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FAMILY LAW

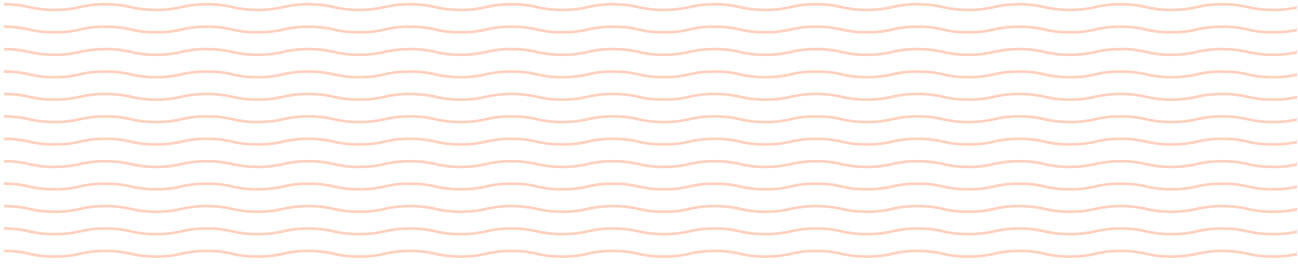
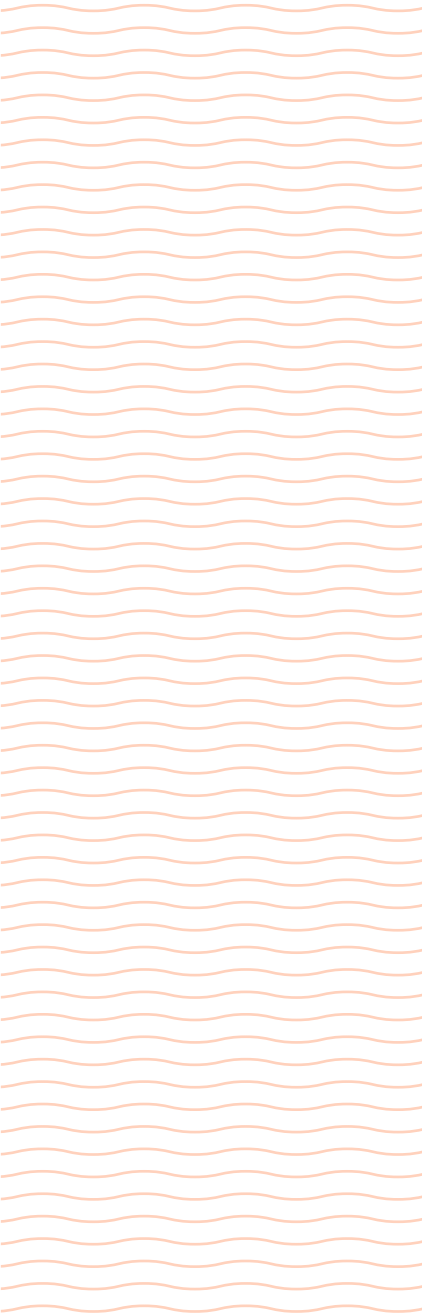


Separation and Divorce

Putting Your Children First

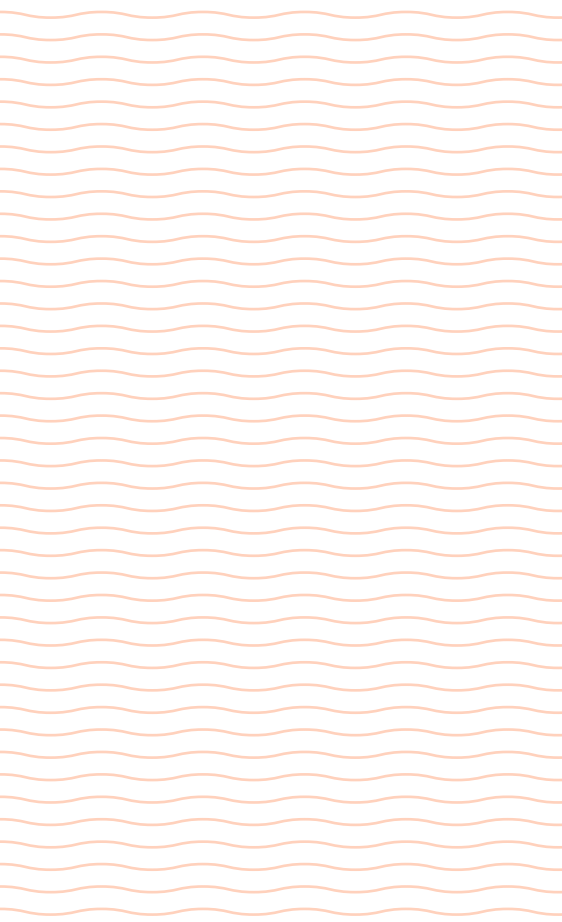
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Finding a way forward

When parents separate, it's normal for children to have strong emotions and to mourn the loss of their family as they know it. Your children may become upset, sad or withdrawn. They may feel shocked or angry. Many children often mistakenly blame themselves. Even long after the divorce is finalised, they may hold out hopes of their parents getting back together.

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At this highly emotional time, it's especially important to remain calm in front of the children. Most importantly, you will need to reassure your children, perhaps many times, that it's not their fault and that you haven't stopped loving them.

Not all children talk about their feelings. For some, feelings will come out through actions or behaviour. Whatever your children's reaction, there's a lot you can do to help them before, during and after separation and divorce. This e-book will give you some practical tips to help your children find a way through the separation and move forward to a happier life.



Reassure your children that the separation is not their fault and that you haven't stopped loving them.

Deciding to separate

Put your children first

As your relationship starts to break down, emotions will run high and you or your partner may blame the other for the breakdown. Although you may feel bitter or 'wronged', it's important you don't express these feelings to, or in front of, your children. Never use your children to threaten, or bargain with, your partner. Just because you feel your partner is not a good spouse doesn't mean they are not a good parent.



To help you and your partner come to an amicable agreement about the children, consider private child custody mediation. At mediation, parents have the opportunity work together to create a parenting plan that's focused on the best interests of the children. This is a cooperative alternative to fighting it out in court and possibly creating more trauma and conflict.

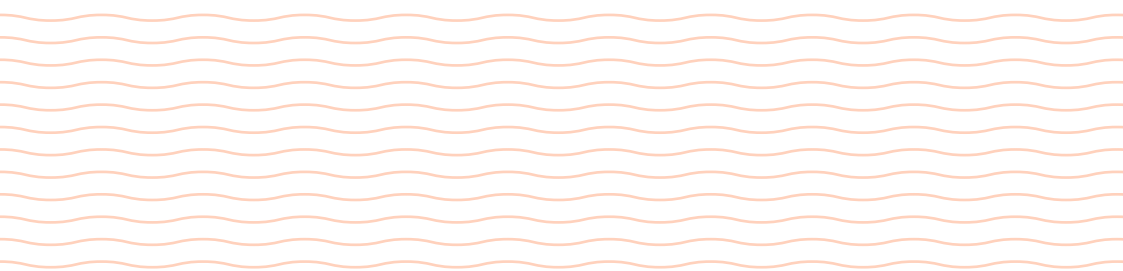
Tell the children the truth

Although it's important not to involve your children in the actual dispute, you and your partner will need to tell the children that you're separating. Discuss and practise with your partner what you're going to say before you talk to the children. You may be dreading this conversation, but don't put it off for too long.

When you talk to your children, focus on staying calm. Reassure them that the adults are divorcing each other, not the children, and that you still love them. For younger children, keep the message simple. Teenagers may have more questions about where they're going to live and whether they'll see their friends. It's important to listen and try to respond honestly to these questions.

Honour your promises

Don't make promises you can't keep. Tell the children what you realistically can or can't do for them and how much time you will be able to spend with them. For example, don't promise them that they can stay with you every weekend if you can't honour that promise. Be careful of falling into the trap of buying your children gifts as a way of compensating for letting them down or to make up for you or your partner's absence.

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Be careful not to blame your partner in front of your children. Your children have a right to love both their parents equally.

Moving out

Be consistent

When you and your partner separate, life as your children know it will be turned upside. Routines are likely to change; you may need to move house and the children may have to get used to a new school or even a new city. With so many things going on, it's tempting to relax house rules.

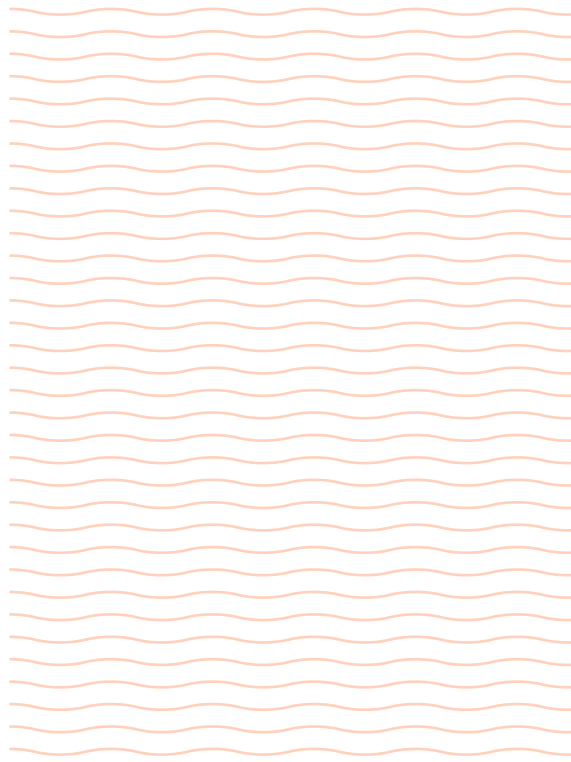
Consistency and maintaining predictable and familiar routines as much as possible will help your children feel comforted and secure. Try not to make too many big changes all at the same time as this could tip you and your children into stress overload. Making sure that the whole family gets plenty of rest, eats healthy food and has the support of friends and extended family will help your children manage the stress of upheaval.



Make your new home familiar to your child

Even when one partner stays in the family home, if you have a shared custody arrangement your children will need to get used to a new environment with the other parent. Make their second home as welcoming as possible by bringing some items from the original family home or involving them in choosing the furniture for their new room.

Familiarity in the new home is also about staying consistent in both households with similar expectations about bedtime and homework. This will help reduce anxiety, especially in younger children.



Be there for your children

One of the most powerful things you can do as a parent is to really be there emotionally for your children and to listen to them without judgement. Even though you might want to shield them from the hurt of the separation or divorce, your children have a right to feel sad or angry about what's happened.

Acknowledge their feelings without minimising them. Rather than saying 'It's not so bad' or 'It will all be okay', say something like 'I get how you would feel that way ...' or 'It sounds like you're feeling ...' If they're not ready to talk, don't force them. An age-appropriate book or other resource can sometimes make talking about a difficult subject easier for children.

Settling into a different family life

Stay in touch

Whether your children are staying overnight at their new home or just spending short periods of time with one of their parents, encourage your children to regularly stay in touch with both of you as well as extended family members such as grandparents, cousins and family friends.

While it's important for children to maintain a loving relationship with both parents, the physical and emotional well-being of children must always come first. If you have any concerns about your children's safety, contact your solicitor or speak to a counsellor experienced in family issues.



Respect others involved

Working on reaching an amicable arrangement with your ex-partner is critical. If you or your partner has a new relationship, talk to your children about the new partner in neutral terms without judgement. Don't put down your ex-partner's new friend or call them by derogatory names. Your children may well be spending time with your ex-partner's new friend, and your negativity towards that person will not help your children adjust.

Respect your partner's privacy

Although you and your ex-partner share your children, once you're separated you need to respect each other's privacy. If you regularly turn up unannounced at your ex-partner's house asking to see your children, or demanding they look after the children without prearranging it, you may not get the welcoming response you hoped for. Do this too often and your partner may take legal action to keep you away.



If it all gets too much

Nobody expects you to be super mum or super dad. You're only human after all, and won't get everything right all the time. Your children may also react in ways that are difficult for you to manage; if you're tired and stressed yourself, it's not always easy to know what to do. Don't beat yourself up. Do the best you can and let your children know you love them and you're there for them.

If you're concerned your children might be taking drugs or drinking, or they're displaying extreme behaviour, don't be too proud to ask for professional help. Asking for help doesn't mean you're a bad parent; rather it will help your children work through the grief of separation and divorce. It's particularly important to contact your solicitor or family support services if your partner has been physically or emotionally abusive towards you or the children.

No matter how small or big the problem, there is always someone to talk to – a doctor, psychologist or school counsellor, a friend or family member. Go online and look for courses or support groups to help you and the children cope with separation and divorce. Pin the Kids Helpline number to the fridge and make sure your children know how to contact friends and family.

Don't go it alone—asking for help may be the best way to support your children.

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Useful resources

Kids Helpline

1800 551 1800 | [kidshelpline.com.au](https://www.kidshelpline.com.au)

Free, private and confidential 24/7 phone and online counselling service for young people aged 5 to 25 for any problem.

Interrelate

1300 473 528 | [interrelate.org.au](https://www.interrelate.org.au)

A not-for-profit provider of relationship services that specialises in supporting parents and children.

Relationships Australia

1300 364 277 | [relationshipsnsww.org.au](https://www.relationshipsnsw.org.au)

Relationship support services for individuals, families and communities including counselling, family dispute resolution, and community support and education programs.

Beyondblue Support Service

1300 224 636 | [beyondblue.org.au](https://www.beyondblue.org.au)

Beyondblue provides information and support to help everyone in Australia achieve their best possible mental health, whatever their age and wherever they live.

Contact us

We are a friendly team of solicitors experienced in family law, mediation and property conveyancing. If you're thinking of separating, or you're in the process of separating, talk to us about your legal rights today.

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