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introduction

The breakdown of a marriage or relationship is one of the hardest experiences anyone can go through. This booklet is designed to give migrant men some information to help them through this difficult period.

We do not advocate separation or divorce, and try to encourage families to stay together. However, sometimes this isn't possible. Looking back, men often report that the separation had to happen and may even have been a good thing for everyone.

By writing this booklet for men, we are not taking sides or diminishing the distress that many women feel during this period. Men, however, face particular challenges while separating, such as lack of people they can turn to for support. Because many divorces involve children, helping fathers also helps children.

This booklet doesn't contain detailed information about family law or child support. Instead, we explain the basic principles and guide you to where you can get more information and help.

The focus is more on the process of separation than divorce. The legal end of a marriage can occur after a year of separation or may not occur until years later. When divorce proceedings do occur they may be painless or they may stir up many of the feelings experienced at the time of separation.

We also talk about "partners" and "former partners" instead of "wives" and "ex-wives" so that men separating from de facto relationships can relate to this as well as married men.

thinking about separating?

Men and women are generally happier when they are married or in stable long term relationships than when they are single.¹ Children are also usually happier in stable families (though not in unhappy ones).

Ending your relationship is a big step, especially if you have children. For your sake and theirs, separate only when you have tried every possible way of keeping the family together. If you have reached that point, go to page 7. If you feel there is still hope, keep reading.

migration and family life

Moving to another country can be difficult. Sometimes it can make us aware of major problems in a relationship, such as different values or expectations or a lack of love and respect. However, you may be able to save your relationship by addressing some of the stresses associated with migration and resettlement.

How many of these common statements by migrant men can you relate to? The more you tick, the more likely it is that your relationship problems are the result of "culture shock".

- 4 Australia is not what I expected it to be.
- 4 I feel tired.
- 4 My children are growing up too "Aussie."
- 4 Women and children have too many rights in this country.
- 4 I miss my home and family.
- 4 I feel awkward because my English isn't good enough.
- 4 My people get a hard time in Australia.
- 4 There is too much freedom and materialism here and not enough respect for tradition and elders.
- 4 I am not respected as the head of the family.

If you have married someone from another ethnic background, you may have the added stress of negotiating between two cultures – or three, if your partner is not Australian.

On the other hand, as a migrant man you have already survived challenges unknown to most Australian men. This puts you in a good position to survive family problems. Here are a few things to be aware of.

shame and honour

Some cultures place a high emphasis on concepts of shame and shameful behaviour. You may be determined to keep the family together because separation would bring shame on your family. This, however, needs to be balanced against the emotional damage that might be done to your children if your relationship isn't working and can't be fixed.

If your partner has taken the first step and you are worried about how it will look to others, remember that she may have her own reasons for separating that are beyond your understanding and control. If you can act with dignity and respect through this period, these qualities will stay with you and will be noticed by others.

If your partner has behaved in a way that you believe reflects badly on the family, you may believe that you must separate in order to protect the family name. Think of the distress that the children would feel and consider seeing a counsellor or talking with a religious leader.

power and control

Although respect for the safety and individual freedom of women and children is part of most cultures, some men use their physical strength or social position to keep the power in their family. This can create problems in Australia, where women and children have more rights than in many other countries.

In most cultures a person gains respect by their actions rather than because of their position. You may need to change some of your behaviour to gain respect as a good father and husband, but the reward will be closer relationships with your partner and children.

In fact, some other Australian men have found that there can be good things for them in this new world, such as sharing the financial support of the family or being able to spend more time with their children.

identity and meaning

Work and family are the two most common sources of men's identities. If we are out of work, this may be causing other problems at home. Try not to give yourself a hard time if the situation is outside your control (e.g., if you have a work injury). You can stay positive while looking for work by being involved in community activities, getting retrained or doing volunteer work.

Sometimes when there are problems at home we spend more time at work. This can create more problems if we don't help with the parenting or housework. We might spend more time with friends, drinking, gambling or playing cards. The more we withdraw from family life, the more difficult it can become. Our partner might get angry if we are not helping, and our children may not respect us.

This problem often starts when we have trouble finding our place in Australian society. It can be hard to re-establish our career after resettlement, especially if our qualifications are not recognised here. Problems with finding good work are made worse by issues like racism and not speaking good English. It may be tempting to give up hope for our own lives and to focus on our children's happiness and future success.

Fathers are important role models, and your children's behaviour as adults and parents will be influenced by what they see at home. While feelings of hopelessness and isolation are normal from time to time, try not to give in to them – for your sake as well as your children's.

Moving to another country often involves a loss of identity that can last for several years, until we find our place in Australian society. It usually helps to talk to other men in our own age group, to find out how they've coped. If you still feel lost or depressed years after settling here, talk to an elder or community leader or a counsellor who speaks your language.

relationship first aid

What makes a marriage work? In non-Western countries, it's often about doing our duty as husbands and fathers and showing respect to our partners and elders. Research shows that in countries like Australia, how couples handle conflict is the most important factor in making marriages last.²

If there is hope for your relationship, the following four steps are critical:

1. Recognise that there is a problem. Some men go about their work and family lives without paying much attention to signs of trouble - e.g., more fighting, the kids getting into trouble at school, or you and your partner gradually drifting apart.
2. Try to see both sides of the issue. It takes two people to decide to marry (sometimes more, if the family was involved!), and it usually takes two to end it.
3. Talk about it. Make time to discuss your problems away from your children, but listen as well as talk.
4. Get help. If you can't work out your problems yourselves, talk to friends or family members. If that doesn't work, approach a professional counsellor. Their services are confidential. Like any professional help, you may have to try more than one until you find someone you feel comfortable talking to and can trust. Many counsellors are free or charge according to your income. Even if you have to pay something, it will cost a lot less than separating.

While taking these steps, remember that children often notice signs of problems between their parents. Try to be supportive and reassuring. Tell them something like, "Mum and dad still love you. It is not your fault" — and show them that you mean it.

in the process of separating?

looking after yourself

We sometimes neglect our basic physical and emotional needs when we're going through a hard time. It is hard to be there for our kids, do our job well or focus on practical issues unless we're taking care of ourselves.

look after your body

- Even if you don't feel hungry, try to eat some healthy foods (lots of grains and fresh fruit and vegetables and some protein).
- Drink plenty of water or unsweetened fruit and vegetable juices.
- Try to avoid junk food: you might feel good briefly but it won't give you the nutrition you need.
- Limit your use of stimulants like drugs, soft drinks and coffee.
- Gradually replace alcohol, cigarettes and sleeping pills with natural ways of relaxing, such as reading a book or going for a walk.
- Exercise in ways you enjoy. Go fishing or to the gym with a friend.
- Visit your doctor for a checkup.

stress

It's normal to feel some stress. However, during separation there maybe added stresses caused by

- Having less money.
- Seeing less of your children.
- Feeling alone and rejected.
- Dealing with other people's anger.
- Feeling uncertain about the future.

STRESS CHECKLIST

- 4 I am often irritable and behave irrationally.
- 4 I have trouble concentrating at work.
- 4 I get headaches or back or stomach pains.
- 4 I feel anxious and can't relax.
- 4 I can't get to sleep naturally.
- 4 I worry about my children when I'm not with them.

TIPS FOR REDUCING STRESS

- Have some time to yourself every day.
- Do something natural like going for a walk or reading a book to relax before you go to bed,
- Try not to think too much about things you can't change.
- When you are having obsessive thoughts, try to think of something else or do something physical.
- Take one day at a time and set yourself small goals you can achieve.

depression

Feeling down is normal when you are going through separation (see page 9). But if you feel sad, lost, guilty, empty or hopeless much of the time or over a long period, and these feelings make it hard to live your daily life, you might want to get help for depression (see below).

self-confidence

If it was our choice to separate, we may feel guilty about the effect on the rest of the family. If it wasn't, we may feel guilty for not having kept our partner happy or noticing signs of trouble. Either way, we may feel that we are not good fathers and partners.

TIPS FOR BUILDING SELF-CONFIDENCE

- Separate your actions ("what I did") from your self ("who I am") — e.g., "I did a stupid thing" rather than "I am a stupid person." We all make mistakes, but that doesn't make us bad people.
- Remind yourself about what you are good at.
- Congratulate yourself when you've done something well.
- Imagine that the future can be different to the past.

ask for help

Often men are reluctant to seek support when they are having trouble coping. Some feel so ashamed of the break-up that they pretend that nothing has happened. Support is available from

- Friends, family and other separated men.
- Work colleagues and Employee Assistance Programs.
- Your local doctor or community health centre.
- Separated fathers groups.
- Courses on fathering or parenting after separation.

separation and grief

You may know what it feels like to grieve the death of a close friend or relative. Many men report that separation is even harder to manage.

SEPARATION CAN INVOLVE MANY LOSSES

- Loss of involvement or contact with your children.
- Loss of your life partner.
- Loss of meaning and identity.
- Loss of the family structure and comfortable routines.
- Loss of the family home.
- Loss of employment.
- Loss of friends and the social life you had.

These losses are particularly difficult if we didn't want the separation in the first place; if we are still hanging on when there is no real hope; or if we have less time with our children afterwards. Separation can also mean that practical things like shopping or organising children's activities become more difficult. There may also be abrupt changes in the nature of some adult relationships, if family and friends take sides.

GRIEF CHECKLIST

- 4 I am moody, irritable or angry.
- 4 My behaviour is irrational or unpredictable.
- 4 I feel very lonely and empty.
- 4 I have no energy and nothing to look forward to.
- 4 I have obsessive thoughts.
- 4 I have trouble sleeping.
- 4 I feel the need to drink or take drugs every day.
- 4 I think about killing myself.

The path through separation is unlikely to be a neat straight line. You may find yourself experiencing the highs and lows that come with grief and loss. You may continue to have memories and feelings you thought you'd left behind. The emotional and mental impact will test your strength and your capacity to look after yourself well.

Don't let anyone tell you how you should feel. Find out what helps you. You may find comfort in focusing on the relationships you still have, familiar routines like going to work or praying, keeping fit or starting a new project.

looking after your children

The way children react to family separation depends on many factors including how close they are to their parents, their ages and personalities, and how both parents manage the situation.

Most children will have strong feelings about their parents splitting up, even if they don't express them. Younger children often fear that they will be abandoned and may be anxious and upset when you say goodbye – even if you will see them again soon. Many children imagine that it must be their fault.

These are normal reactions to an extremely stressful time. Most children cope well with major changes – especially once the situation has settled down. They are sad too, but their grief may take a different form to yours, or take longer to work through. Seek professional help if there are ongoing difficulties such as problems at school or with friends.

HELPING YOUR CHILDREN ACCEPT SEPARATION

- Gently tell them that mum and dad are separated and will not be living together again.
- Make sure they don't think it's their fault or that they can get their parents back together.
- Show them that you love them.
- Make as few changes to their daily routine as possible.
- Take the time to listen to their thoughts and feelings, rather than telling them what they should feel or think.

Even though you are separating, you are still the most important people in your children's lives. Being close to their father is just as important to most children as being close to their mother. Building and maintaining a close and honest relationship with them is essential for their emotional stability in times of great stress and change.

Try to sort out appropriate contact arrangements as soon as possible after you separate. The longer you leave it, the harder it may be to stay close to your children. If necessary, the court can make interim orders to keep you in touch.

If you have not played a big part in bringing up your children before separation, you may need to make changes so that you can be an effective parent when you have contact with them. This might mean things like

- Looking after their everyday needs such as meals and clothing.
- Paying attention to their moods and feelings, and telling their mother about these.
- Making boundaries and rules around issues such as friends, bed times and appropriate television programs.

If you are uncomfortable with a new role that seems like mothering at times, you could do a course on fathering after separation through one of the welfare agencies listed on pages 30-31, such as Uniting**Care** Burnside, Relationships Australia or Centacare. This will help to ensure that you don't lose contact.

THE LONGER TERM

How well your children adjust to being part of two families over the longer term depends upon

- The amount of conflict between their parents.
- Whether there is violence in either family.
- Financial hardship.
- Their parents' mental health and substance use.
- The quality of their relationships with their parents.



relating to your former partner

whose decision was it?

The decision to separate will have major effects on the whole family. How you respond, and what you need to do, depends partly on who initiated the separation. More divorce proceedings are now started by women than by men. This probably also applies to the initial decision to separate.

Many factors may have contributed to your breakdown. If you were not the initiator you may be struggling while your former partner seems to be coping much better. You may be feeling a range of emotions including shock, anger, frustration, sadness and betrayal. Your partner may have already experienced many of these emotions.

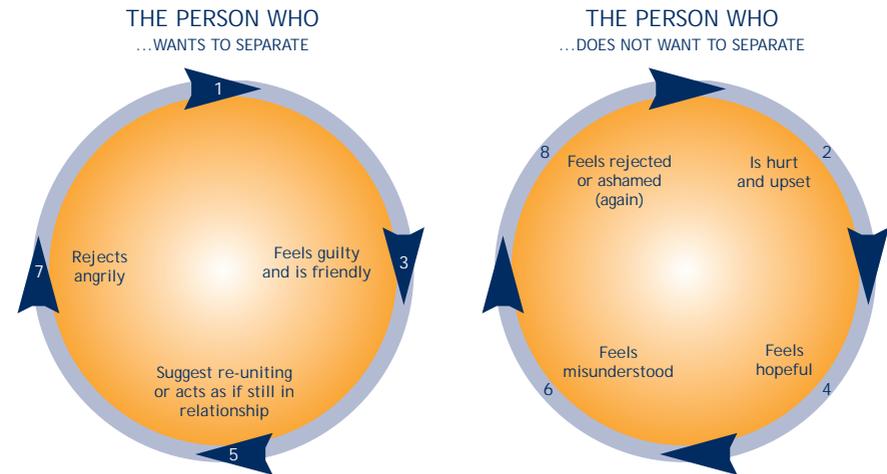
IF YOU KEEP BLAMING YOUR FORMER PARTNER

- Get involved in something to take your mind off it.
- Talk to other men about how they handled their separation.
- Notice if you're thinking or behaving like a victim — as if it's all her fault and there's nothing you can do that will help.
- Look for the constructive choices you still can make. The best choice we can make is to accept the separation and move on, rather than being stuck in the past or thinking that life is finished. But this takes time.



mixed messages

Some men find it hard to accept that a relationship has finished, hoping their former partner will change her mind. They may misread the signals and become too friendly, starting a chain of misunderstandings which usually ends in arguments and distress. You may be able to recognise yourself and your former partner in this diagram.



People who have found themselves caught in this painful cycle recommend:

- Having less contact with their former partner.
- Not going out together.
- Not doing lots of jobs or favours for her.
- Not having sex with her.
- Not constantly emotionally supporting her.

There is no reason to think that she wants to get back together unless she says so. Separated people do sometimes rebuild a friendship together. This may take a long time and follow a long period without contact. The emotional bonds created by your marriage can take a long time to undo. Often after separation a new type of relationship develops that is more "business-like" and is focused on the care of the children.

abuse and violence

If you are angry with your former partner, you might become abusive or violent. Abuse can include shouting, hitting, getting in her way, following her around or making threats to harm people or property. This abuse may be part of a familiar pattern in your relationship which contributed to its breakdown.

If you are abusive,

- You may be charged with assault, or a family violence order (the name varies from state to state) may be taken out against you prohibiting certain behaviour such as contact.
- Your health can suffer.
- Your children might become afraid of you.
- Contact with your children may be restricted.

If your former partner is being abusive towards you,

- Avoid retaliating.
- If you feel unsafe, apply for a family violence order.
- Contact your local police if there is a serious threat to anyone's safety.

ANGER FIRST AID

When you feel provoked, take three deep breaths before you respond. If that doesn't work, take time out. Say something like "I can't discuss this now" and walk away or hang up. If that doesn't work, make contact through a third person – a friend, counsellor or lawyer. Or use polite and business-like email or text messages to make arrangements about the children.

Abuse is never an acceptable solution.



taking care of business

When you separate there are lots of practical things to consider:

- How will I manage financially?
- Where will I live?
- What do I need to know about family law?

how will I manage financially?

With legal expenses, moving house, paying for a new home and buying more things for your children, separation can be expensive. You can get financial advice from Centrelink or from financial counsellors in the community (see pages 30-31).

Although you have separated you are both still responsible for the financial support of your children. It's best if both of you can agree about how much should be paid and organise when and how it is to be paid. In most cases the parent seeking child support will contact the Child Support Agency (CSA) to assess the amount the other parent is required to pay. This assessment then becomes a legal debt. Either way, don't withhold money even if you feel angry: avoiding responsibility won't help in the long term. (See page 19 for more details.)

where will I live?

One (or both) of you will need to find a new place to live. Think about the children – they will have to adjust to living in two households. They will find it easier if they can stay living in the same community, remain at the same schools, and stay in touch with both parents as well as their relatives and friends.

If you are on a low income, limited rent assistance may be available from Centrelink. Their social workers can give you information or refer you to other services in the community including crisis accommodation.

what do I need to know about family law?

There are four legal matters to sort out in the process of separation:

1. Parenting
2. Child support.
3. The property settlement.
4. If you are married, the divorce proceedings.

Working these things out between yourselves is usually easiest and cheapest. If it is impossible to discuss things directly, you can meet with a family law mediator who is skilled at helping people to negotiate their own agreements. Mediators do not take sides, represent either party, or provide financial or legal advice.

Only if mediation doesn't work will a court make decisions about your parenting arrangements and property settlement. What you think should happen may be different from what eventually occurs, so try to negotiate a solution without taking legal action. If you rely on a judge to make decisions about your parenting and property arrangements, you may find yourself with arrangements that don't work for you.

You can get some legal advice without paying a lawyer (see page 17). Even if you do get a lawyer, you don't have to end up in court. Good legal advice should provide sound information and explore options for settlement that do not involve taking legal action. Your lawyer must help you to try mediation before going to court.

DE FACTO RELATIONSHIPS

In most states the legal situation of people in de facto relationships who are separating is similar to married couples. To be certain, seek legal advice in your State or Territory.

Whether or not you get a lawyer, you should write down things such as

- Discussions with your former partner about parenting issues.
- Evidence of any emotional problems your children are having at school or at home.
- The dates and times of your contact with your children.
- Problems when you hand over your children to your former partner.

FINDING LEGAL HELP

- Look up community legal centres under Community Advisory Services in the Yellow Pages.
- Ring your state's Legal Aid Commission to see if you qualify for legal aid.
- Go to a Family Court seminar or ask them about family law mediation.
- Ring the Family Law Hotline or visit the Family Law Online website.
- Ring your state's Law Society for the names of family law specialists.
- Talk to other men who have used a good lawyer or service.

How you and your former partner behave during this period can affect the future parenting arrangements.

GETTING THE MOST OUT OF YOUR LAWYER

- Do your own research. It will reduce costs because you will be clear about what questions to ask.
- Find a lawyer who is experienced in family law. Many will give you a free initial consultation. If not, tell them that all you want at this stage is a consultation for advice on your rights and obligations.
- Get a clear estimate of costs at each stage.
- Get a clear understanding of the likely result.
- If you are not clear, ask questions and take notes.
- If in doubt, get a second opinion.
- Don't sign anything until you have had professional advice on how the law applies to your case.

1. parenting

It is best if you and your former partner can agree on how to share the parenting of your children. Write out your agreement and sign it, with both of you keeping a copy. This is called a parenting plan. The plan can cover where your children live, how often they see or live with the other parent, who they see, their schooling, holidays, religious and medical matters. The plan can be made legally binding by lodging it with the court, in which case it becomes known as parenting orders.

If you can't agree between yourselves, you must get counselling or mediation help – either privately, or through one of the agencies listed on pages 30-31 or the court. If agreement is still impossible, you may have to go to court and have parenting orders made by a judge or magistrate. Parenting orders cover matters such as who children will live with and what contact they will have with the parent they aren't living with most of the time.

Courts make decisions about parenting based on the best interests of the child. They consider many factors, including:³

- The relationship with both parents.
- The wishes of the child.
- The effect on the child of being separated from either parent or the other child/ren.
- The practical difficulty and cost of the child having contact with a parent.
- The ability of each parent to care for the child.
- The age, sex and cultural backgrounds of the children.
- The need to protect the child from any physical or psychological harm caused by any abuse or violence.
- The attitude of the parents to the child and to their parenting responsibilities.
- Any violence or violence order in the family.

2. child support

Both parents have a duty to provide financial support for their children. Child support or maintenance is money paid by one parent to the other to assist with the financial support of their children. A child support assessment can be made even if

- The children spend lots of time with both parents.
- The children are only living with one parent.
- One parent does not have contact with their children.
- The parents were never in a relationship.

Child support is payable until a child is eighteen (or until the end of the school year in which they turn eighteen). After that a Court may order ongoing support in special circumstances.

Wherever possible, parents are encouraged to make their own arrangements for child support. A parent who receives Centrelink payments for the children will be required to apply to the CSA for an administrative assessment of child support.

The amount payable is determined by a formula that includes

- Your gross annual income and your former partner's.
- The number of children.
- How many nights per year your children will spend with each parent.

You and your partner can also make a written child support agreement and apply to the CSA for it to be accepted. An accepted child support agreement replaces the CSA's assessment, however, if your partner receives Centrelink payments for the children, Centrelink will need to approve the agreement before the CSA can accept it.

The CSA will not usually be involved in collecting child support from you if you and your partner can agree about private payment arrangements. If the CSA is involved, you can negotiate with them about how regular payments will be made – e.g., through post offices or salary deductions.

3. property settlement

A property settlement is the result of dividing up the property after you separate. Property includes

- Real property – e.g., land, houses and apartments.
- Other property – e.g., furniture, cars and boats.
- Money, shares and superannuation.

Property orders are final orders and are hard to change once they have been made. Get legal advice before entering into final orders. If you can't agree then you will need to apply to the relevant court for a property settlement. You must apply for property orders within 12 months of the date on which your divorce became final. There are no time limits if you are still legally married. Property settlements for de facto couples are covered by State or Territory laws.

Try to be fair. Don't ask for too much or give away too much. It is important that everyone can still manage financially after divorce.

FACTORS THE COURT CONSIDERS IF YOU HAVE BEEN MARRIED

1. The contributions that you and your partner have made to the marriage, including direct and indirect financial contributions (e.g., property brought into the marriage, money earned during the marriage, gifts and inheritances from families, etc.); and non-financial contributions – e.g., as a parent and homemaker.
2. Your and your former partner's future needs, including whether there are any children and who they are living with; your health and the health of your children and your former partner; and the potential income of both you and your former partner.
3. Whether there are other financial resources or assets – e.g., superannuation or life insurance.
4. The length of the marriage, including how long you lived together before marriage.

Factors such as why the marriage ended and who decided to separate are not relevant. However, evidence of domestic violence may affect the division of property.

4. divorce

Australian law recognises only one reason for the end ("dissolution") of a marriage: its final ("irretrievable") breakdown. This is proved by a minimum of 12 months living apart, or evidence of living separately under the same roof. There is no need to prove desertion, adultery, separation or cruelty to justify seeking a divorce. After 12 months separation, one or both parties can apply for a divorce.

If you have been married for less than two years, however, you require a certificate to say that you and your former partner have tried court-approved counselling before applying for a divorce.

If you were married overseas and you are an Australian citizen, you need to go through the Australian family law process in order for your divorce to be legal in this country.

RELIGION AND DIVORCE

The more religious we are, the more difficult separation and divorce are, as this act contradicts our most basic beliefs. All major religions place a high value on marriage and family life, yet they all accept that sometimes relationships break down and cannot be fixed.

While Australian law does not prevent couples from getting a religious divorce or annulment, you must still go through the family law process in order to become legally divorced. While you or your former partner may wish to impose parenting arrangements or a property settlement that are traditional in your culture or religion, if either of you disagree the court may make decisions in accordance with Australian family law.

Some men find it useful to perform a small ritual to mark the end of their marriage – for instance, by

- Burning, burying or throwing out some memento of your married life such as a photo or gift.
- Having a holiday in your home country.
- Inviting family and friends around for a party.

But be careful about involving your children – they might not understand.

already separated?

looking after yourself

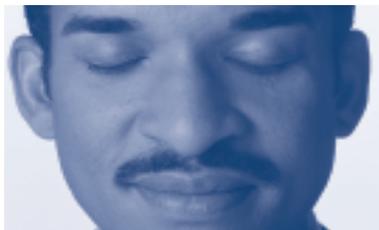
Once they have adjusted to life after separation, many men report positive and healthy changes in their lives. Some things may still not be easy, but men often realise that they are happier being single or with a new partner than they were in an unhappy relationship. They may even feel stronger because they got through a tough time.

Close relationships are important to everyone. Often after separation there is a great need to reconnect and to feel wanted and cared for once more. Some men meet new women and enjoy their company while remaining unattached. Some eventually establish another committed relationship that includes children from more than one relationship as a blended family in one or more houses.

Some men jump quickly into a new relationship to ease the pain or to make things look normal again. While this can help you to heal, it may not allow sufficient time and space to sort through some of your feelings from your past relationship or to think about the kind of life you want to lead now.

TAKE IT EASY

- Make time to grieve the loss of the relationship.
- Do a fathers' parenting or separation course.
- Give yourself time to develop or re-establish your own independent interests, pastimes and social networks.
- Be wary of using alcohol or gambling to fill up the empty space.



looking after your children

Parenting arrangements after separation usually involve the children either living mostly with one parent (called "residence") and seeing the other parent at certain times ("contact"); or spending almost equal amounts of time with each parent ("shared residence"). Generally residence and contact arrangements reflect the ages of the children, how well both parents can care for them, and how the family interacted before separation.

Try to work out residence and contact arrangements so that both of you stay involved in your children's lives. It's usually best for the children if you keep changes to a minimum. Different children may require different arrangements. For instance, one might need the security of daily phone contact while another may adapt to weekend visits. Be sure the new arrangements work well for each child. Also, consider their need to see their grandparents and extended family, and other family members' need to continue seeing them.

Parenting arrangements and orders may need to be changed as circumstances change. For instance, while young children may prefer to share a room with their siblings, teenagers usually need their own room. While young children may need to stay mostly with one parent (usually the mother), as they get older the other parent can become more involved.

Children are adaptable but need some structure and stability. If you are moving house, make sure they have their own space in your home – ideally their own room. At least have a cupboard, storage box or shelf space ready for their possessions.

CHILDREN BENEFIT FROM CONTACT WITH BOTH PARENTS

About 60% of children say they'd like more contact although they are already seeing a parent who lives elsewhere. They like the loving and caring of each parent, and the positive personal characteristics of each parent.⁴ Nevertheless, the quality of contact is more important than the quantity.

making contact work

It can be hard to feel like you're doing a good job as a dad if you don't see much of your children. While it may be difficult at first, new routines and ways of relating can be discovered together. Here are some tips for making your time together work.

Things that often work:

- Helping them with their homework.
- Doing other simple things together like cooking, bike-riding or fishing.
- Creating your own rituals for celebrating birthdays and significant achievements.
- Keeping in touch with their school activities.
- Having a bedtime ritual — e.g., a story or prayers.
- Displaying photos or drawings that they have made.

Things to avoid:

- Turning up late when it's time to pick up or drop off your children.
- Frequently changing plans at short notice.
- Talking about difficult parenting issues during handovers.
- Saying negative or abusive things about your former partner in front of your kids.
- Questioning your kids about their mother to get evidence against her for use in court.
- Using children as messengers between you and their mother.
- Giving kids lots of sweets, presents and activities to buy their love.
- Expecting children to deal with new women in your life soon after separation.

To avoid stress for everyone, try to make rules that are consistent with the ones their mother makes.



relating to your former partner

Some people believe that after they have separated they will no longer have to deal with their former partner. But if you have children, this is not possible — you remain linked forever as parents. The challenge is to make the ongoing parenting relationship as good as you can. This may be hard work at first.

CO-PARENTING

Men who have managed to create a businesslike relationship with their former partner offer these practical tips:

- When you have meetings, follow a written agenda.
- Don't get drawn into arguments.
- Focus on the children, not on the past relationship.
- Hold meetings at a neutral location if possible.
- Use the phone, email or a third person if face-to-face discussion is a problem.
- Be flexible. Children have their own commitments, and special occasions will arise.
- Respect any court order that prohibits contact.
- Refer to your former partner as the children's mother rather than as your "ex".

Some men find the process of separation so hard, and life on their own so difficult, that they are tempted to return to their former partner even years afterwards. This is understandable if you still love her and miss your family life. If you are in this position ask yourself:

- Have we both changed enough to make the relationship work better?
- Have I tried everything I can to make life after separation good for me and my children?

If you have already tried getting back together but it hasn't worked, think of the effect this process had on your children if you are thinking of doing it again. Finally, life after separation is also likely to be difficult at times for your former partner, even if she initiated it and seems to be doing well. Try to give her as much respect as you would like her to give you.

No matter how hostile the situation, many men find strength in staying focused on the wellbeing of their children.

taking care of business

when parenting arrangements aren't working

There are a number of reasons why some fathers face problems in managing their parenting arrangements, including:⁵

- Strong feelings (whether good or bad) towards their former partner, such as the desire to get back together.
- Difficulty in admitting that the relationship is really over and moving on.
- Not realising the negative effects on the children of bad contact or of their parents still fighting.
- One or both parents agreeing to an arrangement that was unrealistic, that they didn't understand, or that left important things out.
- Cross-cultural misunderstandings.
- Changing personal circumstances.

For your sake as well as your children's, when things go wrong it is important not to do anything you might later regret. Try to remain calm, don't do anything to alarm or upset the children, write down what has happened, and if you can't work it out with your former partner, either get legal help or apply for a change in the parenting orders.

CHILDREN'S CONTACT SERVICES

These are safe, neutral places where a separated parent can hand the children over to the other parent for contact visits, and where children can spend time with their nonresident parent in a safe environment.

In families where there is a risk of anger or violence at handover times, Children's Contact Services (CCS) can help calm the situation. When parents prefer not to see each other because of high conflict, children can be passed between parents, without the parents having to see each other. Use of CCS can be arranged by you and your former partner, or it can be ordered by a court as part of the parenting orders.

moving away

As you and your former partner change jobs and houses and make new families over time, it can be difficult to stay in the same area. Some parents want to get a long way away, and to take the children with them.

Think about what would be best for the children in this situation — remembering that (unless there are serious problems like violence, sexual abuse or alcoholism) most children will benefit from regular contact with both parents.

If you have parenting orders in place, the child cannot be relocated if it results in the orders becoming unworkable. In this case, you need to apply to court to have the orders changed. Even if you don't have a written parenting plan, you should discuss your plans with your former partner, and if necessary use mediation to resolve the issue.

If you are thinking of taking your children overseas without telling their mother, you may be committing a criminal offence. This will also count against you in any future decisions concerning the welfare of your children.

If your former partner relocates interstate or overseas with the children without your permission, get legal advice. You can apply for location and recovery orders within Australia, or for a court order to prevent them leaving the country. See www.familylaw.gov.au for more information.

If you believe your child has already been abducted and taken overseas, what to do depends on whether the country concerned is a signatory to the Hague Convention on the Civil Aspects of International Child Abduction. For more information ring the Attorney-General's Department on 1800 100 480 or go to www.ag.gov.au/childabduction.

Children should never be used as weapons in a power struggle between their parents.

information and resources

statistics about separation and divorce

- More than 40% of all marriages end in divorce. In 2001 there were about 55,000 divorces (and an unknown number of de facto couples separated).⁶
- In 2003 the average age of men at the time the divorce was granted was 42, and women 39.7
- In 2001 47% of divorces were initiated by women and 30% by men, while the remaining 23% were initiated jointly. The proportion of men applying for divorce was greater the longer the marriage had lasted.⁸
- Of those who divorce:
 - ◆ 50% manage to sort matters out between themselves. They may use lawyers, mediation and counselling but do not go to court.
 - ◆ The other 50% make court applications, but most do not go to trial. They sort matters out through mediation, conferences or exhaustion.
 - ◆ Only 5% of court applications go to trial.⁹
- Most people who divorce later remarry. "In 1993, 69% of men and 65% of women had remarried within five years of being divorced... The [average] interval between divorce and remarriage was 2.8 years for men and 3.2 years for women."¹⁰ The rate of remarriage is highest in the first year after divorce.¹¹ Some marriages break down because of new relationships, while some people rush into a new relationship soon after divorce.
- Second marriages are slightly more likely to end in divorce than first marriages. More people are choosing to form de facto partnerships after divorce rather than remarrying.¹²

A 1998 report found the following common factors in the breakdown of migrant families:¹³

- Problems of adjustment after migration.
- Changes in the rights and independence of women.
- Overly optimistic expectations of life in Australia prior to migration.
- Cross-cultural conflict.
- Inter-generational conflict.
- Infidelity.
- Domestic violence.

children and separation

- Just over half (53%) of all divorces in 1998 involved children under the age of 18. After separation, children of all ages were more likely to live with their mother than their father.¹⁴
- Only 12% of separated children live mostly with their father (though this proportion is increasing).
- In 2001 there were 635,000 lone parent families headed by women, and 127,000 headed by men.
- Nearly a third of children in 1 parent families have little or no contact with the other parent (mostly fathers).
- 18% of children lived in a 1 parent family and 8% of children live in a step or blended family in 2001.¹⁵
- Where custody of children is contested in court, it is awarded to fathers in nearly 20% of cases (up from 10% 20 years ago).¹⁶
- A recent Australian study linked the amount of contact after separation with the non-resident parent (usually the father) with material resources, the quality of the parents' relationship, the physical distance between the parents' households, whether they have new partners, and the age of the children.¹

men and separation

- Three-quarters of non-resident fathers want more contact with their children.¹⁸
- Stress-related symptoms (headaches, sleeplessness, reduced energy, poor appetite, and excessive tiredness) peak at the time of separation.
 - ◆ 33% reported stress-related symptoms 1-2 years after separation.
 - ◆ 60% report coping well 10 years later.
 - ◆ 33% claimed 10 years later they would never get over the divorce.
 - o 67% stated 10 years later that they still felt dumped.¹⁹
- A Queensland study found that recently separated men are 9 times more likely to take their lives than recently separated women.²⁰
- Separated men have a suicide rate six times that of married men.²¹

getting more help

Contact any of these national organisations for assistance. They can refer you to services in your area. An asterisk (*) indicates that relevant brochures and booklets can be downloaded from these websites.

Centacare Catholic Community Services www.centacare.com.au	1300 138 070
Centrelink www.centrelink.gov.au	13 61 50
Child Support Agency www.csa.gov.au *	13 12 72
Children's Contact Services www.facs.gov.au or www.facs.gov.au/internet/facsinternet.nsf/family/frsp-ccs.htm	1300 653 227
Commonwealth Financial Counselling Program www.facs.gov.au or www.facs.gov.au/internet/facsinternet.nsf/family/cfcpcommonwealth_financial_counselling_program.htm	1300 653 227
Dads in Distress (DIDS) www.dadsindistress.asn.au/index.html	
Family Law Hotline and Online www.familylaw.gov.au * www.divorce.gov.au *	1800 050 321
Family Services Australia www.fsa.org.au	1300 365 859

Financial counselling services

ACT	02 6257 1788
NSW	1800 808 488
NT	08 8932 6111
QLD	07 3257 1957
SA	08 8202 5182
TAS	03 6223 4595
VIC	03 9614 5433
WA	08 9221 9411

Law Council of Australia, Family Law Section
www.familylawsection.org.au/public/ps_a31.htm*

Legal Aid Commissions

ACT	www.legalaid.canberra.net.au	02 6243 3411
NSW	www.legalaid.nsw.gov.au	1300 888 529
NT	www.ntlac.nt.gov.au	08 8999 3000
QLD	www.legalaid.qld.gov.au	1300 651 188
SA	www.lsc.sa.gov.au	1300 366 424
TAS	www.legalaid.tas.gov.au	1300 366 611
VIC	www.legalaid.vic.gov.au	03 9269 0234
WA	www.legalaid.wa.gov.au	1300 650 579

These offices can also refer you to local Community Legal Centres.

Lifeline 13 11 14
www.lifeline.org.au

Mensline Australia 1300 789 978
www.menslineaus.org.au*

Regional Law Hotline 1800 050 400

Relationships Australia 1300 364 277
www.relationships.com.au*

Translating and Interpreting Service (TIS) 13 14 50
www.immi.gov.au/tis/

Uniting**Care** Burnside 9768 6866
www.burnside.org.au

some useful words

contact	time spent with children
co-parenting	sharing parenting responsibilities after separation
counselling	meetings with someone trained to help individuals, couples or families to understand the emotional and practical issues they face
culture shock	the stresses of adjusting to life in a new country
de facto relationships	long term relationships between unmarried people
divorce	the legal end of a marriage
family violence order	court order to prevent unacceptable or illegal behaviour
grief	feeling of great sadness when we lose someone or something we love
handover	when children are passed from one parent to the other
initiator	the person who first decided to separate
legal aid	legal advice or assistance from a government agency
maintenance or child support	money paid by one parent to the other to support children
mediation	the involvement of an independent person in negotiating parenting orders and a property settlement
parenting orders	parenting plans lodged with or decided by the court
parenting plan	informal parenting arrangements
property	possessions that are taken into account when deciding on "who gets what"
residence	where children mostly live
separation	when couples or families break up