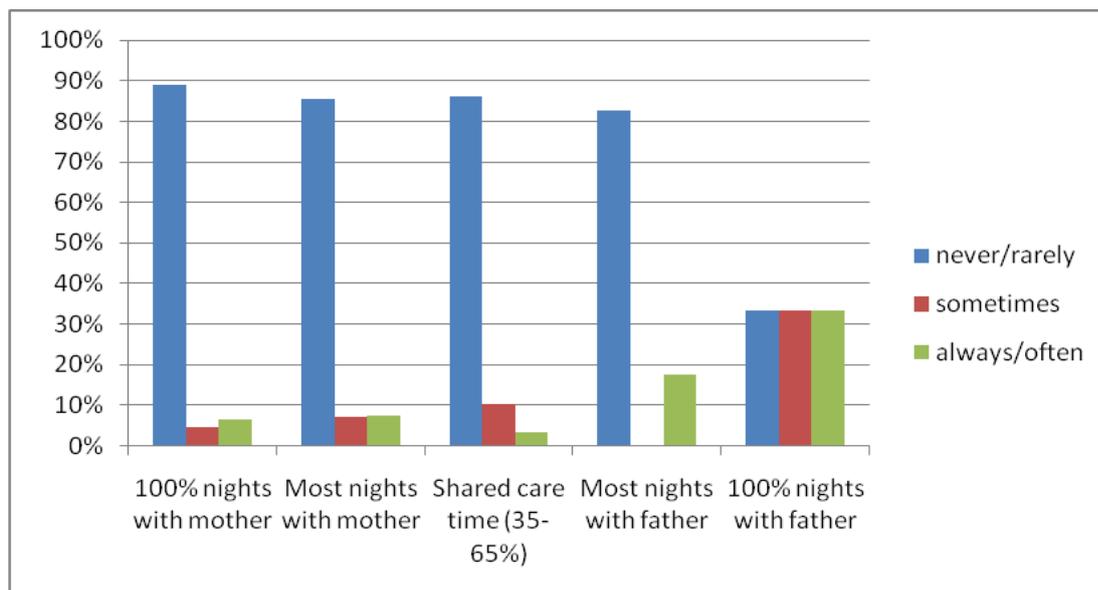
And getting to school from both homes? Oh yes, well see she's walking distance from school to here, where she lives with me, and out at (small rural town) she has to catch a bus and I think it takes, you know, 40 minutes. (Interview 22, father of 15 year old girl)

Figure 4.11: Problems for children getting to and from school by care arrangement

a) father respondents



b) mother respondents



While children were seen to be significantly happier and the arrangements to be working better when they had fewer problems attending after school and weekend activities,²⁸ there were no significant differences between the different types of care arrangement in this regard²⁹ ($r(n = 905) = -.035, p = .23$).

²⁸ The correlation between how happy children were perceived to be by their parent was significantly correlated with the frequency of problems for children attending after school and weekend activities: $r(n = 911) = -.295, p < .0001$; the correlation for how well the arrangements were seen to be working was: $r(n = 915) = -.298, p < .0001$.

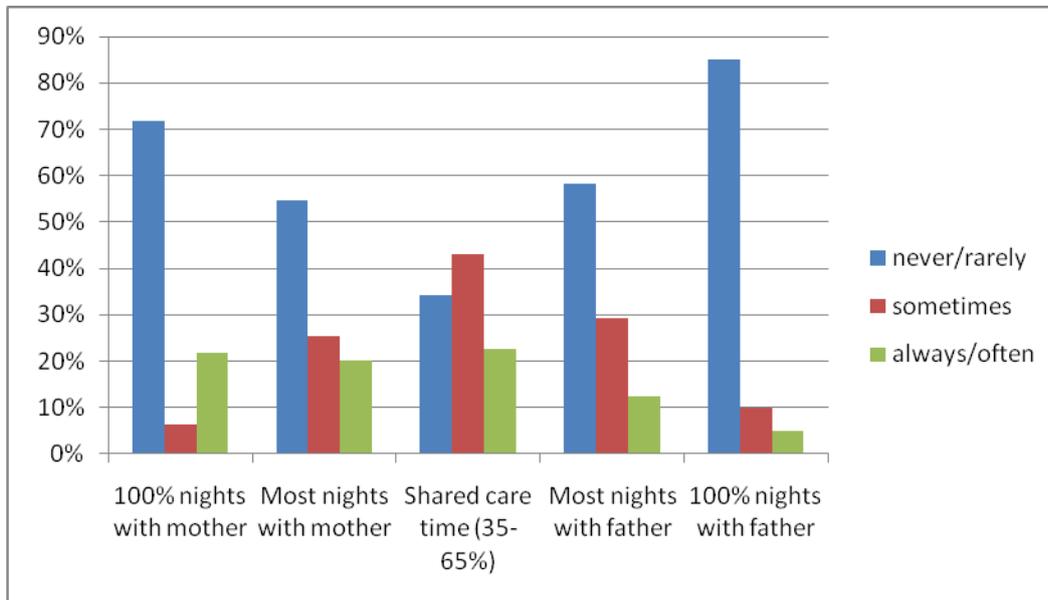
²⁹ The correlation was non-significant: $r(n = 905) = -.0352, p = .228$.

Problems for children leaving things at other home

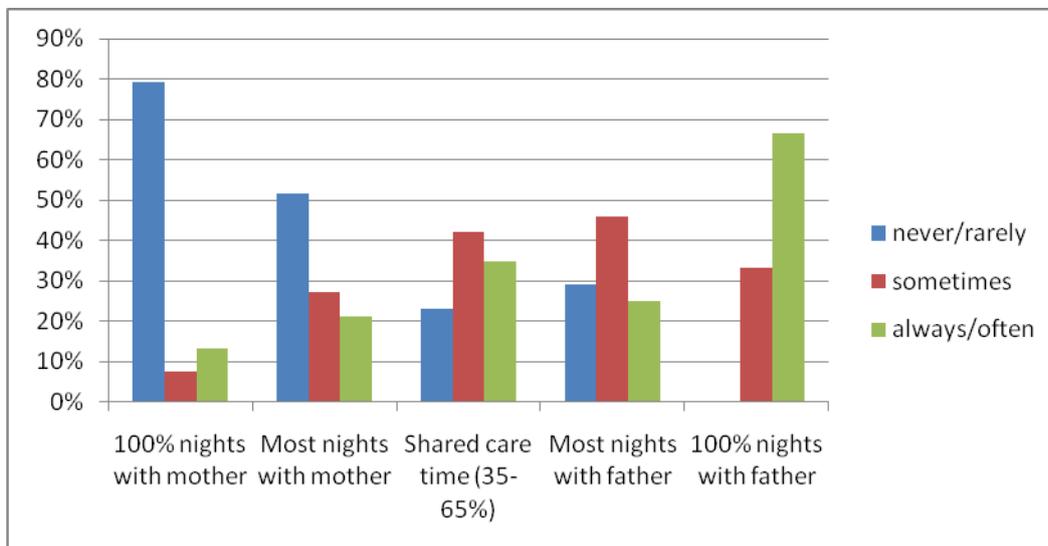
There were, however, clear differences between shared care and other arrangements in relation to problems for children leaving things at the other parent’s home (Figure 4.12).

Figure 4.12: Problems for children leaving things at other home (eg. clothes, toys, school or sporting gear) by care arrangement

a) father respondents



b) mother respondents



Mothers with shared care reported that it was more frequently a problem than fathers did (35% ‘often’ or ‘always’ for mothers compared with 23% for fathers). Where children were living mostly with their mother, however, there was no significant difference between mothers and fathers (18.5% ‘often’ or ‘always’ for mothers compared with 20% for fathers). Indeed, whether children were in shared care or living mostly with their mother made little difference to fathers. Importantly, too, the extent to which parents disagreed about child-

rearing matters was significantly associated with the extent to which leaving things behind was a problem for both mothers and fathers.³⁰

Parents' comments in both the survey and in interview confirm the differences between mothers' and fathers' reactions to children leaving things behind, and the differences between shared care and other arrangements.³¹

What aspects of the arrangements is your child most unhappy with? To and fro of clothes shoes, school stuff. Always living out of a bag. (349, mother of 18 and 16 year olds in equal shared care, <5 kms apart)

Leaving toys, etc behind. Having an irritated mother that is irritated by things being left behind or any conflict. (1, mother of 3 children aged between 5 and 11 years in shared care)

The logistical arrangements, moving between 2 homes every week. Having to be the "meat in the sandwich" in relaying messages from their father. (285, mother of adolescent children aged 19 and 15 who used to be in shared care)

distance and inconvenience of leaving things at alternative home, eg clothes, homework, shoes etc. (949, mothers of two girls, 17 and 14 in shared care)

Parents' comments in the interviews suggest mothers tend to carry or assume more responsibility for children's clothes and belongings than fathers do. They are much more likely than fathers to buy their children's clothes³² - especially "socks and undies" - and they also may be (or believe they are) more realistic about children's capacity to remember things and irritated by fathers' lack of attention to this.

Basically she's still quite young and she lives out of a bag, she goes with me, she goes with him. He doesn't have any clothes for her, he has limited toys for her, so everything comes back to my house. I no longer do her washing when he's with her, his mother does all of her washing, but basically I do pretty much everything for her because I determine what clothes to send there, what toys to take there. (Interview, 02, mother of 8 year old in shared care)

Well, you know it's the usual stuff with ... 'cause men aren't as good as women about undies and things so I've ... I've often had problems with

³⁰ The correlation between was disagreement over child-rearing issues and leaving things behind was significant for both mothers and fathers: $r (n = 503) = .34, p < .0001$ for mothers, and $r (n = 353) = .32, p < .0001$ for fathers. The association between leaving things behind and the time that children spent with their mother and father was, however, significant only for mothers: $r (n = 513) = .34, p < .0001$ for mothers, and $r (n = 358) = .02, p < .0001$ for fathers.

³¹ The practical difficulties associated with distance and leaving things were the most frequently mentioned aspect that parents thought children were unhappy about in relation to the care arrangements - 29% of mothers and 27% of fathers, but references to leaving things behind comprised the bulk of mothers' comments in this regard.

³² Mothers were much more likely than fathers to say they bought the children's clothes and shoes 'often' or 'always' (91% compared with 63%) in both shared care and when the children were with them most of the time: $\chi^2 = 18.3, 5 df, p = .003$ for shared care.

things just not coming back or eventually running out of socks and undies because they just build up there.

And their father never polices things. He doesn't ... he just tells them and has almost the whole time, "it's your responsibility to get your stuff back", even when they were really a bit too young. And that was always a bit of a grievance for me 'cause I'd sometimes have to go back and get things or ... or I'd have to get him to drop things over. And this is not in conversation with him. This was sort of via the kids so in the end I'd said to the kids, "well if daddy's not going to help you pack stuff, and I'm not going to go back and get it, he can drop it over". So, you know, in their own way they probably kind of either said it to him or organised it so that they were a little bit more vigilant when they were coming back to my place. Because they knew that he wasn't quite as organised with stuff like that as me. (Interview 39, mother with shared care)

And the only problem was clothes. So, you know, of course, in the first few years it was, "Oh, you didn't send over a pair of socks." There's all this sort of rubbish, so you had to make sure that all the clothes were packed and ready to go and washed and cleaned and ironed and all that sort of thing, and then generally I would drop the clothes over. Just say the girls have been with me for a week. I would drop the clothes over at their mum's place on a Monday night. (Interview 37, father)

Not really (much of a problem now). Initially we were sharing clothes - a bag between house to house and then my ex decided that she didn't want to do that anymore. And I know the reason she was being difficult - because her parents are actually quite extravagant with buying presents for the children, clothes, she made a point of anything her parents bought stay at her house and anything my parents bought stay at my house. It's actually probably been a good thing because trying to move a whole bunch of clothes from house to house presents its own problems.

The other factors that affected the parents' reactions to children leaving things behind, apart from the age of the children, were the level of inconvenience associated with the distance between the homes, the capacity to replace them, and the quality of the relationship and ease of communication between the parents. Parents who were well-off or lived close by had few problems:

[When we lived in different suburbs (opposite side of the Bridge)] I used to find I'd rarely forget anything and we'd go for months without seeing each other I think, back then. But now, because we live so close, I mean literally she lives on one side of O Street and I live on the other. You tend to you know see a lot more of each other 'cause you don't really need to think too hard about the swimmers or the soccer boots or the, you know all that stuff. (Interview 20, father of 9 year old boy in shared care)

We said to them at the beginning, we said "Look over time we will try and duplicate everything so you've got less (take)" ... so slowly, you know, we've doubled up on school uniforms, so really they have to take very little and ... and the older one who couldn't bear the idea of leaving her favourite clothes in one house, discovered through time that it was great fun to have

two sets of clothes. (Interview 40, mother of two adolescent children in shared care)

Consistent with the overall quantitative analyses, parents who had an easier and trusting relationship said they had few problems:

Is there anything they've said that they don't like or are there any problems if, for example, they leave things at the other house? Yeah, not really but I... Jacqueline has keys to my house, and I have keys to her house. If they need something, we'll go and get it. And I look after her dog normally once a week. You know, so with the children and the dog, it's not an issue.

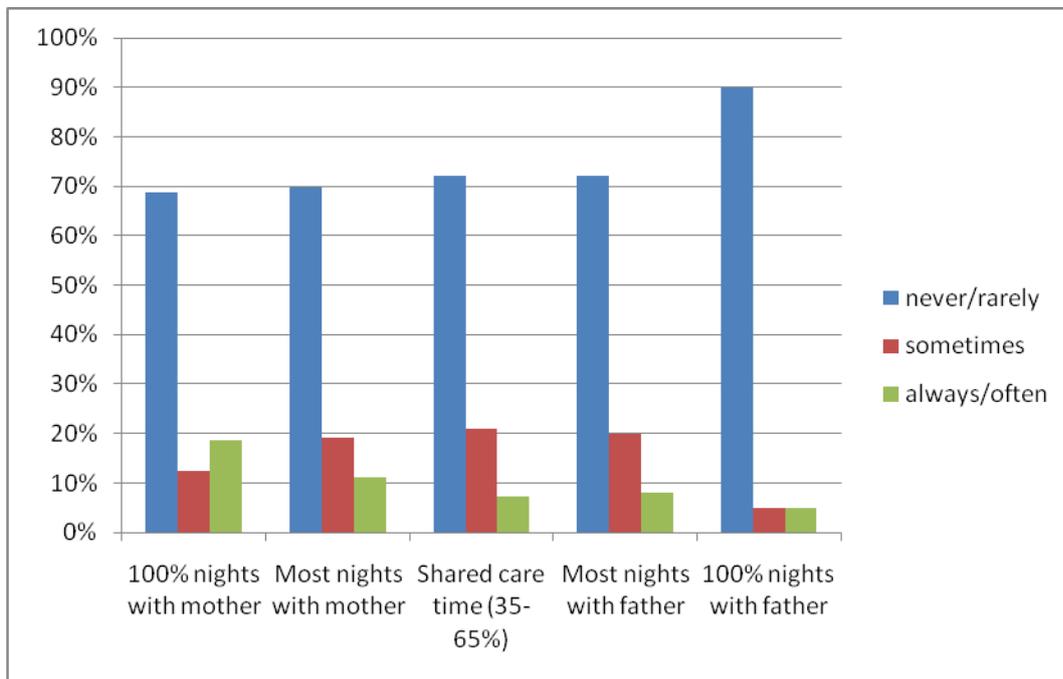
Yeah, so leaving things behind, homework, just bits and pieces, if he wants to take something then it doesn't come back, then he wants it and it's not here either. Those sorts of things can be an issue and it's just because we don't have that great a relationship, it's not like hey, can I just pop round and pick that up again, that just doesn't exist. (Interview 24, mother with 8 year old son in shared care)

Problems for children not having one place to call home

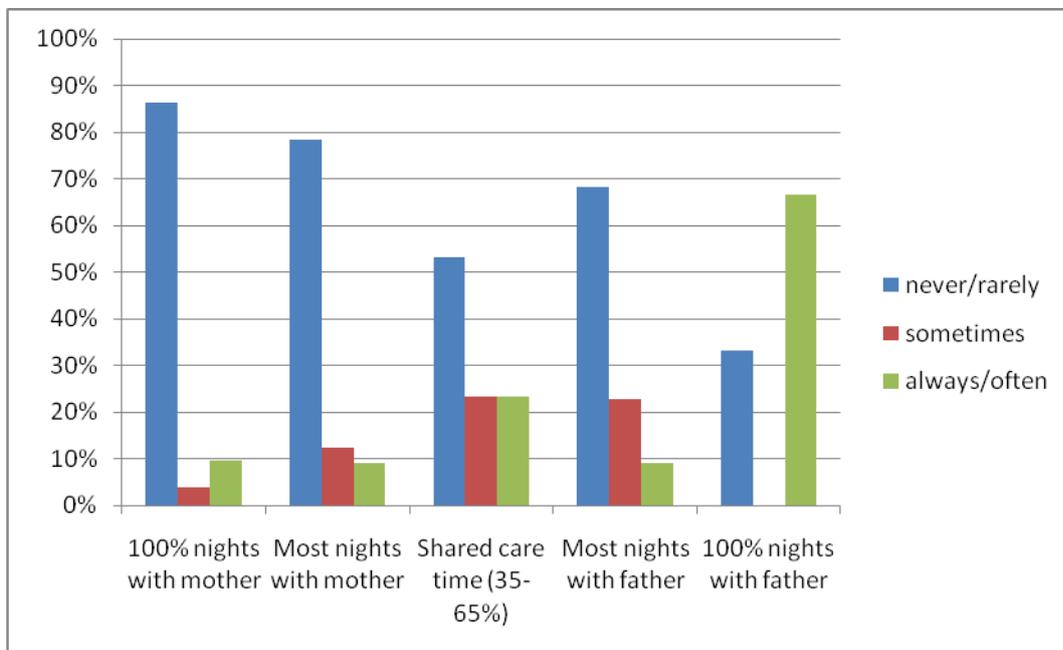
A common concern for some parents is that children in shared care may have more difficulty feeling settled in both homes than children who live primarily with one parent. As Figure 4.13 shows, this was a greater concern for mothers with children in shared care arrangements. Mothers with shared care were three times more likely than fathers with shared care (23.4% compared with 7%) to say their children often or always had problems with not having one place to call home. Fathers' responses are relatively undifferentiated according to the care arrangement they have, suggesting that they are not alert to the problem or have a vested interest in believing that this is not a problem. Only 12.7% of fathers whose children were living all or most of the time with their mother, however, had such concerns. The figure for mothers whose children were primarily living with them was understandably not high at 9.6%.

Figure 4.13: Problems for children not having one place to call home by care arrangement:

a) father respondents



b) mother respondents



Parents responses to the survey and in the interviews also suggest that fathers think their children are relatively unconcerned about this issue. Whereas not having a stable home was the second most frequent comment by mothers in response to the question about what aspects they thought their children were most and least happy, it did not rate in the top four for fathers. The typical responses referred to stability and having a home, and a number came

from parents (including one father) whose children used to be in shared care. In several cases, these were parents with younger children who had been in shared care.³³ For example:

That my youngest is with me most of the time - He is very bonded to me. That both children are more stable not doing a 50%-50% split. (55, mother of 5 and 3 year old children previously in shared care)

In some cases, these were parents whose children were now older adolescents.

(Happy with) Seeing both parents equally but (unhappy with) stability is lost (496, mother with 3 children now 20, 18 and 16 who were in shared care).

Some form of stability now not swapping homes regularly. (623, mother, mother of 3 older children, youngest 17 still in shared care)

our daughter has a positive approach to life but has also been profoundly affected by each family - where is 'home' - an element of anguish. (703, father of 3 children 22, 19 and 15 in shared care)

He has a very stable home life. Not travelling between homes. But he does not see his father enough. (997, mother of 17 year old now living with her)

Stability - knowing where home is. (721, mother of 14 and 11 year olds, living most of the time with her)

have 1 place to identify as home, stability, emotional support (733, mother of 14 year old, now living mostly with her)

Several mothers and one father during their interviews commented specifically on the division of time with each parent across the week and were in favour of patterns that provided for more of a routine especially for younger children. For example:

When we separated it was totally 50:50. *Until he went to school?* Yeah. And it just... It got too confusing. He was at a day-care centre, I think, a few days a week. Three days a week or something. Then he was with Tony on the weekends and then for one night through the week or something like that. But when he started school, it was just really confusing for him - he couldn't remember who he was... who was picking him up and what was happening. And so we decided to scrap that. (Interview 26, mother of boy now 14 and no longer in shared care)

Initially we tried doing a 3-2-3 split with the kids and that was just dreadful, it was just dreadful. I mean I didn't know if I was coming or going, the kids wouldn't have known if they were coming or going, they weren't happy, and to me they were presenting with signs that it was just too much happening, they couldn't get any ... into any routine, just ... you know just like a tennis ball being bounced from one end of the court to the other. (Interview 6, mother of 2 children in shared care)

³³ There were significant negative correlations between the age of the child and the concerns about children not having one place to call home – indicating that there were more concerns for younger children.

Partly the issue was just the disruption of being a school aged kid, swapped households all the time and maintained two household, partly significant unhappiness with some of the emotional things my ex wife went through at that time and how it played out on her, the kid in the house. (Interview 9, father of 3 children aged 5 to 12 years whose children used to be in shared care)

Not feeling at home was also for some children, according to their parent, associated with their difficulty with the presence of a new partner or step-siblings so that they did not feel welcome there. These comments were, however, as common among children living primarily with one parent (mostly their mother) as with those in shared care arrangements.

(What aspects of the current arrangement is the child most unhappy with?)
the step mother. receives (sic) no freedom at her father's house. It's doesn't feel like home. Gets no pocket money. Other people in his house use her things e.g. her computer, her bathroom (leave their underwear lying around) (304, mother of 14 year old living mostly with her mother)

He does not want to live with his father, de facto and step family. He is fearful, feels that he is treated differently and unfairly and has a lot of anger issues towards them. (506, mother of 14 year old living mostly with her)

Their mother has re-married and they have difficulty with her new husband and their new brother who is 2 years old. Financial hardship and drinking make for a volatile household. (699, father of 15 and 16 year olds in equal shared care)

Ex husband's partner's attitude towards him when dad not present. (98, mother of 11 year old boy in equal shared care)

On the other hand, step-siblings and step-parents that children were able to get along with were seen as positives.

(What aspects of the current arrangement is the child most happy with?)
Able to see both parents. Also has a new step-sister. (23, father,

She gets to see her siblings (step) when she's with her father. (117, mother)

Overall, then there are some differences in the perceived practical difficulties of shared care compared with other arrangements, especially among mothers. There is some evidence that parents in shared care make an effort to live closer together to reduce the logistical difficulties for children getting to and from each home, and from each home to school. Shared care was, however, associated with more difficulties for children leaving things behind, unless their parents lived close together and were cooperative. Some parents also duplicated some items of clothing and toys. These difficulties were reported more often by mothers than by fathers. The other aspect that was seen as more problematic by mothers than by fathers was children not having one stable home base.

4.4 Aspects of the parental relationship

A consistently important factor in the literature dealing with outcomes for children after parental separation is the level of conflict between the parents particularly in relation to the children (Amato & Gilbreth, 1999; Kaspiw et al., 2010). Parents were asked a series of questions in the survey related to the level of conflict and cooperation between them and their

former partner as well as whether they had any concerns about the safety of the children when they were with the other parent and whether they had any concerns about violence toward themselves. The three main questions about parental conflict in relation to the children concerned the reported frequency of tension between them over money for the children, disagreement over basic child-rearing issues, and whether or not they were able to talk to the other parent about child-related issues. A number of parents also provided comments about their level of communication and their concerns for the physical and emotional safety of their children in response to the open-ended questions, asking them what aspects of the arrangement their children were most happy and most unhappy with. These issues were also followed up in some depth with parents in the interviews.

Conflict and cooperation over money and child-rearing

Several indices were constructed from the ratings that parents provided in relation to both money and child-rearing issues: tension and perceived unfairness of cost sharing (ranging from 2 to 7) and disagreement and inability to communicate over child-rearing (ranging from 2 to 12). Figure 4.14 shows the means for the conflict index related to child-rearing issues for both mothers and fathers in the different care arrangements and indicates that conflict over child-rearing tends to be lower for fathers with shared care arrangements than in the other arrangements.³⁴ For mothers, the reported conflict over child-rearing is lower for mothers in shared care than for those whose children are with their fathers all or most of the time.³⁵

Figure 4.14: Mean scores on conflict over child-rearing, by care arrangement by gender of parent

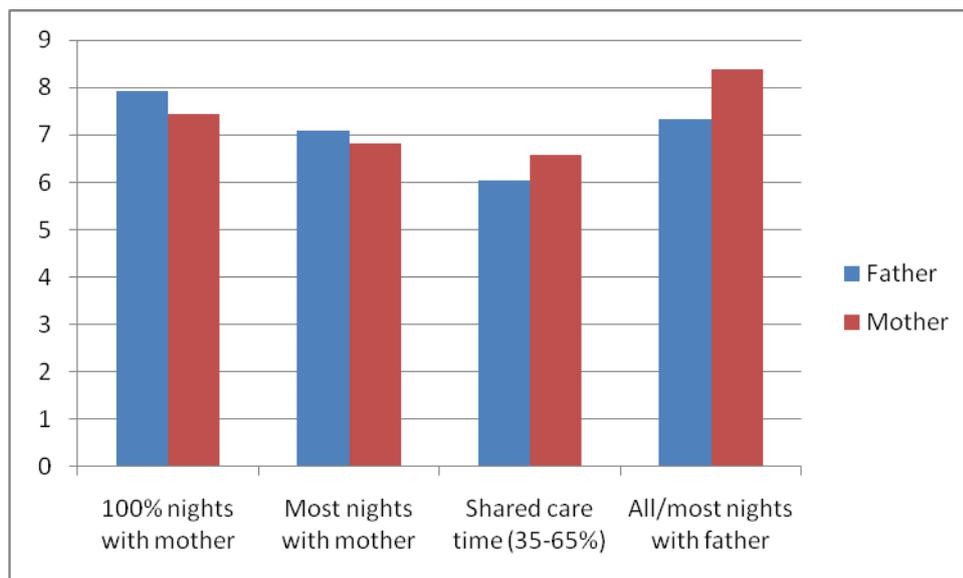


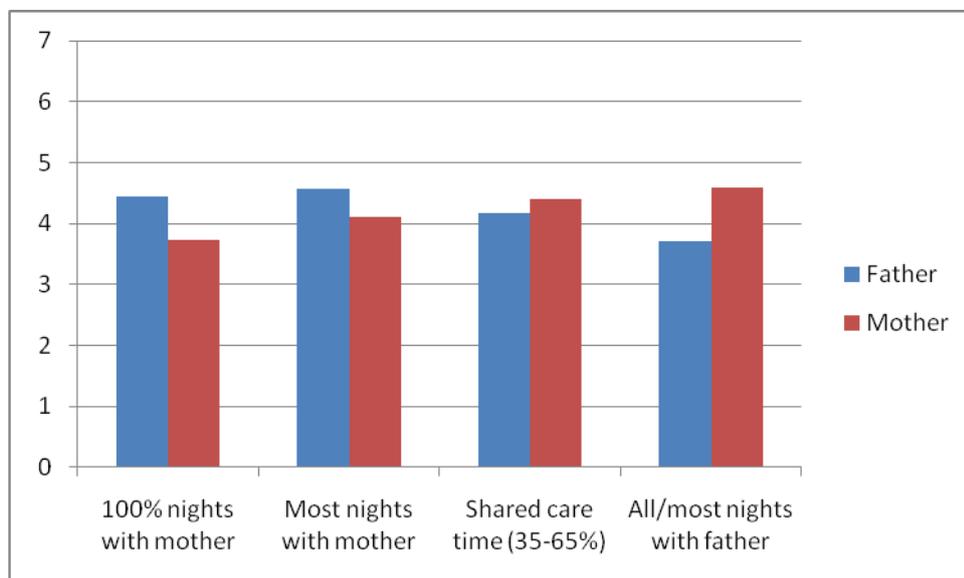
Figure 4.15 shows the mean level of conflict over money issues related to the children for both mothers and fathers by care arrangements. Mothers' level of conflict over money was higher for those in shared care than for those who had their children with them all or most of

³⁴ $F(4, 379) = 6.69, p < .001$ and all post-hoc planned comparisons between shared care and the other arrangements were significant.

³⁵ $F(4, 534) = 4.58, p < .001$ and only the one post-hoc planned comparisons between shared care and children with their father all or most of the time was significant.

the time.³⁶ For fathers, the lowest level of conflict over money was for those who had the children with them all or most of the time, and that was significantly lower than when mothers had the children for 100% of the time.³⁷ There was no significant difference between those with shared care and other arrangements

Figure 4.15: Mean scores on conflict over money, by care arrangement by gender of parent



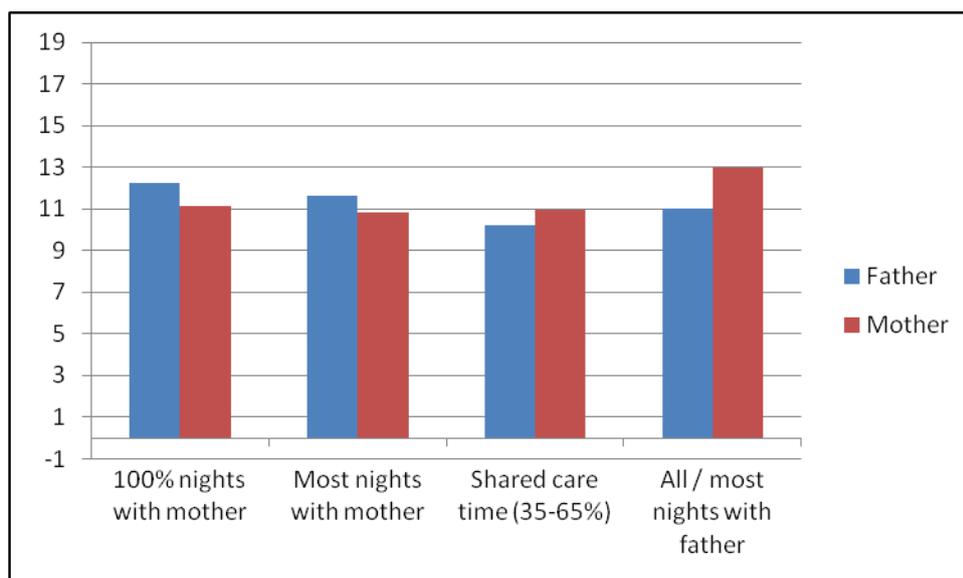
A combined measure of conflict was also constructed from these two indices. Using this index, Figure 4.16 shows that the parents in shared care arrangements reported lower mean scores on the index, indicating they have lower levels of conflict than parents with other care arrangements. The only significant differences, however, were for *fathers* who reported less conflict when they had shared care arrangements than when their children spent more time with their mother (‘mostly mother’ and 100% with mother’).³⁸ There were no significant differences for mothers.

³⁶ $F(4, 511) = 5.23, p = .001$; the post-hoc planned comparisons between shared care and children with their mother all or most of the time were significant.

³⁷ $F(4, 370) = 4.15, p = .003$ and the only significant post-hoc comparison was between those whose children were with them all or most of the time and those whose children were with their mothers 100% of the time.

³⁸ $F(4, 364) = 4.99, p = .001$, with the only significant post-hoc comparisons between fathers in shared care arrangements and fathers whose children spent more time with their mother (‘mostly mother’ and ‘100% with mother’).

Figure 4.16: Mean scores on conflict index, by care arrangement by gender of parent



Note – Conflict index is on a scale from 4 to 19 points, constructed by adding the two indices on the conflict over child-rearing and conflict over money indices.

Parents’ comments in both the surveys and the interviews indicate that underlying their conflict are concerns about the parenting style of the other parent (which can range from mild concerns differences in style to serious concerns for the children’s physical and emotional safety) and disputes over money and suspicion about the other parent’s motives for wanting or resisting shared care. Some parents were also quite explicit about the difficulties in relation to communication between them.

Differences in parenting style

Comments about basic differences in parenting styles were not necessarily negative; nor were they unique to shared care arrangements. Clearly though there were some families in which the parents had very different expectations and this was a cause of some tension between the parents and was seen to be making the child unhappy. For example:

(What aspects of the arrangements is the child most unhappy with?) Two families - two different sets of rules (788, mother with shared care of 15 year old)

Weekdays at his dads usually means no homework gets done so he gets stressed. Also forgets things that he needs for school, e.g. library books etc, note from school get lost usually, have to treat him extremely gentle the following day as usually goes to bed really late. (105, mother, with shared care 14 and 7 year olds)

Some parents with shared care also indicated that they had similar parenting styles and had maintained them since the separation, with or without much discussion.

I'm there to bring them up and when they're with her... the problem is you never really get, probably 100% on the way to bring them up because the relationship' s not the best. There's been times where we haven't spoken about things with the kids just because, it's needed to be, whether it's a discipline thing, in both households we've needed to do it, otherwise she can't really discipline them. (Interview 3, father with shared care)

So all of last year we were meeting for coffee or whatever and signing documents or trying to work out, renegotiate stuff. So yeah, so we, you know, I talked to him about her behaviour and he was horrified to hear, you know, what was going on, and so then we had to have the two of us talk to Sarah and say under no circumstances are you allowed to have a boy in the house alone, and when she sees both of us reinforcing the same message, it's really good - she'll really listen to it. (Interview 32, mother of adolescent girl in shared care)

Concerns for children's safety

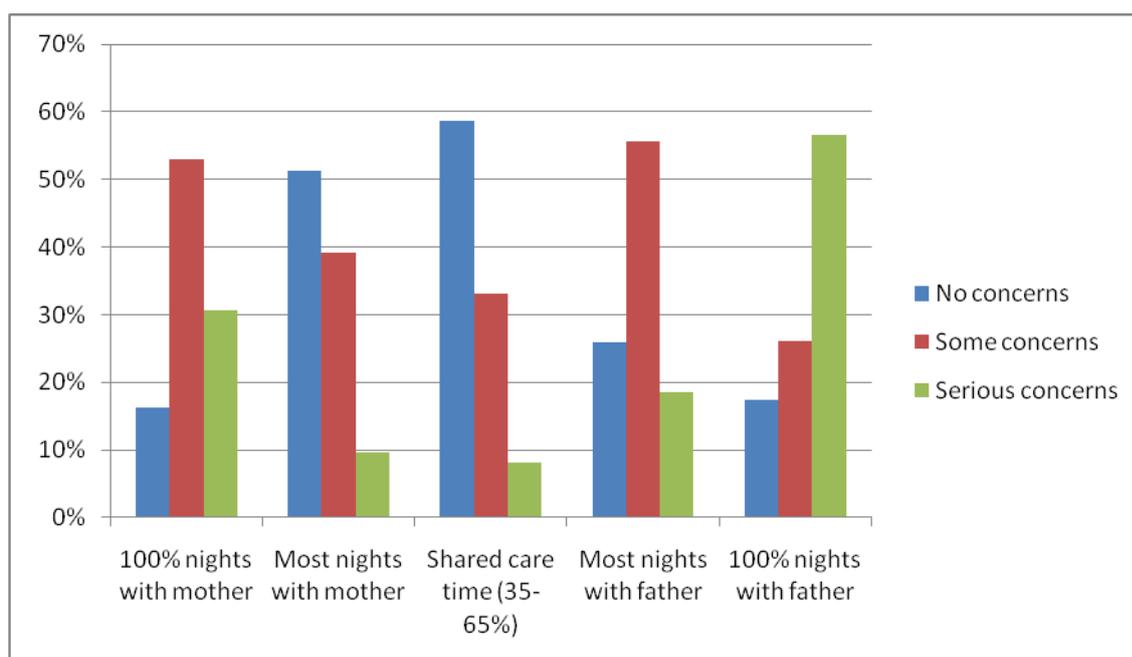
Another critical aspect of the relationship between the parents and one which both reflects and affects the relationship between the parents and their willingness to allow their children to go to the other parent's home is their trust and concerns about the safety of the children when they are with the other parent.

Figure 4.17 indicates that parents in shared care were the least likely to report concerns for the safety of their children in the care of the other parent with nearly 60% of both mothers and fathers in this regard reporting no concerns. The strongest concerns were reported by fathers when the children were primarily in their own care and by mothers when the children were living 100% of the time with their fathers. These results need to be treated with caution, however, because when these fathers were reporting on safety concerns while with the other parent, they were typically reporting on previous shared care arrangements in which there had been a change to 100% care by the father.

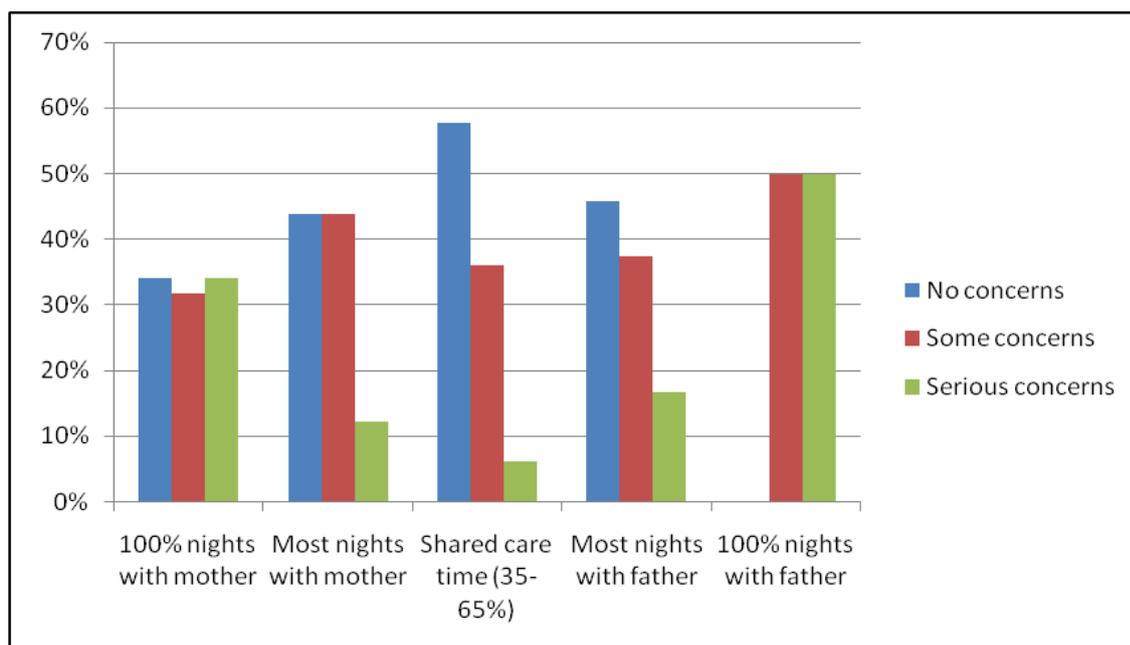
All the mothers whose children were living with their fathers 100% of the time reported some or serious concerns about their children's safety, while most fathers reported some or serious concerns when the child was in the mother's sole care (approximately 15% expressed no concerns with this arrangement).

Figure 4.17: Concerns about children's safety by care arrangement

a) reported by fathers



b) reported by mothers



The lower level of concern among parents in shared care is not surprising since parents who hold these concerns are less likely to agree to shared care and to resist the other parent having (more) time. The interviews with several mothers indicate, however, that mothers who hold concerns about the children's physical and emotional well-being were still involved in shared care arrangements, albeit very reluctantly when their concerns were not accepted. For example:

You said that the arrangement that you got wasn't what you wanted, that you would've liked to have had more time with the kids, but you also said that you've got serious concerns about the kids' safety.

Yeah. Can you tell me a bit more about what you would prefer to have?

Because of the increase, I guess, in psychological abuse and emotional abuse of the children and the instability in general, that like he sees a lot of different people and they come home and feel really confused about you know relationships and so forth, I feel that it would be a lot more stable for them if they were with me most of the time and had, you know, maybe weekend every fortnight with him and shared holidays or something like that, yeah. (Interview 17)

The kids told me of a situation where they were having a shower with daddy - which is something we never did with the children, we never showered with the children, the kids were bathed in a bath tub. And it evolved that daddy had no clothes on either and the kids had no clothes on and daddy said, "clean daddy's willy". And that's when I got onto the Department of Child Safety and the kids were interviewed by the police. But because the children aged three and four didn't make a disclosure, no surprises there, I had to return the children to that man, otherwise I would have been in breach of the parenting orders.... and the kids a few weeks later said it was still happening, the showers are still happening and there was, yeah an undertone there that the other stuff was still happening and I went through the same process again but again, the children didn't make

any disclosures. ... But he is inflicting emotional physical abuse on the children and I'm very worried about the children, when they're in his care.

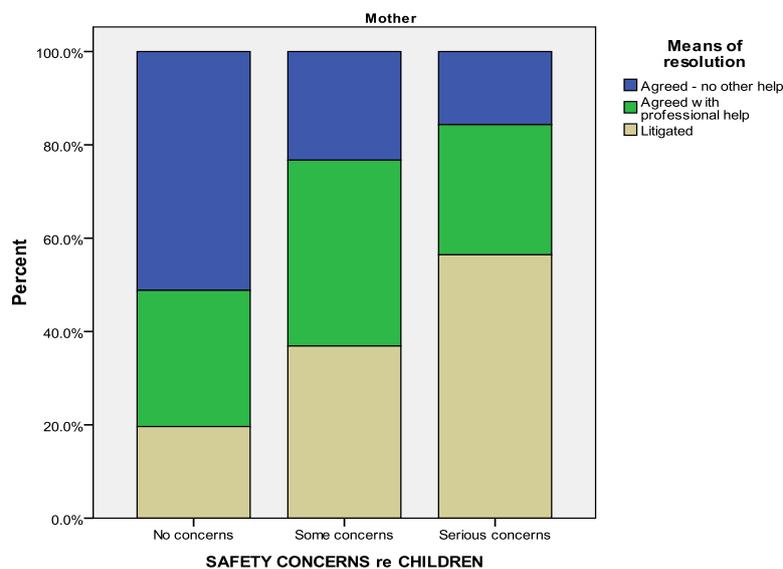
But you're unable to get that care, you know the shared care arrangement modified as a result of that?

Well the children didn't make a disclosure to the police, so they couldn't charge the father. The problem I've got is the current legislation, which is very much in line with both parents sharing the care of the children and in a world outside of the one I'm in, I think it has possibilities, but when you're looking at a situation like mine, where the father in this case, he has a history of domestic violence and he's subjected me to it and he is now subjecting the children to it. I spoke to my solicitor yesterday with my recent concerns, she said we could go back to court, but the problem with going to court is you may as well put a \$20,000 price tag on it, it's very, very expensive and when you consider that I've already spent up to maybe \$50,000 ... and I still have to fork out \$000s more to go back.

It is also clear that matters are significantly more likely to be litigated when a parent has safety concerns for their children when they are in the care of the other parent, especially mothers with serious concerns (Figure 4.18).³⁹

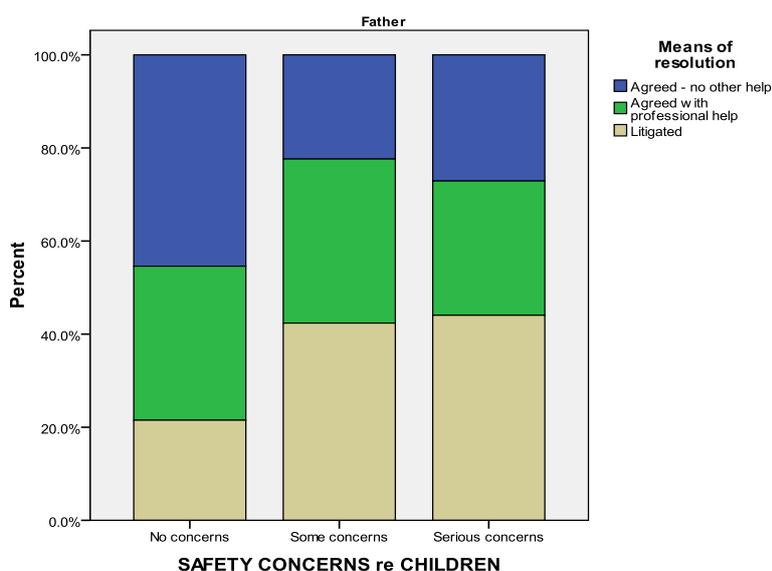
Figure 4.18: Safety concerns for children by means of resolution

a) reported by mothers



³⁹ $\chi^2 = 66.0, 4 df, p < .001$ for mothers, and $\chi^2 = 25.9, 4 df, p < .001$ for fathers. Regression analysis also indicated that having the court mandate care arrangements is associated with a 22% increase in the probability of a parent having safety concerns.

b) reported by fathers

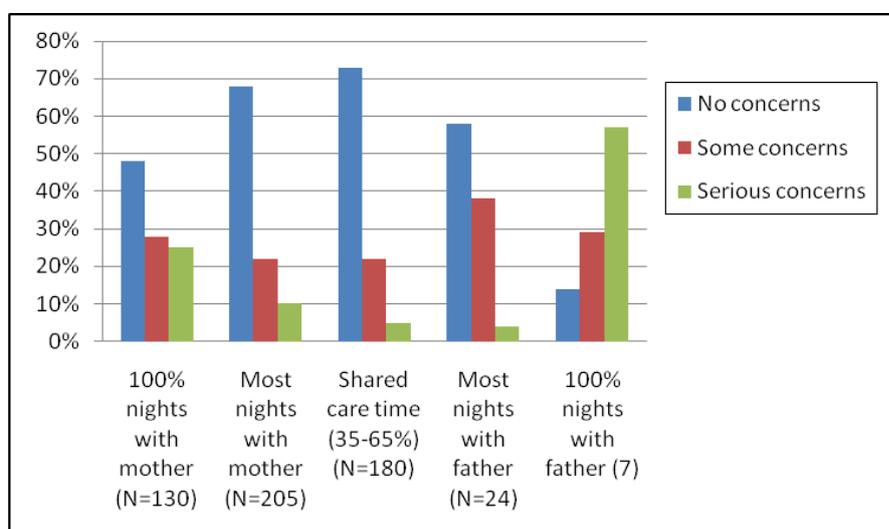


Concerns about violence

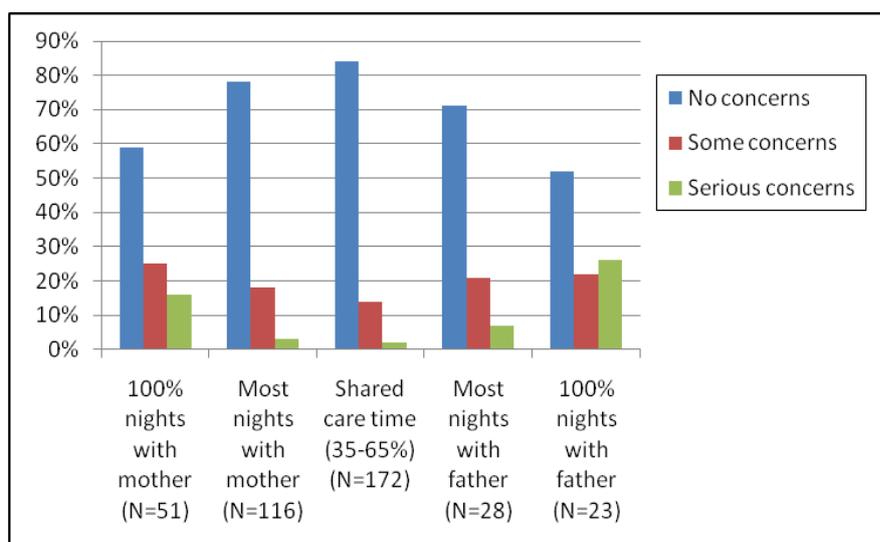
Similarly, Figure 4.19 indicates that parents in shared care were less likely than those in other care arrangements to report concerns for their own safety. The highest levels of concern were reported by mothers whose children were living with them 100% of the time. There were also relatively high level of concern among both mothers and fathers whose children were living with the father 100% of the time but the numbers in these two ‘father residence’ groups were small. Again, however, several mothers in the interview group told of violence and abuse and denigration by their former partners involved in shared care with them. Several mothers reported that they had an AVO or orders that dictate that the children are dropped off and picked up from school or a contact centre to prevent the parents coming into direct contact with each other.

Figure 4.19: Percentage of parents reporting concerns about violence against them by care arrangement:

a) reported by mothers



b) reported by fathers



Significantly, concerns about the safety of the children and conflict between the parents over child-rearing issues were highly correlated ($r(523) = .48$ for mothers and $r(378) = .45$ for fathers); conflict over money was not correlated at all with safety for children ($r(502) = .04$ for mothers and $r(371) = .12$ for fathers). The same pattern was evident for concerns about violence to themselves, and concerns about safety and violence were highly correlated: ($r(540) = .63$ for mothers and $r(370) = .55$ for fathers).

4.5 Perceived child outcomes and parental satisfaction

Parents were asked several questions about how well they thought their current arrangements ‘worked for the children’, how happy they thought the children were with those arrangements and how satisfied they were with the arrangements.⁴⁰ The responses of parents in shared care arrangements were then compared with those from parents in other care arrangements, with particular attention to the comparison with parents when children were living mostly with their mother, because this has been the “traditional” care arrangement for some time. A series of analyses, including regression analyses, were carried out, controlling for the influence of other factors such as age, gender, the perceived level of conflict between the parents, and how the particular parenting arrangement was determined.

The main independent variables were the shared care categories, and ‘most time with mother’ was set as the reference category in each instance.⁴¹ The demographic variables which were used as independent variables (or covariates) included the respondent’s:

⁴⁰ These variables were initially 5-point scales, but it was decided to collapse them into binary variables containing the lowest two points (Y) and the top three points (N), for ease of interpretation of results. It is not appropriate to conduct OLS regression in limited ordinal scales such as these, and other methods such as ordered probit or logit regression produce complex results inaccessible to non-statistical audiences.

⁴¹ “Most time with mother” is the predominant and ‘traditional’ form of post-separation parenting arrangement so it provides a useful comparison point when analysing the ‘effects’ of shared care. The numbers of parents in this study with arrangements other than shared care and “most time with mother” arrangements are also considerably smaller resulting in small cell sizes when a number of variables are taken into account.

- Gender (mother/father)
- Age
- Education
- Income
- Employment status
- Time since separation
- Time in previous relationship
- Re-partnering status
- Former partner's re-partnering status⁴²

In addition to these controls, a second set of independent control factors was created to capture the degree of cooperation and conflict between the ex-partners.⁴³ These included were:

- Whether the couple went to court to decide on care arrangements
- An index of tasks associated with caring for the child (eg looking after the child when s/he is sick, taking the child to birthday parties, sport, other activities etc)
- An index of issues over which there is conflict in relation to the child, including tension over money issues, disagreement over basic child-rearing issues, and being able to talk about child-related issues
- Whether the respondent or their partner makes decisions about the child
- Whether the respondent pays or receives maintenance
- Whether they think their former partner bears a fair proportion of the costs of caring for the child.

In addition to these demographic and cooperation/conflict controls, interaction effects between each of the care arrangement categories and the gender of the respondent were also tested, owing to the likely effect of parental gender on their responses. As the findings reported earlier show, the reported effect of shared care is likely to be different for mother and father respondents.

4.6 How well does the current arrangement work for the child?

Parents were asked to rate on a five-point scale how well they thought the current arrangements were working for their children. Figure 4.20 a, b indicates that parents with shared care arrangements were generally positive about these arrangements, with fathers being somewhat more positive than mothers (77% of fathers and 66% of mothers). In fact, fathers with shared care arrangements (77%) reported that the arrangements were working

⁴² Categories were omitted to create a reference category (base comparison group) of a person who did not go to court, has less responsibility for child-rearing tasks, pays for less, experiences less conflict, makes joint decisions, neither pays nor receives maintenance, and thinks the other partner does not bear their fair share of the costs.

⁴³ An index of costs associated with caring for the child (eg school uniforms, holidays for the children, child care or out of school care, etc) was excluded from the analysis because of too much missing data.

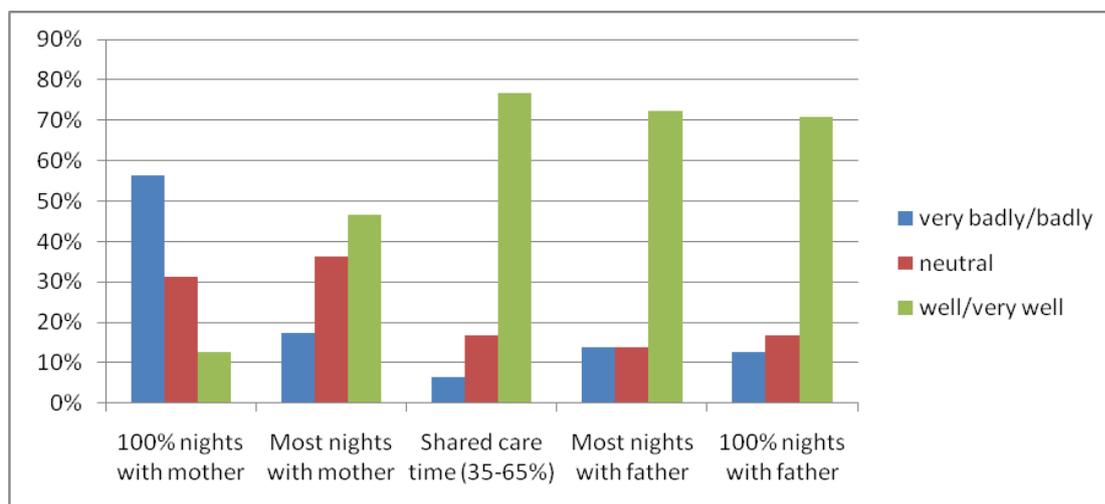
significantly better for their children than those whose children were spending most of their time with their mother (47%).⁴⁴ Mothers' reports on how well the arrangements were working did not differ significantly between those whose children were in shared care (66% working well) or spent most of their time with them (60.5%). Both mothers and fathers who spend little no or no time with their children, however, were the most likely to report that the parenting arrangements were working badly for their children.

Well I think it's been better for them. They haven't lost one or the other parent sort of thing, or become distanced from them, and in fact they've become, you know closer. So you know we do everything to ... together and you know, and they've still got access to the other parent whenever they want so it's ... yeah, I think it's been you know much better for them. (Father of 14 and 12 year olds in shared care)

Works well – good things? Time with the kids. Yeah, definitely, and having all the family, our family, sort of together. *Yeah.* But the time is the thing. And... you know, I think the boys have been helped enormously. They've just changed and, you know, Zach has gone from being introverted, unhappy... He was a very, you know, shy and unhappy boy who wouldn't make a decision and he's blossomed. And James was always, you know, an easier, happier kid, but he's suddenly gotten interested in things that he wasn't interested in before... He was always near the bottom of his year in school and he used to mock people who tried and things like that, and now he's having a go and he's interested and wants to do well and wants to, he wants to prove himself. (Father of 14 and 12 year olds in shared care)⁴⁵

Figure 4.20: How well current arrangements work for children by care arrangement

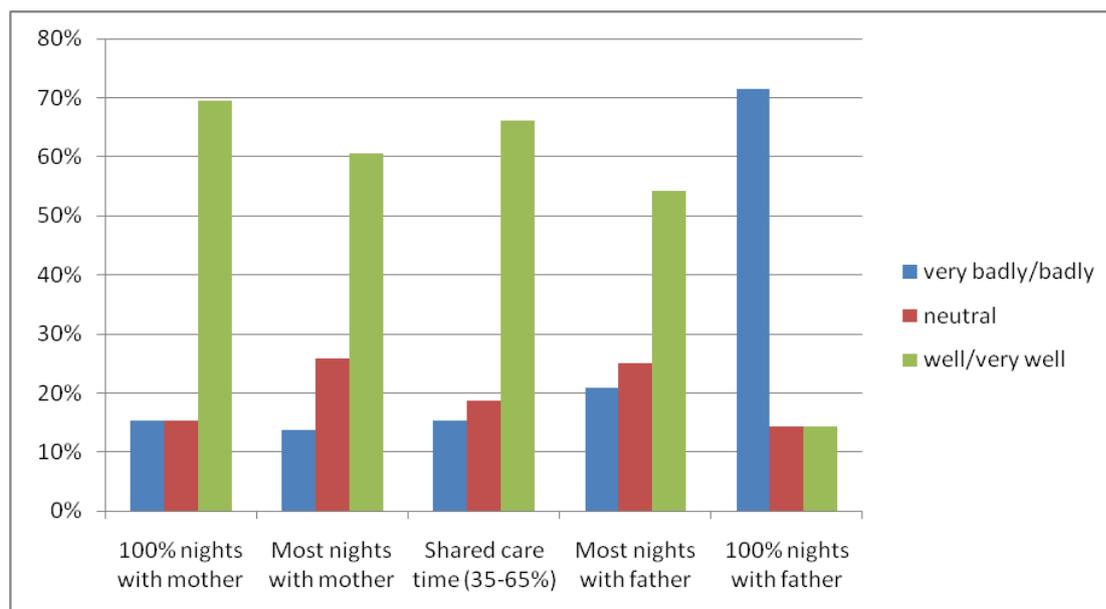
a) reported by fathers



⁴⁴ $\chi^2 = 45.3, 8 df, p < .001$ for fathers.

⁴⁵ All names have been replaced by pseudonyms to protect confidentiality.

b) reported by mothers



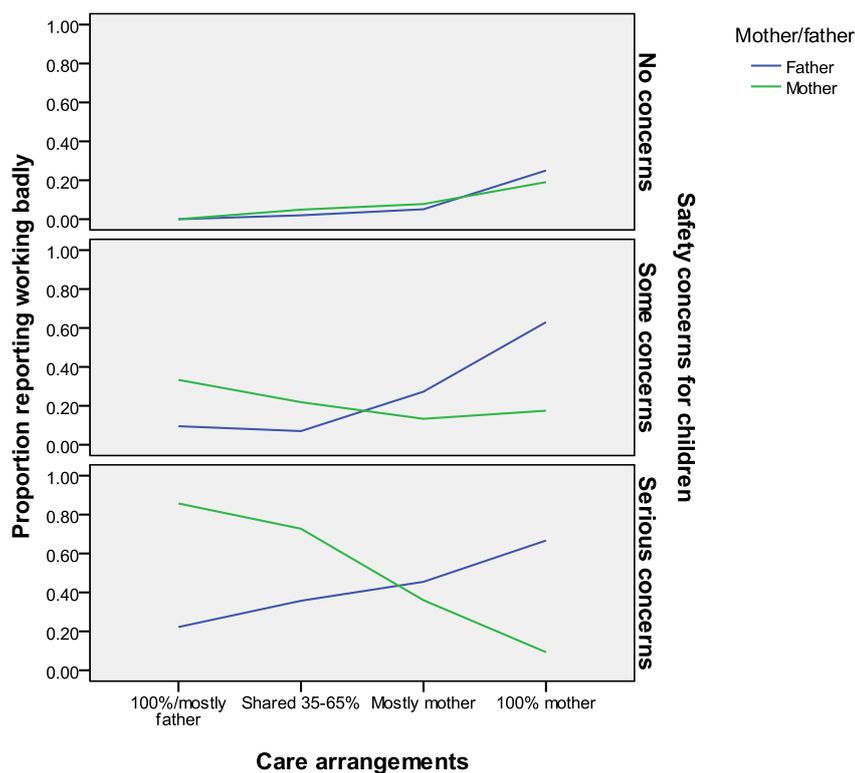
A series of analyses, including regression analyses, were conducted to examine parents' perceptions of how well the current arrangements, including shared care, work for the children, taking into account the influence of a range of other variables that might be expected to vary between parents who have shared care arrangements and those who have other arrangements.⁴⁶ These analyses indicate that much of the difference between the various care arrangements in how well those arrangements were perceived to be working was associated with their concerns about safety for their children, violence towards themselves, and how they came to that arrangement. The demographic factors had little influence.⁴⁷

Figure 4.21 shows, for example, the proportion of mothers and fathers who reported that the care arrangements were working badly, according to whether they had safety concerns for their children in the care of the other parent. When there were no safety concerns, there were very few parents who said the arrangements were working badly - apart from a slight increase where the children were living all the time with their mother. As safety concerns increase, however, mothers were more than twice as likely to report that shared care arrangements were working badly than fathers were; at serious levels of concern for the safety of the children, for example, the relative proportions of mothers and fathers saying shared care was working badly were .73 and .35. Mothers with shared care were, however, not significantly more negative than mothers with the children mostly in their care (66-99% of the time) except where they held serious concerns about the safety of the children (.72 compared with .36). Both mothers and fathers were also significantly more negative as the level of safety concerns increased when the child was in the care of the other parent for more of the time. The most predominantly negative group were mothers when children were with their father 100% of the time (over 80% of mothers).

⁴⁶ A final series of models used variables denoting 'past' versus 'present shared care' status, based on the codes provided from the CSA for the selection of the sample ('not in shared care', 'in shared care prior to 2007', and 'in shared care between 2007 and 2008') in conjunction with present shared care status. These variables, and interactions combining them with respondent gender, were regressed on the three dependent variables. None of the categories, past or present, or in interaction, significantly predicted any of the outcomes, and this factor was consequently dropped from the analysis.

⁴⁷ There was no significant effect associated with the demographic variables.

Figure 4.21: Proportion of mothers and fathers reporting care arrangements working badly by level of safety concerns for children

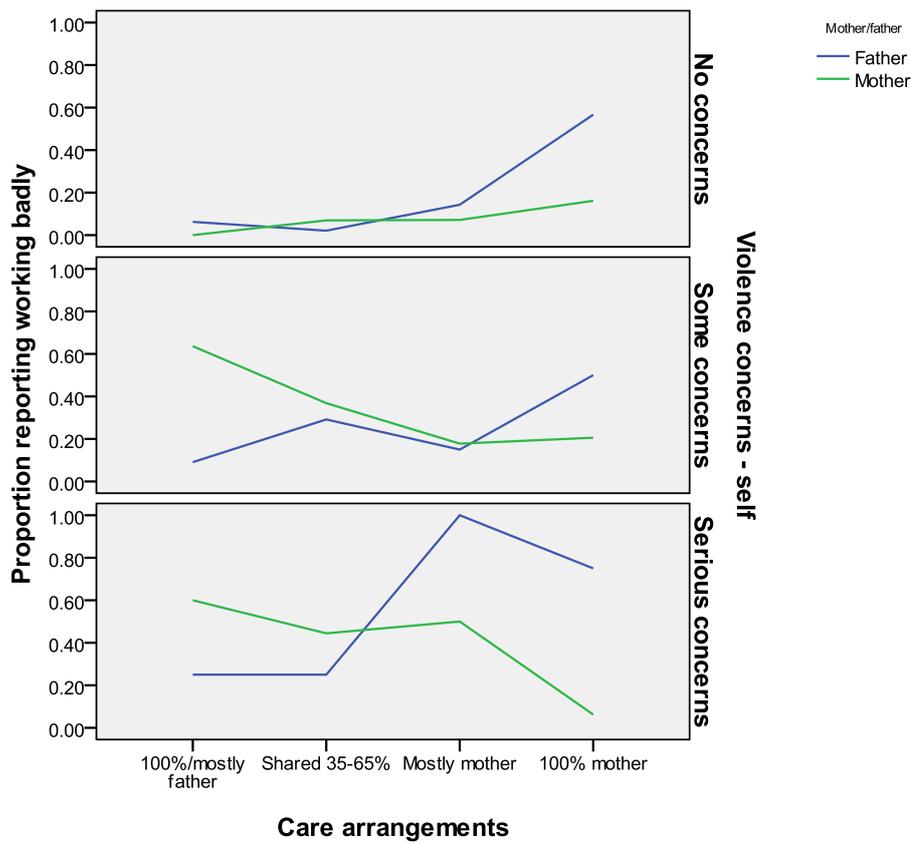


Somewhat similar patterns in relation to the interaction effects were evident for both concerns about violence and level of conflict between the parents (Figure 4.22 and Figure 4.23).

As with safety concerns for their children, when there were no concerns about violence to themselves, few parents said the arrangements were working badly for their children - apart from a marked increase in this case for fathers where the children were living all the time with their mother (Figure 4.22). As concerns about violence increase, however, a marked increased proportion of mothers in shared care arrangements (from less than .1 to .45) reported that these arrangements were working badly for the children. Where mothers held some concerns, those in shared care arrangements were twice as likely to report negatively compared with those where the children were with them most of the time (approximately .44 compared with .18); at serious levels of concerns there was little difference between mothers with these two sets of arrangements, and the proportion who were negative dropped off to about one in ten when the children were with them 100% of the time. About one in five of the fathers with shared care arrangements indicated that this was not working well for children when there had concerns about violence themselves, but the highest proportion was for fathers who reported serious concerns and whose children were with their mothers most of the time (all fathers in this group). When children were with their mother 100% of the time, fathers were negative about how the arrangements were working regardless of the level of concern about violence to themselves.⁴⁸

⁴⁸ The number of fathers who had concerns about violence to themselves was, however, very low.

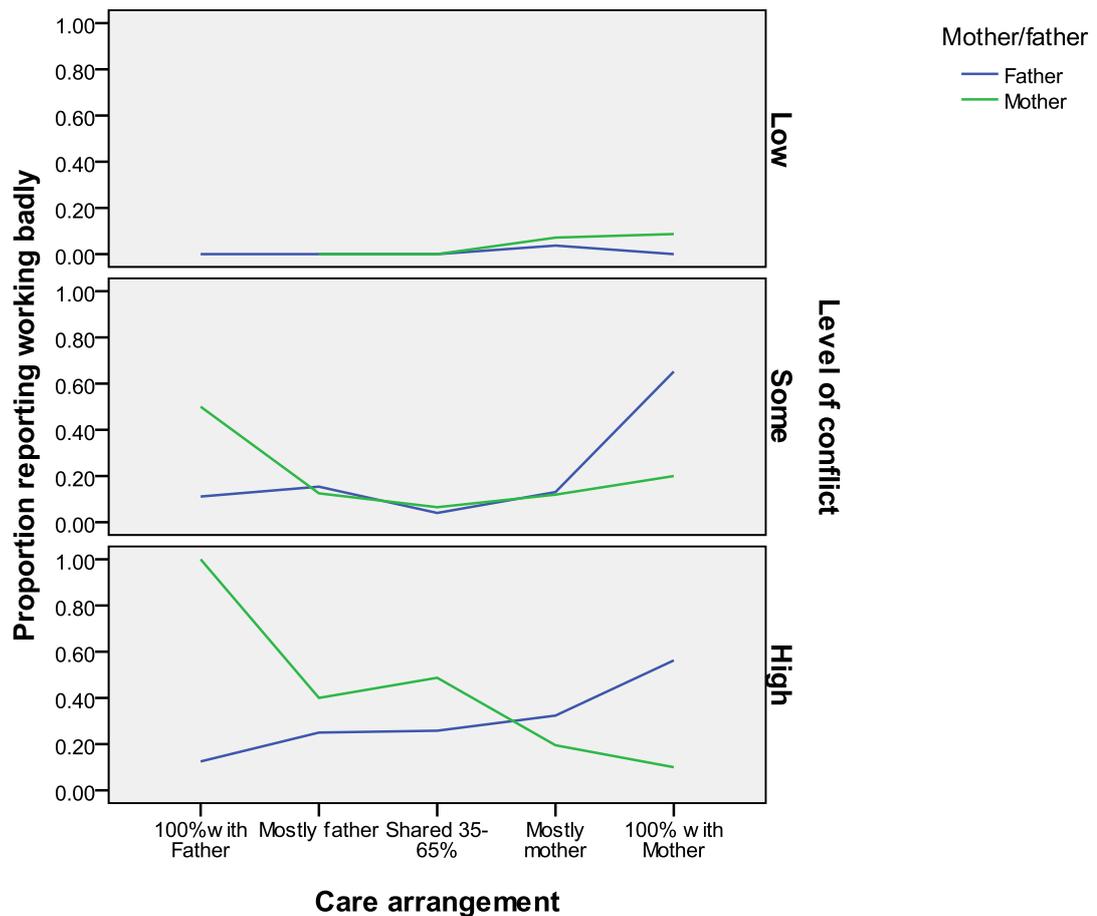
Figure 4.22: Proportion of mothers and fathers reporting care arrangements working badly for children by concerns about violence



As Figure 4.23 shows, the proportion of mothers who reported that shared care arrangements were working badly was low and not significantly different for mothers with “mostly mother” arrangements where there was low or even medium levels of conflict. The picture is quite different, however, when they report high levels of conflict. In this case, mothers with shared care arrangements are just as negative as those whose children are with the father most or all of the time.⁴⁹ For fathers, the highest proportion reporting that the arrangements are working badly had children who were with their mother all or most of the time in circumstances where there was medium or high level of conflict.

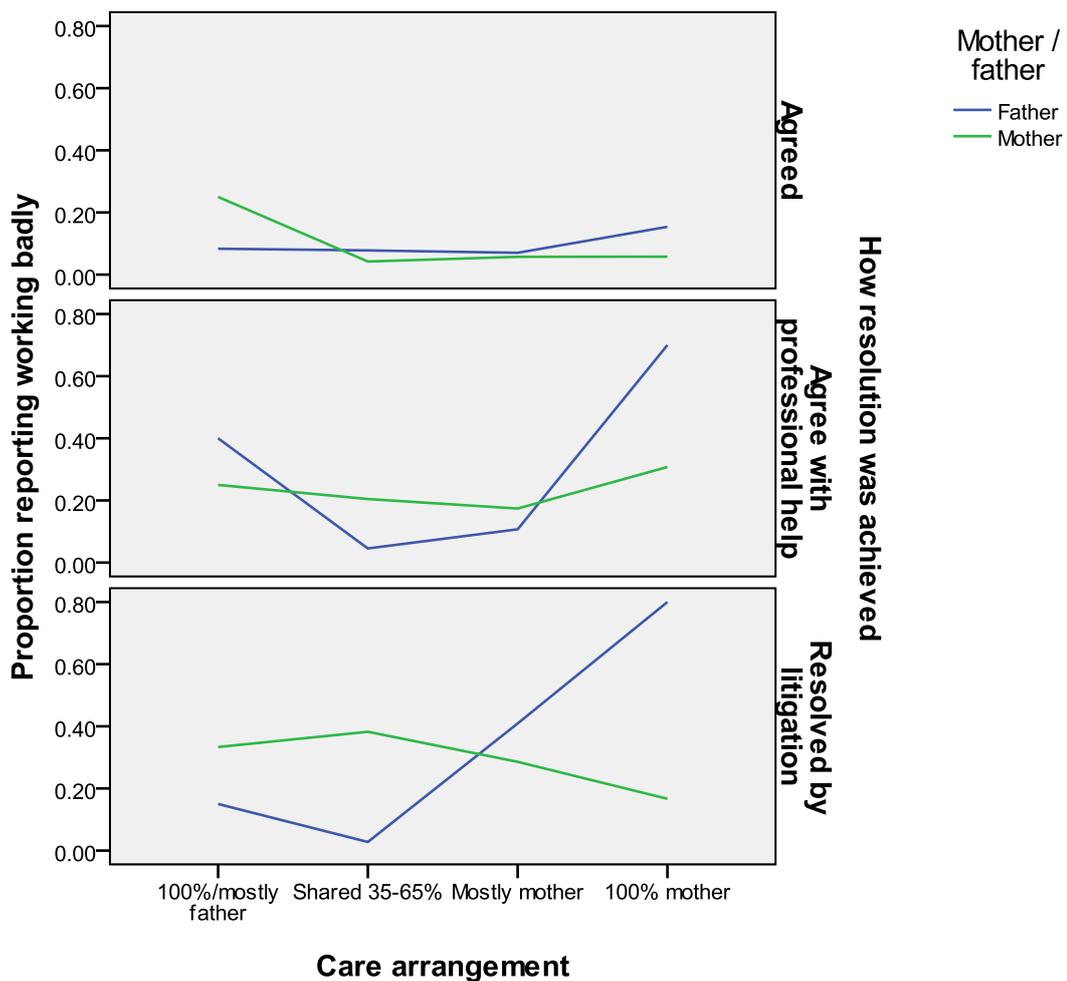
⁴⁹ The two groups (fathers 100% of the time and fathers most of the time) were combined because of the small number of fathers in these groups (see Figure 4.3)

Figure 4.23: Proportion of mothers and fathers reporting care arrangements working badly for children by conflict



As outlined earlier, litigation was more common when there were concerns about safety and violence. This was also the case where conflict was higher but this might well be both a reflection of and a cause of the litigation. It is not surprising then that as the degree of intervention in coming to an arrangement increases, the proportion of both mothers and fathers who see the arrangement as not working increases (Figure 4.24). This was especially so for fathers where the children are primarily in the care of their mother, and again this is hardly surprising because they have clearly lost the case for care of their children. The pattern for mothers in relation to mothers and shared care is also instructive. Where shared care was the outcome of litigation, about 40% of mothers saw it as not working for their children whereas the figure for fathers was only about 5%. This is consistent with a pattern that the parent who did not get his or her preferred outcome in the litigation is more likely to report that the arrangement is not working well for the child than the parent who was successful.

Figure 4.24: Proportion of mothers and fathers reporting care arrangement working badly for children by means of resolution

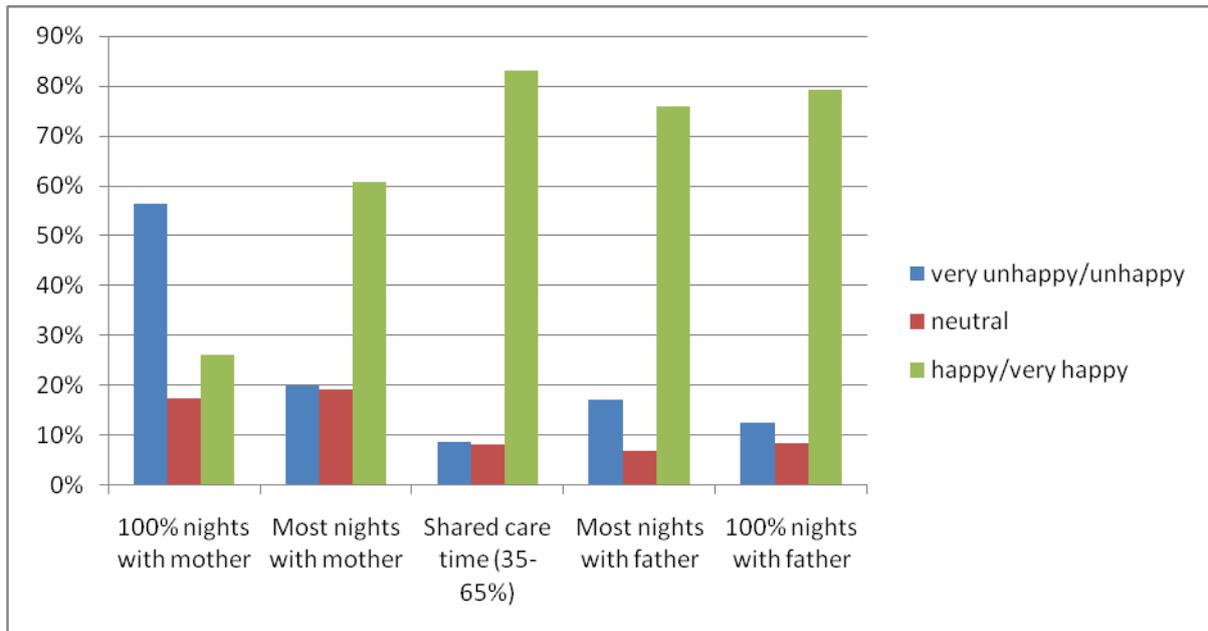


4.7 How happy are children with the arrangement?

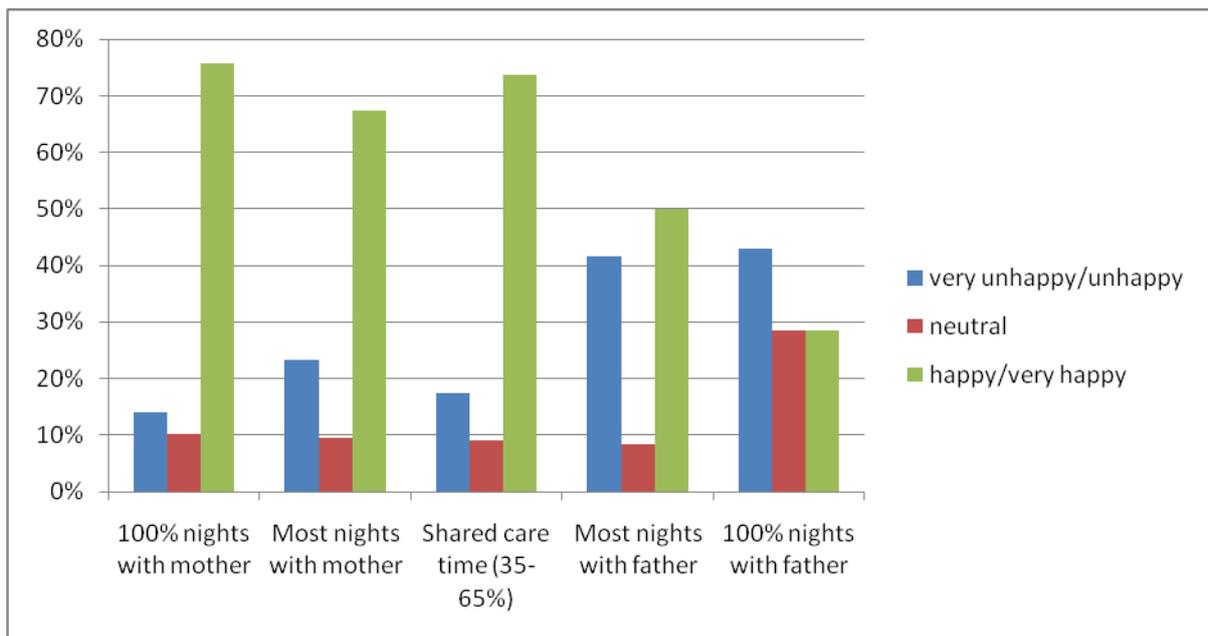
Similar analyses based on parental perceptions of how happy their children are with the arrangements yield quite similar findings. While the majority of parents report that their children are happy or very happy with the arrangement, the highest proportion is for those in a shared care arrangement with minor differences between mothers and fathers (Figure 4.25). Fathers reported that children are happier with shared care and in their own care than in arrangements in which most of their time is spent with their mothers. Mothers reported that the children are equally happy in shared care and when they spend all (or nearly all) their time with them. As with the ratings of how well the arrangements are working, there is some evidence of reporting bias, with both mothers and fathers saying the children are least likely to be happy when they have little time with them and spend most of their time with the other parent.

Figure 4.25: Children’s happiness with current arrangement

a) reported by fathers



b) reported by mothers



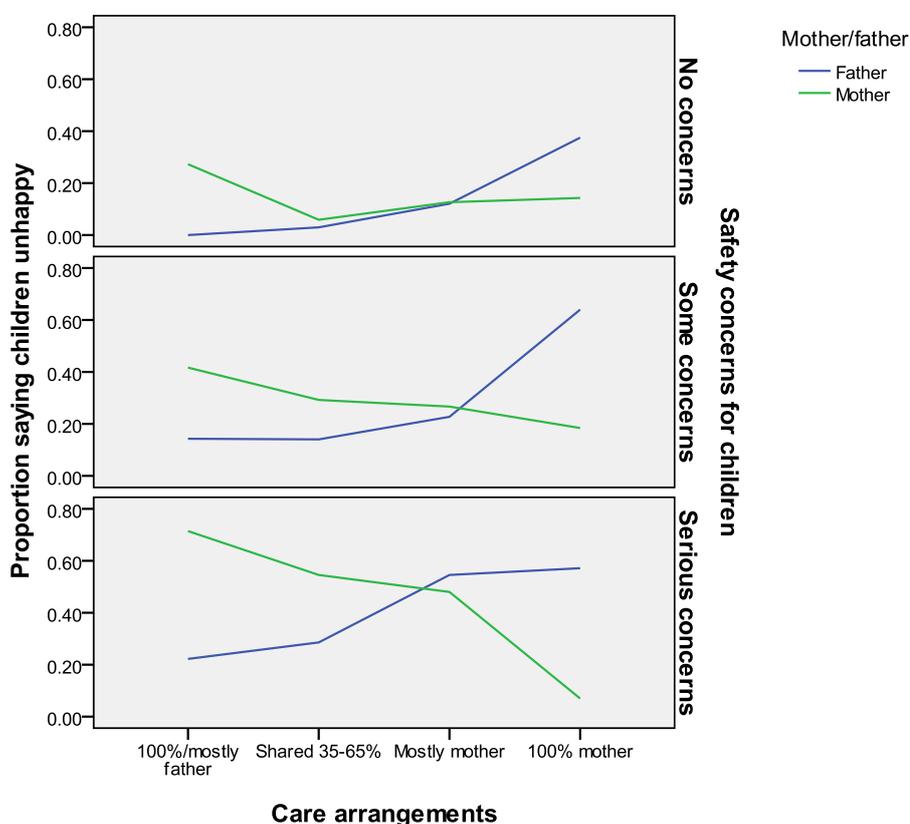
As with parents’ perceptions of how well the arrangements were working for their children, further analyses, including regression analyses, to take into account the influence of other factors indicated that demographic factors made little difference.⁵⁰ Once again, parents’ perceptions of how happy their children were with their arrangements were affected by their level of concern for the safety of their children, violence towards themselves, the conflict between the parents, and the means by which they came to those arrangements (see Figure

⁵⁰ These analyses examined the effect of shared care upon the chances of the respondent reporting that ‘the child is unhappy or very unhappy with the arrangement’ controlling for the influence of many other variables.

4.26, Figure 4.27 and Figure 28). Though there is some similarity in patterns, there were some differences between parents' perceptions of how happy the children were and how well they thought the arrangements were working for the children.

Both mothers and fathers reported that most children were happy in shared care arrangements at rates that were similar to those in 'mostly mother' arrangements when they held no concerns for their children's safety in the care of the other parent. Their children's perceived happiness decreased, however, as their level of safety concerns increased, especially for mothers. Over half the mothers who had serious safety concerns said their children were unhappy in shared care, compared with about 25% of the fathers. There was little difference between mothers and fathers, however, at any level of concern when children were 'mostly with their mothers'. Again, both mothers and fathers had the most negative views about their children's happiness when they were in the care of the other parent all of the time. Over 70% of mothers said their children were unhappy living with their father all or most of the time.

Figure 4.26: Proportion of mothers and fathers reporting children are unhappy by safety concerns for children



The pattern is somewhat similar for parents' concerns for themselves about violence and for conflict (Figure 4.27). Perhaps the most significant finding from Figure 4.27 (concerning levels of conflict) is that there is little difference between mothers and fathers in either shared care or 'mostly mother' arrangements in terms of how happy or unhappy they perceive children to be except where there were high levels of conflict. In this case, mothers reported children being unhappier in shared care than living mostly with them.

Figure 4.27: Proportion of mothers and fathers saying children are unhappy by conflict

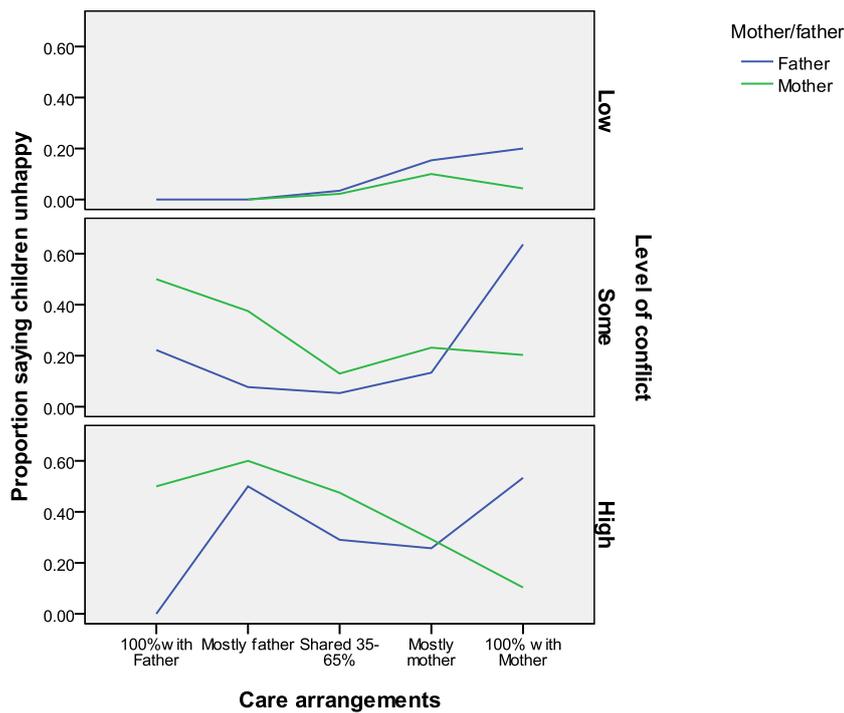
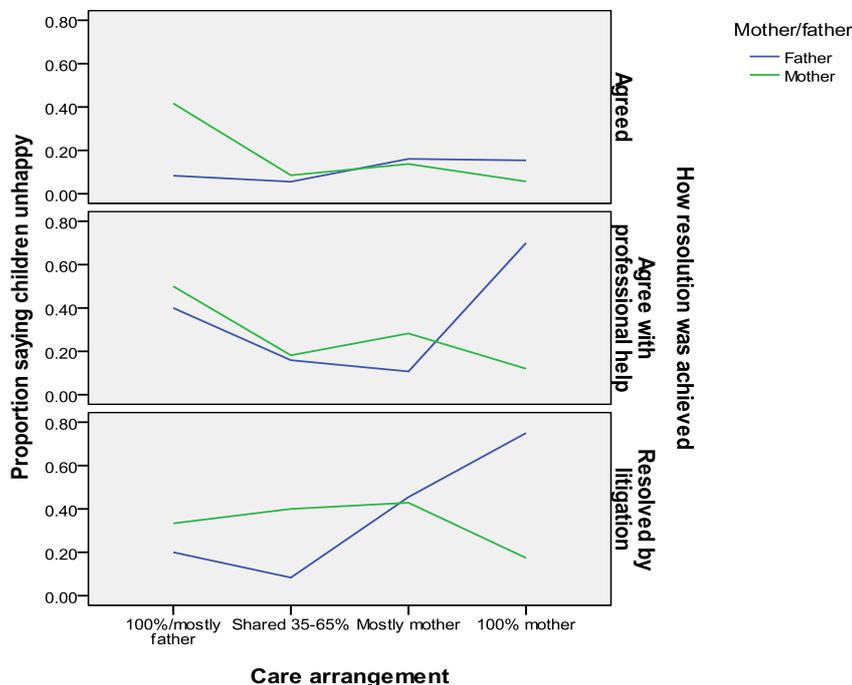


Figure 4.28: Proportion of mothers and fathers saying children are unhappy by means of resolution



Not surprisingly, children’s perceived happiness differed according to the means by which their parents came to their care arrangements. It is very similar to the pattern of parents reporting that the care arrangements are not working well. Again, as the degree of intervention in coming to an arrangement increases, the proportion of both mothers and fathers who see the children as unhappy increases (Figure 28), except for mothers whose children are with them 100% of the time. The difference between the perceptions of mothers and fathers with shared care arrangements also increased. When shared care was the outcome

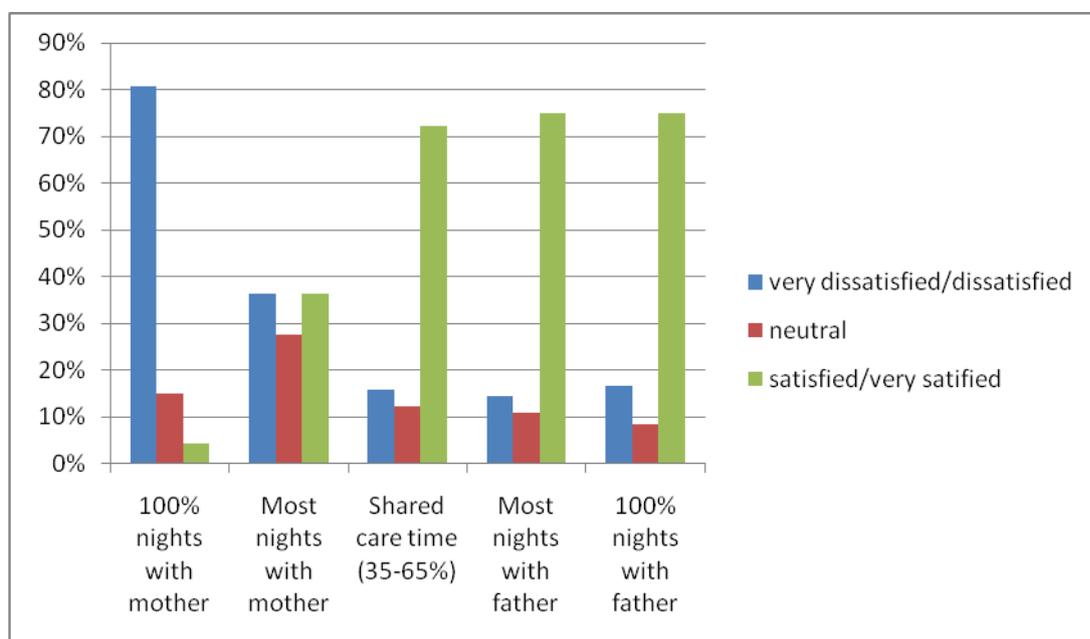
of litigation, about 40% of mothers said their children were unhappy whereas the figure for fathers was only about 10%. The proportion of mothers who said their children were unhappy doubled from agreed arrangements to those arranged with professional help, and again to litigated matters.

4.8 How satisfied are parents with the arrangements?

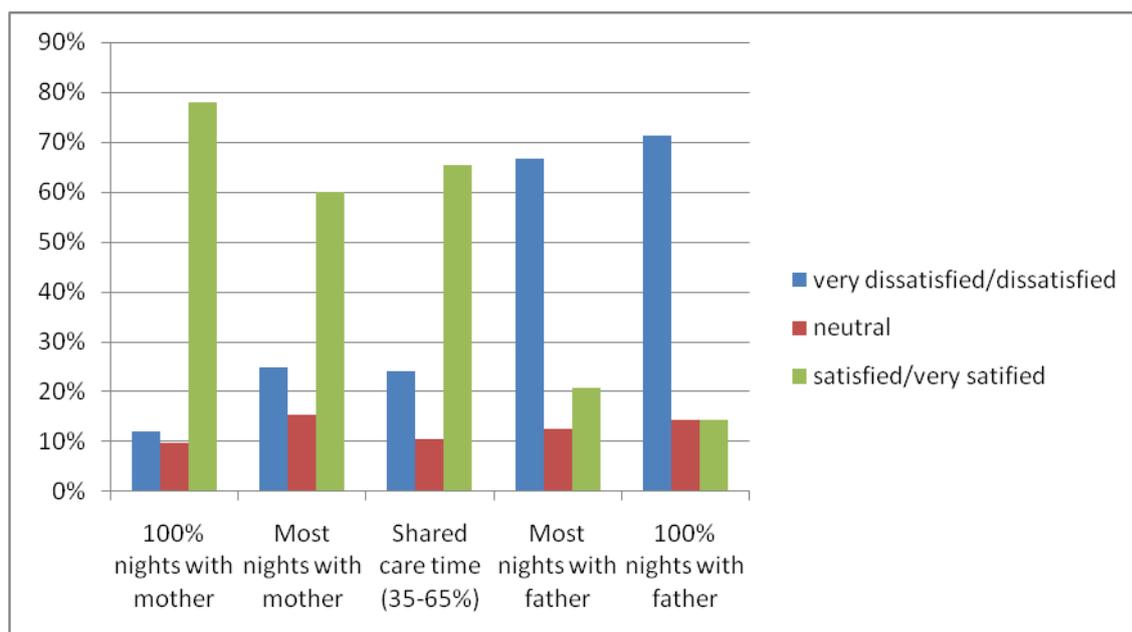
Parents were asked to indicate on a five-point scale how satisfied they were overall with the parenting arrangements for their children. Both mothers and fathers reported high levels of satisfaction in shared care, and when their children were mostly in their own care (Figure 4.29). The least satisfied parents were those whose children were primarily in the care of the other parent.

Figure 4.29: Parental satisfaction with current care arrangement

a) reported by fathers



b) reported by mothers



Again, demographic variables made little difference to the above pattern of satisfaction but safety and violence concerns, and the level of conflict between parents and the means of resolution did make a difference. The patterns were again quite similar, with safety concerns for the children again associated with higher levels of dissatisfaction than for concerns about violence. The pattern for conflict is presented below.

In relation to shared care and perceived conflict with their former partner, the most significant finding is that both mothers and fathers are significantly more dissatisfied with shared care as the level of conflict increases. For mothers, in low conflict, only 4% were dissatisfied compared with about 16% for medium conflict and 57% in high conflict. For fathers the figures are about 3%, 13% and 48% respectively. Mothers in shared care reporting high conflict also said they were more dissatisfied than those in high conflict with 'mostly mother' arrangements (44%). Overall, for parents in high conflict, there is a linear trend with increasing dissatisfaction as the proportion of time children are with them decreases.

Figure 4.31 shows parental dissatisfaction with the arrangements by the means of resolution and indicates that the level of dissatisfaction, not surprisingly, increases as the level of external intervention increases. There was, however, little difference between mothers with shared care and those whose children with them most of the time regardless of the means of resolution. Those with court-imposed shared care arrangements were not significantly more dissatisfied than those who had their children with them most of the time. Fathers, however, were significantly more likely to be satisfied when they had shared care.

Figure 4.30: Proportion of mothers and fathers reporting dissatisfaction by level of conflict

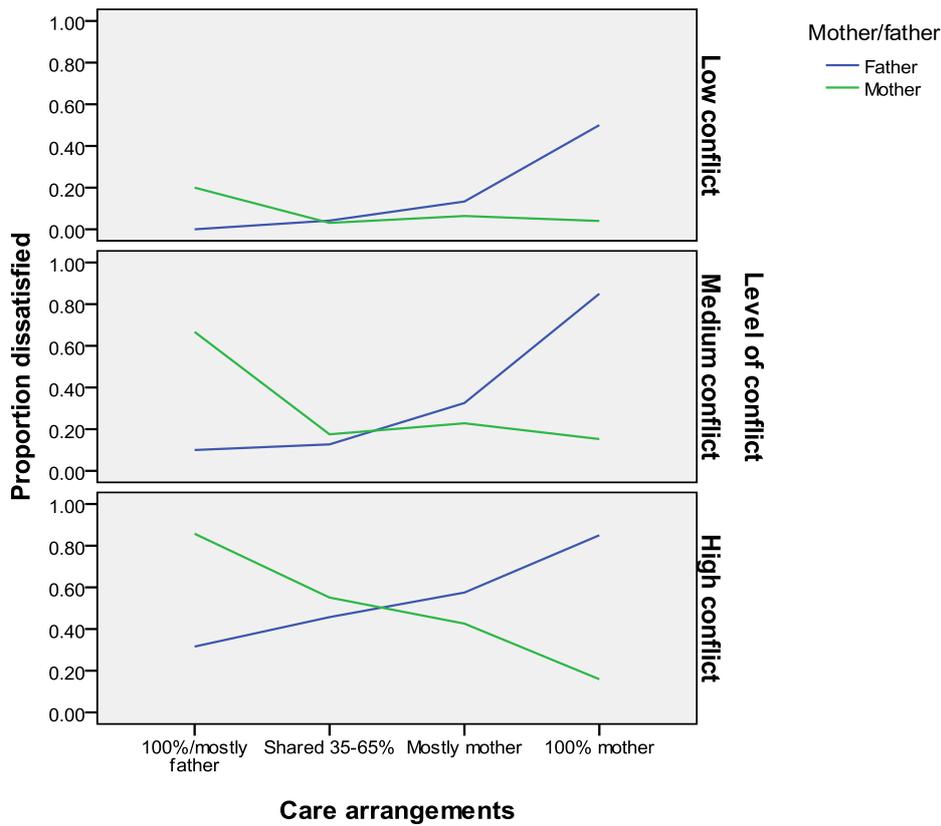
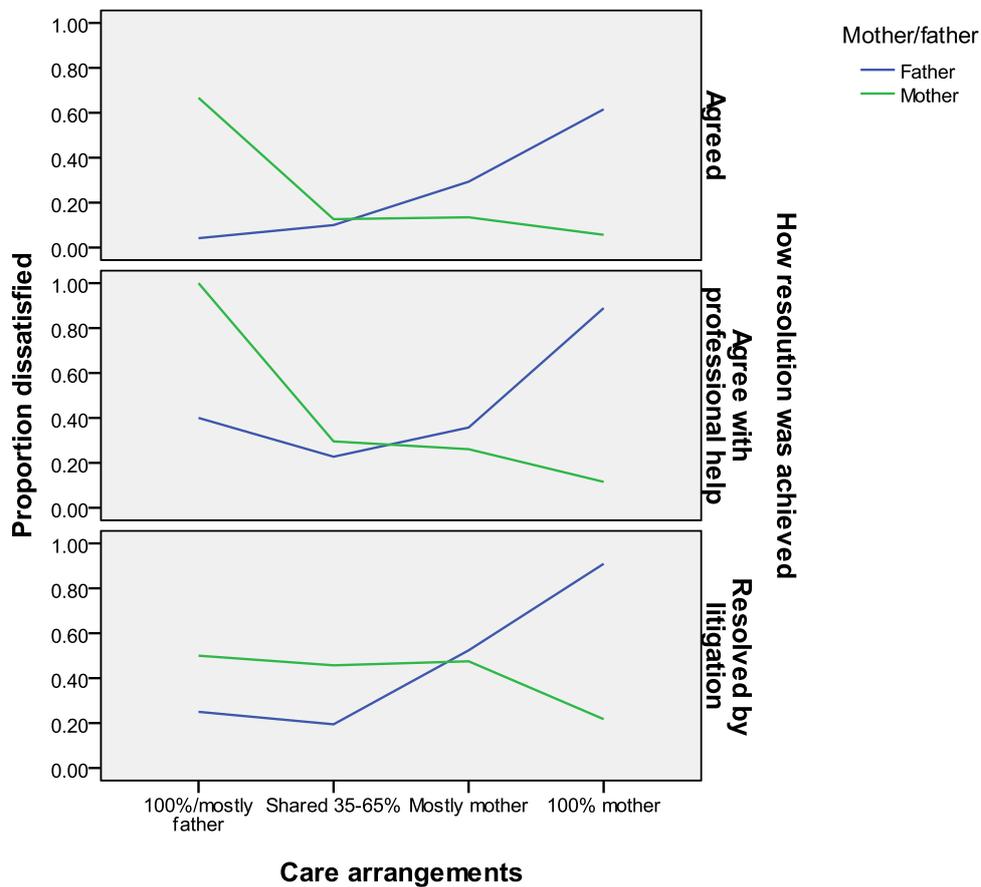


Figure 4.31: Proportion of mothers and fathers reporting dissatisfaction by means of resolution



The main overall finding is that satisfaction with shared care arrangements as a whole is associated with low conflict, no safety concerns for the children and no concerns about violence. It is very likely that it is parents in these circumstances who are more likely to choose shared care. Where the arrangements were court imposed, however, there was little difference for mothers between those with shared care and the ‘mostly mother’ arrangement.

4.9 Parents’ comments about shared care and other arrangements

Parents in the survey responded to several open-ended questions asking them what aspects of the arrangements they thought children were most happy and most unhappy with. These aspects and others about what worked well and not so well were explored in some depth with the parents in the interviews.

Time with both parents

For the parents in the survey, the most common response to the question about what aspects of the arrangements their children were most happy with was “time with both parents” – and this was the case for children in shared care or in other arrangements, particularly “mostly mother” as long as there were no issues related to the safety of the children or conflict between the parents or the parent and the child. Nearly two-thirds (64%) of mothers with shared care arrangements who provided comments and 73% of fathers said that the best aspect of shared care for their children was being able to have equal time or more time with both parents. For example, the typical response was “They get to see both parents regularly”. Some parents also focussed on particular aspects, providing reasons in terms of children having a good relationship with both their mother and their father as well as the importance of fathers doing different types of activities with boys.

To have the best of both of us. We don't try to spend time together for family/childrens' sake and we are happy, relaxed and focused on kids rather than arguments. (691, father of 13 year old boy living most of the time with his mother)

Having quality time with each parent without any compromise or conflict. Each parent is both a father and a mother to the children at the same time. (178, father with shared care for 17 year old daughter)

They don't miss out on seeing either parent. Their dad does very different things with them (sporty) which is good for boys. (160, mother with two boys aged 17 and 15 in shared care for some years)

These comments were also echoed by some of the parents who were interviewed.

I'm really biased because I grew up without a father. And I know how hard that was, and I know ... I just did not want my children not to have a father figure in their lives, no matter how tyrannical he is. But he's not abusive, he doesn't hit. He's just scary and intimidating. (Mother of three children in shared care)

I guess the equality, the 50/50 amount of time and they like that ... that the two places are close by and that their, you know, schooling and activities haven't been affected. (Mother of 16 and 12 year olds in shared care)

Because it was just something that we thought should do, it was ... they needed ... you know the children need both parents so you know there should be ... not have any of this stupidity that ... well if it's every second

weekend, it was an ancient, archaic thought by the courts, so you know, and ... and as they got older that's ... that's what they wanted as well. (Father of 14 and 12 year olds in shared care)

This mother also went on to say that one benefit for the children is that it takes the pressure from them of worrying about their fairness to their parents.

You just said that your children like equal time, and that your youngest said she likes the ... "the mummy time and the daddy time". Is there anything else you can think of that they've said that they like about the arrangements?

I think what it does is it means it takes all the pressure off them. They don't have to ... to think about it too much. They don't have to think, "oh poor daddy, you know, he ... we're not having ... I'm not spending enough time with him" or "poor mum, I'm not seeing her enough or" ... they just don't need to think about that because everything is organised, structured, a routine and it's equal. So they never have to feel sorry for one or ... or responsible for the other or ... so ... so I think that just, you know, they've ... they've realised it just isn't ... isn't something they need worry about. And neither of us are, you know, it's not like either parent is miserable or upset. So ... no, I think it's, you know, if you ... if ... if we had to separate then I ... it's definitely the best arrangement. I just ... I couldn't imagine a different arrangement.

It is important too that the most common response from both mothers (40%) and fathers (35%) whose children were with their mother most of the time was that time with both parents was what their children were most happy with.

He loves his daddy and is happy to see him. (69, mother with 2 year old living mostly with her)

This was, however, dependent on parents having a positive relationship with their children. For example, some parents, mostly mothers, referred to their children being unhappy and having problems when their child did not have an established relationship with their father or was not safe with either parent:

Jazmin's father was never around to play a role in her life and now takes her for nights and she hasn't got the proper, bond needed for this arrangement. She doesn't want to leave what she knows as her family. (60, Mother with children in her care most of the time, referring to 8 year old)

They're happy not having to deal with an unstable home life. His father is an alcoholic and mental issues. (507, mother of two boys, aged 16 and 15, living with her 100% of time)

Other mothers commented, however, on their children's unhappiness with fathers who appeared to be uninterested or were absent from their lives.

Not having a father around. To do boy things with my youngest boys are having issues with understanding that their father doesn't care about them. This is very difficult for them. (251, mother of four boys living with her with little contact with their father)

Not having a father like his friends. Living in a female-dominated household. But he is protected from drunkenness and neglect. (224, mother of 16 year old living with her 100% of the time)

Psychologically he feels abandoned and socially outcast, because he is not in a family - ie no father attending school functions etc. (886, mother of 18 year old son living with her 100% of the time and little contact with his father)

Variety and getting a break

The second most frequently mentioned benefit of parenting across two homes, and shared care in particular, was an associated benefit of time with both parents – exposure to different homes and life-styles, bringing variety and a break from one when the other is difficult. Variety was the focus of some parents' comments, and particularly fathers:

The "Differences" having two homes offers. More toys, more fun, more attention (61, father of 3 year old in shared care)

Moving two different bedrooms and two sets of toys. My son also likes the increased attention he gets at my house as his mother spends additional time with her new husband and step children. (59, father of two children aged 9 and 6 in equal shared care)

Youngest two are the most happy, they enjoy seeing their father. On weekends he takes them on activities and they see other people that do not happen when with me. (1, mother of 3 children aged 11, 8 and 5 in shared care)

Having two homes where they do different types of activities and getting more undivided attention from each parent. (236, mother of two adolescent boys in equal shared care)

He enjoys both of his homes, which are quite different - at mine there are siblings, at his dad's there are lots of animals. (1000, mother of 18 year old in shared care for some time)

Variety also involved children being able to see others, including extended family members and other children such as step-siblings, in the two different homes, as well as the benefits of two sets of toys and two lots of birthday and Christmas presents.

The doubling up of birthday, christmas, easter presents etc - children are children. (262, mother of 3 children aged 18, 16 and 12 in shared care for 10 years)

2 lots of christmas presents. 2 parents with different views about life that are still unified in the purpose of child rearing, but able to be individuals as well. (900, father of 17 year old in shared care)

Both mothers and fathers in the survey also saw an advantage to children being able to 'get a break', a term they commonly used particularly in relation to adolescents.

That she gets to be a part of both families but also gets a break. (176, father of two adolescent children in shared care)

she has the other parent's home to go to if she is upset with one of us. she gets away from us easily! (591, mother of 17 year old living mostly with mother now)

They seem family happy with the whole schedule. We (mum & dad) have different philosophies on life and I think they enjoy only having to put up with us for a week then getting a break. (279, father of 18 and 16 year olds in equal shared care)

The counterpoint to difference and variety is what some parents referred to as a lack of stability and routine, linked to children having no one place to call home. Mothers of younger children were particularly concerned about the lack of stability and routine. This was the case in shared care as well as other care arrangements.

Children find different sets of rules and expectations difficult. Moving between two homes is difficult. My oldest child has poor relationship with my new partner. Younger two children love my new partner. (41, mother of three children aged 13 to 9 in equal shared care)

[*What aspects is your child most unhappy with?*] Going to father's house and staying. Nothing usual routine. Goes to bed too late. Does not know surroundings. Does not know father. Gets very upset. Does not sleep properly when in her home. Calls out at night for mummy. Worried at 4 if she has to go to daddy's. (32, mother of children aged 10, 7 and 4 but referring to her youngest, living most of time with her)

Some with children in their senior years at school also made similar comments.

2 houses, 2 routines and rules. (473, mother of 17 year old in shared care)

Some parents whose children were living with them all the time also commented on the 'freedom' that having to meet only one set of expectations brings.

Not having the pressure of trying to please 2 very different parenting methods/attitudes. She enjoys the freedom to discuss who she really is in those difficult teenage years of development. (605, mother of 17 year old girl living with 100% of the time)

Separation and change-overs

One aspect that both mothers and fathers commented on as being difficult for their children was the separation from one parent and the change-over to the other. This was a comment made more often by mothers in relation to younger children. Parents commented on their children's difficulty in understanding why they were no longer 'a family' and did not live together any more, exacerbated by parents who could not talk with each other.

My child finds it hard going backward and forward. He also states that he misses the family he is not with. (87, mother of 6 year old in equal shared care)

That her parents can't communicate with each other. That there is no family time. (9, mother of 6 year old in shared care)

My children have found it very difficult particularly being thrown into a blended family so quickly after separation. Not having a home base. They

hate the to-ing and fro-ing from house to house. (57, mother of children aged 9 and 6 in equal shared care)

It is difficult at times for him to adjust between environments. While spending time with one parent he foregoes time with the other and his younger brother who he is very close to. (275, mother of 14 year old living with her most of the time)

The change-overs in particular are difficult for some children and parents, and this disruption contributes to parents' concerns about children being unsettled and wanting to establish a routine that obviates the difficulties of moving from one parent's home to the other.

My eldest misses her father and wants us to be together. The change overs take a while to settle them both down. (55, mother of 5 and 3 year olds in shared care)

The hardest part is: Forming relationships with step mom and dad, settled then move then settle and move. (880, father of 19 and 15 year olds in shared care for some time)

Not being able to settle in one place for long periods. She once described her situation as being a "visitor", rather than a permanent member of either family, which is obviously very unsettling to hear as a parent. (343, mother of 14 year old in shared care)

They seem to have adjusted better to the ... like on Sunday nights going from one home to the other, but at first and for many years after, they did struggle, the youngest one in particular said that she found it really, really difficult to plug in and out of one home and into another. Yeah, and she went through a period, a very strong anxiety, she had to see a psychologist during the whole court process thing and ... it's still ongoing, just from time to time we just touch base and ...

So, that was when she was like between three and five or a little bit older?
No, older, 5 ... no, 6 till now really. (Interview 17, mother of 8 year old in shared care)

Some families also had given up shared care because they thought it was too hard on the children to be moving from one parent's home to the other on split week or week about.

4.10 Having a say

A minority of parents, and more mothers than fathers, mentioned the role that children's own views played in the arrangements; it was seen as crucial by some parents and as problematic for others. For example, one aspect that their children were seen to be most happy about was being able to have some flexibility and some say in the arrangements.

She wants to be with us equally. Different aspects are good/not so good at both houses and she is happiest with 50/50 and the ability to alter days if she wants/needs too - especially holidays with 1 parent etc. (267, mother of 13 year old in equal shared care)

One of the good aspects: Making it their choice. (276, mother of 14 and 10 year olds living with her most of the time)

He's old enough to do what he wants concerning contact. when he was younger his mother used him + his sister as tools to get back at me which i know caused emotional distress a lot of the time (915, father of 16 year old who moves according to his choice)

He is unhappy when his father does not allow him to have an opinion about the situation in which he lives. (7, mother of 12 year old living with her most of the time)

Similarly, the parents who were interviewed had a mix of views about the importance of children expressing their views and having some influence over the arrangements. For example, one mother said that her son had had no say at all:

I don't feel too bad about it, 'cause I've kind of had the belief that he's a kid and he should be allowed to be kid and really, he shouldn't have to worry about where he's going to live and when and, you know, his focus should be having a great time and being a kid and growing and I don't like sort of putting that adult issue onto him. (Interview 24)

Another mother said her adolescent son was reluctant to say:

Nothing, he didn't really have too much of a say in it [at first or when it went to court]

And what about now...?

I tried asking the other day, actually and he just ... he doesn't like to say too much about it, he ... he doesn't want to, I guess upset me, and I've always feared that okay, he may want to go and live with his father full-time, that's that is a fear of mine.

For some parents, children's willingness to have shared care was a requirement for it to work. A step-mother observed her step-children's experience and suggested that it may be difficult for children to be in a position to change from shared care.

I do think that people forget that it's the children that are meant to be of paramount importance in these things and, you know, just having watched my stepchildren do it, I don't think it... I think it can work for a while. I don't know if it works long-term, but I think children would naturally, if they're confident enough at a certain age, say, "I've had enough of doing this. I just want to be in one place, and it doesn't mean I don't love you." (Interview 36, mother)

Other parents indicated, however, that their children had been involved in the actual arrangements, in terms of the broad decision and the time split.

Okay, so how much of a say have the kids have in the different arrangements?

They have had a say, because they... we consulted them, definitely, about going to a full week and what they felt about that, and they both said they wanted to do it, but they also said that, you know, if either of us were unhappy, you know, they... They do show concern for us and they will sometimes comment, you know? Less so now because they can see that we're both very happy, but in the past they would sometimes say, "Are you all right, mum?" You know, "Are you going to be all right now

that we're going to dad's? You know, what are you going to do?" They would check that I had plans, you know?

So they were consulted about going to the week, and they were also consulted about the original arrangement, too, but I think with the half week they were definitely consulted about, you know, making it more equal. I think my son was very concerned that we make... that we give his dad equal time, and so, you know, we did try and do that for a while. So we do consult them. (Interview 32, mother)

In one case, for example, a father indicated that the children's view had influenced the decision about the arrangements, resulting in a less conventional split:

... and the girls did say to me, and I think they may have said in the process that it would probably make sense if daddy had them at ... had us at the start of the week 'cause mummy doesn't always work Thursdays and she doesn't work Friday, so we might as well be with the days that mummy doesn't work. Now that was going to be a huge impost on my work, but I thought to myself you know I can't not respect the girls wishes and have it my way that they want 50% and then not ... within reason respect their wishes, you know hold on we want to be with mummy when she's not working. So I spoke to my work and we came to an agreement and ... so I now have them you know, every Monday/Tuesday night and every second weekend.

Okay, so that's how the split is, is it?

Yeah. And ...So every Monday and Tuesday night is with me, every Wednesday and Thursday night is with their mother, every second weekend, so it works like five, five, two, two, five, five, two, two. ...They wanted that, they didn't want seven days apart. (Interview 20, father)

4.11 Overall satisfaction with shared care arrangements and others

There were several benefits that parents in shared care arrangements saw for their children and some for themselves as well. These included the quality of their relationship with their children and the quality of the father's relationship with his children.

Fathers, for example, talked about the increased closeness of their relationship with their children as a result of shared care.

I'm extremely close to my younger daughter and very close to my older daughter. But extremely close to my younger daughter, because she continued on with the shared care and, of course, the last couple of years the older daughter hasn't been here, and so it's just been my younger daughter and me. Just the two of us. And we've grown extremely close. (Interview 37)

At the same time, a number of fathers in the interviews also talked about the greater burden of responsibility they carried as fathers with shared care and the need to be more perceptive about the needs of their children.

I'm exhausted. ... But it's as good as it can be. I couldn't imagine any better situation unless, you know, you have a healthy, fulfilling relationship. (Interview 14)

I think it's quite a commitment for me having him half the time, but that ... that's also the good aspect of it so that's both. (Interview 20)

I would say I couldn't propose a better solution, so that would say '5' [very satisfied]. But every single day I have to work at it all the time. I mean, the guy I work with, my partner, is... he gets up at six and goes for a two or three hour run in the morning. He doesn't have kids, admittedly, and then he comes to work and works all day and will work 'til eleven. I mean, I'm busy juggling kids all day. I take five calls about my children every day and the school, their friends, their ballet, their soccer, their cricket, their whatever, so there's no way I could be... I could... There's no way I could do what I was doing before in terms of my job. (Interview 35)

I think it has imposed on me a necessity to be a much more perceptive and attentive parent, I won't say more confident but certainly to put more energy and thought into the person. (Interview 09)

The greater responsibility fathers carried was also noted with some relief by some mothers, in that it gave them some respite and time to pursue study and other activities, including sleep.

[One of the good things has been] that the children have had an opportunity to interact with and get to know each parent equally. That there's been a balance of responsibilities has been good. That I guess things for the most part in terms of financially and like physically have been shared, so that's been good. Yeah, it's ... I think it's been really good to have a balance of responsibility because it's also I guess, not fair if one parent gets lumped with everything and the parent ... the other parent gets to you know, not have that responsibility, even though they're equally responsible. (Interview 17)

I feel like I've been spoiled in a way, that I'm used to having time away from the kids. And I kind of feel like that isn't very ... like, there's kind of a falseness in the relationship because you're always so good to them because you never get sick of them. ... I think having that rest from them made me appreciate them more and want to know them more and it was good and it was bad because at times now, when I've always got kids here, it's like I just want them to go away and like I'll say to my daughter, please just give me a rest 'cause I'm so used to it and so spoiled. (Interview 18)

When shared parenting works well, that's one of the bonuses, is that you've got time to do stuff on your own, it's like being single with no kids again, that sort of thing, which is great. Last night they were at their dad's and I'm doing silver-smithing in a studio now and I can, you know, stay there late, I can go and have dinner afterwards and come home and not cook for anyone and lie on the lounge and watch what I want on television and ...that's pretty good [laughing] (Interview 19)

Mothers also reflected on the improved relationship between their children and their father when there were no safety or other serious concerns, even though some of the mothers' relationships with the fathers were clearly not good.

Her father has to do more for her which is nice, because he was always 'fun time daddy' before, he would always have the shower or the bath with her

and do the fun things. Now he has to do more of the parenting things, make lunches for her and do all those things for her, he never really had to do before, so that's good. I suppose on a separate level too, as much as it is hard on her, if I could change one thing about the whole thing it would be that, even though it's wrong, that he wasn't her father. (Interview 2)

I know that ... well I'm sure with him too, that it makes an incredibly close relationship. (Interview 40)

I think that, like I say, they just know their father better. Like him or not like him, they've gotten a chance to live with him. And my so he totally understands who his father is now. If he had been with me as much as I wanted him to be, I don't think he would have known him. And then therefore more accepting of who he is. (Interview 19)

While some mothers thought this had also strengthened their own relationship with their children, several mothers felt that this was at the expense of their relationship with their children.

I think I have a really good relationship with both of my children, you know we have good communication, we like ... we like spending time together, I just think we've got a ... just a pretty good, normal ... I don't think it's ... I don't think it's damaged our relationship, my relationship. I mean maybe, in some ways it's made it stronger, because they know they don't take me for granted. I mean I have to say they're very nice ... they're very nice and polite to me, mainly (chuckling). Like I think maybe there's a bit of that, they ... they don't take ... they don't just ... I mean all kids sort of expect their mother to be a bit of a slave, but they're probably better on that front than maybe some kids. I know they're always happy, you know I sense from them that they're happy to be with me, when they're you know when they've been away for a bit. (Interview 19)

I'll tell you what's really difficult about it, is when like my time with him is reduced and I mean I work fulltime, I have to, so my weekends that I have with him are quite precious but then you've also got to maintain relationships with grandparents and uncles and aunties and so therefore you have to share the little time that you do have with everybody, which can sometimes be disappointing and I know that sounds awful, but it kind of makes you sometimes feel not so much like a mum anymore. Sounds weird, doesn't it? ... *So how does it make you feel?*

It just ... you just feel like a part-time parent a bit, you just don't feel like a mum as much as I used to, I guess. Yeah, and then you know, as I said trying to make my mum and dad feel like grandparents (laughing) because the time that they get to see him is so minimal, you know and my brother and yeah, it's ... it's difficult, definitely. (Interview 24)

While there were some downsides or costs for some parents, in the absence of safety concerns and violence, most parents seemed to be reasonably satisfied with their shared care arrangements. Even some mothers who resisted shared care were sanguine about it in hindsight.

I think the decisions that the court made were for the best, because it's so emotional and you're just fighting to win everything. And you're not

always thinking about what's best for the kids. And so I'm glad that it ended up the way it did.

So how satisfied would you say you are with it, the way that it did end up?

Well, like I said, though initially when the children were little, I was just so unhappy being away from the kids. And I felt that they needed me more. But they've turned out great. ... I would have liked to have had them more.... I think it's good because I think fathers need to have more access to their kids. I don't think, you know ... unless they're, you know, little, and I think little kids need to be around their parents or their mother more, but I think in the ... at the end of the day, you know, fathers have something to offer their children. But I ... I just think that even though they work more hours and they're more stressed out, I just think it's invaluable what fathers offer to children. (Interview 18)

4.12 Understanding and views of the law on shared parenting

Parents were asked during the interviews what they understood the law to be on shared care and what their views about it were. There was a mixed response, with some fathers saying they thought the law had improved but still "biased towards mothers", particularly in relation to younger children. For example:

I think they've come a long way but I still can't help feel that they are still biased towards mothers, and fathers are forced to take a firm attitude which is not really a reflection of them, but just to keep the courts happy so they get at least something. (Interview 01, father of 2 year old at separation)

On the other hand, some mothers commented on the law's blindness to the concerns of the mothers about violence and the safety of the children.

I sat there all day from 9 to 5 listening to the judge and listening to the Family Court. It doesn't matter what the father's done he still gets his rights. I believe each individual case is different. (Interview 4, mother)

There was also a difference in the way some parents responded – in terms of the rights of the parents or the best interests of the children or a mix of both.

My understanding of the laws? The law ... new law says that every parent is entitled to ... to significant time I think with their child, yeah and that has to be considered in all cases, that's how I see it. (Interview 1, father)

That it's the start point. The start point for any negotiation is 50:50. Now, that's the way it should be, you know? If mum and dad split up, okay, right, now, we're going to sit and talk about this. We're going to mediate. Now, we're going to start that the children spend equal time with mum and dad. Show cause otherwise if you don't believe that. (Interview 40, mother of two adolescent children)

That parents are equally responsible for caring for the children in all sorts of ways, and that the children get fair access to both parents and I wouldn't think it necessarily means, you know, that time is split down the middle to the second. But it's an attitude, rather than a... you know, rather than a physical arrangement. (Interview 28, father)

My understanding of the law was that it's there to say that each parent has 50/50 right on ... on their time with their children, which sounds good, sounds fair. But I don't think it took in a lot of considering what the child needed and ... and that may differ on, you know, the circumstances. And I don't think that's fairly considered. (Interview 16, mother)

I guess they're trying to ensure that children spend equal time with each parent. I think they think that's probably in the child's best interest. (Interview 27, mother)

Both mothers and fathers commented on the importance of parents and the courts being realistic about the practicalities and the individual circumstances of the families rather than applying generic "rules".

I've seen shared parenting work, and I know there's a lot of dads out there that are screaming and jumping up and down that the legislation might change, but the reality is that a mother is a mother for a reason. There are a lot of very capable men out there and there are a lot of men out there that just are not. And I think the problem with the legal system overall is it's too generic, and I think it needs to really look at cases as much as possible on an individual merit because every case is different, situations are different, people are different. ... But I think it [the law] has to stop being generic, I think it needs to be brought into the 21st century too. (Interview 6, mother with concerns about both safety for the children and a history of domestic violence)

I think it's a very individual thing, you can't assume that 50/50 is the right thing. I would like to think that "yes, it is". For me deep down, I think "yes, that's the right thing" but in all reality, it's probably not you know. It's not going to work for everyone, but it could work for the majority. I think boys certainly need a male role model and I don't think it works in ... in relationship where there isn't a ... a positive male role model. (Interview 34, father of three children)

I think that for some people it's a great thing and I think if people have really great workable relationships, they can do it without a lot of turmoil, I think it's a great thing. But for the people who have individual situations or you know things aren't so perfect, it's not great at all and I think there's not enough consideration on an individual basis from what I understand. (Interview 24, mother)

Both mothers and fathers also referred to the age of the children as being an important factor that both parents and the courts should or do take into account.

I was told straight out it would never happen because of the age of the child. (Interview 1, father)

Okay, if Matthew was a baby or a two year old or a three year old, I wouldn't have had 50/50. It's only because he was the age he was [10 years old], I thought he could cope with it. (Interview 27, mother)

Another issue that was a sore point and caused some concern for parents who believed they were giving up time with their children for the other parent to have them was who was actually providing the care of the children when they were with the other parent. Mothers, in particular, were unhappy and said their children were too when they were in the care of their father but were in child care or after-school care or were not spending time with their father when they could be home with them.

When with the ex partner, the children are often left with someone else while he spends time working or with mates (291, mother of three adolescent girls)

One father also made a similar point about practicality and fairness to the children.

I think that you could say it's a great idea and "I want my kids half the time - even though I'm working you know 12 hours a day, I can pick them up from child care at you know 7 pm at night". That's fine, you know - but it's not, you know, it's not! (Interview 34, father of three children aged 6 years to 12 months at separation)

In a further point, one mother suggested that the law and child support arrangements discouraged cooperation between parents by not taking into account who was providing the care. In her case, for example:

I keep records in my diary of when, you know, so I can show that I've had him between 4 and 9:30pm and then I babysat at his father's place, and they said "No, but did he sleep at your place or his father's place?" His father's place. "Well that's what the law will look at". (Interview 23, mother)

In a rather different and more positive response, one father who was in a cooperative co-parenting arrangement said that the law had not been a factor in their decision to have shared care:

To be honest, it was quite irrelevant. As I said, we are both, I consider us to be reasonably intelligent responsible people, and that was our basis of providing care for the children. (Interview 14, father, both parents reportedly happy with the arrangement)

4.13 Summary

The results of the analysis of the Parents Survey of Shared Care suggest that, in comparison with arrangements where mothers are the primary carers, children are perceived by their parents to be doing relatively well in shared care where there are no concerns about the safety of the children or violence to the parent. There are, however, some difficulties associated with this arrangement, both in terms of the practicalities and some concerns about the burden on children. Time is important to parents. Not surprisingly, parents are most satisfied with the arrangements, and believe the children are doing well, if they have a significant level of involvement with the children and if they trust the other parent to be able to care for the children.

The findings here suggest that shared care arrangements do bring some added practical difficulties as reported by parents – and also by children in the survey study - in relation to having to pack up and move from house to house, physically and emotionally. It is also a problem for children in other types of arrangements especially where the distances between

parents' homes are greater and retrieving things is more difficult. How much of a problem it is too is related to the level of communication between the parents and the conflict between them.

However, there were relatively few differences between shared care and other arrangements as long as the level of conflict and concerns about safety and violence were not serious. Indeed, the explanation for the broadly positive findings concerning shared care may lie to a considerable extent in the greater degree of cooperation and shared decision-making and the lower level of conflict and concerns about safety and violence. Compared with other forms of care, parents in shared care were found to have lower levels of conflict. There were, however, no significant differences for mothers. Mothers in shared care arrangements were also less likely to report concerns about their own safety than parents with other types of care arrangements. Parents in shared care also have fewer safety concerns for their children than in other patterns of care. Since parents who have significant safety concerns about the children while in the other parent's care are less likely to agree to have shared care arrangements, it is not surprising that in this research, safety concerns are lowest for the shared care group.

However, where there were concerns about children's safety in particular, mothers were very negative about shared care. Concerns about safety and violence and conflict between the parents over child-rearing were bound together and were associated with markedly more negative views about shared parenting.

Nevertheless the overall findings were broadly positive and some mothers who did not have safety concerns and had not wanted shared care commented that they found some unexpected benefits in terms of a respite for them, a break for the children, and greater responsibility and involvement of fathers.

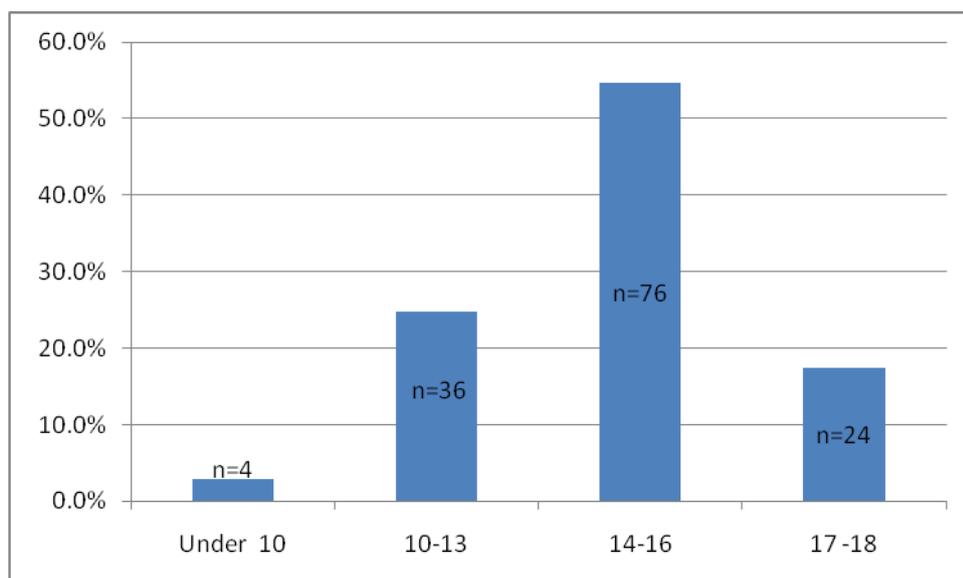
5 Children’s views and experiences

5.1 Participants: children and young people⁵¹

The children who participated in the study were 136 children and adolescents ranging in age from 8 to 17 years who responded to an online survey, and four children (aged 8 to 16 years) who were interviewed face to face to provide some richer and more in-depth information about children’s views and experiences. Three of the four children who were interviewed were currently in shared care arrangements; the other boy had been in shared care but had then lived with his mother most of the time, with holidays and weekends with his father, but had recently moved to his father’s home most of the time in a reversal of those arrangements. The results from both the survey and the interviews are discussed together.⁵²

The 140 children and young people came from all states and territories, but predominantly New South Wales, Victoria and Queensland. Their average age was 14.4 years (SD = 2.1); their median age was 15 (Figure 5.1a). Most were in high school (118, 86.8%) but some were in primary school (10, 7.4%) or at university or TAFE (8, 4.9%). Nearly one in five (23, 16.4%) did not know how old they were at the time of their parents’ separation but for those who did, their average age was 7.2 years (SD = 4.5); the median was 7 years (Figure 5.1b). For one in ten (14 children), the separation of their parents was recent (within the past year) and for another one in four (33, 24.6%), it was within the last two to five years. On average, it was 7.3 years since their parents had separated.

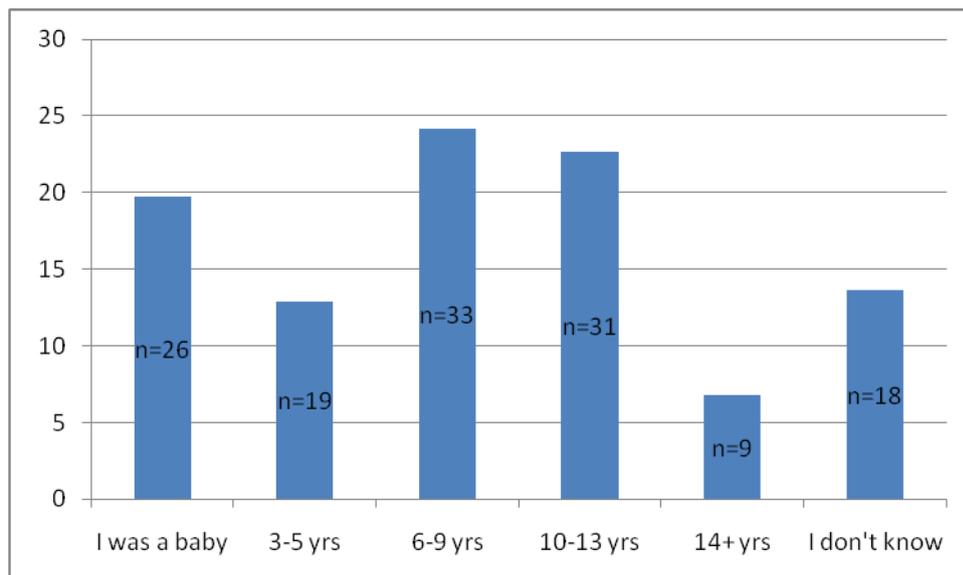
Figure 5.1: Age of children at time of survey



⁵¹ The participants included children under 14 and young people 14 and older but the term “children” is used throughout both as a short-hand and because they are the children involved in their parents’ post-separation arrangements.

⁵² We also explored the comments from children and young people who visited LawMail, an online legal service on the National Children’s and Youth Law Centre website. The most common questions that children and young people ask of solicitors via LawMail relate to the age at which they can make their own decisions about when they can see or stay with or live with their other parent.

(b): Age of children when parents separated

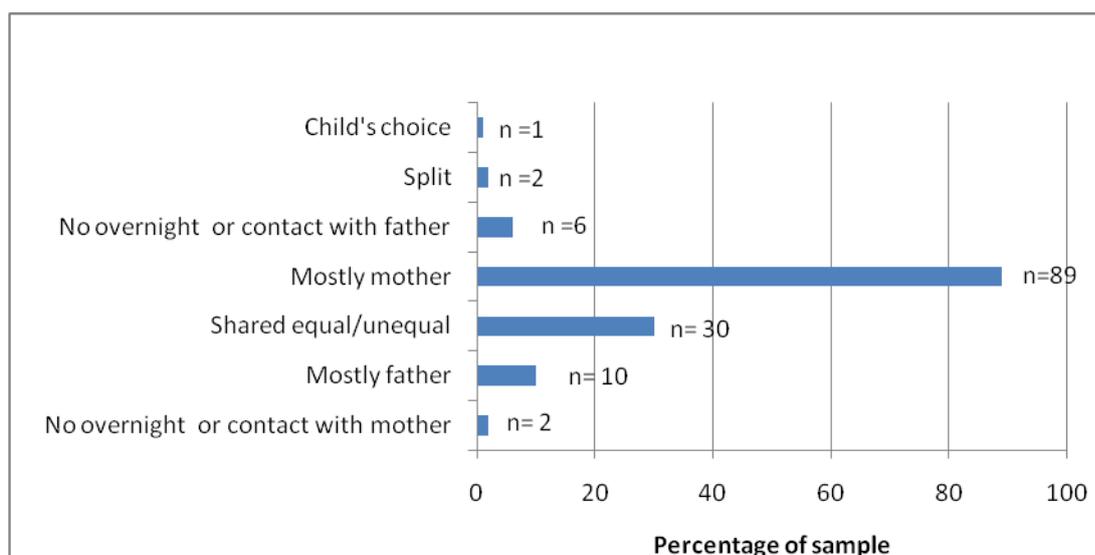


There were substantially more girls than boys in the survey group: 106 girls (76.3%) and 33 boys (23.6%). But there were no significant differences between the boys and girls by age either at the time of the survey (boys: mean of 13.8 years, SD = 2.2 and girls: mean of 14.6, SD = 2.1) or at the time their parents separated (mean of 7.2 years, SD = 3.4 for boys and 7.3 for girls (SD = 4.8). Nor was there any difference by gender in children's living arrangements.

Parenting arrangements

Overall 20% were in shared care arrangements (21.8% of boys and 19.8% of girls (Figure 5.2). Twelve children (four males and eight females) were mostly living with their fathers. Most were living with their mother (65.6% of males and 72.6% of females).

Figure 5.2: Reported living arrangements for children



Some children indicated that they had little or no contact with their other parent, nearly always their father. Some seemed to be quite happy about this but others clearly were not.

i dont see dad nowadays.. i spend all my time with mum, which is how i like it.

My brother and I never make contact with our mother because we do not want to.

i rarely get to see dad :(:(

About half the children in the survey had set arrangements for their time with their parents whether they were in shared care (56%) or non-shared care arrangements (46.3%).⁵³ These arrangements were just as likely to change during holiday periods as not (49% change, 51% not) depending on parents' work schedules and the child's other commitments and availability.

Similarly about half the children who had siblings (71% of respondents) had the same arrangements as their siblings. For the other half who did not have the same arrangements, there were four main reasons: their siblings were older and more independent, none of them had set arrangements, they had different fathers, and either they or their siblings did not want to see their other parent – mostly their father, and often because of their father's new partner. Less commonly, the reasons for other children having different arrangements were court-related:

Because shes [sic] younger, the court decided and she didn't really get a choice. (#16, 15F).

Dad has abused my little brother, my big brothers are moved out and my two littlest brothrs [sic] live with my dad's ex (#80, 14F).⁵⁴

they [older siblings] have always been older than me so got to choose, were [sic] i go was set by the courts.

Children were almost twice as likely to have siblings living with them at their mother's home as at their father's home; 77% of children with siblings had one or more siblings with them at their mother's home compared with 43% at their father's. About half the children in shared care arrangements had siblings with them at each home; three children in shared care had no siblings or step-siblings. Most of the children who lived most of the time with their mother, however, had siblings living with them (63, 84% of those with siblings). Some had quite complex family groups involving siblings and step-siblings:

i have siblings from all different families. i have 3 step siblings, 2 half siblings from different sides of my family and 1 full brother. my full brother and step siblings are all 18 or over. (#126, 15F)

⁵³ This difference was not significantly different.

⁵⁴ The quotes from children are included as given with the language and spelling of the children and young people as is.

Four children indicated that they had split arrangements, with one child living with one parent, and the other living with the other. Step-siblings or the partner's children were, however, more common for father's homes than mother's (22 compared with 8).

Just over half the children (54%) were living with their parent's new partner at one home or the other; for 18 children, both parents had re-partnered. Consistent with other studies about post-separation parenting, more fathers had re-partnered than mothers (50 fathers, 35% compared with 38 mothers, 27%). New partners or step-parents were a significant issue for a number of children and young people, as their comments about problems and difficulties show.

5.2 Children's perceptions of who does what?

Children were asked several questions about who looked after them or had responsibility for various parenting 'jobs': who stays home to look after them when they are sick, who organises and takes them to the doctor or dentist, who buys their clothes with them, and who takes them to parties, sports and other activities.

According to the children in shared care arrangements, their mothers were more likely to organise and take them to medical or dental appointments and to buy their clothes than their fathers were. It was also more likely that the mothers would do these things than that each parent would take responsibility when the child was with them. Double the number of children said their mothers were responsible for these aspects of parenting than the number who said it depended on who they were with at the time, and only two said their fathers were mostly responsible for health matters. The picture was quite different for children being taken to sport and other activities, and in this case, the most common response was that it depended who they were with at the time; the next most common responses were that they were mostly taken by their mother or they got there by themselves (these responses were equally common). One girl who said that it was mostly her mother indicated that her mother did more than her father, partly because she made herself more available and it was a more 'comfortable' arrangement for her:

I don't think it's that fair for my mum. She does... She does do a lot more than she should. ... sometimes like I feel asking to be driven places by dad who works more often is a bit like... it's a bit of a chore for him. Like, I find that when mum is more... way more comfortable doing that. .. 'Cause her job is a lot more flexible and she's made her job flexible so that she is available to do those things. *Yeah*. So sometimes I feel like I'm a bit of a ... Not, like, a burden on dad, but like I ask a lot of him sometimes.

When children were sick, nearly half the children in shared care arrangements (48%) said that they stayed home by themselves, but if a parent stayed with them, this was most likely to be the parent they were staying with at the time. In several shared care arrangements, children indicated that their parents cooperated to manage their respective work commitments. For example:

So if you're sick, who would stay home to look after you ... Often Mum but if Mum had to go to work for some reason, Mum would say to Dad, "Can you please look after Michael for two nights or one night," or how many nights I had to stay with him and then I would be cared for by him. (12 year old in shared care)

When children were living with their mothers, however, they were less likely to stay home by themselves (35%) and more likely to have their mothers stay home with them (43%) although

there was an age difference between children living with their mothers and those in other arrangements.

5.3 How close do children feel to their parents?

Overall, and not surprisingly, children indicated that they felt closer to the parent they were living with most of the time than to their other parent (Figure 5.3). Children living with their mother said they felt closer to them than to their father, and the opposite was true for children living most of the time with their father.⁵⁵ Children in shared care indicated that they felt closer to their mother than to their father, but they were no less close to their mothers than children living with their mothers most of the time. Similarly there was no significant difference between children in shared care and those living most of the time with their fathers in how close they felt to their fathers.

Several of the children in shared care arrangements who were interviewed, however, said that they thought they were closer to their father living with them more of the time than they would have been if they spent most of the time living with their mother and only saw their father on weekends.

So do you think you would you be as close to dad if you were only having every second weekend with him?

No.

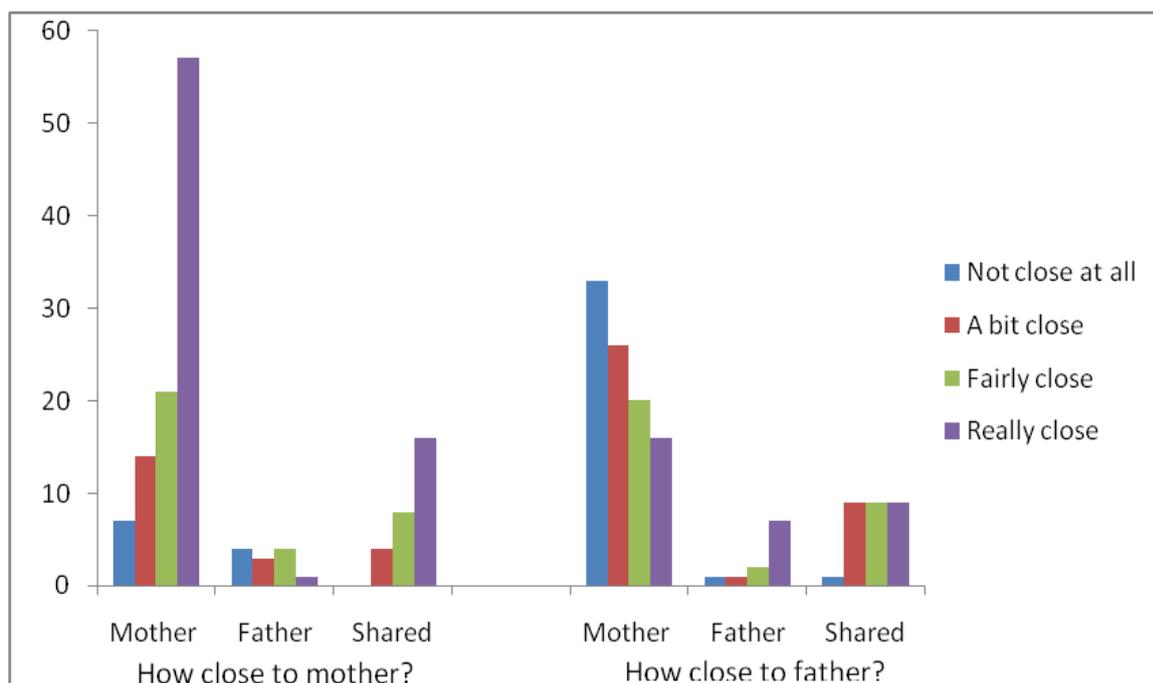
So the fact that you see him regularly?... Yeah. Definitely the week arrangement has, and the fact that everything's very flexible. ...

And I have a more of a... I have a different relationship with dad. Like, I would consider dad one of my best friends. Really? Yeah, like, it's really... Like it's quite weird and we always like joke and stuff and my friends think my dad's hilarious. Yeah. 'Cause he's very... he's very funny just the way he... he is. So but they're very different relationships. Obviously half of that is because, like, you know, mum and daughter relationship is different to a father daughter relationship, but I find I'm more in a like friendly jokey basis with dad.

And mum understands more, like, cause she knows, like, how like stressed I get and stuff like that, whereas dad would be more....Whereas mum, I think understands the type of person I am.

⁵⁵ The rating scale responses were analysed using ANOVA and the results are shown in Table 2.

Figure 5.3: How close children feel to their mother and father by living arrangements



In fact, the only group of children who said they felt closer to their fathers than to their mothers were those in the care of their fathers most of the time.⁵⁶ In many cases these children were in that particular arrangement because there were significant difficulties with their mother's parenting capacity or other reasons for children living most of the time with their fathers. In several cases, children's comments referred to their mother's substance abuse problems and clearly unsatisfactory relationships with their children. For example, when asked what changes they would like to see in their families, and in particular, in relation to their mother, one 13 year old girl and another 16 year old boy, both living with their father, said that they wanted their mother to:

Stop drinking, stop meeting people, then two weeks later not ever wanting to see them again.
(13F)

Stop smoking, stop drinking, stop doing drugs, stop getting involved in pyramid schemes, stop yelling and screaming at us for no reason, stop badmouthing my dad and stepmum in front of us. ... Stop treating me and talking to me as if I were my dad. ...She's been diagnosed with a few mental health issues brought about by all her drug use, but refuses to believe it and refuses to take her medication. She should realize that she's been a terrible, neglectful mother.
(16M)

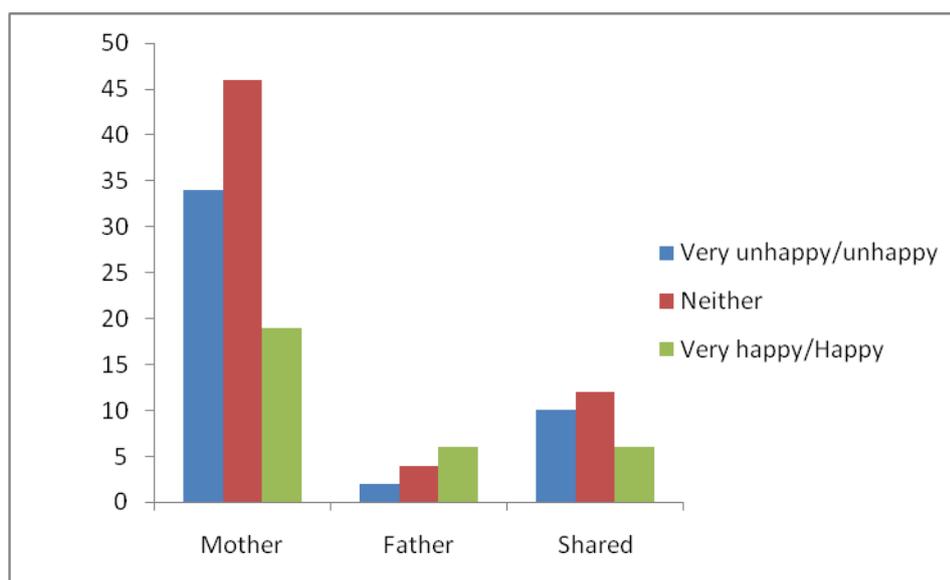
5.4 Children's reactions to their parenting arrangements

Overall, just under half the children (45%) indicated that they were 'neither happy nor sad' about their living arrangements; a third were unhappy or very unhappy, and about one in five (22%) were happy or very happy with them. The quite high levels of unhappiness with the parenting arrangements is not surprising as children and young people who accessed the various websites that hosted the survey were likely to be seeking help with problems in their lives, including problems relating to family life.

⁵⁶ This was based on a paired t-test using the ratings: $t(135\ df) = 6.3, p < .0001$.

There was no significant difference in children’s reported happiness with the arrangements between those in shared care and those who lived mostly with their mother or their father, either in set or flexible arrangements (Figure 5.4). Nor was there any correlation between children’s reported happiness with the arrangements and their age either at the time they took the survey or when their parents separated. Nor was there any correlation with the length of time since their parents separated. Children’s comments and their responses to other questions, however, indicated particular issues for some children and also pointed to aspects of the arrangements and their relationships with their parents that were associated with their reactions to their particular living arrangements. These are outlined in the discussion that follows.

Figure 5.4: Children’s reported happiness with their living arrangements



5.5 Children’s views about time with their parents

When asked what the best aspect of their arrangements was, the most common response was time with both parents, particularly for children in shared care arrangements. Over half the children in shared care were positive about having equal time with both parents, both because time with both parents was important to them, and also because they thought equal time was fair for them and fair for their parents. Children are often keen to be fair to both their parents and some children indicated that they felt some responsibility for keeping their parents happy. Shared care was seen as one way of doing this.

For example, children in shared care arrangements said:

I see both my mum and dad equally which makes them happy as well. (#47, 12 year old, 11 when his parents separated)

It keeps both my parents happy, or happy enough. (#108, 16 year old, 11 when her parents separated)

[I wish I could] make them both happy. (#104, 17 year old, 8 when her parents separated)

So how well do you think the arrangement’s working for you? If it was out of 10, 9½. Why is that? Oh, just ‘cause like I get to do the same thing with both parents. It’s not like I do all one thing with other parent. So it’s good.

And what about mum and dad? It's fair to them but it's probably a bit harder for them 'cause they have to miss me for a whole week. (12 year old, in shared care for nearly 3 years, interviewed)

Consistent with earlier research, a substantial proportion of children **not in shared care** (41, 39%) said they wanted *more* time with one of their parents, mostly their father (Fabricius & Hall, 2000; Parkinson, Cashmore, & Single, 2005; Smith & Gollop, 2001). In most cases, these children were living with their mother most of the time and wanted more time with their fathers. For example:

i would like to see my father alot more than i do now (#92, 14M)

We only really see dad on public holidays and birthdays when he is expected to be with us (15F)

A number of children living with their mothers most of the time were quite explicit about wanting their fathers to make more of an effort to spend time with them, particularly when their parents had separated when they were quite young. For example:

try with me and my brother, put in the time and effort to actually see us (#23, 16F, 3 when parents separated)

[If I could change anything, I'd] make my dad see me more often (#79, 15F)

I wish dad would have more time for me... (#79, 15F, 13 at separation)

ring me up, send me an email, come to visit, and be more instered [sic] in my and my brother (#88, 13M, 10 at separation)

Make more of an effort to be with me and my sister. (#138, 14F, living with her mother)

Several children living with their father most of the time also wanted more time with their mother; they either wanted their mother to live closer to their father, to come back so they could all live together again or wanted to change residence to live with their mother instead of their father.

Some children also wanted to spend more time with the parent they were living with at least half or most of the time. Their comments reflect those of children in families where their parents are not separated and are a result of their parents' work commitments, and in some cases their own school and social commitments. For example, a 15 year old said of her mother with whom she lived most of the time:

i wish shed [sic] spend more time with us, and less on work.. shes a teacher so it can be hard for her with all the take home work.

5.6 Children wanting equal time arrangements

Twelve children ranging in age from 11 to 17, 10 of whom were living mostly with their mothers, wanted equal time arrangements. For example:

[If I could change anything, I'd] go completly half. I'd make it so i see my mum for a whole week and, see my dad for a whole week. (#3, 11F)

[If I could change anything, I'd] spend equal time at dads as i do at mums (#66, 15F)

[If I could change anything, I'd] go half half with dad's and mum's (#145, 13F)

Some children were keen to have more equal time with their parents to protect or improve their relationships with them. A 17 year old, for example, whose father was living interstate said she wanted her father to live close to her so she could “move equally between them (so i don't get sick of being around one or another)”. She added: “I talk to my dad a lot on the phone but personal conversations are much more meaningful”.

5.7 Children wanting less time with one parent

On the other hand, there were also some children (23, 17%) who said they wanted to spend *less* time with one parent, or no time at all. Most of these children, however, were clearly dissatisfied with their relationship with their parent. Some were living mostly with their mother, and one with her father. For example:

[If I could change anything, I'd] make sure I never saw dad again. (#93, 15F, living most of the time with her mother)

[If I could change anything, I'd] stop the arrangements so I don't have to go to dads. I wish he would get a life and get out of my life. (#107, 12 M, living most of the time with his mother; his parents separated before he was born)

Ban my mother from texting me and getting access to my school reports etc. (#115, 16 F, living most of the time with her father, and 3 years old when her parents separated)

Several, however, wanted to have more time to spend with their friends and more flexibility. For example, one 15 year old who was 7 when his parents separated wanted to reduce the amount of contact with his father to give more time to other activities:

I would like to see my father every second weekend. If it was like this I could actually spend more time with my Mum and my friends. On weekdays I'm tired and don't really feel like doing much. This is of course after I finish doing my chores, homework and guitar practice.

Ten of the 23 children who wanted less time with one parent were in shared care arrangements. Several indicated that they would prefer to have more traditional arrangements, living with their mother more or most of the time. The reasons they provided included having less time overnight with their father, feeling more comfortable with one parent or the other or being closer to their friends. For example:

[If I could change anything, I'd] spend more time with mum, but still see dad, just not stay over-night that much. (#63, 13F, 11 at separation)

[If I could change anything, I'd] stay with mum all the time and see dad every so often or for a night here and there (#13, 16F)

Well these days I'd like to spend full time with my mum for a few reasons, but as a kid half time is a good thing though of course it depends on

circumstances. My situation has changed quite a bit since I was younger. (#117, 15F)

Stay at my mums twice more than my dads, I feel more welcome there. (#35, 15F)

[I wish I could] stay with me mother because she is closer to my friends place (#114, 8 year old)

Several senior-school students indicated that they wanted to be in one place when they were studying for their HSC or VCE. For example:

It's now year 10 (2010) and I have to start studying harder. However with this current arrangement I don't think it's going to benefit me too well seeing that I don't feel "comfortable" at my Dads. (#4, 15M)

In several cases, however, it appears that their relationship with their fathers had broken down, with one 12 year old saying:

[If I could change anything, I'd] live with my mum and my brother. My brother and I would choose when we spent time with dad or stayed at his place. [I wish dad would] let us live with Mum, not be angry and scare my brother and me. (#136, 12M)

In another case, a 15 year old who was 10 when his parents separated, indicated firmly that he wanted nothing more to do with his father and wanted to live with his mother only. In his words: "lever [sic] us alone" (#49, 15M).

There were also several examples where children's wish to be in one home or changes in circumstances, including the abusive behaviour of one parent, led to the end of the shared care arrangements. Several children in the survey group and in LawMails indicated that their older siblings had changed the arrangements when they were in the later years of high school or when they were unhappy in the home of one parent after that parent re-partnered. For example:

Hi, im 15years of age. My parents have been divorced for years and to start off with i stayed with my mother most of the week and on thursdays i would go to my fathers for a few days, after a while the times got changed and i now live with them 1 week each. When my sister was 14 she wished to live only with our mother and was granted that wish, now im 15 and wish to live only with my mother also. I have plenty of reasons and want somebody to hear them and i need help. If you could please send me an email telling me all the options i have and if i'll have the opportunity to have my say. I have been very depressed the last few months and have thought very hard about this matter and yes im positive i want to live only with my mother. Thank you for listening.' (LawMail inquiry)

In two LawMail queries, children indicated that the behaviour of one parent was the reason that the shared care arrangement had either ended or that they wanted it to end.

My brother (who is 12) & I used to live equally with my mum & dad after they separated in 1999. But my mum used to stop us seeing our dad or relatives. last year she sometimes even locked us in her unit & hid the key so we couldn't go out & visit our dad. i would call the police & this would

make my mum unlock the door. all this year we have lived with our dad. we have only seen our mum 4 times usually in a food court but not at her place as we are afraid of getting locked in again. my dad says he will have to go to court to get things changed. do you think the court will listen to my brother & me if we say we only want to live with our dad & only see our mother when we want to (we do not trust her)?

‘I want to live with my mum,i dont want to live with my dad i spend 1 week with my mum and 1 week with my dad. I have a younger brother and he wants to spend more time with my mum too.mum says sheand dad have a court order but she had heard that wen i am 12 I might have ore of a say ?mum says because of the court order it means she may have to go through a solicitor but doesnt want to as it will cost money she does not have .How cn I get it chnged?my dad will not let us speak to my mum when he has us, no matter what , court order says we can anytime mum has done her best ,mum has a letter to say that dad wont dicuss things to take to court .he breaks my things i i dont tell him something about mum .mum and dad have had dvo on each oher for 3 years and it stop this week.I hate my dad. can you help me.’

The plea in many LawMails is to be listened to and to have a safe and accessible form of advice.⁵⁷

5.8 Time as a marker of love and the quality of relationships

Some children clearly equated their parent’s time and the amount of effort they made to see them as a marker of their parents’ love for them (Butler et al., 2003; Fabricius & Hall, 2000; Smart, Neale & Wade, 2001; Smith & Gollop, 2000).⁵⁸ While a number of children were calling for their fathers in particular to put in more effort, the equation was very apparent to children when children believe that their parents treat them differently from their siblings. A 13 year old girl whose parents separated when she was 12 expressed this equation in these terms:

My dad spends more time with my sister than me. He loves her more than me. .. He always tells me off and tells me to go away so he can play with my sister, or teach her or something. and no buy [sic] the way she is NOT a special needs girl... (#27)

dad is sposed to have us for half the holidays but at christmas he didnt have me, just my big sister (#72 7F)

It is particularly stark when parents and generally fathers are perceived to be favouring their second families with a new partner over them. For example, a 12 year old girl in shared care said of her father:

⁵⁷ There is a common belief among parents and children that children can have a say when they are 12 (Parkinson & Cashmore, 2008).

⁵⁸ “Butler et al. (2003) highlight the way that children use the “language of time as a metaphor for the quality of the relationship, particularly if they lack the emotional vocabulary to describe the nature and quality of their family relationships in other ways” (p. 190). In that sense, young people’s concern about fair and equal time and being able to see their parents when they want to and having enough time alone with them—the main predictors of fair contact arrangements— may be markers for young people’s concerns about maintaining good relationships with both parents and their concern that they are willing and able to make time for them.” (Parkinson, Cashmore & Single, 2005, p. 440)

he buys more things for his girlfriends family - i feel unwanted and so does my sister (#56)

Another who was critical both of his father's time, effort and spending said:

make a effort to contact me when im not with him. Spend money on me and my sister not just his new step children. (#29, 16M)

A 16 year old girl, however, who was three years-old when her parents separated just wanted more time with her father rather than more money spent on her.

not spend so much money on me. (#58, 16F)

5.9 Yearning for parents to get back together

Eleven children and adolescents expressed the wish that their parents would "get back together again" or that they could spend all their time with both parents. These wishes were not restricted to younger children or to those whose parents were only recently separated. These comments came from children and adolescents who ranged in age from 11 to 17 and whose parents had been separated for both long and short periods (from one to at least eight years). There were more girls than boys in this group (8 girls, 2 boys, one unknown). One 13 year old whose parents separated when she was seven devoted all her wishes to her family being reunited, when asked about what she would like to change:

[If I could change anything, I'd] tell em to stop and get married again.

[I wish Mum would] love my dad again

[I wish Dad would] love my mum again

[I wish I could] stop everything to make my parents get marride [sic] again!

Others said:

[If I could change anything, I'd] make my parents live back together, so we have a lovely happy family. (#134, 16 year old who did not know how old she was when her parents separated, living with her mother)

having seperated [sic] parents really sucks, someone should change it (#149, 14 year old in shared care, whose parents separated when she was 13)

I wish I could be at both houses all the time – or that mum and dad lived closer (#119, 11F)

These comments are very similar to those made by children in Smart, Neale and Wade's (2001) study. Having the parents living together again is the preferred solution for many children wanting to see both their parents at the same time.

On the other hand, several children said they preferred their parents not to be together any more. For example, a 16 year old whose parents separated when she was 14, and now living with her mother, said:

My arrangements are better than 50/50 custody. I'm happy that i get to spend more time with my mum then my dad. Its good that my mum and dad

split up because i would be unhappy if they were together and driving me insane. (#135, 16F)

Another 15 year old said that other benefits were more material and more capacity to get away from one parent when they are annoying:

You get more presents and christmas, birthdays and easter. You can get away from people if you feel angry with them. If i lived with parents who were still together i couldn't get away if i wanted to. (#86)

5.10 Step-parents and step-siblings

I am 13 and live with my parents 50 / 50. Dad got remarried and I dont like his wife. Do I have to live with Dad if I dont want to? [Lawmail query]⁵⁹

A fairly common complaint among a number of the children and adolescents who responded to this survey was that their parents' new partners or step-parents and stepsiblings take time from them with their parents.

I hate it!! i can't do anything in the holidays with dad because he is always busy with my step mum:((#101, 14F)

For some, it was not just about time but about liking and feeling comfortable with the new partner. Nearly all these children were living with their mother most of the time. Several children spoke angrily about their father's girlfriends, their step-mothers and their mother's new partners. They referred to being ignored and afraid of their step-parents, and negatively compared with their step-siblings and put down by their fathers. For example:

i wish dads wife would actually acknolegde that im a part of dads life instead of not saying a word to me at all. (#98, 14F)

[The hardest thing is] hearing dad brag about his other daughters and put us down. (#90, 13F)

[I wish Dad would] get rid of that slut of a wife (#3, 11F).

Several children, like the 8 year old girl below, referred to bullying by step-siblings.

I dont like to go to my dads. I miss my mum and my sister. the boys who live at my dads house throw me in the pool and wont let me get out. i told my mum and she asked where was your father , i told my mum he wasnt watching he was inside the house. my mum said this was very dangerous. (#36, 8F, living with her mother)

Despite making some angry and derogatory comments about their parents' new partners, several children acknowledged that they may need to change their behaviours, giving "advice to other kids in their situation" that encouraged them to give their step-parents a chance:

⁵⁹ This query was one made to the National Children's and Youth Law Centre's LawMail service for children.

don't be crule to your stepmum or dad - just be nice cos even though your gut is telling to punch her lights out that does not really mean that you can actually do that. you can say that but never do it. (#3, 11F)

Give stepparents a chance, and even if you don't like them, remember that which ever parents married them obviously does, so be polite at least. (#14, 17F)

Two were more positive still, saying that they actually missed their step-mother and step-siblings when they were away from them or that they could be themselves in their home. A 16 year old in shared care, for example, compared her own relationship with her step-mother to that of her older sister, saying:

I get along really well with my stepmum and she's like really nice and she just leaves me my space, so it's more relaxing. [But] my sister (who was older than I was when mum and dad separated) feels that like they've... by dad remarrying and having a child that they've created their own family without us, if that makes sense.

Positive comments were, however, much less frequent than negative comments (2/20). Because children who went to the websites that hosted this survey were likely to be seeking help with problems, including problems in stepfamily life, these findings should not be taken as being representative.

5.11 Having a say, respect and recognition

A key concern for many children and adolescents, and one that was significantly associated with how happy they were with the arrangements, was their perception that they had some say in them. Children who felt they had some say in the arrangements were happier with the arrangements than those who had not ($r = .473$, $n = 138$, $p = .000$) (Figure 5.5).⁶⁰

There was no difference, however, in how much say children said they had between those in shared care arrangements and those living most of the time with one parent.

Children's comments indicated that they wanted some say in both the timing of when they spent time with both parents and some flexibility in the arrangements to accommodate their commitments as well as those of their parents.⁶¹ For example, several older adolescents⁶² referred to choice and flexibility as being the best aspect of their shared care arrangements:

⁶⁰ The association was also significant using chi square test: $\chi^2 = 36.2$, 6 *df*, $p < .001$.

⁶¹ One boy explained how his parents had asked him what he wanted but had not been able to accommodate the three-four day split week arrangement with both parents that he had suggested, opting for a week about arrangement instead:

Did you have any say in when you stayed with mum and dad?

Well, mum and dad asked me if I wanted to have the same time or with both parents or stay with mum more or stay with dad more, but I said I want to see both. So we just decided to do Friday to Friday.

Okay, so you were able to say that you wanted to have some time with mum and dad then? Yeah.

Did you feel any pressure to have time, equal time with mum and dad? No.

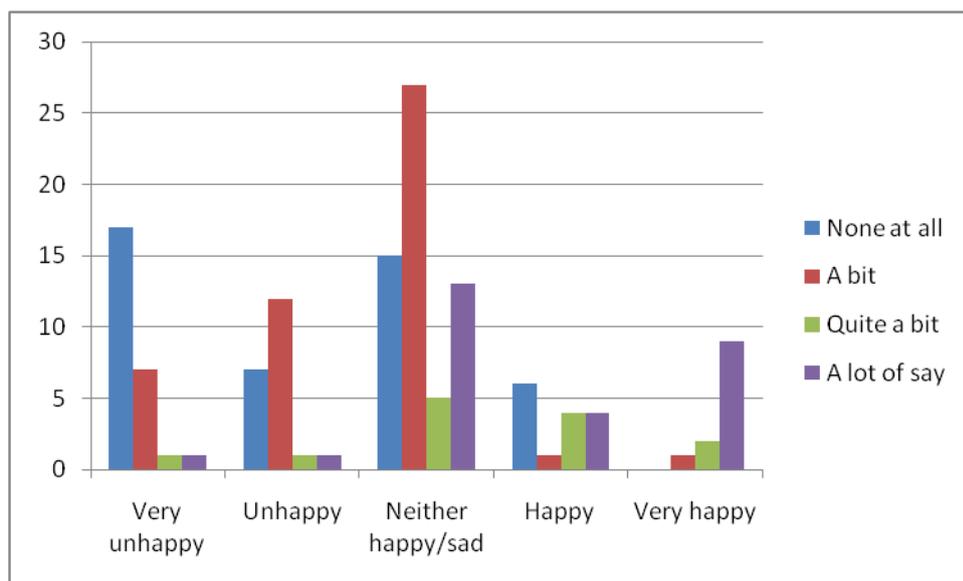
⁶² Older children were more likely to have a say than younger children ($r = .21$, $n = 138$, $p = .015$) and children were more likely to have a say where there were no set arrangements.

Definitely the week arrangement has, and the fact that everything's very flexible. Like, that I feel like I have not like control over things, but that I have a say. .. that makes me feel close to both of them. (16F)

It is really flexible and I am allowed to go and stay wherever I want to whenever I want to. (#37, 17F)

I spend time with whoever I would rather at the time. (#55, 17F)

Figure 5.5: Children's reported happiness by how much say they have



On the other hand, those who felt the timing and other aspects of their arrangements were imposed by their parents were unhappy about this and said this left them feeling powerless, resentful or guilty if they wanted any changes.

Wish I could do something – i'm pretty much powerless (#4, 15, a baby at the time of the separation and very unhappy with the arrangements)

They make me go to dads most of the time – if I was older, I'd be out of here in a heartbeat. (#57, 15, about 9 at the time of the separation and very unhappy with the arrangements)

In some cases, the lack of flexibility was associated with court orders which did not reflect the views of the children.

We have court orders, detailing everything

I wish the court people had listened to what my brother and I wanted. We would be living with Mum and not all messed up. Dad doesn't let us call Mum. He takes our phone and hides it. He also unplugs the home phone and we can't find it. We don't like living how we are ... [I wish I could] make my Dad listen to us. (#136, 12 year old, 9 at the time his parents separated)

[Hardest part is]not seeing mum as much and feeling like my life is ruled by what is in the court orders and what they want. [I wish I could] make my

opinion and what i want matter. (#52, 17 year old, 11 at the time her parents separated)

[I wish I could] live with my Mum and my brother. My brother and I would choose when we spent time with Dad or stayed at his place, not by court orders. (#136, 12 year old, very unhappy in shared care)

In other cases, the lack of flexibility appears to have been a result of parents sticking rigidly to the arrangements or children not feeling that they had any say and could not ask for any changes.⁶³

i dont now [sic] they always drag me around so i dont no [sic] where i will be next (#114, 7?)

not having a choice, if dad wants to see me i have to cancel all other arrangements for that day cause dad is a selfish stubborn tool (#73, 15, about 11 at separation and very unhappy with the arrangements)

Having a say is not always associated with children being happier with the arrangements, however, as one 16 year old made clear. In his case, “having a say” was the result of pressure from parents who were in conflict and unable to work out the arrangements themselves. He explained that he was living with his father most of the time in an attempt to be fair to him while one of his brothers lived with their mother. His “choices” were not the result of freedom of choice and left him very unhappy. When asked what changes he would like in the arrangements, he said:

...force my parents to mediate. I'm not too fussy about the arrangements, but I don't want all the pressure on me to choose because they always hate what I choose. My parents don't talk to each other any more so I have to create a timetable for me and my brothers where we spend weekends etc. To make sure I'm being fair to them, I live with my dad. They are never happy with my timetable but because they're not talking to each other, they put loads of pressure on me. There have been a number of times where my mum has threatened me, eg, 'this timetable is unacceptable, you have 48 hours to change it or else'. I hate going there, but she gets explosively angry when we don't go over. My dad, while not threatening, still puts loads of pressure on me to give him more weekends. (#20, 16 M)

In essence, what many of these children and young people are calling for is recognition and respect for their views and their needs, regardless of the time share arrangements. This is very clear in their following comments:

Understand what I need and not make me do things I don't want to do. Let me be what I want to be, not what he wants me to be. And understand when I feel I can't do something without saying "of coarse you can." And not start to get angry before he knows the full story. (#63, 13 F in shared care)

Listen...care... (144, 14 C, living most of the time with her mother)

⁶³ The advice from a number of children to others in similar circumstance was to “have a say” - “make sure you do what you want to, don’t be forced into anything. Have a say. Its about you after all.”

While some children referred to the fairness of the arrangements for both them and their parents, there was also an expectation among children of some reciprocity at least, and they were critical of parents who overrode their views and needs, or put their own needs first.

I wish mum would put us first, not her partner, and wish she would care more (#58)

Ask me what I need before what he needs. (#63, 13 F in shared care)

Just because they're your parent doesn't mean they are a good person, or that they are good to you. That's the hardest part to accept. (#115, advice, 16)

In several shared care arrangements in which the children said they were very happy and had no wish to change the arrangements at all, they clearly perceived that their needs and views were seen as important and that they even had some priority over those of their parents. For example, from one of the interviews:

Can you tell me some of the good things about your arrangement? The flexibility. Yeah. And the fact that I do get to see both. ... And how it's based a lot on, like, me and my choice and stuff like how I want to have my arrangement. ...

What do you think makes this sort of arrangement work? ... whether it's organised and also letting the child know that it's based on them so I used to think that it was really constricted and that I had to go, like, at four o'clock I had to switch, but it's knowing it's more relaxed has allowed it to be more relaxed.

How fair do you think it is? I would say it's very fair. It's all... Like, the arrangements are all based on our - what we want to do and our opinions and stuff like that, so like when my brother was doing HSC he lived here. And obviously it's not 'cause he didn't like dad or anything like that, but he lived here for like two terms and he went to dad's for two terms just so that it was easier for him to work.

5.12 Practical issues

An important aspect of living in more than one home - for both adults and children - is managing the practical issues: keeping in contact with friends, getting from one place to another and to school or work, and managing one's belongings so that things that are needed are not left behind. There were several questions in the survey asking about the perceived ease or difficulty of these aspects.

Overall children in shared care did not report that it was any easier or harder for them to get from place to another or to keep in contact with their friends or that it was more of a problem if they left things behind than it was for children living mostly with one parent.⁶⁴ The only exception, and one that is not surprising, was that they said it was easier to keep in touch with

⁶⁴ Only just over a third of children said they could get from one parent's home to the other by themselves – either by public transport (33, 23.6%) or by walking or by bike (19, 13.6%). Most (83, 60%) said they could not/did not get from one place to the other by themselves but were picked up and taken by someone, and based on their comments, that was often a parent.

their friends at their mother's home when they lived with their mother or were in shared care than when they were mostly living with their father. Similarly they said it was easier to keep in touch with their friends at their father's home when they lived with their father most of the time than when if they were living with their mother or in a shared care arrangement. A number of children, however, made comments about things being easier if their parents lived close together or they wished that they did, both in relation to being able to have more time with their father if they were not living with him (mostly) and in terms of the sheer logistics of getting from one home to the other and keeping in contact with their friends. One girl who said she was unhappy in shared care gave one reason as missing her friends and wanting to live with her mother instead because she lived closer to her friends.

Only one practical or logistic aspect was significantly associated with how happy children said they were with their living arrangements: how much of a problem it was if they left things behind.

5.13 Leaving things behind

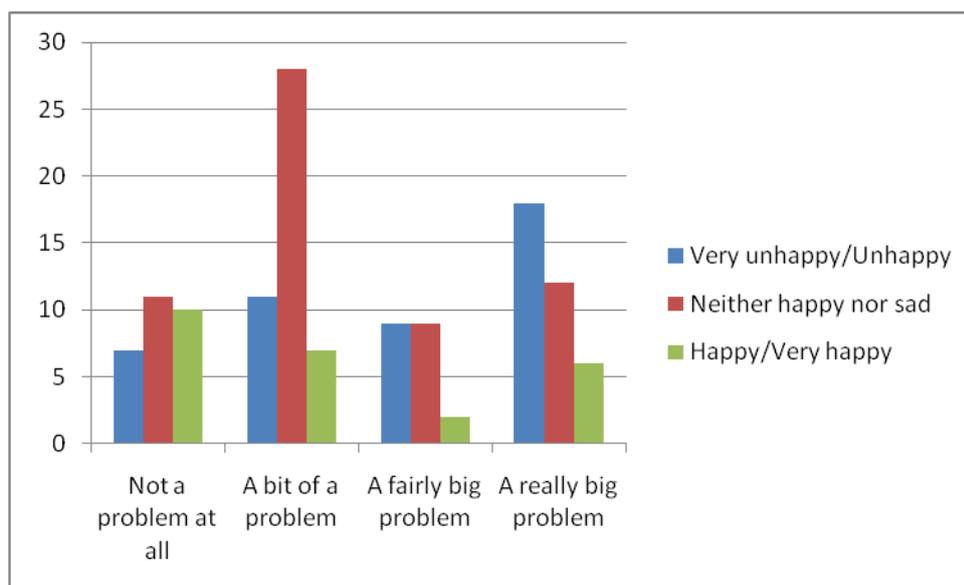
Children were asked to rate how much of a problem it was if they left something behind at the other parent's home – from 'not a problem at all' to 'a really big problem'.⁶⁵ Children in shared care did not report that it was significantly more of a problem if they left things behind than children living mostly with one parent although there was a trend in that direction ($p = .06$). The more of a problem children said it was, however, the less happy they said they were with their living arrangements ($r = -.266$, $n = 135$, $p = .003$) (Figure 5.6). It made no difference whether they were in a set arrangement or how old they were. There was some difference by the type of arrangement; for children living mostly with their mother, the extent to which leaving things behind was a problem was significantly associated with their reported happiness with the arrangement ($p = .013$).⁶⁶ For those in shared care, there was a trend in the same direction ($p = .10$).

⁶⁵ Q15: Is it much of a problem if you leave things at the other home e.g. clothes, school or sporting gear?

- Not a problem at all
- A bit of a problem
- A fairly big problem
- A really big problem
- Any comments?

⁶⁶ $\chi^2 = 8.1$, 2 *df*; $p = .012$.

Figure 5.6: Problem with leaving things at home by happiness with arrangement



Children’s comments both in the survey and in the interviews provide some insight into the reasons why leaving things behind was a problem for them or not, and why this was related to how children felt about their living arrangement. One expected factor was distance and/or logistic difficulties. Not surprisingly, leaving things behind is likely to be more of a problem if the parents’ homes are some distance apart and when the time period between moves from one to the other is longer.

For example:

Not much of a problem at all - My dad lives 2 blocks away so it isn't a problem. (11F)

A really big problem - Too far to go back – it takes two hours up there, and two hours back. (15F)

A really big problem – then I can't go to school or sport for the next term or mum has to buy new things because Dad won't be able to send certain things down (15F)

A fairly big problem - Don't go there very often – two weeks between (16F living mostly with her mother)

A second factor is the capacity to replace the item if it is not possible or easy to go back for it.

A bit of a problem – we're fairly well off so we can buy clothes or whatever we need to (#5, 17F)

It's a bit of a problem like if I forget my pyjamas because dad hasn't bought me any so I take stuff from mums to dads (#96, 17M)

A really big problem – I left my sneakers the other week and mum had to buy me new ones for school cos I couldn't go get them (#107, 12 year old boy, very unhappy)

that week. Yeah. And what I might be doing on the weekend and stuff. That's annoying, but they always, like, if I forget something, mum works close to school and my stepmum drives my little sister to school every day so it's easy to get stuff brought in for me. (16F in shared care)

I think being organised as well – it's like, learning to be organised like I have since I was six, say, has helped me so much with like schoolwork and stuff. Like it comes into a lot of my life, part of my life, and stuff. It really... It requires organisation. Like, I have to look at what I need and like what books I might need just in case, like, you know, my homework book and stuff like that, and it just requires organisation I think is the main point. Like, having packed everything and we've been doing it for so long now that mum knows... Like, if I've left, like, my medication or something, mum will put that in my bag just in case, but yeah, it's just a lot of organisation and sort of like talking to dad and seeing when like he's going to take me over. Usually it's around the four o'clock mark, because that gives me enough time to come back here and like settle and have dinner and stuff like that. (16F in shared care)

5.14 One stable place to live

One of the main objections to shared care in the literature and among parents' concerns is that children, and especially young children, need a stable place to live and to call home. Moving between homes too frequently is seen as disrupting that sense of stability for children. Children's comments about the good and the hard things about their current living arrangements indicate a range of views but a number of those who were currently in or had experienced shared care expressed similar concerns about "moving back and forth all the time" and not having one place to call home.

I hate not having just one home. I just want to live with my mum and visit with dad when I feel like it (#136, 12 year old boy in shared care)

One week with mum, then one week with dad. Back and forth all the time! No stability or normality what-so-ever! (#108, 16 year old in shared care)

the changing house every week is a drag, it gets really tiring and you just want to scream, and i get along better with my mum than with my dad so holidays with my dad is always awkward and usually very boring. Meeting my dads girlfriends is also hard, he manages to always pick the girls that get jealous and start hating us no matter how friendly you try to be with them (#149, 14 year old in shared care, parents separated when she was 2.)

Views about the ease of the arrangements at different ages differed. As indicated earlier, older adolescents indicated that they preferred to be in one place as they needed to concentrate more on studying in their senior years of high school. For example:

[The best thing is that] I'm in a stable environment not moving around all the time, it doesn't interrupt my school work, but being very close to my mum is the best thing though. (#121, 16 year old who used to be in shared care)

On the other hand, a 16 year old in shared care indicated that she enjoyed the change of scene between her parents' homes, with the company of her younger step-siblings at one home, and the peace and quiet at the other home without those distractions.

I like the fact that, like .. I get a lot of alone time and stuff like that and like I get along really well with my stepmum so and she's like really nice and she just leaves me my space, so it's a lot more relaxing, but if I stayed at dad's all the time I'd get a bit lonely, so it's a good balance the way it's worked out.

A 14 year old who was living with her mother most of the time⁶⁷ also said:

i get to leave my mom for a while - no screaming and no little sister and brother destroying my things (#146, 14F)

Others in shared care said it was hard when they were young. One boy who remembered being in shared care when he was in child care and kindergarten said that he became very confused about whose home he was going to so his parents changed the arrangements for longer time at each place. Another said:

When i was little it was really hard on me and all i wanted was to spend time with mum and dad at the same time. Nowadays i am used to it but there were times where all i wanted was to stay at one place or another permanently. (#135, 16F, now living most of the time with her mother)

I don't move between my parents houses any more, just stay at my mums, this means i'm not as unsettled. (#140)

The length of time at each home is also an issue – too short and it means too much moving back and forth, and too long, and it means children miss the other parent too much. Several children who mentioned this also indicated that their parents accommodated these concerns by the child going to stay with the other parent for a night during the longer breaks away from their other home.

Do you miss mum when you're with dad? And do you miss dad when you're with mum? Yeah, but not really with the week on-week off, but with the two weeks and the four weeks, yeah. .. In the four weeks I get to, like, spend one day with dad or one day with mum sometimes.

In several cases, the children's concerns were not for themselves but for their parent:

[Hard things:] Leaving your parents alone, wondering how they are doing without you whether or not they need help with dinner or cleaning etc. (#139, 15F in shared care since the age of 8)

5.15 Parental conflict

Another consistent concern about shared care arrangements is that it is contra-indicated or much more difficult if the parents are in continuing conflict and cannot work cooperatively or in parallel without arguments and tension. In fact, the consistent finding from the literature is that ongoing parental conflict is a key factor predicting poorer outcomes for children after their parents separate. Children's comments in this study certainly indicate that they find it

⁶⁷ For another boy who was living most of the time with his father and happy to have the peace and security of that home, the time he spent with his mother was not welcome:

My mum and stepdad are abusive, drug addicted and alcoholics. Therefore, being with my dad during weekdays means that I can focus on my studies a lot more. (#20)

very difficult to be in the middle of their parents' disputes, to hear their parents bickering, bad-mouthing the other and complaining about money.

[I wish] that they would stop fighting and taking it out on my brother and me (#59, very unhappy 14F, 12 at separation and living mostly with her mother)

not put me in the middle, not make me feel guilty (#120, 15 year old, unhappy and living most of the time with her mother, parents separated when she was 6)

MONEY!!!!!! thats all they ever talk about when not together. Dad thinks that he shouldn't have to pay any money while mum wants him to occasionally, ITS ANNOYING!!!!!! (#150, 15M, 13 at separation and 'neither happy nor sad', living most of the time with his mother)

[I wish I could] detach myself from their bickering - venting on me for every injustice that happened to each other. No child wants to hear ill of their parents (#135, 16F, separated at 14, and 'neither happy nor sad' living with her mother)

also i get pulled around when they are fighting and they always threaten to do stuff if im not there and stuff (#52, 17 year old, unhappy in shared care, parents separated when she was 11)

The most bitter complaints were in relation to children feeling that their parent was simply using them or misinterpreting what they were saying to "get at" the other parent.

when I go to my mum's house, she does nothing except drink and smoke and have sex with my stepdad. I feel completely used by her - she doesn't really want to spend time with us; she just wants to use us to get back at my dad. (#20, 16 year old very unhappy and living most of the time with his father, parents separated when he was 10.)

be more caring . i really feel like she had me keep my dad and when that did not work she uses me to keep him upset. i wish she would be honest and not such a Sybil i really need her to become stable so we can be stable (146, 15 year old, very unhappy and living most of the time with her mother, parents separated when she was 5)

The problem is that when I sent them emails suggesting mediation, my mum then tried to sue my dad using my email as evidence that I was unhappy living with my dad (which isn't true). (16M, very unhappy and living mostly with his father)

These complaints about parents fighting were more common among children who lived most of their time with one parent but the children who were unhappy in shared care, with one exception, were those who complained about their parents fighting. Two 17 year olds were keen to escape their current arrangements, both referring to their parents' continual bad-mouthing of their other parent. For example:

The hardest thing is: I get pulled around when they are fighting and they always threaten to do stuff if im not there and stuff;

I wish Mum would: Stop telling me things about my dad when i tell her i don't want to hear it;

I wish Dad would: Stop telling me that my mother is a slut and is the reason for there breakup;

I wish I could: Move out already and not have to put up with either of there [sic] crap (#52)

In the case of the other 17 year old, whose parents separated when she was 11, her unhappiness appears to be related to the imposition of shared parenting by court orders. She said she could not wait to get away from both her parents and their constant bickering.

[If I could change anything, I would] make my opinion and what i want matter.

I wish Mum would: care and not use me between fights.

I wish Dad would: care and not use me between fights.

I wish I could: escape [sic] them all.

Another, a 15 year old, just wanted someone to “make her parents stop fighting”. She indicated that she gets very sad and upset, and that she “find[s] it very hard to live like this”.

On the other hand, one of the 16 year olds who was interviewed provided a very different picture of shared care with parents who cooperate; if there is any conflict, she is not aware of it.

But for me I think, yeah, like, it's... I'm very happy with it. Yeah. Like, I seriously... I feel I'm really fortunate, 'cause as I've mentioned, like, my friends' stories and like their... the fact that, you know, like, they look out the window and their dad's standing there with like a brick. Like... So it provides, like, a good atmosphere and stuff. But my parents aren't the type of parents that, like, fight in front of me or anything like that with like the whole divorce. They don't, like, they were very civilised about everything and like, from my perspective, they're friends, so there's no tension or anything like that, so it's... And it's all very flexible, 'cause we've been doing it for so long now.

5.16 Advice to other children and how to make shared care work

When asked what advice, if any, they would give to other children after their parents separate, the most common response was to “have a say if you want to”. This was expressed in various ways and in stronger terms by some but the consistent theme was to have a say and not be forced into arrangements by parents. For example:

Try and make it so that you can enjoy yourself and not be... try to be forced by your parents to do one thing. Yeah. Stand up for yourself. (12 year old in shared care)

I wish I could: stand up to mum on issues that are very important to me. (#15, 14F)

To be firm with your parents about your decisions and ideas. Dont let them completely run over you. And if you think something is write [sic: right], stick up for it. (#29, 16)

Bring it up legally if you are 12+ because you can have a say

just try to stick to what you want, eventually you'll get there. (#16, 15F)

The other common theme was to try to stand outside the parents' dispute and seek support and advice if required:

Don't clam up! If you want to know something ASK! Keep lines of Communication up! And if you want help ask anyone, from teachers to the kids help line!

just try and stay out of your parents fights but make sure you have your say :)

dont listen to your parents bitching about each other, it changes your opinions and makes you depressed and you end up abandoning one or both parents

Live your own life the best you can, don't believe everything you hear, some people don't change.

One 16 year old suggested that it would be helpful if there was compulsory counselling for children so that it was acceptable to his parents for him to speak to someone else and he did not need to ask for it.

I think if a couple splits up after having children, there should be compulsory counselling for children. I've never had any but don't really want to seem weak by telling my parents I want to speak to someone about it. If it was compulsory, they might also be able to step in or find other people they could get involved to stop the sort of abuse that was happening and to be able to help us in working out what arrangements are the best.

The queries from children about what avenues are available to them when they are having difficulties also indicate the need for accessible legal advice and support, especially in relation to their capacity to change arrangements that are not working or making them unhappy. For example, one email to the National Children's and Youth Law Centre's LawMail service asked:

Hi, my brother and I were just wondering. See we are in shared care with my mum and my dad at the moment but we want to live with my mum all the time but our dad wont let us cause he says he wont love us anymore and my mum cant afford to go to court again. We, thats my brother oh and he is 12 were wondering can we just go and live with our mum or mum has heard that its like something like 14 years when we can go and dad cant do anything. Or can we just go ourselves to court and tell a judge thats what we want to do.

In terms of making arrangements work, it was also suggested by several young people that it helps to be "organised, reasonable, and flexible". In a clear statement of what makes shared care arrangements work, one 16 year old said:

Definitely organisation and communication, because like the parents obviously are going to have to talk. Like, dad's going to have to call mum and stuff like that, and so if... if the parents aren't stable and if, like, you know, the dad's a psychopath or something like that, it's just not going to work. Like, they have to be, the parents have to be friendly, or they have to appear to be friendly, 'cause and like so that they can organise stuff because otherwise it becomes obvious to the child that, like, there's too much going wrong and stuff like that and that's when they become unhappy. ...The more they fight and all that stuff just creates like a worse situation for the child and makes shared care worse, whereas shared care can like work really well. Like, I think it's worked really well for us and so I think it's basically it's all based on the parents and how flexible they are and how they communicate.

5.17 Summary and Conclusions

The children and young people in different living arrangements who responded to the survey and participated in the interviews did not differ markedly in their views about what was important to them after their parents separated. There was no significant difference in their reported happiness with their arrangements between those in shared care and those living mostly with one parent (in most cases their mother). There were children living with one parent who wanted to have more equal time with both parents, and some in shared care who wanted to have more time with one parent than the other. A majority of children living with their mother wanted more time with their father but some wanted less time or none at all with him or with their mother. This was most often the case where there was some indication of abusive or difficult relationships with that parent or with the parent's new partner.

There were perceived benefits from shared care but also disadvantages that were not necessarily unique to shared care. The main benefit was maintaining a relationship with both parents. Having equal time was also seen to be fair. Feeling comfortable and at home in both places could also be both an outcome and a prerequisite for it to work. New partners and step-children played a significant role in this regard for some children, sometimes positive, but in this sample more often than not negative. Having some respite from one parent in the move to the other was also a perceived benefit for some children. The costs or disadvantages were the moves back and forth, the lack of one place to call home, especially with the demands of the senior years of high school, and the risk of leaving things behind. One stable home was very important for some children who felt more comfortable in one home than the other and for whom the costs of moving back and forth exceeded the rewards of the extra time with both parents. This was the case for some young people as the demands of their education and their social commitments increased. Leaving things behind was a problem for some children in shared care but it was also a problem for many who were not in shared care as well. The issue here was often more the degree of angst associated with the conflict between the parents which created or exacerbated any practical difficulty.

The constant themes about what mattered most to children in shared care and other parenting arrangements were having enough good time with both parents - where those relationships were satisfactory - and having some choice and flexibility in the arrangements. The consistent conclusion emerging from the research on contact and shared parenting is that what matters most to children is the quality of their relationship with their parents, not the amount of time per se (Amato & Gilbreth, 1999; Parkinson & Cashmore, 2008; Smart, Neale & Wade, 2001). The responses and comments of the children in the current study, in both the surveys and the interviews, bear this out. As Smart and Neale (2001) stated:

...co-parenting, from the perspective of children and young people, was not intrinsically better or worse than living with one parent and seeing the other regularly, occasionally or never. What mattered to them was the quality of their relationships. (p. 127)

The findings are also very consistent with the findings of two other studies of children in shared care, one in England (Smart, 2004) and the other in Sweden (Carlberg et al., 2002). It was clear that some children are comfortable in shared care arrangements while others, including sometimes their siblings, are not. The same is also true for children living with one parent or the other. Some children even within the same family prefer to live with their mother, others with their father. A key issue in Smart's study and in the Swedish study, as in this study, was the capacity for children to have some say in the arrangements and to feel that the arrangements met their needs - as well as those of their parents. Children and young people did not necessarily want to impose their own will on the situation, but it was very important to them that their voice was heard and their views were taken into account. Being listened to and having their concerns recognised is also an indicator to children of the quality of that relationship.

Smart (2004) identified three core issues that influenced children's level of contentment with shared care: whether the parents prioritised the needs of the children and were willing to listen to their views and respond to them; the level of flexibility in the arrangements that reflected children's changing needs, schedules, and feelings; and whether or not children felt welcome and 'at home' in both homes. Children who felt that their parents laid claim to their time and were inflexible and unresponsive to their concerns were unlikely to be happy with the arrangements, but other research suggests this is the case whatever form the arrangements take.

Another important factor in the current study and also evident in the Swedish study was the level of cooperation and the absence of conflict between the parents, reflected in parents' efforts to minimise the practical difficulties and prioritise their children's needs. As Carlberg et al (2004) report:

The young people who are most satisfied with alternating residency are those who have parents who are flexible, can cooperate, and live near each other. Many youths think that the parents have succeeded well with coming to agreements and finding solutions that work for the children. Those with parents who live near each other are very satisfied with this and highlight it as something that their parents have really done well.

It was great that they got apartments near each other. They've thought of us kids first and foremost, and planned it so that it would work for us. (p. 30)

While the children and young people who responded to the survey were not necessarily representative of children and young people in shared care and other parenting arrangements following their parents' separation, the key messages are similar to those coming from other research. As Smart (2004) points out, it is not the family structure that matters but the quality of the relationships. Shared parenting is one example of post-separation parenting that might work for some families but these children's views and those of the parents involved indicate that it is not "*the* prescription or formula for 'proper' or desirable post-divorce family life" (p. 141).

6 Discussion and Conclusions

6.1 The prevalence of shared care

All the datasets examined suggest that the prevalence of shared care among separated parents is quite low, and lower than in many other jurisdictions where statistics are available. However, data from the Australian Bureau of Statistics indicates that the proportion engaging in shared care has increased in recent years. In 1997, less than 1% of children whose parents did not live together were in equal time arrangements. By 2006-07 this had risen to 4%. More children live in substantially shared care arrangements. With the reforms to the Child Support Scheme following the report of the Ministerial Taskforce on Child Support, the standard definition of shared care is at least 35% of nights with each parent. Nearly 8% of children were in shared care using this definition, compared with 2.6% of children in 1997. This is consistent with findings from other datasets and studies.

Parents who are more recently separated appear more likely than other parents to engage in a shared care or near shared care arrangement. A quarter of all parents who separated between two different waves of the LSAC survey (that is between the time when the child was 4-5 and when the child was 6-7) had a shared care arrangement. The Parents' Survey indicates the same pattern. Families in shared care arrangements were more likely to have separated in the past four years. Among those who adopt a shared care arrangement at some stage, adjustments tend to be made after about two years.

The percentage of parents in shared care arrangements reported in the ABS data is significantly lower than in the evaluation of the family law reforms conducted by the Australian Institute of Family Studies (Kaspiew et al, 2009). The AIFS found that 16% had a shared care arrangement and just under half of these (7%) had an equal time arrangement. However, the picture is a consistent one. The AIFS evaluation focused on those who had separated since July 1 2006, when the changes to the Family Law Act 1975 were introduced. The ABS data analysed in this report indicates patterns of care across the population of separated parents, including those who separated many years ago and still have children under 18. Because shared care has become a more common arrangement in recent years, and also because it is likely to be tried particularly in the first few years after separation, it is to be expected that any study of recently separated parents would yield a higher proportion of shared care arrangements than in the population as a whole.

6.2 The duration of shared care

Many shared care arrangements do not last. Over time, the pattern of care often reverts to the more common situation of primary care by one parent, usually the mother. While shared care arrangements may not be as likely to last as long as other patterns of care, there is some evidence that equal time arrangements are more stable than unequal shared care arrangements (for example those which provide that the non-resident parent should see the children for 5 nights per fortnight and during the school holidays). In the AIFS evaluation of the family law reforms (Kaspiew et al, 2009) equal time was the second most stable form of care arrangement.

It is not surprising that some families try shared care soon after separation but change to another care arrangement in the course of time. In the aftermath of separation, parents may well live in reasonable proximity to one another. For example, a father might move out of the family home to live in a neighbouring suburb, or another area of the same town. Proximity is a precondition for shared care, and such an arrangement may work for a while. However, if the family home has to be sold, or it is not possible for the parents to afford two homes in the area where once they had only one, one or both parents will have to move to an area where

housing is cheaper. In Australia's major cities, those areas tend to be on the edges of the city or beyond it, and so separation has a centrifugal effect on many parents, scattering them through economic necessity from the more central areas of a city to its outer edges or beyond. If one parent is tied to their original location because of work commitments or other such factors, the economic consequences of the separation may mean that parents come to live some distance from one another.

Such economic factors are one reason why a shared care arrangement may not last. Repartnering and other life changes are other reasons why some form of shared care, which was practicable in the immediate aftermath of separation, ceases to be so as time goes on.

6.3 How shared care arrangements were made

The great majority of shared care or near shared care arrangements are made without the intervention of the courts and adjustments appear to be made through negotiation between the parents. The Caring for Children (CFC) data indicates that about 6.5% of parents who had shared care arrangements had those arrangements imposed by court order. This was a much lower proportion than those parents with arrangements for moderate care of the children. In some cases, where there were court orders governing the parenting arrangements, these may have been consent orders reached as a consequence of negotiations. Thus some agreed arrangements may have been formalised by means of court orders.

The Parenting Survey indicated that parents with shared arrangements or where the children were mostly with their mother were less likely to have come to those agreements via litigation than those in other arrangements.

6.4 Characteristics of shared care families

Children in shared care arrangements differ in a number of ways from children in other arrangements and children living with both parents.

Shared care is slightly more common among children of primary-school or early teen ages than among children of younger or older ages.

Not surprisingly, mothers and fathers who engage in shared care arrangements tend to live close to each other. Conversely, a substantial proportion of the parents who do not have a shared care arrangement live too far apart for a shared care arrangement to be possible.

When children have more contact with their father, including those with moderate or shared or near shared care arrangements, the parents have more often previously been married and have lived together for a longer time. This may indicate that these arrangements are more likely to occur when fathers had a greater investment in bonding with their children.

Parents in shared care arrangements are less likely to have repartnered than other parents. This may be explained by the fact that shared care is more likely to occur in the first few years after separation, and as time goes on, more and more parents find new partners. Consequently, the proportion of repartnered parents who have shared care is lower than those who have not repartnered. It may be also that repartnering may lead that parent to a change of location that requires a change from the shared care arrangement.

Parents in shared or near shared care have different demographic and socio-economic characteristics from parents in other post-separation care arrangements. Children in shared or near shared care are more likely to have parents with higher levels of education and higher incomes than children in other types of arrangements.

Child support payments tend to be lower among shared care cases than among cases where children spend less time with their fathers, although they are higher than cases where the child has no contact with the father. The lower levels of child support in shared care are likely to be the result of two factors. First, mothers in shared care families overall have higher incomes, which reduces the obligation of the other parent; and the child support formula makes an allowance for the child support provided directly by a liable parent when the children are in his or her care.

Fathers in shared care arrangements are more likely than fathers in other care arrangements to provide additional, in-kind child support such as buying clothes and toys, or helping out with child-care, preschool or school expenses in addition to the formal child support payments.

Fathers in shared care arrangements are more likely than fathers in other care arrangements to help the mother out in other ways such as looking after the children if the mother is called in to work or has an appointment she needs to attend.

A great majority of both fathers and mothers with shared care or near shared care arrangements reported that they were flexible. Fathers in shared care arrangements reported a greater level of flexibility than those who were not in shared care arrangements.

According to children's accounts of shared care, mothers are more likely than fathers to organise and take them to medical or dental appointments and to buy their clothes, or for these responsibilities to be shared reasonably equally. If they were sick, and a parent needed to stay home to look after them, it was usually the parent with whom they were staying at the time who did so. This was also the case in relation to taking the child to extracurricular activities such as sports.

6.5 The wellbeing of children in shared care

The research indicated many positive aspects of shared care or near-shared care for children's wellbeing. Compared to those with other care arrangements, the shared-care families tended to have higher levels of cooperation between the parents and more joint decision-making. However, in a significant proportion of these families, disharmony in relationships and parenting was apparent. Sharing the parenting time makes it more likely that parents will share decision-making, but it does not guarantee this. For example, in Wave 1 of LSAC, which reported on parenting arrangements of 4-5 year old children, 35% of mothers in shared care or near shared care arrangements said that they rarely, almost never or never consulted the other parent on child-rearing matters.

The Parents' Survey showed that compared with other forms of care, parents in shared care have lower levels of conflict. The only significant differences, however, were for *fathers* who reported less conflict when they had shared care arrangements than when their children spent more time with their mother ('mostly mother' and 100% with mother'). There were no significant differences for mothers. Mothers' level of conflict over money was higher for those in shared care than for those who had their children with them all or most of the time. Conflict over child-rearing tends to be lower for fathers with shared care arrangements than in the other arrangements. For mothers in shared care, the reported conflict over child-rearing is lower than for those whose children are with their fathers all or most of the time.

Mothers in shared care arrangements were less likely to report concerns about their own safety, than parents with other types of care arrangements. The same was true of fathers, who reported fewer safety concerns overall.

Parents in shared care also have fewer safety concerns for their children than in other patterns of care. Since parents who have significant safety concerns about the children while in the other parent's care are less likely to agree to have shared care arrangements, it is not surprising that in this research, safety concerns are lowest for the shared care group. However, it should be noted that in the AIFS evaluation of the family law reforms (Kaspiew et al, 2009, p.166), both mothers and fathers reported concerns about the safety of the child when in the other parent's care. For mothers, the percentage was similar to those who had primary care of their children. Fathers in shared care arrangements were more likely to report safety concerns than when the mother had primary care.

Violence, conflict and concerns about the safety of the children were highly correlated with one another, in terms of reported effects on the wellbeing of children. Mothers of children in shared care arrangements who reported safety concerns were not significantly more negative than mothers with the children mostly in their care (66-99% of the time) except where they held serious concerns about the safety of the children. The pattern is similar for mothers' reports of conflict. The proportion of mothers who reported that shared care arrangements were working badly was not significantly different from mothers with "mostly mother" arrangements where there was low or even medium levels of conflict. However, the picture is quite different, when they report high levels of conflict. Thus where mothers have serious concerns about the safety of their children or there is high conflict, they are more likely to report negative outcomes for children than when the children are in their own care primarily.

Mothers who had concerns about the safety of the children or who reported high conflict were more likely to report negative outcomes than those mothers who had concerns about their own safety. However, where mothers held some concerns about their own safety (but did not report serious concerns), those in shared care arrangements were twice as likely to report negatively compared with those where the children were with them most of the time. Where mothers held serious levels of concern for their own safety, there was little difference between mothers in shared care and when the children lived primarily with them.

Parents in shared or near shared care arrangements in general held favourable views about their arrangements, with the great majority indicating that their arrangements worked for father, mother and children. These patterns were apparent for both fathers and mothers. However, not all those parents or children who were in shared care arrangements were happy with it. About 10% of fathers and mothers in shared or near shared care considered their arrangements did not work for their children.

Many children who were in shared care arrangements reported positive benefits from shared care. Indeed, a number of the children who were not in shared care wanted more time with their non-resident parent (mainly fathers) and some specifically wanted a shared care arrangement. However, just as there were some children who would have liked to be in an equal time arrangement, so there were children who were in such arrangements who wanted to live primarily with one parent. Children consistently reported that they would like to be involved in the decision making about their care arrangement, and not surprisingly children tended to be more satisfied with arrangements when they felt that their views had been taken into account.

Children in shared care indicated that they felt closer to their mother than to their father, but they were no less close to their mothers than children living with their mothers most of the time. They reported that the main benefit of shared care was maintaining a relationship with both parents. Having equal time was also seen to be fair. Having some respite from one parent in the move to the other was also a perceived benefit for some children. The costs or disadvantages of shared care for children were the moves back and forth, the lack of one

place to call home, especially with the demands of the senior years of high school, and the risk of leaving things behind. Some children perceived these to be issues for them, while others did not.

There are practical problems involved in shared care, such as children leaving clothes, school items or homework at the other parent's house. These problems were experienced by families with a variety of care arrangements - they were not at all unique to shared care. However, there were clear differences between shared care and other arrangements in relation to problems for children leaving things at the other parent's home. Mothers with shared care reported that it was more frequently a problem than fathers did. The issue in terms of logistical problems here was more the degree of angst associated with the conflict between the parents which created or exacerbated any practical difficulty, than the fact that things had been left behind in itself.

In the Parents' Survey, both fathers and mothers typically reported that the children were doing well when they were either in their own care or in shared care. They considered that the children were doing much less well when they were in the primary care of the other parent. Fathers who have limited contact with their children report greatest dissatisfaction with the care arrangements. In the secondary datasets, on a range of indicators the analysis shows that children in shared care time arrangements are reported by their parents to be doing as well or better than children who only see one parent for a moderate amount of time. Fathers with shared care arrangements overall report that children are faring better than in other forms of care after controlling for a range of other factors, while mothers' reports did not differ significantly between shared care and moderate levels of care by the non-resident parent. Children who spend all their nights with one parent were perceived by parents to have the lowest levels of wellbeing.

6.6 Does shared care benefit children?

It is clear that children are perceived to be doing well in shared care and there are few difficulties associated with this arrangement. There are many characteristics of shared care families that are very positive for children's wellbeing when parents do not live together, such as lower levels of conflict than was evident when parents had other kinds of care arrangement. However, it does not work well for all parents or all children. The children's survey indicated that there was no significant difference in children's reported happiness with the arrangements between those in shared care and those who lived mostly with their mother or their father. This needs to be treated with some caution, however, because the survey was carried on websites where children can go to get help with problems, and that would include problems about family life. This survey would be likely to over-represent children and young people who are disaffected.

So should more people be encouraged to try shared care? Is it actually the care arrangement *itself* which is better for children, or is it rather that there are attributes of parents who have shared care that mean that the children may be more likely to flourish in this care arrangement than another?

Interpreting research of this kind must be done cautiously. It is usually not possible to establish causation. Nonetheless, the various datasets all give a fairly consistent picture. In the Parents' Survey, while the outcomes were positive in shared care families, when other factors such as the demographics of the parent, the family socio-economic status and the level of conflict between the parents are taken into account, the differences between children's wellbeing in different care arrangements do not appear to be significantly different. This indicates that it is not the care arrangements themselves that make the difference to children's reported wellbeing. Rather, factors such as the parent's relationship, whether the

arrangement was imposed by a court, equitable sharing of financial resources through child support, and parents sharing decisions (rather than the other parent solely, or the courts) seem to be more significantly associated with children's wellbeing than the amount of time the children spend with each parent. This emerged also from the children's survey. What matters most to children is the quality of their relationship with their parents, not the amount of time in itself.

While the care arrangement in itself may not be the differentiating factor, all the available data in this research indicates that children fare better when they have the involvement of both parents in their lives than when they are in one parent's care only and do not see the other. This is consistent with a very large body of research evidence around the world that children benefit from the involvement of both parents after separation in the absence of safety concerns or high conflict. It might be expected therefore that children in shared care arrangements would be doing well where there are no safety concerns.

However, that does not mean necessarily that a shared care arrangement is better for children than primary maternal or paternal care. There is not a straightforward linear relationship between the amount of time that children spend with both parents and children's wellbeing. More time does not per se, equate to more beneficial outcomes for children, because there are so many other factors that affect children's wellbeing. For example, the analyses of children's outcomes at 6-7 years of age showed that there was a great deal of variation in how children were faring within and across the different care groups. Whether this was viewed as a simple comparison of outcomes across the groups, or using multivariate analyses to take account of other differences in families, children's outcomes rarely varied significantly for children in shared or near shared care compared to slightly lower levels of contact (moderate contact).⁶⁸

The explanation for the relatively high wellbeing of children in shared care may therefore lie to a considerable extent in the greater degree of cooperation and shared decision-making in these arrangements.

As noted in the introductory chapter, comparing the wellbeing of children in different care arrangements is complicated by the different variables that affect outcomes for children. It is also complicated by the fact that parents and children are not randomly assigned to care arrangements. In the various datasets analysed for the purposes of this research it is evident that distance was a factor in the care arrangements. This is not surprising. For a substantial proportion of the population of parents who live apart, shared care is not an option because they live too far apart to make it work. Shared care necessitates that parents are in reasonable proximity to each other at least once a child starts school, since the child needs to be able to travel to school from each parent's house. The choice of care arrangements is thus highly dependent on parents' circumstances.

It is also dependent on the history of the parents' own relationship. It is only to be expected that where the parents have never lived together, and therefore have never been in the position of parenting together, that the incidence of shared care arrangements is much lower than when the parents have lived together and have parented the children together for a substantial period prior to the separation.

⁶⁸ The analysis did, however, identify considerable differences between children who live with both biological parents and children in separated families, with the former appearing to have significantly higher levels of cognitive and socio-emotional wellbeing.

These results should not be interpreted to mean that it does not matter what care arrangements are chosen for particular children. In the circumstances of a particular child or family, one parenting arrangement may well be much more appropriate than another.

6.7 The benefits to children from parental satisfaction

While each parent might well be just as happy to have primary care of the child, shared care does offer a means for both parents to be involved in childrearing. The clear pattern of responses in the Parents' Survey was that parents were satisfied with the arrangements if they had more substantial time with their children. They were unhappy if they did not. The diminished time with the children involved in a shared care arrangement compared to primary maternal care did not diminish mothers' support for shared care. Indeed a slightly greater proportion of mothers in shared care arrangements were satisfied with this than those with primary care of their children. There appear to be several reasons for this. When mothers trusted their children in the care of their father, and had no concerns about violence or safety, a number of mothers indicated that they wanted their children to have more time with their father, for him to take more responsibility, and to allow them some respite or break from the caring responsibilities. The 'fairness' of shared care also resonated with many children, who saw it as an advantageous form of care arrangement for this reason.

It is possible that one reason for the higher levels of cooperation in shared care families and lower levels of conflict is that both parents are happy with the arrangement. This satisfaction may well create an environment that is more conducive to the wellbeing of children than other patterns of care. In this sense, shared care may have positive benefits for children that derive from the pattern of care itself, and not just from other factors associated with families who choose shared care.

6.8 What factors most benefit children after separation?

This research confirms that children's wellbeing is optimised under certain circumstances:

- Parents are able to cooperate about the arrangements for the children
- Parents have a say in making decisions about the child
- There is relatively little conflict between the parents
- Parents believe that each parent is paying their fair share of the costs associated with raising children.

Care arrangements which are negotiated between parents, as opposed to those which are imposed by court, appear to be associated with higher levels of wellbeing for children. However, it is unclear whether this is a result of the fact that most parents who do go to court have high levels of conflict. It is likely that parental conflict rather than involvement with the court is the main cause of difficulties for the children.

It is also important for children to have some say in the arrangements and to feel that the arrangements meet their needs - as well as those of their parents. Children and young people do not necessarily want to impose their own will on the situation, but it is very important to them that their voice is heard and their views are taken into account.

6.9 Conclusions

Overall, this research paints a relatively positive picture of shared care in terms both of parental satisfaction and children's wellbeing. However, it remains only a relatively small

minority of parents who can share the care of the children and fewer still manage to sustain it for a substantial period of time. Much of the success of shared care derives from factors other than the care arrangement itself, and in particular, higher levels of cooperation and joint decision-making and a lower incidence of reported violence or safety concerns. There are nonetheless, some parents who share care who do not have a cooperative relationship, and some children whose experience of shared care is not positive. There is no reason to suggest that shared care is intrinsically better or worse than the more common pattern of primary maternal care, except for the fact that it is one form of care with which both parents are satisfied, and this may be a factor in reducing conflict over post-separation parenting arrangements.

Appendix A: Additional LSAC-based analysis

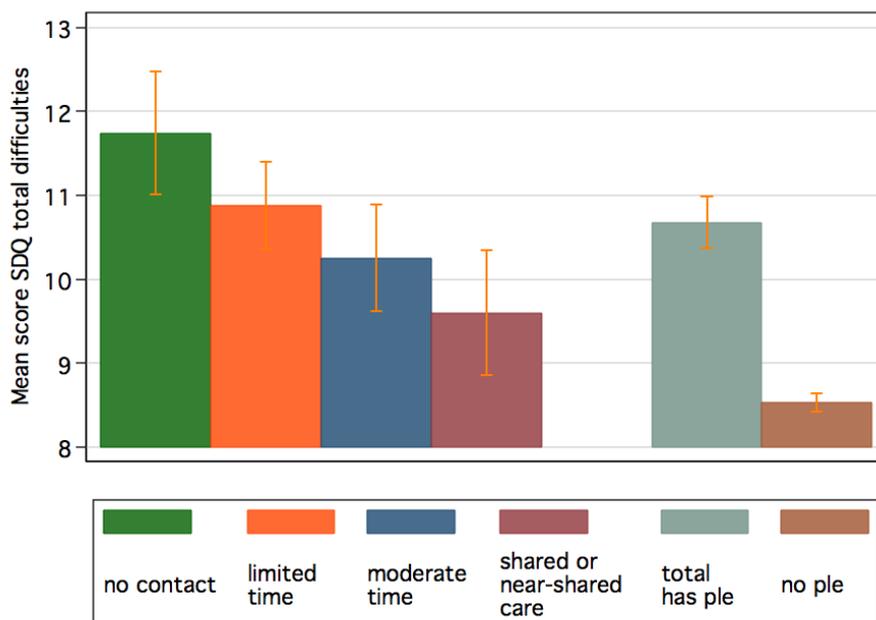
The LSAC-based analysis outlined in the main body of this report is based on Wave 2 data for the “K cohort” of children. These children were 6–7 years old at the time. The following results focus on the developmental progress of the two LSAC cohorts (combined) when each was aged 4–5 years. This involved the combining of Wave 1 data for the “K cohort” with Wave 3 data for the “B cohort” children.⁶⁹ This analysis was undertaken to increase the sample size and to assess the robustness of findings in the main body of the report relating to children’s developmental progress.

Children’s scores on the social and emotional development scale of the SDQ and on the PPVT (a test of their receptive language skills) were used as indicators of their developmental progress. As indicated in the main body of this report, relatively high scores on the former measure reflect more social-emotional difficulties, while relatively high scores on the PPVT reflect superior receptive language skills.

The first set of bars in Figure D1 depicts the mean SDQ scores derived for children of separated families according to the care arrangements that they were experiencing, while the second set shows the mean SDQ scores derived for all children who had a parent living elsewhere (“ple”) and for children who did not have a parent living elsewhere.

⁶⁹ It should be noted that, in Wave 3, mothers of children with a parent living elsewhere were asked if they would answer questions about the child’s father. Twenty per cent of relevant mothers of “B cohort” children indicated that they would not do so. The combined sample comprised 80 “B cohort” children and 84 “K cohort” children (total N = 164). The mothers who declined to answer these questions were slightly younger than other mothers and tended to have lower education. These and other possible differences (e.g., level of contact relationship quality which was not ascertained if they declined to answer questions about the father) may have also been systematic differences in the socio-demographic characteristics and relationship quality of those who agreed and those who did not agree to answer such questions. Such trends may have increased or decreased any apparent differences between children with the different care arrangements.

Figure A.1: Mean scores on the SDQ social and emotional development scale at age 4–5 years (B and K cohorts) by care arrangement (where parents have separated) and by whether the parents had separated



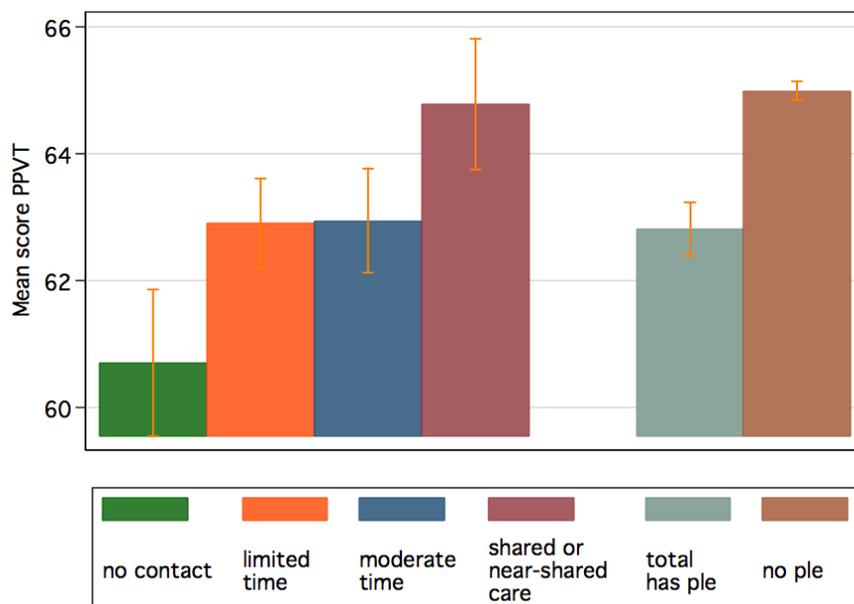
Note: Higher score = more difficulties in social and emotional development. “ple” refers to having a parent living elsewhere. 95% confidence intervals are shown. B cohort refers to children aged 4-5 years in 2008 (Wave 3) and K cohort children aged 4-5 years in 2004 (Wave 1).

Source: LSAC Waves 1 & 3 (2004 & 2008).

Consistent with the results for the K cohort when aged 6–7 years (see Figure 4.3), Figure D1 suggests that, at age 4–5 years, children with a parent living elsewhere had more socio-emotional difficulties than other children. Secondly, among children whose parents had separated, those with shared care or near shared care were doing as well as, or better than, children with other care arrangements in terms of their socio-emotional development. The greater the sharing of care time, the more likely were children to be progressing relatively well. In fact, the children with shared or near shared care had significantly lower mean SDQ scores (suggesting fewer problems) than the children with limited or no time with their father. While the overall pattern of trends is similar to that for the K cohort when aged 6–7 years, the mean scores of children in the latter smaller sample did not vary significantly according to their care arrangements.

Figure D2 provides the corresponding results for the PPVT mean scores. The overall pattern of results in relation to receptive language skills is similar to that apparent for the socio-emotional difficulties measure. Firstly, the children with a parent living elsewhere appeared to be progressing less well compared with other children. Secondly, the children with shared or near shared care were doing relatively well. In fact, the mean score for those with shared or near shared care was significantly higher than the means scores for children in the other three groups. The overall pattern of results is also similar to that derived for the K cohort at age 6–7 years, but the differences between groups were not significant for this latter (smaller) sample.

Figure A.2: Mean scores on the Peabody Picture Vocabulary Test at age 4–5 years (B and K cohorts) by care arrangement (where parents have separated) and by whether the parents had separated



Note: Higher score = better test result. “ple” refers to having a parent living elsewhere. 95% confidence intervals are shown. B cohort refers to children aged 4-5 years in 2008 (Wave 3) and K cohort children aged 4-5 years in 2004 (Wave 1).

Source: LSAC Waves 1 & 3 (2004 & 2008).

Table A1 (concerning SDQ scores) and Table A2 (concerning PPVT scores) almost replicate the multivariate analyses undertaken in the main body of this report for the sample of 6–7 year old children (see Table 3.20 and Table 3.21). Unlike the models presented in Tables 3.20 and 3.21, those used for the combined sample introduce the cohort (“B cohort” or “K cohort”) as a predictor.

Table A1. OLS Regression modelling of SDQ social and emotional development score at age 4–5 years, children with the father living elsewhere (B and K cohorts)

	Model 1			Model 2 (model 1+ quality of relationship)			Model 3 (model 2 + other maternal characteristics)		
	Coefficient		95% CI	Coefficient		95% CI	Coefficient		95% CI
Care groups									
<i>No contact</i>	2.04	***	(0.9, 3.2)	2.12	***	(0.9, 3.4)	1.3	*	(0.1, 2.5)
<i>Limited time</i>	1.27	*	(0.2, 2.3)	1.3	*	(0.3, 2.3)	0.89		(-0.1, 1.9)
<i>Moderate time</i>	0.74		(-0.3, 1.8)	0.82		(-0.3, 1.9)	0.44		(-0.6, 1.5)
<i>(Reference: Shared or near-shared care)</i>									
Child's age (months)	-0.03		(-0.1, 0.1)	-0.02		(-0.1, 0.1)	0.02		(-0.1, 0.1)
Boy (relation to girl)	0.76	*	(0.1, 1.4)	0.76	*	(0.1, 1.4)	0.83	**	(0.2, 1.4)
B-cohort (relative to K cohort)	-1.46	***	(-2.2, -0.8)	-1.52	***	(-2.2, -0.8)	-1.21	**	(-1.9, -0.5)
Getting along with the other parent "poorly" or "very poorly/badly" (relative to others) ^a				-0.03		(-0.9, 0.8)	0.19		(-0.7, 1.0)
Having a hostile relationship with the other parent ^a				1.53	**	(0.6, 2.5)	1.18	*	(0.3, 2.1)
No contact between parents				0.55		(-1.1, 2.2)	0.52		(-1.1, 2.1)
Financially ^a : Just getting along/poor/very poor (relative to prosperous/comfortably/ reasonably comfortable)							0.98	**	(0.3, 1.6)
Mother: Low mental health (Kessler 6)							3.81	***	(2.5, 5.1)
Mother aged 30 or younger							1.39	***	(0.7, 2.0)
Mother's education (Reference: Incomplete secondary)									
<i>Complete secondary with or without post school qualification</i>							-1.81	***	(-2.5, -1.1)
<i>Bachelor degree or higher</i>							-2.56	***	(-3.7, -1.4)
Constant	9.7	***	(8.7, 10.7)	9.37	***	(8.3, 10.4)	9.7	***	(8.5, 10.9)
R-squared	0.04			0.05			0.13		
Number of observations	1090			1090			1090		

* p <0.05; ** p <0.01; *** p<0.001. B cohort refers to children aged 4-5 years in 2008 (Wave 3) and K cohort children aged 4-5 years in 2004 (Wave 1). ^a Mothers' reports.

Sources: LSAC Waves 1 & 3, (2004 & 2008).

The overall direction of trends is similar to that derived for the "K cohort" when aged 6–7 years. However, the various factors that were introduced were more likely to be significant for the larger (combined) sample of children (when aged 4–5 years) than for the smaller sample (when aged 6–7 years).

The first set of analysis shows the link between care arrangements and socio-emotional difficulties net of the child's age, gender and cohort. Children who had limited or no contact with their father appeared to have significantly greater difficulties in this area than those with shared or near-shared care, and the "K cohort" (when assessed at Wave 1) appeared to be having greater difficulties than the "B cohort" (when assessed at Wave 3). However, as was

the case for the 6–7 year old sample, boys appeared to have significantly greater difficulties in this area than girls.⁷⁰

The differences regarding care arrangements and gender remained significant when the two measures of the quality of the co-parental relationship were introduced (mothers' ratings about how well they and their child's father were getting along, and their ratings of how often the co-parental relationship entailed anger or hostility (see Section 4.3 for a description of these measures). Children whose parents appeared to have a hostile relationship with each other also seemed to have greater socio-emotional difficulties than other children, net of these other factors in Model 2.

The third model adds to Model 2 the following predictors: mothers' age, education level, financial wellbeing (self-assessed) and a measure of their mental health (the Kessler 6). When these factors were introduced, the link between care arrangements and SDQ scores weakened considerably. However, children who never saw their father had a significantly higher mean SDQ score than those with shared or near shared care ($p < .05$).⁷¹

Table A2 shows the relationship between the children's care arrangements and their PPVT scores, net of the above-mentioned other factors. Model 1 indicates that children with shared or near shared care had higher mean PPVT scores (suggesting superior receptive language skills) than those with each of the other three care arrangements (moderate care time, limited care time and no time at all) – net of the child's age, gender and cohort. These latter three predictors were also significant, and suggest that older children, girls, and the B cohort were more skilled in this area than younger children, boys and the K cohort.

Each of these factors remained significant when the measures of parents' relationship quality were controlled (Model 2) and all except one remained significant when the measures of other maternal characteristics were added (Model 3). The exception concerned one of the care arrangement comparisons: in Model 3, no significant difference emerged in the mean PPVT scores for children with shared or near shared care and those with moderate time with their father. With the exception of mothers' educational status, children's PPVT scores did not vary significantly with the measures of maternal characteristics and co-parental relationship quality, net of all the other factors included in the models.

In the relevant Model 1 analysis based on data for the "K cohort" at age 6–7 years (Table 4.21), children with shared or near shared care were slightly (but significantly) more likely to have higher PPVT scores than those with no or limited time with their father ($p < .05$ in each case). However, no significant differences were apparent between the former group and those with moderate time with their father. In Model 2, the shared or near shared care group had significantly higher scores than one other group only: the children with limited time ($p < .05$). In Model 3, none of these comparisons regarding care arrangements was significant.

⁷⁰ No significant differences between the care arrangement groups were apparent for the "K cohort" when aged 6–7 years.

⁷¹ In addition, the following groups appeared to have more difficulties than their counterparts: boys compared with girls; the "K cohort" compared with the "B cohort"; those whose parents have a hostile relationship compared with others; those whose mothers indicated that they were (at best) "just getting along" financially, compared with those who indicated that they were in a "comfortable" or better position; and those whose mothers had not completed their secondary education, compared with those whose mothers had done so and those whose mothers held a post-school qualification (taken separately). Most of these additional predictors were also significant in the analysis based on the "K cohort" at age 6–7 years.

Table A2. OLS regression modelling of Peabody Picture Vocabulary Test score at age 4–5 years, children with the father living elsewhere (B and K cohorts)

	Model 1			Model 2 (model 1+ quality of relationship)			Model 3 (model 2 + other maternal characteristics)		
	Coefficient		95% CI	Coefficient		95% CI	Coefficient		95% CI
Care groups									
<i>No contact</i>	-3.5	***	(-5.0, -2.0)	-4.1	***	(-5.7, -2.4)	-3.6	***	(-5.3, -2.0)
<i>Limited time</i>	-1.8	**	(-3.1, -0.5)	-1.8	**	(-3.2, -0.5)	-1.6	*	(-2.9, -0.3)
<i>Moderate time</i> (Reference: Shared or near-shared care)	-1.5	*	(-2.9, -0.1)	-1.5	*	(-2.9, -0.1)	-1.3		(-2.7, 0.1)
Child's age (months)	0.6	***	(0.4, 0.8)	0.6	***	(0.4, 0.8)	0.6	***	(0.4, 0.7)
Boy (relation to girl)	-1.1	*	(-2.0, -0.3)	-1.1	*	(-2.0, -0.2)	-1.2	**	(-2.0, -0.3)
B-cohort (relative to K cohort)	1.1	*	(0.2, 2.0)	0.9	*	(0.0, 1.9)	1.1	*	(0.1, 2.1)
Getting along with the other parent "poorly" or "very poorly/badly" (relative to others) ^a				0.9		(-0.3, 2.0)	0.8		(-0.4, 1.9)
Having a hostile relationship with the other parent ^a				-0.3		(-1.6, 0.9)	-0.3		(-1.5, 1.0)
No contact between parents				1.3		(-0.9, 3.5)	1.1		(-1.1, 3.3)
Financially ^a : Just getting along/poor/very poor (relative to prosperous/comfortably/reasonably comfortable)							-0.1		(-1.0, 0.8)
Mother: Low mental health (Kessler 6)							-0.8		(-2.7, 1.0)
Mother aged 30 or younger							0.2		(-0.7, 1.1)
Mother's education (Reference: Incomplete secondary)									
Complete secondary with or without post school qualification							1.1	*	(0.1, 2.1)
Bachelor degree or higher							3.3	***	(1.5, 5.0)
Constant	64.8	***	(63.5, 66.1)	64.7	***	(63.4, 66.1)	63.6	***	(61.9, 65.3)
R-squared	0.09			0.10			0.11		
Number of observations	1048			1048			1048		

* p <0.05; ** p <0.01; *** p<0.001. B cohort refers to children aged 4-5 years in 2008 (Wave 3) and K cohort children aged 4-5 years in 2004 (Wave 1). ^a Mothers' reports.

Sources: LSAC Waves 1 & 3, (2004 & 2008). 0.

In conclusion, the multivariate analysis of data for the combined sample at age 4–5 years suggested that, net of all the other factors in the models, the children with shared or near shared care had lower mean SDQ socio-emotional scores (suggesting fewer difficulties) compared with children who with limited or no time with their father. However, these differences weakened considerably when the other factors were controlled. In Model 3, only one difference was significant (that between children with shared or near shared care and

children who never saw their father), but the effect was weak and may not reflect a meaningful difference in the everyday lives of these children ($p < .05$).

In relation to vocabulary skills, the children with shared or near shared care appeared to be doing better than children with each of the other three care arrangements, net of the children's age, gender, cohort, and the two measures of the quality of the co-parental relationship. When the measures of maternal characteristics were introduced, no significant difference emerged between the children with shared or near shared care and those with moderate time with the father, but the former group had significantly higher scores than those with limited or no time with their father.

The direction of these results are the same as that which emerged in the analysis of the "K cohort" at age 6–7, with differences in test scores of those with the different care arrangements tending to weaken as the effects of other factors were introduced. However, the relationship between care arrangements and SDQ and PPVT mean scores for the combined (and larger) samples at age 4–5 was stronger and significant at the outset (Model 1), with one or two of these comparisons remaining significant in Model 3.

Specifically, for the larger sample at age 4–5 years, the SDQ mean scores of children with shared or near shared care differed significantly from children with limited or no time with their father in Model 1, whereas no significant differences were apparent for the smaller sample at age 6–7 years in any of the models. Secondly, in relation to PPVT mean scores, the Model 1 analysis based on the combined sample suggested that the vocabulary skills of children with shared or near-shared care were superior to those in each of the other three care-arrangement groups, whereas only two such differences were significant for the smaller sample. In model 3, two of these comparisons remained significant for the combined sample at age 4–5 years, while none was significant for the smaller "K sample" at age 6–7 years.

Such differences between the analysis of the combined and single samples may have resulted from the size of the sample (given that larger samples are more likely to yield significant results) and/or from differences in the impact of care arrangements on these aspects of developmental progress for children aged 4–5 years and for children aged 6–7 years. Both sets of analyses suggest, however, that: (a) children with shared or near shared care tend to be progressing as well as, if not better than, children with other care arrangements, and (b) some of the differences in developmental progress in these two areas that may be apparent in children with the different care arrangements can be explained in terms of maternal characteristics. It is likely that the link between care arrangements and these two aspects of developmental progress would be further weakened if other family characteristics (including paternal characteristics) were also included in the models. In addition, the trends apparent in this analysis may not hold for children younger or older than those represented in this analysis.

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