

# State Facilitated Economic Abuse: A Structural Analysis of Men Deliberately Withholding Child Support

Kristin Natalier<sup>1</sup>

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**Abstract** Economic abuse is well established as a widespread and damaging element of intimate partner violence. However research largely addresses cohabiting couples, with few detailed explorations of women’s longer-term experiences after separation. Further, researchers have not developed a gendered analysis of child support related economic abuse. Such an analysis requires understanding gender as a framework that organises institutions and relationships in ways that build and reproduce hierarchical relations of difference. In this paper, I present data from in-depth interviews with 37 single mothers to pursue a structural analysis of how men’s deliberate withholding of child support (termed child maintenance in some countries) can be a form of economic abuse that is facilitated through gendered state processes and institutions that order child support transfers. I argue that masculine financial discretion structures policy and organizational practices in ways that legitimate men’s financial agency at the expense of women’s financial autonomy. On-going compliance issues are not the result of a failure of Australia’s Child Support Program, but suggest that the state’s role can be one of regulation, not prevention, of economic abuse. Thus, Australia’s Child Support Program normalises the potential for post-separation economic abuse.

**Keywords** Economic abuse · Financial abuse · Post-separation violence · Domestic violence · Child support · Child maintenance · Divorce

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✉ Kristin Natalier  
kris.natalier@flinders.edu.au

<sup>1</sup> College of Humanities, Arts and Social Sciences (Sociology), Flinders University, Adelaide, Australia

## Introduction

Economic abuse is overwhelmingly studied with reference to cohabiting couples (Postmus et al. 2012), and there is very little discussion of women's longer-term experiences after separation (Hayes 2012; Toews and Bermea 2017). Researchers have noted that when a relationship ends, men withholding or limiting child support (termed child maintenance in some countries) may be perpetrating economic abuse (Jaffe et al. 2003; Varcoe and Irwin 2004; Patrick et al. 2007; Adams et al. 2008; Patrick et al. 2008; Toews and Bermea 2017) but no-one has explored in detail how these behaviours constitute economic abuse as it is conceptualised by social scientists (Adams et al. 2008; Postmus et al. 2012; Stylianou et al. 2013). Further, there is no analysis of how this abuse is gendered through the state processes and institutions that order child support transfers. Such a gendered analysis requires more than recognising that economic abuse is most commonly perpetrated by men against women (Postmus et al. 2012), or that men withhold child support from their former partners (Patrick et al. 2007). It necessitates a focus on gender as an organising framework that shapes institutions and social relationships in ways that sustain hierarchical relations of difference (Anderson 2007, 2009; Jakobsen 2014).

In this paper, I argue that the state may facilitate gendered abuse through the design and implementation of the Australian Child Support Program (CSP) by normalizing masculine financial discretion. Child support related economic abuse is not the result of a failed system, but reflects the role of the CSP as primarily one of the regulation of economic abuse rather than its prevention. To illustrate these processes, I present data from an interview study on the experiences of 37 Australian single mothers. I conceptualise men's deliberate non-payment, partial payment or late payment of child support, under-reporting income, non-lodgement of tax returns or minimising taxable income via the affordances of taxation law (in this paper, I refer to this suite of practices as withholding child support) as potential strategies of economic abuse. These practices are diverse but have in common the effect of limiting a former partner's access to and use of financial resources in ways that may erode economic security and control—processes and outcomes that are at the core of social scientific definitions of economic abuse (Adams et al. 2008). To be clear: I am not suggesting that every man withholding child support is deliberately subjecting a former partner to economic abuse, nor that withholding child support cannot be the result of men's limited financial resources (see for example, Edin and Nelson 2013; Natalier 2012b). Rather, I analyse how the CSP reproduces gendered power in ways that have the potential to structurally facilitate economic abuse.

In the next sections of the paper, I present the literature on economic abuse and child support and the theoretical framework informing my analysis. I present an overview of the structure and implementation of the CSP and then discuss the research design. The focus of the findings and discussion section is twofold. I first present women's perceptions of withholding child support as a form of economic abuse, and then analyse how this abuse is facilitated through gendered state processes. I conclude that child support related post-separation economic abuse reflects and reproduces the gendered social order.

## Withholding Child Support as a Strategy of Economic Abuse

Economic abuse is well established as a widespread and damaging element of intimate partner violence in cohabiting (Adams et al. 2008; Postmus et al. 2012; Sanders 2015) and post-separation relationships (Brownridge et al. 2008; Hayes 2012; Stylianou et al. 2013; Toews and Bermea 2017). It is perpetrated when a partner or former partner controls the other person's access to and use of economic resources, thereby threatening their economic security and self-sufficiency (Adams et al. 2008; Postmus et al. 2012). In their initial development of the Scale of Economic Abuse, Adams et al. (2008) identified two dimensions: economic control (preventing women's resource acquisition and use); and economic exploitation (appropriating or depleting women's resources). Later work by Postmus et al. (2012) introduced a third dimension: employment sabotage, whereby abusers attempt to prevent or interfere with women's paid employment (see also Stylianou et al. 2013). In this paper, I conceptualise a range of withholding behaviours as examples of economic control because they enable former partners to restrict women's access to, and monitor women's use of, economic resources (Adams et al. 2008; Postmus et al. 2012). They are the post-separation equivalents of denying women access to household resources, money to cover necessities, and financial information in cohabiting relationships (Adams et al. 2008).

Economic abuse has the potential to affect women's economic, physical, and psychological wellbeing (Adams et al. 2008). It most obviously contributes to material hardship (Adams et al. 2008; Sanders 2015), which in turn can compromise women's health as they attempt to manage the chronic stresses of financial deprivation and the physical consequences of poverty (Adams et al. 2008). Economic abuse restricts women's autonomy, ability to mother, identities, and relationships (Toews and Bermea 2017). It can generate and amplify women's fear, vulnerability and sense of powerlessness over the trajectory of their lives (Elizabeth 2015). It often co-occurs with other forms of domestic and family violence (Postmus et al. 2012), and can intensify and extend the effects of this violence. Economic abuse, like other forms of abuse, is a tactic of power and control with ramifications beyond the immediate context of its perpetration.

Studies across the U.S. (Jaffe et al. 2003; Toews and Bermea 2017), Canada (Brownridge et al. 2008), England (Humphreys and Thiara 2003) and Australia (Patrick et al. 2007, 2008) have noted abusers may withhold child support to institute or continue economic abuse against their former partners. In the Australian context, Patrick et al. (2007, 2008) have critiqued inadequate systems and staff responses to payer non-compliance and the impacts of post-separation violence more generally. This work is an important contribution to recognising that men withholding child support must be taken seriously as an issue of power but the studies do not systematically analyse how this is facilitated by and reproduces gender as a social structure.

When child support is analysed as a gendered phenomenon, it has not been recognised as strategy of economic abuse. Researchers have argued that men negotiate fathering identities and masculinity through the relational aspects of

child support (Bradshaw et al. 1999; Natalier and Hewitt 2010; Natalier 2012b; Edin and Nelson 2013; Natalier and Hewitt 2014). When parents live apart, men's financial authority and control of their money, derived from a breadwinner identity, may be eroded as their financial contributions to their children's upbringing are incorporated into an undifferentiated household budget (Natalier and Hewitt 2010) or are subject to recipient mothers' situational power over how the money will be spent (Smart and Neale 1999). However women's situational power is often limited by their low income (Natalier 2012a; Natalier and Hewitt 2014), and men can reassert power through defining child support as 'my money' with the expectation that women will apply child support towards 'appropriate' uses—typically child-specific costs (Natalier and Hewitt 2010, 2014; Cozzolino and Williams 2017). These studies highlight the relevance of gender and power in interactions and identities associated with child support. In the following discussion, I turn attention to how state processes reproduce gendered power in ways that have the potential to facilitate economic abuse.

### **A Structural Approach to Gendered Economic Abuse**

My approach in this paper aligns with a move away from a domestic violence paradigm emphasising physical force and downplaying the structures of male domination that organise society and individual relationships (Stark 2007, 2009). When violence is primarily addressed as a problem of 'male supremacy gone berserk' (Ferraro 1996), the traditional and taken for granted gendered structures that accommodate men's control over money may be ignored or misrecognised. Men withholding child support can be interpreted as an understandable reluctance to reduce their financial resources, and a desire to 'have a say' over 'my money' (Natalier and Hewitt 2010, 2014). Thus, economic abuse may be invisible as a gendered form of violence against women.

To explore how withholding child support can be a strategy of economic abuse, I conceptualise gender as an 'organizing principle for both structure and interaction in society' (Jakobsen 2014, 542). The data I present in this paper are best suited to a structural analysis (I address the value of incorporating interactional and individual analyses into future research in the Discussion and Conclusions section of the paper). This acknowledges gender as a 'system of resource distribution and social organisation that structures relations of inequality between men and women' (Risman 1999). The approach positions violence within the context of gender inequality, and encourages a focus on how social structures and institutions shape people's experiences of perpetrating or being a victim of violence (Anderson 2007). It facilitates an exploration of how gender shapes opportunities and rewards for abusive behaviour, the meanings of those behaviours, and the possibilities and barriers for stopping violence (Anderson 2005, 2007). Gender is a force that operates independently of individual wishes and desires, and so this approach cannot predict or explain individuals' choices (Risman 2004). Thus, my focus in this paper lies not on why individual payers may or may not withhold child support as a strategy of

economic abuse, and instead addresses the gendered structures that facilitate such behaviours.

## The Australian Child Support Program

In Australia, gendered socio-economic inequalities and policies have the effect of necessitating many single mothers' financial and administrative connections to the state and their former partner. Single mothers are more likely than single fathers to have greater care responsibilities for their children, experience financial difficulties and receive welfare payments (de Vaus et al. 2014). A Maintenance Action Test requires welfare recipients to lodge a child support agreement or assessment with the Department of Human Services—Child Support (DHSCS) if they are to receive their full entitlements to state payments (Department of Social Services [DSS] 2018a). As a result, more women than men seek child support (Child Support Agency 2010).

The DHSCS is a key site structuring women's interactions with the CSP, welfare systems and their former partners. Approximately 85% of separated Australian parents have at least some interaction with the DHSCS (Fehlberg et al. 2014, 418). Forty-six per cent of those parents use Child Support Collect wherein the DHSCS calculates, collects and transfers money; 54% use Private Collect, which requires parents to lodge an agreement with the DHSCS but transfer money without its oversight (Commonwealth of Australia 2014). Parents using Child Support Collect must calculate assessments with reference to a formula that incorporates each parent's personal (not household) income (minus a self-support amount, and with allowances for financial support of children from current or other prior relationships), the number and age based cost of children, and the number of nights each parent cares for their child (DSS 2018a). Parents using Private Collect are not required to apply the formula but for the purposes of determining welfare payments, the agreed upon amount cannot be less than would be calculated using the formula. Fifteen per cent of separated parents 'self manage' their child support agreements with no involvement by the DHSCS. Because self-management occurs without any state involvement, there are no processes for determining the appropriateness of the negotiations and agreed upon amounts. This may increase the risk of coercion or economic abuse but there are no available data that allow researchers to explore this possibility. For those using Child Support Collect and Private Collect, the formally recorded amount of child support informs the amount of welfare payments transferred by the state unless a recipient reports a discrepancy between child support 'on the books' and the amount received (Cook et al. 2015a, b). In practice, processes for reporting discrepancies are not widely advertised by Centrelink (Australia's welfare bureaucracy) or the DHSCS (Cook et al. 2015a, b).

Welfare recipients are exempted from the Maintenance Action Test if seeking child support may lead their former partner to act violently towards them or their family (DSS 2018b). There must be a current risk of violence from a former partner—a past history of domestic violence does not itself support an exemption. Previous research has found that the exemption is not widely advertised nor offered to

women who are survivors of domestic violence (Patrick et al. 2007, 2008). This limited response to the intersection of child support and violence is magnified through CSP practices that privilege masculine financial discretion.

### **Masculine Financial Discretion in Australia's Child Support Program**

Cook and Natalier (2013, 2014) have argued that the CSP reflects and reinforces masculine financial discretion by privileging men's intent to pay or withhold child support. They draw on Diduck's (1995) arguments that men have a social and legal obligation to financially support their wives and children when they cohabit but when a relationship ends, men have the cultural and practical discretion to continue their financial support, continue it with express or implicit caveats over how their former partners might receive or spend child support, or withdraw that support. This masculine financial discretion reflects men's autonomy and authority in the domestic, work and political realms (Diduck 1995).

Masculine financial discretion can undermine mothers' financial interests and autonomy (Fehlberg and Maclean 2009; Cook and Natalier 2013, 2014). In Child Support Collect and Private Collect processes, men's control of 'my' money was intensified when the child support formula was altered in 2006: after the reforms, payers (primarily men) as a group transferred less (Smyth and Henman 2010). Increased control was also embedded in provisions allowing payers to direct up to 30% of their child support assessment to 'prescribed purposes'. It was implicit in the promotion of private child support agreements as a mechanism for increasing child support compliance, despite no clear evidence of their effectiveness or equity (Cook et al. 2015b).

Masculine financial discretion has been informally buttressed through institutional assessment and lack of enforcement of child support liabilities. Less than half (41.1%) of recipient mothers report payments being made in full and on time (Qu et al. 2014), and women consistently describe the DHSCS' failures to act on reports of payer non-compliance (Cook et al. 2015a, b; McKenzie and Cook 2015; Natalier et al. 2016; Natalier 2017); child support debts were assessed at over A\$1.25 billion in 2013 (Senate Community Affairs Legislation Committee 2013). Additionally, Fehlberg et al. (2014) estimate approximately 15% of payers legally minimise their incomes for the purposes of child support assessments using family trust accounts and business tax arrangements. Failing to lodge income tax returns and not declaring income from the informal labour market also lower child support assessments (Cook 2013).

Withholding practices are widespread despite an array of compliance options formally available to the DHSCS. In instances of non-payment, the DHSCS has legislative powers to: deduct child support from a salary, government income support or a bank account; intercept tax returns; demand the lodgement of tax information; prevent a payer from travelling overseas; impose late penalties (paid to the state); or litigate for the payment of the child support debt (DHS 2017). The DHSCS also has the standing to investigate undeclared income, pierce corporate veils and challenge a payer's calculation of taxable income (DHS 2017). These responses are not

systematically and effectively applied when payers withhold child support (Fehlberg et al. 2014). There is no contemporary research that directly addresses the operational (cf. ideological) barriers to using these powers, but it is clear that irrespective of manifest reasons for limited compliance activities, the lack of systematic action aligns with the logic of masculine financial discretion. Thus, the socio-economic context, logic and implementation of the CSP strengthen fathers' financial discretion in ways that build the potential for economic abuse in post-separation relationships. Following a discussion of the study design, I turn to analyse women's lived experience of how economic abuse is facilitated in practice.

## The Study

The data I present centres women's accounts of child support processes. Aligning with a feminist standpoint approach (Harding 2009; Smith 1987), I privilege women's understandings over those of their former partners (who were not part of this study) and institutional records (which neither women nor researchers had access to, and which often construct a partial or inaccurate version of payment patterns—see Cook et al. 2015b). This epistemic privileging does not imply men's accounts cannot help us understand child support issues, rather it reflects the premise that people who are members of marginalised groups have particular insights into the social organisation of power, developed through their lived experiences. The women participating in this study typically presented detailed information and interpretations of their former partner's child support behaviours and motivations and the DHSCS and Centrelink practices. They built this knowledge through often extensive engagement with government institutions and their attempts to understand and manage their former partner withholding child support.

Following institutional ethics approval, thirty-one women were recruited through support and advocacy organisations, and a further six were recruited by snowball sampling. Women were eligible to participate in the study if they expected to be paid child support and had interactions with the DHSCS. Twenty-six women used the DHSCS to calculate and/or transfer child support, three had a private agreement with their former partner which was managed without involving the DHSCS, three had other arrangements, and five participants did not describe how they organised their child support. The women were entitled to receive child support of between \$0 and \$560 per week (all dollars are Australian dollars), with an average amount of \$86 per week. This mean reflected some very high expected amounts of child support; 12 women reported expected amounts of \$25 or less per week. Ten women disclosed that their former partner had been physically violent when they lived together (more women might have experienced physical abuse but did not disclose this, and the interviews did not systematically explore other forms of abuse); twenty-five women described ongoing fearful and/or high-conflict relationships with a former partner, although none described post-separation physical abuse. No-one had been offered the Maintenance Action Test exemption, even in instances when they had reported prior physical violence to the DHSCS staff.



In terms of socio-demographics, 14 women had one child, 16 women had two children, and seven women had three or more children. Most ( $n=28$ ) were the primary carer of their children. Women described their ethnicities as European ( $n=4$ ), Asian ( $n=2$ ), South American ( $n=1$ ), and Anglo-Australian ( $n=30$ ). Twenty women were employed full time or part-time; the remainder were unemployed or cared full-time for their children. The average reported income from work and/or welfare payments was \$42,400 (this is a low income in Australia), with a range of \$11,000–\$110,000.

A semi-structured and participant-led interview approach respected and facilitated women's choices to share information in ways that felt comfortable for them. Interviews were guided by a schedule including women's past and current relationships with their former partners, child support and care arrangements formally recorded and in practice, the importance of child support in household budgets, experiences of government bureaucracies, and recommendations for change. Many women raised of their own accord the place of child support and other post-separation processes in ongoing fearful and/or abusive relationships.

Once the interviews were transcribed, I undertook a partially inductive thematic analysis. Men withholding child support as a means of controlling and constraining women's lives and the role of the DHSCS in enabling these actions were key themes across the interviews. Women described their experiences in ways that aligned with social scientific conceptualisations of economic abuse: some named their former partner's behaviours as economic abuse; others did not explicitly use the term but were clear that their former partner's withholding of child support was deliberate and a means of asserting power. In light of this alignment, and given that relational and cultural contexts can make it difficult for victims to name experiences as financial abuse (Wendt et al. 2015; Stylianou et al. 2013), I determined economic abuse to be an appropriate concept to analyse women's experiences.

All names presented in this paper are pseudonyms. I provide some relationship, child support and socio-demographic context when introducing participants, but I have removed features that might identify participants, their children or their former partners.

## **Men Withholding Child Support as a Strategy of Economic Control: The Perspectives of Single Mothers**

Twenty-nine women reported that their former partners did not pay child support, only partially paid the assessed amounts of child support, or paid on an irregular basis. Other commonly described activities were working in the informal economy, failing to submit tax returns, and minimising income through business or family trust arrangements. Diana's experience was typical of the women we spoke to, in that her former partner withheld child support over a long period of time, using multiple strategies. Diana had full-time care of her child, was assessed to receive a little over \$30 per week via Child Support Collect and rarely received payments. In addition to not regularly paying child support, her partner,



Avoid[ed] paying child support like leaving jobs, working for cash, going back to study, all those things, and refusing to engage with me when there have been medical things that have come up or education things that have come up that have required agreement from both parents before Child Support [DHSCS] will look at them. ... years and years of non-payment, partial payment, debt accumulation, and me still having to support our child by myself, pretty much.

As noted in the Methods section, I cannot present men's accounts of their motivations for withholding child support. However, many of the women in this study understood their former partner's behaviours to be a deliberate attempt to control their financial capacity and choices. For example, Mary had two children living with her at the time of the interview. She was reliant on welfare payments and often could not cover her household expenses. Mary's former partner regularly paid an assessed amount of \$14.99 each fortnight via Child Support Collect but he worked in the informal economy and used a family trust to minimise his income and assessed payments:

He rings me up and laughs, and says, "I've got this and I've just bought this and I've just bought that, ha ha ha, you can't get hold of any of that money". He thinks it's a great joke. ... He knows how to rort [defraud] the system. ... Oh yeah, he's loving it, he's loving having all the money and I'm doing it tough. He thinks it's funny.

Participants often recognised these practices as a continuation of the financial control perpetrated when the couple lived together. For example, Jane's former partner failed to pay an assessed amount of \$225 per week:

He did this during the marriage and basically controlled all our money of which I had no idea, and then, yeah, this is just a whole other round of what I feel to be his controlling behaviour.

Edna had a similar understanding of former partner's behaviors. He was assessed to pay child support of \$5 per week through Child Support Collect and did not regularly do so. He refused to contribute to their child's substantial medical costs and used family law processes in ways that reflected procedural stalking (Miller and Smolter 2011). Edna concluded,

... this is just yet another scenario where they have the power. You know, I have got myself out of that relationship, we don't share a roof but he still has that financial power over me ... He has just been—these government departments give them that power to have this. That's why they've changed the definition of family violence to include economic, you know. He's just ruthless.

At the time of writing this article there had not been any prosecutions of child support related economic violence, although economic violence was recognised in many Australian jurisdictions (McMahon and McCorrey 2016, 2). Edna's reference to legislative recognition of family violence and economic violence served the symbolic function of providing a more authoritative basis for her interpretation of her former partner's activities as an expression of power and a form of economic abuse.

When men withheld child support, they potentially undermined women's economic security by limiting the financial resources available to them. Existing research suggests that when paid regularly, child support can reduce single mother poverty (Skinner et al. 2017); conversely, women may not rely on child support when amounts are low or irregular (Natalier 2012a; Harris 2015). In this study, many women receiving low or irregular amounts of child support did not factor it into their household budgets. As Greta, who received no child support at the time of the study, noted, "When it happens I'm happy, when it doesn't I just go "Yeah, whatever"". Other women described men's control of even small amounts of child support as intensifying their economic insecurity. For example, Mary's poverty left her reliant on her former partner's payment of \$14.99 a fortnight.

I was actually desperate for milk and bread when it [the child support payment] come through last Monday, and it went into the bank, and I said, "I'll take out \$15.00"; she [the bank teller] goes, "No, you can't, there's only \$14.99 in there". I said, "Well we don't have one cent pieces, so how does that work?" So I can't even get an even \$15 out; I've got to get \$14.95 out.

Mary needed far more than \$14.99 per fortnight to meet the shortfall between her welfare payments and her household costs, but payments that were low in absolute amounts could be important for women's short term provisioning strategies. Mary had relied on the rounded up amount of \$15.00 to buy food—her former partner's ability to control her access to necessary resources was symbolised in that five cent shortfall.

When men did not pay child support in full and on time, they undermined women's financial autonomy by constraining their ability to manage household budgets. Kelly's former partner did not consistently pay the assessed amount of \$22.50 per week:

But with child support it's completely random. I can't set up any strategies, it just, you know, it's just a surprise because it's just so opaque. You never know if anything's coming in, you're not allowed to know if they've [DHSCS] even been successful.

In a different scenario, men would pursue administrative appeals so that women were unsure about the amount of money they might expect to receive. Helen's former partner paid a little under \$260 per week in child support, in full and on time, but he regularly sought changes of assessment to reduce the amount he was required to pay. Helen was often blindsided by reduced amounts that were the result of her former partner pursuing a change of assessment.

I mean, you build your whole life around what your budget is, right? And then, all of a sudden, you get a letter in the mail from the Child Support Agency [DHSCS] that says, "Oh, now it's going to be this much". Hang on, hang on, how can I change my life, you know? I've booked, we've enrolled in classes, we've done this, we've done that, we've made commitments for at least the term, or the year, or whatever. To just lose it like that, it's profound. The impact is profound. When you change figures, you're not

actually changing figures, you're changing the amount of food you can put on the kids' table.

When payments were irregular women may not have relied on child support but their decision to excise an assessed amount of child support from their financial planning and household budgets was a forced decision when it was a response to men's discretion to pay or not. In this way, withholding child support could erode women's economic security and autonomy.

Child support related economic abuse constrained women's already limited financial choices and life chances. It undermined their ability to purchase food, housing, heating, child care, transport, education for themselves and their children, travel to maintain connections with family, holidays, clothes, medical care, and extra-curricular activities for their children. However, the impacts were not limited to reducing what women could afford. Viva's former partner did not reliably pay an assessed child support amount of \$150 per week, and she described the corrosive effects of poverty and the disempowerment she experienced living with the effects of economic abuse:

And it's personal, he made it very, very personal, that sickening insult after insult where you do start to question your own, you do, you lose sense of whether you are an ordinary, decent person or not. You begin to believe that you are a neurotic, you know, female. You start to doubt, you do, you start to doubt yourself, you start to doubt your validity, you start to doubt your femininity, you start to doubt your sexuality, you start to doubt your motherhood skills.

Men withholding child support is typically analysed as a financial issue (Walter et al. 2010; Qu et al. 2014; Skinner et al. 2017) but for Viva and other women in this study, finances were linked to their autonomy and sense of self as a mother. Dominant discursive constructions of 'the good mother' demand that women meet their children's needs (Elizabeth et al. 2012) and express their care through child-centered consumption that enriches their children's lives (McCormack 2005). Most mothers heavily invest their identities as mothers in protecting and promoting their children's wellbeing (Elizabeth 2017), and so economic abuse can undermine 'a central and self-defining project for many women' (Elizabeth 2017, 189).

Women described their former partners deliberately using child support in ways that aligned with social scientific definitions of economic abuse (Adams et al. 2008). They understood their former partner's behaviours not as singular incidents with temporally and financially bounded effects but as strategies of ongoing control over their present and future lives. As Elizabeth et al. (2012, 467) noted in their work on custody disputes, the practices women described, 'arose from and reproduced a relation of inequality'. This was reflected in and reproduced through gendered policies and institutional structures that ordered the logic of masculine financial discretion.

## The Role of the State in Facilitating Economic Abuse

Women contextualised their former partners' decisions to withhold child support within the CSP and the DHSCS practices. Their understanding indicated the value of a gendered structural analysis that does not individualise systemic issues through reference only to staff failings—as Natalier (2017) notes, worker responses are likely to be shaped by how socio-economic structures, gendered discourses and institutional practices position single mothers within the CSP.

As noted earlier, child support policy interacts with women's socio-economic position and care responsibilities to necessitate women's engagement with the DHSCS. Women in this study initiated their own and their former partner's contact with the DHSCS. Viva, whose former partner was assessed to pay \$150 per week under Child Support Collect but did not regularly do so, pointed to the gendering of this responsibility:

He wasn't called into the Centrelink office to say, "Well yes, I have gone" ... it's also on my head to get in touch before you can receive any kind of assistance from Centrelink, you have to contact the Child Support Agency [DHSCS].

Women's dealings with the DHSCS were not only a gendered responsibility—they were a gendered necessity. The interaction of Australia's welfare and child support systems meant that poor women could not refuse to seek child support, although their former partner had the practical discretion of refusing to pay. In response to her former partner's taunting and hiding income, and lack of the DHSCS response, Mary raised the possibility of removing herself from that child support relationship.

Mary: I rang them up and I got really annoyed and I said to the lady a couple of months ago, I said, "Don't even bother. Don't bother taking the \$15. Seriously what is the point? You tell me what \$14.99 can do me a fortnight for two children".

Interviewer: And Mary, when you said that to the Child Support Agency [DHSCS] woman, when you said, "Look, just don't bother..."

Mary: She said I have to because it's a claim. It's a claim. I legally have to claim it and I have to go through the Child Support Agency [DHSCS] legally now if you claim Centrelink [welfare payments].

The continuing financial and administrative connection between former partners was gendered in its demands and effects. In practice, Mary's former partner was seemingly able to minimise the impact of the CSP on his life and maintain control over his finances through hiding wages. In contrast, Mary's connection with her former partner positioned her simultaneously as dependent on his payments, unable to rely upon them, and unable to administratively break the connection.

On its face, the expectation that women approach the DHSCS indicated a strategy of countering men's financial discretion by bringing former partners under government surveillance. However worker responses to women's reports of withholding activities had the effect of reinforcing masculine financial discretion and

facilitating the potential for economic abuse. Women described a disjuncture between formal child support policy and its practical expression in the DHSCS responses to men withholding child support. For example, Diana doggedly reported her former partner's non-compliance with seemingly little effect.

And from Child Support's [DHSCS] perspective, it wasn't really, they didn't really follow up very much, they didn't really chase up payments, I had to be constantly asking them what was going on and when they were going to collect it.

Similarly, Priscilla's former partner was assessed to pay the minimum amount of child support (\$8 per week, through Child Support Collect) because he did not report his work in the informal economy. When she reported her concerns to the DHSCS, workers would not or could not act.

I thought then, "What's the Agency there for?" To chase up and cross check, you know, taxation departments and Centrelink and things like that, but you know, they just tell me, "No we're there to try and do the right thing, we've got to follow the Act under the government", and, "We've got to do this procedure and these procedures", which they don't go into any detail about it.

Renee's former partner did not regularly submit tax returns, and Renee believed that he under-reported his income when he did. His last assessment of an administratively impossible 33 cents per week had been based on a reported annual income of less than \$200:

And Child Support [DHSCS] was very disappointing because they said they couldn't do anything. If someone is self-employed, they say, "We have no sources of income to get money from him. And if he's self-employed we can't do anything."

These experiences highlight the gap between formal expectations of a policy that had the potential to constrain masculine discretion, and the implementation of CSP, which facilitated it.

In the absence of effective DHSCS compliance activities, women became responsible for reporting and pursuing payment issues and assessment errors. Holly's experience was typical of many of the women we spoke to. Her former partner had not regularly paid the assessed amount of \$150 per week for their two children. Holly described worker responses that positioned her as responsible for pursuing her former partner's non-compliance. These expectations were placed on Holly despite reporting her former partner's physical, emotional and psychological abuse to DHSCS workers.

One consultant at the CSA [DHSCS] even suggested I get a private investigator. The onus to prove what [former partner] is doing is on me. Any time I have any information about money he might be earning, something he may be selling, a holiday, I'm required, or it's suggested, I ring Centrelink [welfare agency] and ring CSA [DHSCS] and let them know.

In fact, the DHSCS has strictly applied policies defining what information can be used in assessments, and will not use information generated through covert means. The suggestion that Holly use a private investigator might be best interpreted as an analogy to highlight the time and skill necessary to capture financial information. However, regardless of how it was worded, the expectation placed the burden of data collection and reporting on the shoulders of those who lacked the resources and authority to pursue them, and who were vulnerable to additional types of abuse or oppression while doing so.

Despite their responsibility for raising compliance issues, women's claims were often implicitly treated as illegitimate. The DHSCS staff comments that women should not expect child support payments were common. Belinda, whose former partner paid nothing, remembered, "They just said, "Well if he doesn't want to pay he doesn't want to pay. There's no other options open to you."" In a variation on this theme Evie described DHSCS staff comments when she raised her former partner's irregular and incomplete payment of an assessed \$560 per week for their two children: "I've had a number of people, probably maybe four or five different staff say, "You should be just counting yourself lucky if you get anything at all"". Michelle's former partner did not regularly pay the assessed amount of \$8 per week through Child Support Collect. She recalled repeatedly raising her former partner's unreliable payments:

And she [DHSCS worker] was just like outright rude and she was like, pretty much, "What is your problem? If he's paying you 32[dollars]...., you know, the minimum and you're getting the child support?" ... No one's even looking into anything for you.

Such responses normalised masculine financial discretion and de-legitimised women's claims on 'men's money' by suggesting that expectations that former partners reliably pay the expected amounts of child support were unrealistic. They limited the recognition and protections available to individual women, and reflected and contributed to the institutional facilitation of economic abuse.

Reflecting prior research on the DHSCS (see Natalier et al. 2016; Natalier 2017) and government welfare workers more broadly (Laakso and Drevdahl 2006; Murphy et al. 2011), women described staff responses that were disrespectful, unhelpful or undermining. Some also recognised that the DHSCS workers were constrained by the context within which they were employed. For example, Nadia received irregular payments of approximately \$25 per week through Child Support Collect, and believed her former partner hid his income. She raised this with the DHSCS and ascribed the lack of action to limited institutional resources.

What it reduced down to is, if you've got a father who is unwilling to share information with you and who is self-employed, there is very little they can do unless he is a major tax evasion, tax fraud type of person who the ATO [Australian Taxation Office] would be interested in pursuing. They don't have the forensic resources or staff with the forensic time and the skills to pursue these people.

Indeed, the DHSCS, like other Australian government bureaucracies, operates under resource constraints and across unintegrated and complex welfare, child support and tax systems (Cook et al. 2015b)—but these limitations were gendered in their effects. They mitigated state surveillance and activity that might have curtailed masculine financial discretion and in so doing, prioritised men's control of money over the financial needs of women. Kelly noted this in her discussion of workers' failure to act on evidence of her former partner under-reporting income (he was assessed pay \$22.50 each week and he did not reliably do so):

Child Support [DHSCS], they're ineffective, nothing happens. They're set up to respect the other person's [her former partner's] rights. They are. They're set up to respect the other person's rights in the face of unbelievable unfairness.

Tania (assessed to receive \$100 child support per week through Child Support Collect but received no money) recognised that these gendered structures did not translate into all men withholding child support or, in the terms of my argument, becoming economically abusive. Rather, the limited compliance powers of the DHSCS and institutional responses to resource constraints offered men greater opportunities to deploy child support as a strategy of post-separation economic abuse:

I've met plenty of men who, and women who, have separated from the partners of their children, and the men are very responsible, and they look after the kids, they have the kids, they financially care for the kids. So the system works if the fathers are decent. But if the fathers are not, you know, they're not going to hold any responsibility for their kids, then there's nothing that holds them accountable.

Tania's comments highlighted both the value and the limits of a structural analysis of child support related economic abuse. The question of why individual men withhold child support as a strategy of control cannot be answered in this paper. However, their choice of responses is facilitated by the state's demands for a continuing financial and administrative connection between former partners. While this connection is gender neutral on its face, directed towards 'payers' and 'payees', rather than 'fathers' and 'mothers' (Cook and Natalier 2013), single mothers' vulnerabilities were shaped by a gender hierarchy that afforded men greater financial discretion in their interactions with the state and their former partners. This discretion symbolically and practically limited the impact of policy expectations and formal agreements or assessments that they pay child support.

## Discussion and Conclusions

The women participating in this study understood their former partners withholding child support as attempts to control their acquisition and use of money in ways that undermined their economic security and autonomy and their sense of self. On this basis, I have argued that women experienced their former partner's behaviours as post-separation economic abuse. The women's vulnerability to this form of abuse



was intensified through CSP policy and the DHSCS practices that institutionalised masculine financial discretion.

My analysis highlights how men's seemingly individual choices (for example, to pay or not pay child support, to be regular or unreliable in paying, to hide or declare income) can reflect and reinforce gendered inequality at the societal level (Stark 2009). Existing work primarily addresses the material implications of payment, non-payment or low amounts of child support at the individual level (Walter et al. 2010; Skinner et al. 2017). Similarly, discussions of economic abuse point to its impact on women's material, psychological and physical wellbeing (Adams et al. 2008; Postmus et al. 2012). The women in this study experienced these harms but the impact of the economic violence extended beyond the wellbeing of individual women—they expressed and reinforce a gendered hierarchical social order (Stark 2009; Bumiller 2010) and a gendered child support policy.

I suggest that Australia's CSP is designed and implemented in ways that support and normalise masculine financial discretion and the possibilities of post-separation economic abuse. The ongoing challenges of late payment, non-payment or irregular payment can be presented as failures in the design and implementation of child support policy (e.g. Patrick et al. 2007; Cook et al. 2015a, b; Fehlberg et al. 2014; Natalier et al. 2016; see in other jurisdictions Fehlberg and Mclean 2009; Harris 2015). But recognising the place of child support related economic abuse in the social order suggests that the role of the state is one of governance—and sometimes, facilitation—of economic abuse rather than prevention. Privileging masculine discretion in ways that facilitate economic abuse is not an indication of a failing system, but an expression of its latent logic and the social order in which it is located.

This study's design places limits on the conclusions that can be drawn, and points to future research directions. The sample included women from a range of socio-economic positions and post-separation experiences but working with support and advocacy organisations to recruit women likely led to an over-sampling of those with particularly challenging experiences of child support. The sample is not representative and the findings not generalizable—quantitative research that can operationalise child support related economic abuse and reliably identify these patterns across the population of separated parents will establish the extent of these practices. I also note that the sample and the interview focus have not facilitated intersectional analysis that might develop a more nuanced analysis of how class, race, religion and sexual identity shape this form of economic abuse. There is also value in extending the focus to women who deliberately withhold child support, to identify potentially different dynamics of control and build a more sophisticated theoretical understanding of economic abuse as gendered in terms of structural opportunities, meanings and rewards (Anderson 2009).

A focus on the structural dimensions of gender can be usefully positioned within an approach that conceptualises gender as a multi-level, interacting system (Jakobsen 2014). This approach identifies how gender is organised, reinforced and potentially challenged at inter-related structural, interactional and individual levels (Ridgeway and Correll 2004; Risman 2004; Anderson 2005). Addressing only the structural elements of gender cannot speak to the question of why individual men do—and do not—utilise the affordances of the CSP to implement economic abuse. Past research

suggests that paying child support can be a powerful, valued, or resented element of post-separation fathering identities (Bradshaw et al. 1999; Natalier and Hewitt 2010; Edin and Nelson 2013; Natalier and Hewitt 2014). At the interactional level, violence—including economic abuse—is a strategy to buttress masculine identity when that identity is threatened (Hearn 1998; Anderson 2005). Integrating structure, interaction and identity can build understanding of the ‘complex and variable’ (Anderson 2009, 1451) relationship between the levels.

Given that child support is a widespread policy challenge, the impetus and analysis of this article have implications beyond the Australian CSP. Postmus et al. (2012, 425) and Stylianou et al. (2013, 3200) point to the need to recognise economic abuse in policy and service provision. Yet, recent responses to child support non-compliance include developing ‘fairer’ calculations [in Australia, see Cook and Natalier (2013) and Cook and Natalier (2014)], prosecuting the non-payment of a debt to the state [as in many U.S. states (Skinner and Davidson 2009)] or encouraging private, rather than state supported agreements [for example, the U.K. (Ridge 2017)]. A structural gender analysis opens conceptual, policy and legal opportunities for recognising and responding to economic abuse as it is facilitated or limited in diverse contexts.

There are real challenges inherent in my suggestion that child support policy should more directly acknowledge and prevent economic abuse. Withholding child support is not always economic abuse: low-income men can struggle to pay (Edin and Nelson 2013; Natalier 2012b; Harris 2015), and ‘the line between ability to pay and willingness to pay can sometimes be very blurry’ (Smyth et al. 2014, 217). Punishing men for failing to conform to state sanctioned ‘breadwinner’ activities may reinforce a classed and raced breadwinner masculinity that for many groups is difficult to achieve. In Australia, Indigenous men (and Indigenous people more generally) experience high rates of socio-economic disadvantage and cultural marginalization (Paradies and Cunningham 2009), and dominant discourses have long constructed Indigenous men as economically and morally failed fathers (Reilly and Rees 2018). Punishing men can perpetuate the socio-economic disadvantage of fathers, mothers and their children (Edin 1995; Edin and Nelson 2013)—particularly in racialised carceral systems such as those in many U.S. jurisdictions (Harris 2015). However, gender theory is a tool that can assist us to attend to the ways in which structures and institutions embed opportunities for economic abuse. It offers a means of taking seriously the possibilities and actuality of economic control, often disguised by dominant understandings of withholding child support as an individual and policy challenge. It respects and may more effectively respond to the realities of gendered power and abuse in many women’s post-separation lives.

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