



PARENTING AFTER SEPARATION

The Family Law Council has been keen to give the federal Attorney-General advice on ways of enabling separating couples to establish meaningful relationships with their children after separation. It has published a discussion paper which looks at ways to bring about good parenting after parents are separated.

The Family Law Council (FLC) makes recommendations to the federal Attorney-General on family law matters. It has been concerned for some time that the custody/access battle encourages parents to think of themselves as winners or losers. However, it does not consider joint custody a workable solution. In the vast majority of cases, children reside principally with one parent after separation.

The Council has published a discussion paper which discusses ways of improving parenting after separation and invites comments from interested readers.

Patterns of parenting after separation

Most children want and need contact with both parents. Their long term development, capacity to adjust and self-esteem can be detrimentally affected by the long term or permanent absence of a parent from their lives. The well-being of children is generally advanced by their maintaining links with both parents as much as possible.

Solutions found by parents themselves minimise the chances of disruption for their children. Parents should therefore be encouraged to develop their own parenting arrangements after separation, assisted, where necessary, by alternative dispute resolution processes.

The use of the court to resolve parenting problems should be confined to cases in which a

judgment on disputed facts is critical to the future well-being of a child. Otherwise, the court should be considered as an intervention of last resort.

Co-operative parenting after separation is a desirable goal.

Change in the custody/access terminology and community education around such issues need to be considered. Co-operative parenting will be enhanced by the use of terminology that discourages ideas of ownership of children. Parenting plans have at their basis a language that recognises the needs of children and the responsibilities of parents. It is therefore desirable that in making decisions about their children, separating couples use the objectives and terminology of parenting plans.

It is also desirable that the essential elements and language of parenting plans be reflected in court orders concerning children.

Responses to the Council's discussion paper to date indicate strong support for a change in current terminology, and for proposals to encourage co-operative parenting through the use of parenting plans.

The FLC requests submissions and answers to the questionnaire in its discussion paper, as soon as possible. Further details may be obtained from: The Director of Research, Family Law Council, Robert Garran Offices, BARTON ACT 2600 (Telephone (06) 250-6375; FAX (06) 250-5917).