



INTERACT SUPPORT  
INCORPORATED

# POST SEPARATION PARENTING GUIDE

A GUIDE TO HELP YOU TO GET YOUR POST-  
SEPARATION PARENTING RIGHT FOR YOUR CHILD.

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## About Interact Support

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### **Vision**

Our vision for the future is a country where people have positive, safe and respectful relationships, reducing the harm caused by interpersonal conflict.

### **Mission**

Our mission is to help people to avoid or resolve entrenched conflict.

The main area we work is in Family Law because the family is the basic building block of society and should be a place of nurture and support for our next generation. Family conflict not only affects adults, it can have a devastating impact on the development and future wellbeing of children.

All Interact Support programs are designed to reduce conflict and achieve sustainable, collaborative outcomes.

### **Our History**

Interact Support Incorporated was established in 2015 by a group of Family Lawyers and Family Law Mediators (Family Dispute Resolution Practitioners) who noticed gaps in the services and support available for people going through separation and divorce.

We are established on social enterprise principals that believe that services should be for the greater good and be excellent value for money but if people can afford to pay the should.

### **The Purpose of this booklet**

Many parents feel confused about their options and what is best for their children following separation. This confusion can lead to poor decisions and a lack of awareness about actual harm that the parents may be causing their children.

While children of separated and divorced children on average have worse outcomes than their peers who's parents are in stable relationships it isn't the separation that causes the harm. It is the pre and post separation conflict that children are exposed to and the effect of that conflict on their parents ability to properly parent them that causes the harm.

How you behave, how you relate to your child's other parent and extended family and the types of agreements you reach matter a lot to your child and whether or not they reach their full potential.

This booklet is intended to provide you with an understanding of the types of agreements you can enter with regards to parenting if you are separated or divorced from the child's other parent.

It also contains information about parenting styles and children's developmental needs and the possible consequences of not meeting those needs.

This guide is provided for your information. It is not legal advice and not intended to be a substitute for legal advice.

Every family is different so some of the information won't be relevant for your family.

If a family member is using violence to force you or others to behave in the way they want, then you may need specialist assistance. At the back of this guide there is a bit more information and a link to our safety planning services.

Talk to your FDR Practitioner, complete the risk assessment form they provide you with and if you are in immediate risk call the police on 000.

Interact Support offers free safety planning services to help you develop a plan to keep safe if you feel at risk of future violence.

Read the booklet to understand the legal consequences of the different types of agreements you can make. It is strongly recommended that before you sign any agreement in relation to your children that you obtain legal advice.

Shared care of children is considered the best outcome for children only when it is safe for them when in the care of either parent.

Don't rely on the information in the book as your sole source of information.

Use it to inform yourself but seek specific help and advice from professionals to assist you to formalize your agreements if there is or has been conflict between you as parents.

This booklet was created by Interact Support Incorporated and is available for distribution with acknowledgement.

## Mandatory Family Dispute Resolution (FDR)

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The *Family Law Act 1975* encourages parents to try and reach an agreement between themselves about the care of their child or children without going to Court.

The Family Court should be the last resort and not the first option you try when working out parenting arrangements. For this reason, family dispute resolution is mandatory unless an exception applies.

If you want to apply to the court for an order in relation to a child you will need to obtain a section 60i certificate from a Family Dispute Resolution practitioner first, unless an exemption applies.

The certificate indicates whether you attempted to resolve your issues in FDR or if either parent refused. The certificate may also be issued if a FDR Practitioner has met with either or both of you and had decided that FDR is not suitable. The FDR may not put any opinions or additional information on the certificate.

The court may consider the type of certificate issued to you when deciding whether to make an order referring people back to Family Dispute Resolution or to award costs against a person.

The reason that the court wants you to attempt FDR is to avoid the cost and distress associated with going to court because this can worsen your parenting relationship and impact your children. If you can sort out your post separation parenting it is a good thing.

### **Family Dispute Resolution Practitioners (FDRPs)**

FDRPs are highly qualified specialist who have completed post graduate level studies in family law mediation.

There are pre-requisite qualifications required to become a FDRP which include law, social work, psychology or dispute resolution qualifications.

After completing their studies, the FDRP's are required to apply for accreditation with the Australian Attorney Generals Department demonstrating that they are insured, qualified and are of good character.

All Interact Support client services are provided by FDRPs sometimes assisted by interns completing their mandatory hours of professional placement.

## Making Parenting Agreements Enforceable

A Parenting Agreement is an agreement about parenting.

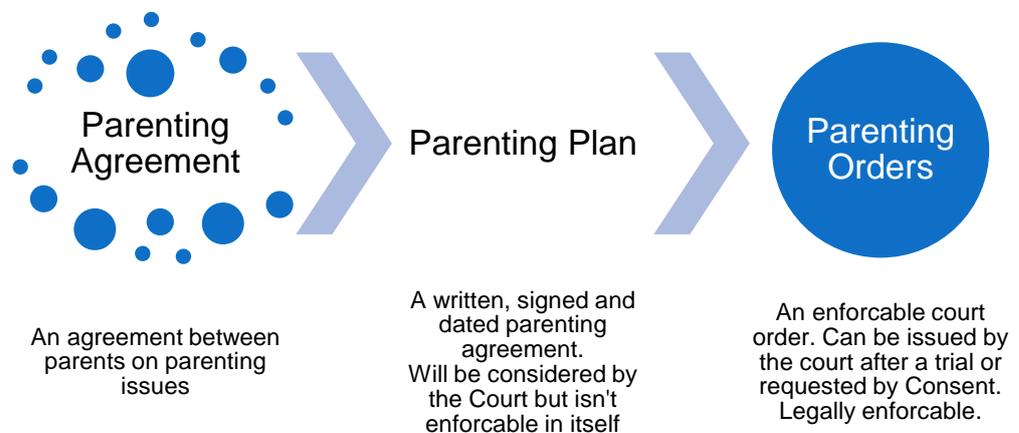
They are not enforceable which means that if one of the parent's breaks the agreement there is no automatic way of resolving the issue or enforcing the agreement.

Enforceable means that you can get a court order that tells a parent that they must obey the instructions of the orders.

The only way to get an enforcement order is to have Court Orders. You can get Court Orders by reaching agreement and then applying to the court for Orders.

If you and your child's other parent are able to cooperate and negotiate then a Parenting Plan may be sufficient. A Parenting Plan is a written, signed and dated agreement about parenting which has been reached freely and without coercion.

We encourage you to work towards a Parenting Plan as they help to prevent misunderstandings and the need to be constantly negotiating holidays and special days.



## The types of parenting arrangements

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The types of arrangements are:

- **Parenting Agreement** – a verbal or written agreement regarding parenting matters that is not signed or dated. *This type of agreement holds no legal weight.*
- **Parenting Plans** – a written, signed and dated agreement which sets out what you have agreed regarding your children. A Parenting Plan can modify or replace a court order in most circumstances. *A parenting plan is not enforceable, but the Family Court must consider the terms of a parenting plan and how well you have both complied with it when making orders in relation to a child.*
- **Consent Orders** – agreements reached by parents regarding their children can be made legally enforceable by applying to the Family Court for Consent Orders. You can do this with a Do-it-yourself kit from the court, with assistance from Interact Support or with the assistance of a lawyer. We recommend that you both seek independent legal advice (lawyers from different law firms) before submitting a Do-it-yourself kit. The Interact Support service is under the supervision of a Family Lawyer but is not independent legal advice. *A consent order is enforceable.*
- **Court Orders** – a court order is an order of the court that has been made after you've applied to the family court for orders. The most common form is Orders by Consent which means that your lawyers have negotiated an agreement at some point in the court process rather than an order imposed by the court. Sometimes people can't reach agreement by themselves and a Final Order is handed down by their judge. Usually you will have various interim orders made by the judge during the court process but less than 15% of court applications end up in final orders, most either drop out of the court due to lack of money or an Order by Consent is made. *Court Orders are enforceable. If you don't agree with the order handed down by a judge you can only appeal it if there are grounds for appeal.*

We encourage you to attempt to negotiate your parenting agreement without going to court as agreements reached in the pressure of a court case or when handed down by a judge may not be as tailored to the needs of your family as you would like.

Court Orders are usually only required if one of the following circumstances apply:

- If you can't reach agreement after attempting to negotiate through FDR
- If there is a high risk of family violence and no safe method to negotiate an agreement or you believe that there should not be unsupervised contact with one of the parents
- If you need to urgently stop the other parent from doing something such as taking the children out of Australia because you fear they will not return

### **Independent Legal Advice**

Independent legal advice means that you speak to a different lawyer to that the other parent is talking with and ask them about the pros and cons of the options you are considering.

If you don't know what parenting arrangements are suitable the lawyer can tell you what a court may order in a situation like yours. They cannot tell you exactly what a judge would decide because different judges make different judgements and all families are different.

A lawyer can also tell you the consequences of a Parenting Plan or Consent Orders being proposed before you sign them.

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## Social Media

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It is important to seek support from family and friends in times of stress however we strongly recommend you do not share information about your family law issues on Facebook or on other social media or internet sites.

**You must not if you are in Family Court.** It is an offense to identify a Family Law matter or court in a publication including online even if you are one of the parties. You may find your negative comments about your other parent, the judge or other official of the court get you in serious trouble.

Comments you make in frustration about the other parent can be regarded as threatening when taken out of context. They may harm your position and ongoing relationship with your children's other parent or even lead to a family violence order against you.

Any offers or discussion made during a negotiation in mediation are confidential and not for publication or general discussion.

### **Breaking up is hard to do**

As the song says, breaking up is hard to do and most people experience the roller coaster of grief at the end of an intimate relationship. The most effective way you can protect your children from long term negative effects from this change in their lives is by minimizing the conflict they are exposed to.

There have been many studies into the effect of being exposed to family violence and high levels of conflict on children. It can harm children's mental, physical and emotional development and well-being. Be as polite as you can when talking with or about their other parent. It might help to treat your negotiations and discussion as if they were business conversations.

The things that you say in emails, on social media and text messages can be used as evidence against you in court proceedings. Keeping it civil helps to keep the conflict down so you don't have to go to court. It also helps prevent you undermining your own case if you do end up there.

If you are suffering from anxiety or depression or feel that you are not able to cope your mental and emotional state may be affecting your parenting. Even if it is difficult to motivate yourself to seek advice think about your children.

They need you to be attentive, responsive and able to support and delight in their growth and development. Go and talk with your local doctor as a starting point to getting back to yourself.

## More about Parenting Plans

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A Parenting Plan is an agreement that sets our parenting arrangements for children.

A Parenting Plan can include anything that parents need to agree about in relation to their child and covers issues such as:

- Where the child lives and who the child spends time with
- Changes to the routine for special days such as birthdays and holidays
- How the child will be cared for when they are sick, unable to attend school
- How other activities outside of school will be agreed and paid for
- How you will communicate with each other
- How and when you will each communicate with the child
- Processes that you will use for resolving any disputes
- Any other aspect of the care welfare and development of the child
- It can include financial aspects of caring for your child such as school fees, activity fees etc

A parenting plan covers the day-to-day responsibilities of each parent, the practical considerations of a child's daily life, as well as how parents will agree and consult on important, long-term issues, such as which school's children will attend.

The most important thing to think about when making a Parenting Plan is what is in the best interests of your child?

## Best Interests of a Child

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Family Dispute Resolution Practitioners and the Family Court have an obligation to consider the best interests of a child when working with parents to develop parenting agreements or making parenting orders. Section 60CC of the Family Law Act 1975 defines child's best interests.

The two primary considerations are:

- a) The benefit of the child 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 subject to or exposed to abuse, neglect or family violence.

***This need to protect the child must have greater weight as abuse, neglect or exposure to family violence can cause long term harm to a child.***

These two considerations are the most important ones and take priority over all others however there are a number of additional factors that you should take into account when thinking about how to care for your child after you separate.

### Secondary Best Interests of a Child Considerations

There are many secondary considerations that may also be relevant depending on the age of your child and your circumstances.

- Any views expressed by the child
- The type of the relationship your child has with each of their parents and other people such as relatives
- How much each parent takes the opportunity to communicate with the child, spend time with the child and participate in making major long-term decisions about the child
- The extent to which each of the parents has met their obligations to maintain their child (child maintenance or other financial support)
- The likely effect of any changes such as separating the child from parents or other family members they have been living with on the child
- The practical difficulty and expense of the child spending time with and communicating with a parent and how that may affect the child's right to maintain personal relations and direct contact with both parents on a regular basis
- How well each of the child's parents and other care givers such as grandparents to provide for the needs of the child including emotional

and intellectual needs

- The maturity, gender, lifestyle and background, including culture and traditions, of the child and their parents
- If your child is an Aboriginal or a Torres Strait Islander the child's right to enjoy their culture with other people who share that culture the impact that proposed parenting orders may have on that right.
- If a family violence order applies or has applied to the child or a member of the child's family its relevance has to be considered taking into account the nature of the order, the circumstances in which the order was made, any evidence admitted in proceedings for the order and any other relevant matter.

When considering the best interests of a child, the court will also consider the extent to which both parents have complied with their obligations in relation to the child, which may include the terms of a parenting plan.

### **What works for your family**

Because a Parenting Plan is worked out between parents it means that you can both have more control over the process and can save a lot of time, money and distress.

Sometimes a Parenting Plan includes people other than the parents if they also have a role in caring for the child. Depending on your family this might be grandparents or other family members or someone else who the child lives with.

A Parenting Plan can be in any format and does not have any special requirements about how you say what you have agreed.

For your agreement to be recognized by the court within the *Family Law Act 1975* it must:

- Be made free from duress or coercion
- Must be in writing
- Must be signed and dated by all care givers named in the plan

You should each have a copy of the agreement.

## Mandatory Info. about Parenting Plans

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Remember that a Parenting Plan is not a legally enforceable agreement.

If you or the other parent does not follow the parenting plan your plan should have a dispute resolution clause which will usually say return to Family Dispute Resolution.

Sometimes the reason that you can't comply with the Parenting Plan is because your circumstances have changed, and it is reasonable to re-negotiate the plan and replace it with one that works for your current situation.

Sometimes one or both of you is being unreasonable and creating conflict. Often you can resolve this through family dispute resolution. If you cannot reach agreement you will at least have a clear understanding of the issues and be able to decide whether to go to court in an attempt to get the court to create an order based on what was previously agreed. You cannot be certain that the judge will agree with you and make an order the way you want them to.

If you would like your Parenting Plan to be enforceable you should get Consent Orders soon after you reach your agreement.

If you are not sure if your Parenting Plan is going to work for your family trial it for a while before deciding on getting Consent Orders.

The court will only make a consent order if it is satisfied that the terms of the plan are in the best interests of the child. Once made, consent orders are legally binding — they have the same effect as any other order made by a court.

If parents go to court at any time, the court will be required to consider the terms of the most recent parenting plan when making a parenting order in relation to a child, if it is in the best interests of the child to do so.

## Shared Parental Responsibility

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Shared Parental Responsibility means that both parents are responsible for deciding what is in the best interests of their child, how their child will be cared for and in making medical and schooling decisions.

Parents automatically have shared parental responsibility. It is not something you have to apply for. You can apply for sole parental responsibility through the Family Court.

Taking away parental responsibility is a serious step for the court to take and it is not done lightly.

Generally sole parental responsibility will be given to one parent if parents are unable to agree on major decisions, if a parent is unable to fulfil their role in decision making, has been found guilty of child abuse or if there has been family violence that is serious enough that it is not safe for parents to attempt to discuss and negotiate parenting decisions.

When deciding on a Parenting Plan you must understand the following.

### Shared Care

When making a parenting plan if it is in the best interests of a child, and reasonably practicable, parents could consider as an option an arrangement where they equally share the time spent with the child.

*Note: a court **will only consider** equal shared time or substantial and significant time if there is equal shared parental responsibility. A court will not presume there is equal shared parental responsibility where there is family violence or child abuse.*

If an equal time arrangement is not appropriate, parents could consider whether an arrangement where the child spends substantial and significant time with each person would be in the best interests of the child and reasonably practicable.

### Substantial and Significant time

Substantial and significant time means a child spending time with both parents on a mix of weekends, holidays, and regular days. It means both parents are involved in the child's daily life as well as sharing in special events, birthdays and family and other events of significance, such as weddings, sporting events, school concerts and so on.

Our obligation is to inform you that you could consider the options of the child spending equal time, or substantial and significant time, with each person.

In Family Dispute Resolution you will have the opportunity to discuss whether you think this type of arrangement is practical and in the best interests of the child.

### **Considerations in assessing shared care**

- Is the child safe and secure in the caregiving environment?
- Is the parent competent at providing for the child's physical and emotional needs and there is a good parent-child relationship?
- Are there any child specific factors such as a disability or strongly expressed preference?
- What is the arrangement being proposed?
- What practical and logistic resources are required to support the arrangement?

## Dispute Resolution for Agreements

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It is highly likely that you did not always immediately agree on all parenting decisions while you were still a couple. That is to be expected as you were both raised in different families and no doubt have different opinions about how best to feed, discipline and teach your child what they need to know to grow into a strong and healthy adult.

Reaching agreement gets harder after separation as talking becomes less frequent and often more uncomfortable.

For this reason, it is valuable to think ahead to what could go wrong and include in your parenting plan a method to trigger a dispute resolution process should you find yourself with a deadlock in the future.

Interact Support has services available that can allow you to book in for a mini mediation to discuss a single topic by Video Mediation as well as a full Family Dispute Resolution process to establish a parenting plan or renegotiate it if there is a major change needed.

### **How to change your Parenting Plan**

Your parenting plan is the foundation for cooperative co-parenting. If your situation changes you should review and update your parenting plan.

Generally, we recommend that you review your plan every year or as a minimum every time your children will have a major change such as starting school, going into high school or the number of nights a child spends with either of you changes.

You can change your Parenting Plan at any time so long as you and the other parent agree to the changes.

To change your Parenting Plan you and the other parent can prepare a new Parenting Plan. You can do this by adding or deleting parts, add new sections if you left out something that you have now agreed on or create a whole new plan.

Interact Support Family Dispute Resolution Services is one of the services available to help you in negotiating a plan with the other parent and with writing up a Parenting Plan.

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## Your Responsibility to Support your Child

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Parents have a responsibility under Australian law to support any children that they have based on their capacity to meet these obligations.

The Department of Human Services delivers social and health payments and services. How much parents have to pay or receive from the other parent to support their child can be calculated by the Child Support Agency.

This is calculated in what is called a Child Support Assessment. Go to the Child Support Agency's section of the Human Services website for more information.

<https://www.humanservices.gov.au/individuals/services/child-support/child-support-assessment>

Your Parenting Plan can be provided to the Child Support Agency who can use it to make decisions about your child support assessment.

Generally they consider the number of nights your child spends with each of you but if one parent is providing the majority of the care except for nights they may review the calculation method to ensure that child support reflects what is actually happening in your family.

The Department of Social Security may make parents apply for a Child Support assessment if they want to receive financial support.

Some of the information required to work out child support is the financial situation of both parents (how much you earn) and how much time each child spends with you.

### **Binding Child Support Agreements**

Some parents enter into a binding child support agreement about how much child support will be paid. These agreements are usually enduring until the child is 18 and can be difficult to change.

For example, if a child starts to spend more time with the other parent that change may not automatically allow you to adjust the level of child support paid.

We strongly recommend you consider the possible long-term consequences of a Binding Child Support Agreement before signing one. Make sure you ask your lawyer under what circumstances can it be changed to avoid locking in payments that may cause hardship or an unfair situation in the future.

## Consent Orders

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If you want your parenting agreement to become a legally enforceable you can apply for Consent Orders. You can apply for Consent Orders without actually go to Court. You can use the DIY Kit, ask for assistance from Interact Support or a Family Lawyer to apply for Consent Orders.

Once Consent Orders have been made by the Court they are legally enforceable. It is recommended that before you sign Consent Orders that you seek independent legal advice.

Unlike Parenting Plans which can be written any way you want Consent Orders have to be on the correct form and worded in a certain way for the court to accept them.

If you use the DIY process we recommend that you get a lawyer to check your application before you attempt to submit it.

### **How to change Consent Orders**

If you both agree, you can change your Consent Orders by either:

1. Applying for new Consent Orders or
2. By creating a Parenting Plan to supersede it.

Remember that a Parenting Plan is not automatically enforceable, but it must be considered by a judge if you later go to court for orders. Before signing a new parenting plan or changing Consent Orders you should get independent legal advice about the orders or any changes that you want to make.

We suggest that you book in for an Interact Consolation if you are having trouble with Consent Orders and the other parent does not agree to changing them or contact us to request a referral to a fixed fee Legal advice and strategy session.

## Co-parenting styles

Interact Support's mission is to help more parents co-parent in a cooperative style that is best for them and best for their children.

### The Ideal

A cooperative co-parenting relationship where parents jointly plan for their children's needs, are flexible, communicate sufficiently and coordinate schedules and activities. About 25 – 30% of separated parents co-parent cooperatively.

### The Norm

Parallel parenting which is marked by low conflict, low communication and emotional disengagement. The parents do their own thing on their "time".

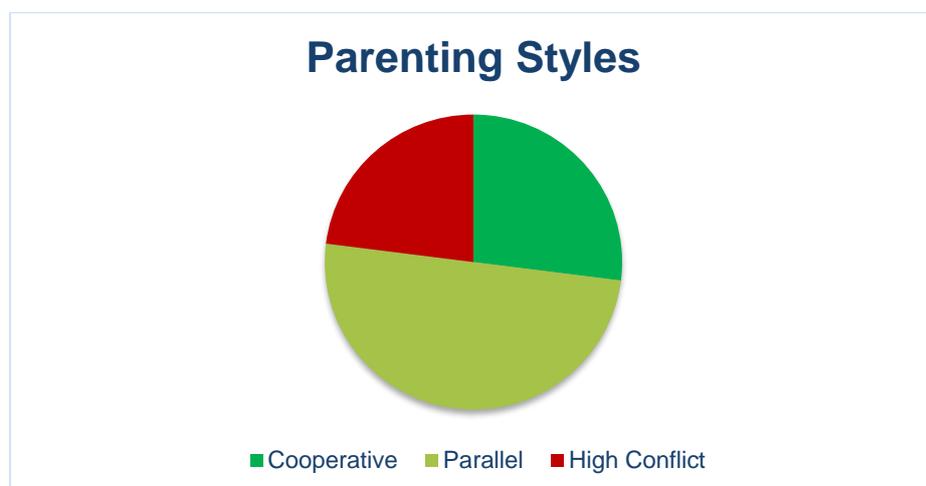
Parents who are parallel parenting are often very strict with each other in adherence to the parenting orders or plan and allow very little flexibility. At least 50% of separated parents use this form of co-parenting.

Subjective accounts from children say that they want more active communication and friendship between their parents.

### High Conflict

The highest risk parenting style is a high conflict co-parenting relationship.

There may be little meaningful communication, parents are hostile, aggressive, angry and willing to use their children to score points off the other parent in their battle. Numerous studies show that this style of co-parenting is harmful for children.



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## Children's Developmental Needs

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Your child has biological and social developmental needs. This information is based on research into these needs and the adverse outcomes that children can experience while growing up and later in life if their needs are not met.

There are some excellent resource sites available for Australian parents such as [www.raisingchildren.net.au](http://www.raisingchildren.net.au) which you might like to bookmark as a resource when you encounter specific issues.

For separated parents the normal challenges of parenting get even more challenging. If your relationship with your other parent is high conflict then your goal might be to move towards parallel parenting until the anger and frustration calms down.

Your children's basic developmental needs are what they need to grow into strong and healthy adults regardless of the marital status of their parents.

These needs are:

- **physical needs** – healthy food, healthy habits, adequate shelter, clothing etc
- **financial needs** – enough financial resources to live appropriately and ideally not to suffer too significant a drop in standard of living post separation
- **emotional needs** – support, guidance and help to develop emotional intelligence
- **social needs** – relationships that support their social development and resilience
- **educational needs** – access to education and other intellectual development support

Does your child have special needs due to a disability, accident or other trauma?

If so there may also be costs and requirements of you as their parent to help them to access remedial services and/or psychological support to recover and to maximize their potential.

## Resilient Children

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The changes associated with separation and divorce impact children. However, research shows that these changes do not have to have a long term negative impact on a child.

Children can be supported to be resilient and bounce back from major changes, even changes that are negative for them. They can even recover from exposure to family violence or abuse with sufficient support.

Longitudinal studies, which follow the lives of children over a number of years, have shown that high parental conflict has a negative effect on children's outcomes regardless of socio-economic status and any other indicator.

If you are one of the quarter of parents who are high conflict you are not just hurting yourself you are almost certainly hurting your children.

### **Factors that impact developmental outcomes**

High Parental Conflict has been shown in many studies to be harmful for children.

Examples of high parental conflict are:

- a high degree of anger and distrust
- verbal abuse
- frequent or acute difficulties in communicating about children
- difficulties in cooperating in the care of their children
- deliberately sabotaging of the child's relationship with the other parent

Research indicates that about 26% of co-parenting relationships are still high conflict three and a half years after separation even if they are not still in court.

Parental conflict and hostility is bad for kids and can result in a number of behavioral, emotional and social developmental problems for them.

Research shows a strong association with:

- childhood anxiety
- depression
- suicidal ideation and suicide
- early drug use
- early pregnancy
- school drop outs
- disruptive behaviours in childhood

Childhood exposure to violence between parents is very harmful. Even if the violence is not directed at the child being exposed to it or helping to clean up or comfort a parent after a violent incident is harmful for them. Committing acts of violence in front of your child is considered under the law to be almost the same as if you were directly attacking your child.

Exposure of children to violence is associated with:

- pervasive negative effects on development such as delays in reaching developmental milestones
- insecure or disorganized attachment so that they do not feel secure with any parent
- post-traumatic stress disorders
- childhood aggression
- higher sibling violence
- conduct disorders and problem behaviour
- delinquency
- truancy
- school failure
- anger
- depression
- anxiety
- low self-esteem
- poor social skills
- peer rejection
- problems with authority figures including parents
- low emotional intelligence and lower empathy for others

### **Alienation from a Competent non-residential parent**

Studies show that children who are alienated from a competent parent of either gender are at a high risk of poor long term adjustment.

### **Relationships with fathers matter to children**

- There are strong links between children's subjective account of their closeness with their father and their self-esteem, delinquency and depressive symptoms in adolescence
- Moderate involvement and low conflict fathering is linked with better academic and psychosocial functioning as young adults

## Phone and Video Contact

Regular, positive contact with parents has a positive effect on children's adjustment to the separation of their parents. The use of technology when logistics prevent face to face contact has been shown to provide a positive contribution.

Virtual parent-child contact can:

- Help maintain contact between children and their parents despite geographic distances
- Help ensure parents are aware of their children's day to day activities
- Help to create less rigidity in schedules for time with children through informal child – parent contact.

## Economic Stress

Financial hardship is one of the many connected stressors for parents and children after separation.

- Economic stress pre and post separation is a predictor of less favourable child outcomes.
- A drop-in household income amplifies the effects of separation and divorce for children.

## Poor parental mental health affects parenting responsiveness

Children need parents who are healthy role models, with predictable behaviours and who are responsive to the needs of the child.

Parental depression, substance abuse and other parental behaviours that affect their ability to be available and responsive to their child are strongly linked to poor outcomes for their children.



It is very important that you seek assistance if you are suffering from mental health or have addictions that you have not been able to overcome on your own. If not for yourself then for the sake of your children.

## **Risk and protective co-parenting factors**

Some of the risk factors for co-parenting are:

- growing inconsistency in discipline and affection from parents
- emotional distance, lower stimulation and guidance from parents
- less time, support, fewer rules, harsher discipline, less supervision and structure
- more conflict with the child

Some of the factors that are protective for children are:

- parents' joint involvement in their child's welfare to help prevent risky behaviours in children
- demonstrating the ability to resolve differences without frequent and/or intense conflict
- the quality of pre and post separation parenting by mothers and fathers
- high sensitivity and parenting consistency pre and post separation
- authoritative parenting style which is child centred with the parents closely interacting with the child while maintaining high expectations for behaviour and performance as well as firm adherence to schedules and discipline.
- while it is ideal that children have high quality parenting from all care givers high quality parenting by one parent can override the impacts of poor parenting responsiveness by the other parent

## **Common Issues**

- Higher conflict in the parent-child relationship
- Lower relationship quality
- If this continues it is associated with adolescent substance abuse

## Circle of Security

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Attachment security is often spoken about in terms of the Circle of Security.

All children but most especially babies and very young children need a secure attachment with a care giver to develop normally. They need support to explore and also a safe haven to be nurtured and protected.

### **Supporting their exploration of the world and themselves**

Young children need their care givers to:

- Watch over them
- Delight in their development and new achievements
- Help them to learn and explore
- Enjoy spending time with them

This provides a secure base for them to explore what they are capable of and build self-esteem. If their parent is anxious and frightened or absent and neglectful the child's self-esteem and belief in their safety and abilities may be compromised.

### **Being a safe haven**

As well as supporting them to explore the world and develop their capabilities your child needs you to be safe for them to come to if they are hurt, frightened or need comforting. They need you to:

- Protect them
- Comfort them
- Delight in them
- Help them to understand their feelings

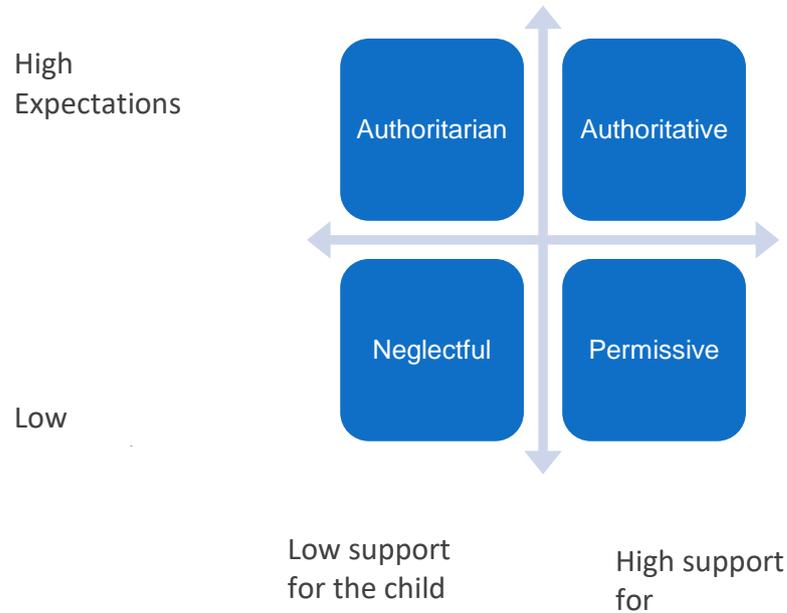
Your child needs you to always be bigger, stronger, wiser and kind.

- Wherever possible they need you to accommodate to their needs.
- Wherever necessary they need you to take charge.

You can find out more about the Circle of Security on [www.circleofsecurity.net](http://www.circleofsecurity.net)

## Parenting Styles

There are four main parenting styles based on a matrix of how much the parent expects from the child and how much the parent engages with the child's individual needs, desires and wants.



### Neglectful Parenting

Neglectful parenting is one of the most harmful styles of parenting that can be used on a child. Neglectful parenting are often stuck in this parenting style and have little emotional engagement, boundaries or support for their child. If you are feeling depressed or overwhelmed you may find that your parenting style is neglectful and may need some help to get back on track to having a healthy and communicative relationship within the family.

To find out if you have a neglectful parenting style:

- Are you meeting your child's needs —emotional, physical, and otherwise?
- Do you have an understanding of what is going on in your child's life?
- Does the home provide a safe space for the child where they can share their experiences and expect positive feedback rather than negative or no feedback?
- Do you spend long periods of time away from home, leaving the child alone?
- Do you often find yourself making excuses for not being there for your child?
- Do you know your child's friends? Teachers? Are you involved in your child's life outside the home?

If the above describe you or someone that you know, a child is at risk of getting into problems because they do not have enough support from their family. There is help available to learn how to re-establish a parenting relationship which is healthier for your child.

Neglectful parenting is damaging to children, because they have no trust foundation with their parents from which to explore the world. Beyond that, children who have a negative or absent relationship with their parent will have a harder time forming relationships with other people, particularly children their age. If you suspect that you may be a neglectful parent, it is important to seek help in a way that does not damage the child further or intrude into their life in a disruptive manner. A sudden change to being over involved may be just as harmful.

### **Permissive Parenting**

Permissive parenting, also known as indulgent parenting is another potentially harmful style of parenting. These parents are responsive but not demanding.

They tend to be lenient while trying to avoid confrontation. The benefit of this parenting style is that they are usually very nurturing and loving. The negatives, however, outweigh this benefit.

Few rules are set for the children of permissive parents, and the rules are inconsistent when they do exist. This lack of structure causes these children to grow up with little self-discipline and self-control. Some parents adopt this method as an extreme opposite approach to their authoritarian upbringing, while others are simply afraid to do anything that may upset their child.

How to recognize if you have a permissive parenting style:

- Do you not have set limits or rules for your child?
- Do you often compromise your rules to accommodate your child's mood?
- Do you avoid conflict with your child?
- Do you want to be your child's best friend rather than their parent?
- Do you often bribe your child to do things with large rewards?

The traits described in the above questions mark an unhealthy permissive parenting style. It may seem as though this would be a child's favorite parenting style as it provides a sense of freedom without consequences, however, children crave a sense of structure to make them feel safe and cared about.

It is important in a child's development for there to be clear cut parental and child roles. Permissive parenting can have long-term damaging effects. In a

study published in the scientific Journal of Early Adolescence, it was found that teens with permissive parents are three times more likely to engage in heavy underage alcohol consumption. This is likely do to their lack of consequences for their behaviour.

Other damaging effects of permissive parenting include insecurity in children from of lack of set boundaries, poor social skills, such as difficulty sharing, from lack of discipline, self-centeredness, poor academic success from lack of self-motivation or parental expectations and clashing with authority.

It is important for the permissive parent to begin to set boundaries and rules for their child, while still being responsive, before it is too late. If enacting new structures proves too daunting, it is a good idea to seek out the help of a licensed therapist.

### **Authoritarian Parenting**

Authoritarian parenting, also called strict parenting, is characterized by parents who are demanding but not responsive. Authoritarian parents allow for little open dialogue between parent and child and expect children to follow a strict set of rules and expectations.

They usually rely on punishment to demand obedience or teach a lesson. Authoritarian parenting may result in accusations of child abuse or family violence.

How to recognize if you have an authoritarian style:

- Do you have very strict rules that you believe should be followed no matter what?
- Do you often find yourself offering no explanations for the rules other than "Because I said so?"
- Do you give your child few choices and decisions about their own life?
- Do you find yourself utilizing punishment as a means of getting your child to do what you ask?
- Are you reserved in the amount of warmth and nurturing you show your child?

While the structure and rules of an authoritarian parent are necessary for healthy child development even good things can be overdone.

It is important to balance out the structure your style provides with open and respectful communication, so the child knows exactly why it is important for them to follow the rules placed in front of them. Children of authoritarian parents are prone to having low self-esteem, being fearful or shy, associating

obedience with love, having difficulty in social situations, and possibly misbehaving when outside of parental care.

A therapist can once again be contacted if having more open communication proves to be too difficult to achieve by yourself.

### **Authoritative Parenting**

Authoritative parenting is widely regarded as the most effective and beneficial parenting style for normal children. Authoritative parents are easy to recognize, as they are marked by the high expectations that they have of their children, but this is matched with understanding and support for their children as well.

This type of parenting creates the healthiest environment for a growing child, and helps to foster a productive relationship between parent and child.

How to recognize if you have an authoritative parenting style:

- Does your child's day have structure to it, such as a planned bedtime and understood household rules?
- Are there consequences for disrupting this structure or breaking the household rules?
- Does your child understand the expectations that you have for their behavior, and are these expectations reasonable?
- Do you have a healthy and open line of communication with your child? That is, does your child feel that they can speak to you about anything without fear of negative consequence or harsh judgment?

The traits described above mark a healthy household with an authoritative parent.

Of course, parenting styles will naturally need to differ in order to accommodate different children, and you may find that this style does not work for you if your child has behavioral problems or other traits you have difficulty handling. In this case, it is best to adjust your parenting appropriately, and to seek out help from a licensed therapist if you feel overwhelmed.

One of the most important aspects of the authoritative parenting style is the open communication style with the child. Consequences of breaking household rules do not include physical punishment and the parent fosters the ability to speak to their child without judgment or reprimand so that their child feels safe to share insight into the child's life and provides the child with a deeper understanding of the world around them.

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## Age related needs

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### **Infancy and pre-school (0 – 5)**

There is some evidence of greater effects of separation, and especially conflict related to separation, on children during early childhood.

Frequent contact with both parents and extended family is recommended. The contact does not have to be for long periods and should not be a strain on the child or their relationships with others.

The most important thing for the child is that they develop a strong attachment to at least one main care giver. In many families this is the mother however there is no evidence to demonstrate that babies and children can not form a strong attachment with more than one person.

See the information on Circle of Security to understand what is needed to form a strong attachment.

### **Primary school aged children (5 – 12)**

It is common for young children's behaviours to deteriorate if there are significant changes in their home life. It is also very common for children to try and "make it fair" by aligning with one of the parents or trying to make it up for the other.

Children can feel very frightened and confused if their attachment (feeling of importance and safety) with one of the parents is harmed either by what that parent has done or what the other parent is saying. They may reject a parent that they feel has hurt them by not being there when they needed them, even if you were not able to due to family law or other court proceedings.

These children are old enough to understand what is going on but not old enough to really understand why. They should be protected from any family court processes.

### **Adolescents (12 – 18)**

Typically, older children experience considerable pain and anger when their parents separate. They are better able to accurately assign responsibility for the changes, resolve loyalty conflicts and cope with the additional stresses than younger children. Some will side with one parent or the other with or without that parent's efforts to alienate them.

If the parents are able to reach a cooperative parenting arrangement or at least parallel parenting that takes into account, the needs of the child to spend time with friends and others then the child will learn a lot about respectful and cooperative behaviour.

If the parents are high conflict it is likely that they will refuse to spend time with one of their parents and there is little that can be done by a court to force a parent to make a reluctant older child to comply with a parenting order.

Strategies such as parent teen counselling or mediation may be more effective than court in re-establishing your relationship with an older child if it has become damaged.

## How Interact Support can help

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- [Interact Consultations](#) – to understand your options and create a SMART Goal and Goal Plan for your co-parenting
- [Safety Planning Session](#) – a risk assessment and safety planning discussion with a Family Dispute Resolution Practitioner. A bit like a fire plan only the risk being planned for is that a family member will attempt to use violence or coercive tactics rather than a bush fire.
- [Legal Advice and Strategy Session](#) – a fixed fee legal advice session with a family lawyer
- [Family Dispute Resolution](#) – a form of mediation facilitated by a qualified and accredited Family Dispute Resolution Practitioner (specialist family law mediator)
- [High Conflict Family Dispute Resolution](#) – a form of Video Mediation for families where there is high conflict and an inability to safely or comfortably meet at the same location to discuss parenting issues
- [Mediator Facilitated Negotiation](#) – a form of Family Dispute Resolution where speaking directly is not possible. More often used in Property Settlement Negotiations but can be used for parenting plan negotiations.
- [Consent Order Applications](#) – assistance to turn your parenting agreement into orders.

## Advice and Guidance

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### Interact Consultation

A comprehensive consultation with a Family Law Professional (Family Dispute Resolution Practitioner) designed to help you to understand your options and develop a SMART Goal to resolve your family conflict issues.

**Objective:** To reduce overwhelm and uncertainty by gathering the Family Law “vital statistics”, exploring goals and options and developing an action plan.

**Outcomes for you:** A clear goal or goals to move towards your desired outcome to resolve your family conflict with realistic and practical action steps to take.

### Legal Advice and Strategy Session

A 90-minute fixed fee legal advice session for Family Law and Family Violence related issues with a specialist and resolution friendly family lawyer.

**Objective:** To help you to get good quality, tailored legal advice from Family Lawyers at a lower than normal fee.

**Outcomes for you:** A clear understanding of your legal rights and obligations under family law and a legal strategy plan.

### Safety Planning Session

A risk assessment (Family DOORS) and safety planning session with a Family Dispute Resolution Practitioner to assist people who are at risk of future family violence to plan to be safer. Safety Planning is offered free of charge as a community service.

**Objective:** To help people who have been a victim of family violence to take back control over their safety as much as is possible for them to do with a family member who is willing to use violence.

**Outcomes for you:** A clear plan to allow you to respond quickly to improve your safety should the risk of family violence increase. Activating your Safety Plan is like activating your Fire Plan on a high fire risk day. No one blames you for starting the fire but if you live in a fire prone home you can't rely fully on others to keep you safe.

## Dispute Resolution

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### Family Dispute Resolution (FDR)

A responsive high quality, low cost Video Mediation Family Dispute Resolution service for low income earners and those experiencing hardship. Full fee face to face FDR service is available with the FDR practitioners who work with Interact Support.

**Objective:** To help you to access Family Dispute Resolution quickly and at a low fixed cost when government funded services are unavailable due to waiting lists or entry criteria.

**Outcomes for you:** Fast access to high quality, convenient and low-cost mediation services for families in conflict.

### High Conflict Family Dispute Resolution (HC-FDR)

A highly structured Family Dispute Resolution process offered via phone or video meeting for families where there has been a history of family violence or high levels of conflict.

**Objective:** To provide a safe way for family members to speak directly and negotiate a resolution to children or property issues when FDR has been refused or successful through the standard FDR process.

**Outcomes for you:** The opportunity to negotiate a resolution to issues about children or property without having to go to the same place as a family member who has used violence to control you or who you are in conflict with.

### Mediator Facilitated Negotiation

A form of family dispute resolution where a team of two FDR Practitioners work as a team to help you to develop and consider proposals for a parenting or property agreement. The style of negotiation is collaborative and not positional.

**Objective:** to provide a non-adversarial method to negotiate an agreement when speaking directly is not possible.

**Outcomes for you:** The opportunity for a collaborative negotiation of parenting and/or property agreements where there is high levels of distrust and conflict providing the opportunity to avoid the cost and consequence of going to family court.

## Court Orders

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### Consent Order Applications

Assistance to draw up and lodge Consent Order applications for parenting and/or property agreements with the Family Court.

**Objective:** To provide or provide a lower cost alternative for Consent Order applications using a Family Dispute Resolution Practitioner and Family Lawyer working together to convert agreements into enforceable court orders.

**Outcomes for you:** a lower cost, more efficient and effective method of getting assistance with Consent Orders than going to a lawyer.

### Divorce Applications

Assistance to complete and serve your Divorce Papers in order to apply to the Family Court for a divorce.

**Objective:** to assist people who are having difficulty with the Family Court Divorce Application process.

**Outcomes for clients:** a lower cost form of assistance with a Divorce Application than just using a family lawyer.

## Education

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Interact Support that being well informed with current and accurate information can help parents to reduce their conflict and improve their ability to co-parent cooperatively.

Courses offered by Interact Support are delivered under contract to Interact Support by specialist providers. We work with experts in their field to provide high quality, affordable and accessible courses.

### **Anger Management**

This self-paced, online course provides an understanding of why we get angry, what anger is, how to manage the emotion more effectively and alternative ways of resolving conflict without using anger or violence to control others.

<https://interact.support/product/anger-management-course/>

**Objective:** to provide scientifically proven information and practical strategies for greater control over anger in a private, self-paced and respectful format.

**Outcomes for you:** the opportunity to understand your anger and to develop new strategies to manage the emotion in order to prevent uncontrolled anger from damaging your relationships and career.

### **New ways for Families – Parenting without Conflict**

This self-paced, online course provides parents with new skills to help resolve conflict and build your child's resilience to the changes in their lives related to separation and divorce. Original content licensed from Bill Eddie from the High Conflict Institute in the United States with the Family Law content updated to Australian Legal Conditions. **Available in 2018**

**Objective:** to provide parents with proven strategies to reduce co-parenting conflict and get better outcomes for their children.

**Outcomes for you:** more skills in dealing with your former partner and in managing your own emotions and the ability to help your child to build their resilience.

### **STOP Program for Men– Innovative Skills, Techniques, Options and Plans for Better Relationships**

This self-paced, online course with coaching support provides men who have had a Family Violence Intervention Order or who have used coercive control with the skills they need to get their needs met without violence. This course is based on materials provided by David Wexler. **Coming in 2018**

**Objective:** to provide men with well proven information and practical strategies for improved relationships that are not damaged by the threat or use of violence against family members.

**Outcomes for you:** the opportunity to learn how to have healthy, respectful relationships with your partner and other family members.

### **STOP Program for Women– Innovative Skills, Techniques, Options and Plans for Better Relationships**

This self-paced, online course with coaching support provides women who have had a Family Violence Intervention Order or who have used coercive control with the skills they need to get their needs met without violence. This course is based on materials provided by David Wexler. **Coming in 2018.**

**Objective:** to provide women with well proven information and practical strategies for improved relationships that are not damaged by the threat or use of violence against family members.

**Outcomes for you:** the opportunity to learn how to have healthy, respectful relationships with your partner and other family members.



## How to Contact Interact Support

Would you like more information about our services?

Call 1300 079 345

Contact one of our friendly team.



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## Organisation Information

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