

Public Attitudes to Child Maintenance

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Abstract of three presentations

Do people believe the law should set specific amounts of child maintenance that authorities should then require non-resident parents (NRPs) to pay to parents with care (PWCs)? If so, what does the public believe the amounts should be, what facts do they believe should matter in setting the amounts, and just how should those facts matter? Should the goal of a government-enforced child maintenance system be limited to avoiding child poverty, or should it seek to do more for children?

The study presented in this session provides some answers to these questions, using a method developed in the United States that combined two strategies in written questionnaires completed by random samples of American citizens. First, the questionnaires included a set of questions about child support principles: in this section respondents indicated the extent to which they agreed or disagreed with each of 20 principles lawmakers might follow in designing the law of child support. Second, respondents were asked to decide how much child support, if any, the law should require the non-resident parent (NRP) to pay the parent with care (PWC) in each one of a series of particular situations ("cases"). Each case in a series changed just one fact from an earlier case in that series (for example, one parent's income, or the level of contact between child and NRP). This allowed the researchers to assess the impact of each factual change on the support amounts the respondents believed the law should require the non-resident parent to pay. Building on the American results, analogous sets of questions were then created for the British public, and were administered in face to face interviews conducted by NatCen Social Research as part of the 2012 British Social Attitudes survey.

Because respondents answered questions about both particular cases and general principles, it was also possible to assess the extent to which a respondent's preferred child support amounts were consistent with, or could be predicted by, his or her rating of different child support principles. All respondents also answered demographic questions, allowing the researchers to determine the

extent to which respondents' answers varied by gender, age, educational level, political affiliation, and experience as a PWC or a NRP. Finally, the public's preferred child support amounts, as well as the factors the public believes should affect those amounts, could be compared to the amounts that would be ordered for the same cases under applicable American or British laws, current and proposed.

Respondents in both countries resolved the child support cases they were given in ways that formed coherent and consistent patterns, from which implicit principles of decision can be inferred, in much the same way that legal principles can be inferred in the common law from the patterns of case decisions. Moreover, respondents in both countries decided cases in ways that were consistent with their ratings of the child support principles they were asked about. While there was some variation in the way different subgroups within the population resolved cases, there were many features of the decisions that did not vary at all across demographic groups. The results thus allow one to identify some important principles for setting required child support amounts that enjoy the support of most of the public, in both countries. Among them are 1) the child support law should take both the mother's and father's incomes into account in setting support amounts; 2) the child support law should go beyond ensuring that children are not in poverty, as it should also provide them with amenities to the extent the parents' income allows; 3) the child support law should require higher income fathers to pay maintenance amounts that are substantially higher than their respective national laws require, especially when the mother's income is low.

The presentations in this session will elaborate on these findings, and present additional findings, such as the extent to which our respondents believe the amount of child support the law should require should vary with the amount of contact the NRP has with the child, whether or not the parents were married or had a non-marital but regular cohabiting relationship, or whether either parent has re-partnered. We will also address the ways in which the American and British respondents differed in how they would decide support cases.