

Men and separation

Navigating the future



Relationships[™]
AUSTRALIA

Authors

The first edition of this booklet was developed by staff from Relationships Australia Victoria and MensLine Australia, including Dr Andrew Bickerdike, Tony Gee, Roman Ilgauskas, Terry Melvin and Jeremy Heard. Additional contributions for later editions were made by staff from these organisations and Beyond Blue.

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Chief Executive Officer
Relationships Australia Victoria
PO Box 180, 2 Prospect Hill Road
Camberwell VIC 3124
Email: enquiries@rav.org.au
Ph: (03) 8573 2222

or

MensLine Australia
PO Box 151
Hamilton NSW 2303
Website: mensline.org.au
Ph: 1300 78 99 78



We acknowledge Aboriginal and Torres Strait Islander peoples as the Traditional Owners and Custodians of the land and waters on which we live and work, and we pay our respect to Elders, past, present and emerging.

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About this book



This book is for you if you're:

- a man who is going through a separation or divorce
- supporting a man who is going through a separation or divorce.

Throughout this booklet, 'man' refers to anyone who identifies as a man, regardless of the sex assigned to them at birth.

While this book is largely based on research relating to men in heterosexual relationships, we hope that much of the information will also be useful and relevant to men in gay and queer relationships.

This book is not written to advocate for separation or divorce, or to diminish the level of distress that many people experience. Separation can be an extremely difficult time for all concerned.

We've written this book to:

- show you that you're not alone
- give you some tips to help manage your feelings and navigate this challenging time in healthy ways
- raise your awareness of some services that could help you.

We've included some statistics about separation on page 42.

Relationships Australia and MensLine Australia are services that listen to and work with men. They offer groups for men, and talk to individuals on the phone, via videoconference and in-person.

Separation presents many challenges for men. We thank the many men whose experiences, advice and expressive words contributed to the content of this book.

How to use this book

This book is designed to be read and re-read, in part or all at once. You can record important thoughts in the notes section at the back and keep it handy for moments when you need a prompt.

You will get through separation and life will get better.

Separation and men's experiences



Separation and divorce are among the toughest experiences you will ever have. Men report a range of intense experiences during this time.

These include feeling:

- frustrated, powerless and angry
- relieved that your differences with your former partner are out in the open
- dizzy or lightheaded and thinking the same thoughts over and over
- desperate or helpless
- determined to stand your ground and argue
- aware of some of the hard choices that need to be made
- lonely and sad
- shocked, bewildered and hurt
- worried about your children
- angry or ashamed
- know and be cared for by both of us and significant family members / carers.

These responses are all perfectly normal. It's likely you have other feelings you could add to the list.

The good news is that most men face these intense feelings and go on to live fulfilling and happy lives. However, it does take time.

“Life does get better. Separation provides the opportunity for ongoing personal growth. Don't go it alone, there is help out there. Use it to your fullest advantage.”

FL, aged 48
4 years after separation

“It was the most pain I could feel without being put in hospital.”

DS, aged 42
18 months after separation

Separation and grief

You may already know what it feels like to grieve the death of a close friend or relative. It has been suggested that separation or divorce is like this, but some men report that separation is even harder to manage.

Separation is complex and can involve feelings around the loss of:

- your former partner
- the family home, structure and routines you're used to
- friends and your social life
- meaning and identity
- a dream
- day-to-day involvement or contact with your children
- the opportunity to have children
- plans or future expectations you had during the relationship
- support and approval from your family and community.

These losses are particularly difficult if:

- you didn't want the separation
- the separation was sudden or unexpected
- you're still hoping for reconciliation
- you feel betrayed by your former partner
- you have reduced or limited time with your children
- you don't have a support network, or are excluded or rejected by your friends or other people in the community.

Separation may also mean that:

- practical issues become more difficult (e.g. doing the shopping and managing a household)
- changes in the nature of some of your adult relationships.

You can expect to experience intense emotions, and may sometimes feel that you're unable to cope. If this is the case for you, it's important to get help.

Grieving

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, including anger, numbness or despair.

The emotional and mental impacts of separation may make it harder to look after yourself properly. You might revisit memories and feelings you thought you'd left behind.

Everyone approaches and experiences grief differently. You may find comfort in focusing on positive activities, like work, sport and hobbies, or planning for the future. Try to work out which strategies will help you.

Men, grief and problems you can't solve alone

It's hard to deal with problems you can't solve. Often, men feel powerless during and after separation. Some men may lash out in anger, drink too much, misuse drugs or gamble. These behaviours can complicate problems. Others work too hard or become anxious, depressed or isolated. Separation can lead to increased feelings of isolation and loneliness, which are significant risk factors for men.

Talking about these issues does help. Reaching out for support during this time can also help you to stay connected and maintain your wellbeing.

Find a friend or professional you can talk to and get support from.

See 'Where to get more support', page 43.



6 I dealt with my extreme fears through psychological counselling and basically getting up every morning, every morning, every morning and riding my bicycle a lot.'

AM, aged 46
6 months after separation

Separation and depression

At this time of great vulnerability, it's possible to become depressed. Everyone feels sad, unhappy or 'blue' once in a while, but clinical depression is different.

Depression is more than just a low mood – it's a serious condition. People with depression feel sad, down or miserable most of the time for at least 2 weeks. They find it hard to function every day and don't enjoy activities they used to enjoy.

Some feelings you may experience

It's normal to feel upset or sad following separation.

You might experience a range of behaviours, thoughts, feelings and physical symptoms, including:

- reduced efficiency or trouble coping with work
- taking a long time to make up your mind
- withdrawing from mates, not wanting to go out or feeling like you're not much fun to be around
- spending a lot of time thinking and reflecting
- being irritable and having a short fuse
- drinking or smoking more
- tearfulness
- tiredness
- reduced sexual desire and functioning
- often feeling overly alert and anxious
- aches and pains
- not sleeping well
- changes in appetite and/or weight loss, and not exercising.

Everyone experiences some of these symptoms from time to time. However, when they occur together and are severe or lasting, it's important to seek help. You don't have to go through them alone.



What to do if you think you may be depressed

If you have ongoing negative thoughts or find it difficult to cope with your circumstances, it's important to seek help as soon as possible. Men should remember that depression is common and treatable.

A general practitioner (GP) is a good person to discuss your concerns with. A GP or another healthcare professional can help you decide whether treatment is needed and what treatments are suitable for you.

Different types of depression require different approaches to prevent and treat mild depression. Treatments range from psychological treatments such as mindfulness-based stress reduction, through to medically based treatments for more severe depression.

If you don't have a regular GP or clinic, you can:

- use the service finder at healthdirect.gov.au to find a healthcare professional
- contact MensLine Australia on 1300 78 99 78 for free, 24/7 phone and online counselling
- contact Beyond Blue on 1300 224 636 for telephone and online counselling, and other online supports
- call Relationships Australia on 1300 364 277 to book a counselling appointment
- put a self-care plan and professional supports in place to help you relax and find the time to care for your mental and physical health.

Keep in mind

There are many other men who have had similar experiences. They did get through it though.

Don't let depression make the journey of separation tougher than it already is. See 'Where to get more support', page 43.



Choices you can make

Knowing you have choices helps you assert some control over your life.

Seeing options and making choices can be tough when you're overwhelmed by intense feelings or depression, but options do exist. In time, you will start to see the choices that are available.

Some of the important choices other men have made during and after separation may help you, including the decision to:

- accept that your relationship is over and plan for the future
- survive and even thrive – one day at a time
- seek support
- be there for your children
- focus on improving communication about your children where possible
- aim for constructive conflict resolution
- talk about it
- learn, recover and rebuild your life
- look after yourself (see page 16).

Try to be reasonable, even if it feels like a difficult situation.

Counselling – talking to someone

We all want to tell our story and to be heard, and counselling is an opportunity for this to happen. Most men who seek this kind of support say that they found it helpful and wish they'd done it sooner. See 'Where to get more support', page 43.



“Once I realised I was depressed, getting the right treatment helped me adjust to the loss of my relationship.”

TL, aged 38
one year after separation

Stay in contact

Your social contacts and family networks may change now that you have separated. Even if they're still intact, you may be reluctant to use them for support.

Isolating yourself may seem like a good idea or the easy option, but it may not help you to overcome the grief and loss of separation. Withdrawing socially will limit the number of people you can talk to.

Social isolation may increase the risk of depression, reliance on drugs and alcohol, and even suicide. It has been linked to a range of negative outcomes, including mental health issues, emotional distress, suicide, dementia, premature death, and poor health behaviours such as smoking, physical inactivity and poor sleep. It has also been linked to physical effects, including high blood pressure and impaired immune function.¹

Talking can help.

Find someone you can trust and reach out to them.

Research conducted by Relationships Australia² shows that positive social connections, such as with family and friends, increases mental health and wellbeing.



‘It was the worst time of my life.
I thought I would never smile again.
I was scared and I felt alone.’

JR, aged 28
4 years after separation



Who initiated the separation?

Both the person who initiated the separation, and the person who didn't, can have intense feelings, but they often have them at different times, either before or after the separation.

If you initiated the separation

If you were the initiator of your separation, you may have already gone through the emotional 'rollercoaster' of distress (see page 12) and be ready to move on. It may seem that your former partner is unable to move on though.

You may feel:

- you're more in control of the situation
- guilty about the break-up
- worried about how the separation will affect your children and your former partner
- anxious about the financial implications of separation
- afraid of your former partner, if there was conflict or violence in your relationship.

If you didn't initiate the separation

If you weren't the initiator of your separation, you may be struggling while your former partner seems to be coping much better.

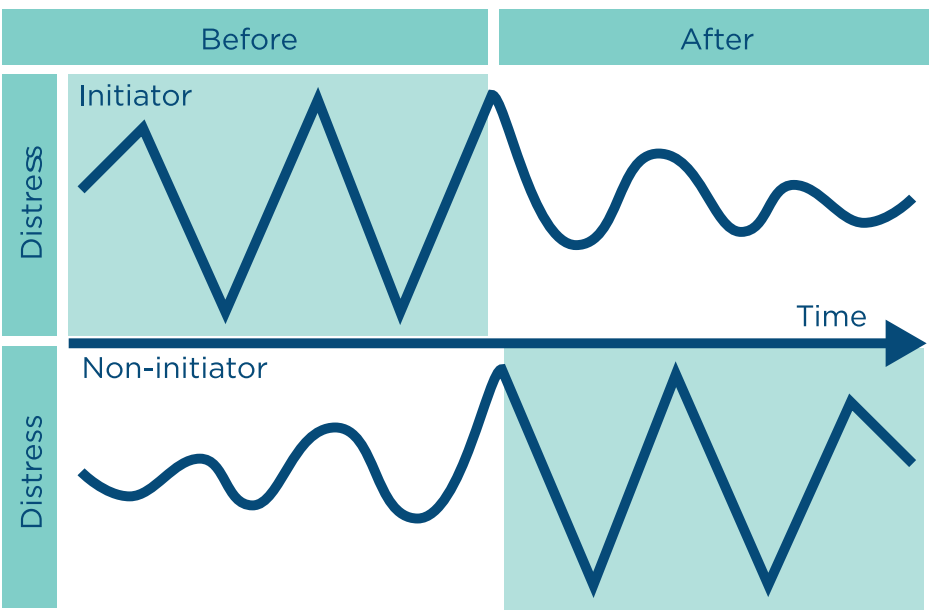
You may feel:

- powerless, 'shafted' or betrayed
- unprepared for separation and the changes to your future
- lost, shocked or confused
- distressed that you didn't have a voice in the decision to separate
- a range of extreme emotions such as anger or frustration
- desperate to be given another chance.

If your former partner has been considering separation for some time, it's likely that they have already gone through many of the emotions you're currently feeling.

Differences between the initiator and the non-initiator

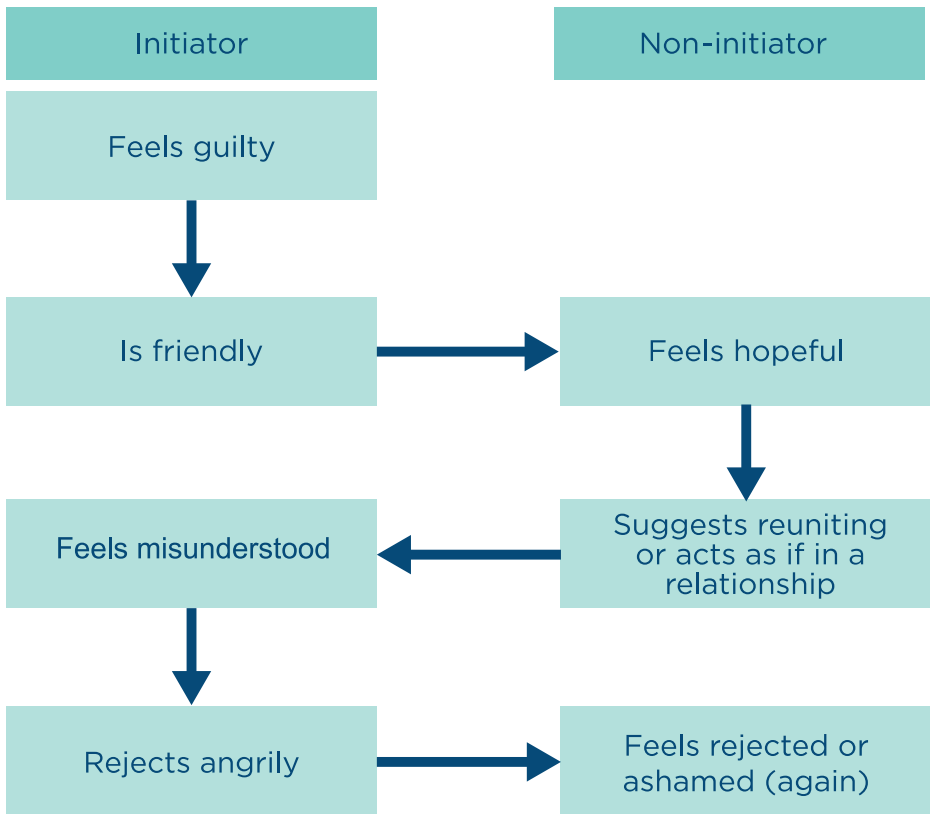
In the diagram below, you can see the initiator has the most distress before separation, while the non-initiator has the most distress after separation. You may feel you're on an emotional rollercoaster.



Mixed messages

Some men find it hard to let go and accept that a relationship has ended. They may misread signals from their former partner and express an inappropriate level of intimacy.

Once one person begins to misread the signals, it can set off a cycle of misunderstandings which ends in arguments and distress. You may be able to recognise you and your former partner in the chain of events in this diagram.



How to avoid mixed messages

Men who have found themselves caught in this painful cycle recommend getting clear that the relationship has ended.

They suggest that you:

- limit contact with your former partner if practical (e.g. to one call per week, fortnight or month)
- limit socialising or going out together
- limit doing things for your former partner
- don't have sex with your former partner
- avoid intimate discussions with your former partner
- avoid comforting your former partner and instead, ensure they have support available from people other than you
- give a clear and unambiguous answer if asked about the possibility of reconciliation.

If you're the one hoping for reconciliation, remind yourself that there is no evidence that your former partner wants to get back together unless they specifically say so.

Separated people do sometimes rebuild a friendship together. However, this may take a long time, if it happens at all. It usually follows a long period without contact.

The emotional bonds created by the original relationship take a long time to disentangle. It can be more realistic to aim for a businesslike relationship, so that you can discuss issues and make decisions in a respectful way.

If it's over, it's over. Hanging on to false hope only prolongs the pain and distress.

Blame and guilt

If you ended the relationship, you may feel it was all your fault and experience guilt or cycles of shame and anger. Remember, it's rare for one person to be totally responsible for the ending of a relationship. It usually takes 2 to make or break a relationship.

If your former partner ended the relationship, it's very easy to find yourself blaming them.

Blaming helps to distract from the pain you may be experiencing. It gives a sense of justice in what feels like an unjust situation, but stops people moving on.

Some couples get so caught up in blame and anger that it affects their children.

If you find yourself blaming constantly:

- consider what you can do, other than dwelling on it
- think of new ways to respond
- talk to a trusted friend or professional for support with how you're feeling
- understand that you have the resources to get through this experience
- try to make choices that you believe will have positive outcomes
- be cautious of having extreme or 'black and white' views
- work on self-care strategies, including exercise.



Looking after yourself



Ideas and actions that have helped other men



- Be clear that managing the challenges of separation takes time.
- Be honest with yourself and take responsibility for your life.
- Be clear about when you have choices and when you don't.
- Be aware of what is happening within and around you.
- Listen to yourself. Look out for signs of self-pity, hopelessness or revenge.
- Don't blame yourself or others.
- Think about the consequences of what you decide to do.
- Challenge your thoughts by writing them down or talking to others.
- Don't use your children to get advice or to work through the emotions and challenges you're dealing with.
- Give yourself time to process your feelings.
- Seek help for things that you don't know how to manage.
- Commit to looking after yourself – continue to do the things you enjoy.
- Talk to people you trust about how things are for you.
- Continue with your normal activities and routines (e.g. work, sport, hobbies).
- Experiment with other coping strategies and find out what works for you.

6 I went and did the things I really enjoy like ballroom dancing and bush walking.'

DS, aged 56,
3.5 years after separation

Maintain your health and wellbeing



- Eat regular, healthy meals.
- Avoid or minimise caffeine, alcohol and other drugs.
- Exercise regularly in ways you enjoy.
- Watch for signs of stress or depression.
- Keep an eye on maintaining a healthy weight.
- Get enough sleep.
- Accept support and encouragement from family and friends.
- Reduce isolation by becoming involved in social activities.
- Visit your doctor sooner rather than later!

Depression and alcohol

Generally, men drink more when they're depressed because it lifts their mood briefly. However, alcohol amplifies feelings and impairs judgement. Drinking excessively combined with depression and feelings of anger can be dangerous. In the long run, drinking alcohol makes depression worse.

If you're finding that you're drinking alcohol excessively or more than you used to, talk with a friend, doctor or counsellor. Learn some other coping strategies to help you get through the tough times.

While men are often reluctant to seek support when they're struggling, they're often surprised that they feel so much better once they do.

“Once I got my drinking under control the negative feelings I had did slowly pass. I'm also really glad I didn't make any permanent decisions when I was depressed.”

TS, aged 36
2 years after separation

Ask for support

Often, the last thing men want to do is ask for support or help of any kind. Some feel ashamed of the break-up or go into denial.

Support is available from:

- friends and family
- other separated men
- work colleagues, supervisors and employee assistance programs
- your local doctor or health centre / GP / psychologist
- your local community centre or counselling service
- men's groups and community groups
- parenting or separation groups
- the Family Relationship Advice Line (call 1800 050 321), which can direct you to your nearest Family Relationship Centre
- online and telephone support services that are available 24/7.

Don't be afraid to ask. People want to help.

- Make a list of people you can talk to.
- Write down the questions you have.
- Be prepared to talk – don't bottle it up.

The benefit of talking it over

Counselling can open your eyes to what is really happening and help you to function better. You can also do a separation course, which helps you to support others, while being supported yourself. See 'Where to get more support', page 43.



“Seek support from anywhere you can (preferably not drug-based). It gets easier with time.”

PM, aged 29
one year after separation

Children and separation



Children react to separation in different ways.

The way your children react will depend on:

- family relationships before separation
- your child's age and personality
- how both parents manage the situation.

Children and conflict



A major factor in how children respond and adjust to the separation is the level of conflict that exists between the parents. If children have been exposed to family violence, they may need professional support to overcome these experiences.

Most children will feel vulnerable and have fears about separation. Some fears are realistic and some may not be, but they feel real to a child. Most children will express strong feelings, and younger children can often experience fear of abandonment and separation anxiety. These are often triggered by events such as saying goodbye. These are normal reactions to a stressful time.

Generally, children are resilient in the face of major changes. Once the situation has stabilised, most children manage well. Occasionally, some children take a while to settle down. Seek professional help if needed, particularly if there are other difficulties in their lives, such as problems at school.

“I had to combine being the breadwinner with preparing my new home environment when the kids come and stay. Talk about multi-skilling and retraining. And at my age!”

JL, aged 52
3 years after separation

“My greatest concern was retaining contact with my two children at home.”

DE, aged 30
3 months after separation

Helping your children adjust to separation

Explain what is happening in ways that they can understand. Reassure them that both parents love them and the break-up is not their fault. See 'Being there for your children' on page 21.

Focus on your children's best interests

Before making a final decision about your parenting arrangements, it's wise to get legal advice from a family dispute resolution practitioner or family lawyer about what a court would regard as being in the best interests of your children. For more information, see page 28–40 or call the Family Relationship Advice Line on 1800 050 321.



Always a parent

Separation should not mean the end of a relationship with your children for you or your former partner. Their family will continue, but in a different form. Your children may have 2 homes. While rituals and routines will inevitably change, it's important to remain connected and involved with your children in a meaningful way. If you were the primary carer before the separation, you may find that you now spend some time away from your children. Alternatively, you may now be the primary carer for your children. Many fathers find this to be extremely rewarding.

Managing change

While you can't prevent change, you can help children to cope with it. Children are adaptable, but require structure, stability and safety.

If you're moving house, it's important that children have their own space in your home for their things – ideally a room, but at least a cupboard or storage box for possessions. Involve them in any changes to the house, such as choosing the furniture or paint colour for their bedroom.



Read: Share the care: Parenting plan – Collaborative parenting apart. See 'Recommended resources', page 48.

Being there for your children

Being there for your children is very important. While it may be difficult at first, you and your children can discover new routines and ways of relating. You may want to consider doing a parenting course to help you.

Tips to support your children:

- Tell the school about the changes and stay involved with your children's activities and their friends.
- Don't expect your children to look after you emotionally (you're the parent).
- Be alert for any signs of distress including physical illnesses or changes in behaviour.
- Encourage your children to go to counselling if they need to talk to someone outside the family.

Even adult children may experience strong emotions at this time. Kids Helpline provides free, confidential telephone and online counselling for children and young people aged 5 to 25. Call 1800 55 1800 or visit kidshelpline.com.au

There are many things you can do together with your children. You can:

- share activities like cooking, drawing, playing sports, bike riding, fishing or going to the park together
- stay interested and ask them about their friends – children want to know that you're thinking about them
- create your own rituals for celebrating their birthdays and significant achievements
- keep in touch with their school and continue to get involved in school activities
- have a special bedtime ritual with your child (e.g. a story, little chat or prayers).

Consider a parenting course

It's not easy being a separated parent. Courses and books can help. Find a parenting after separation course through:

- Relationships Australia: 1300 364 277
- Family Relationship Advice Line: 1800 050 321 (they can refer you to a Family Relationship Centre in your area)



Relating to your co-parent



Some people believe that when they separate, they will no longer have to deal with their former partner. However, if you have children this is usually not the reality – you remain linked as co-parents.

The challenge is to make the ongoing co-parenting relationship as manageable and as constructive as possible. This may require some work. Be respectful to your co-parent, regardless of how they approach you. Your behaviour can impact them and their ability to parent your children. However, if you feel unsafe at any time, it's important to seek help (see 'Where to get more support', page 43) and take steps to protect yourself and your children. Constructive co-parenting involves establishing a good working relationship with your co-parent, where possible, safe and appropriate.

Men who have successfully managed this offer these practical tips.

- Focus on the children, not the past relationship.
- Remember why you're talking. Keep your goals at the forefront.
- Try using a written agenda: Stick to it and avoid arguments.
- Hold meetings at a neutral location if possible.
- Use phone, email, or text if face-to-face discussions are a problem.
- Consider legal advice, family dispute resolution or counselling if you have difficulties.
- Be flexible – children have commitments and special events will arise.
- Consider special days in advance, such as holidays and birthdays.

If you are the respondent to a Family Violence Intervention Order, it is important you don't breach the Order; this is a criminal offence.

Try not to argue in front of your children

This includes anywhere that they might hear you, even if they're asleep in bed. Often, parents think their children don't hear or know about their arguments, but children often hear more than you think.



What if there isn't a good working relationship?

In some situations where there is high conflict, a businesslike interaction may not be possible.

Some parents, for a range of reasons, are not supportive of the children's relationship with the other parent. In these situations, the unsupported parent can feel distressed, powerless and angry. They may feel their children are being denied the right to a relationship with them.

If you're in such a situation:

- don't talk negatively about your former partner to the children
- don't ask your children to play 'messenger' between parents
- don't quiz your children about the other parent and what they're doing
- don't use the children as a way of 'getting even' with your co-parent
- view your conflict 'through the eyes of the children'
- consider family dispute resolution (see page 29) with your co-parent and focus on practical issues
- examine your own behaviour and what you can do to help the situation, such as talking to a counsellor
- debrief with friends or family members
- consider legal advice and action
- remain realistic about what's possible
- call the Family Relationship Advice Line (1800 050 321) which can refer you to your nearest Family Relationship Centre.

No matter how hostile the situation, find strength in maintaining your dignity and acting fairly.

If a discussion becomes abusive, stop any negotiation.

Stay away from your former partner if either of you is affected by alcohol or other drugs.

Obtain legal advice if you're not going to comply with a court order.



Violence and abuse



Separation can be an argumentative and volatile process.

The conflict you're experiencing now may be part of a familiar pattern you had in the past with your former partner. It may have contributed to the breakdown of your relationship. However, it's important to know that violence against adults or children is never okay.

If you or someone you know is in danger right now, call the police on 000 (triple zero).



What is family violence?

Family violence involves a pattern of abusive behaviour within a family or intimate relationship that seeks to control, dominate, or cause fear and intimidation.

It can include physical, verbal, sexual, emotional, social, financial and spiritual abuse, as well as stalking and coercive control.

Family violence is not limited to physical harm; it encompasses any behaviour that instils fear, diminishes autonomy or isolates a person from support.

Family violence is a crime, and the responsibility lies solely with the perpetrator.



If you're experiencing any form of family violence, it's important to know that you are not to blame and that help and support are available.

Types of family violence

- **Physical abuse** involves any intentional act causing injury or trauma to another person.
- **Verbal abuse** includes using words to cause emotional harm.
- **Sexual abuse** involves any forced or unwanted sexual activity.
- **Emotional abuse** is the systematic undermining of an individual's sense of self-worth and mental health. Gaslighting, a tactic where the perpetrator manipulates the survivor into questioning their own reality, is a common part of emotional abuse.
- **Social abuse** aims to isolate the victim-survivor from family, friends and community, and limit their perspectives about the pattern of abuse they are experiencing.
- **Financial abuse** involves controlling a person's access to financial resources, making them financially dependent on the perpetrator.
- **Spiritual abuse** involves misusing religious or spiritual beliefs to control, manipulate or harm the victim-survivor.
- **Digital or technological abuse** involves using technology to track, monitor, control, harass or intimidate the victim-survivor.
- **Cultural abuse** exploits or undermines a person's cultural identity.
- **Stalking** is a pattern of repeated, unwanted contact that causes fear or concern for safety.
- **Coercive control** involves perpetrators using patterns of abusive behaviours over time in a way that creates fear and denies the liberty and autonomy of the victim-survivor.

Family violence and children

Children's exposure to family violence may be direct or indirect.

This may include them seeing or hearing family violence directly or being exposed to the aftermath. They may have to be conscious of their behaviour and presence to try to appease the person using violence. Children may be used manipulatively, as a tool between family members, or children may be neglected.

Are you using abuse or violence in your relationships?

Being abusive or violent has consequences.

- Your children could become afraid of you.
- The time your children spend with you could be restricted.
- Assault charges and legal intervention orders can be taken out against you.
- If you commit serious acts of violence, you may be taken into police custody, sometimes for an extended time.

If you're using abuse and violence, you need to take responsibility by:

- stopping all behaviours that are abusive, violent or controlling
- thinking about your past and present actions (i.e. stop blaming, justifying or denying that there is a problem)
- seeking support to change through a program at Relationships Australia or the Men's Referral Service (No to Violence) (page 45)
- seeking counselling support through Relationships Australia, Beyond Blue, MensLine Australia or your local doctor or health centre (see 'Where to get more support', page 43).

More information

To learn more about different types of violence and abuse, visit the No to Violence website:
ntv.org.au/about-family-violence/types-of-abuse



Are you being abused?

Family violence can affect anyone.

Some men are abused or threatened by their former partners or family members.

If you're experiencing violence in your relationship, your safety and the safety of your children must come first.

Take steps to look after yourself if you feel unsafe:

- **Call the police on 000 if you or your children are in danger.**
- Seek support for you and your children (see page 45).
- Minimise contact with your former partner or family member.
- Use alternative ways of communicating with them.
- Meet in a neutral, public place (rather than at your house or theirs).
- Bring a friend or family member when you meet your former partner.
- Keep a record of abusive incidents, such as stalking.
- Avoid retaliating – this increases the risk of harm to you and your children.
- Consider legal intervention, such as laying charges or taking out a court order.

More information

To learn more, contact 1800RESPECT.
Visit 1800respect.org.au or call 1800 737 732.



Working out a settlement



Settlements can relate to parenting arrangements, child support payments and/or dividing property.

Parenting arrangements should be decided based on what is in a 'child's best interests' (see page 37).

Property division is based on several factors including direct and indirect financial and non-financial contributions, and future needs.

Separating de facto couples, including those in same-sex relationships, legally have similar property entitlements to separating married couples.³

Agreeing

The best outcomes generally occur where couples negotiate their own agreements about:

- parenting arrangements – how much time children will spend with each parent and how much input each parent has into decisions made about their children
- child support payments – who will pay how much to assist with child-related costs
- property settlement – how your cash and assets, including superannuation, will be divided.

You may need to use a family dispute resolution service or lawyers to help with property agreements or parenting plans. See page 29–32 for more information.

Property division will usually need to be formalised with the help of a lawyer. It is sometimes necessary to take legal steps or have a court to formalise parenting and child support agreements.

Some couples are unable or unwilling to reach an agreement in this way. Arrangements may need to be decided by a judge, which can add to the confusion, stress and powerlessness you already feel. It can also mean additional costs and time needed to finalise your separation.

Family dispute resolution

Family dispute resolution (FDR), also known as mediation, can help you and your former partner to make decisions about property and financial matters, your children and your relationship, without going to court.

Under Australian Family Law, separating parents are required to attempt FDR before applying to the court for a parenting order (see page 36). There are some exceptions to this, such as urgent cases and some that involve family violence or child abuse.

FDR practitioners don't take sides. They don't represent either party or provide financial or legal advice. Their role is to help you and your former partner to reach an agreement. This process can assist you to:

- make your own decisions
- reduce the financial and emotional costs of legal proceedings
- improve your working relationship as co-parents
- improve your communication with your former partner
- resolve future disputes.

Some services offer lawyer-assisted FDR, where a lawyer can negotiate on your behalf. FDR is offered by Relationships Australia, Family Relationship Centres, private FDR practitioners and some lawyers. To find a registered FDR practitioner, visit fdrr.ag.gov.au or contact the Family Relationship Advice Line on 1800 050 321.

Many men also gain a great deal of help from taking part in a parenting after separation course (see page 21). These courses usually cover topics such as self-care, co-parenting and meeting children's needs.

Appropriateness of FDR

It's not always appropriate for separating couples to be together in the same room. You have other options, such as 'shuttle' FDR. In these processes you do not have to be in the room with, or speak directly to, your former partner.



Do your legal homework

Because of the legal issues involved, particularly in property and financial matters, it's wise to get legal advice.

Getting legal advice doesn't mean that you have to go to court.

Your lawyer should provide legal advice and pathways for you to consider that may include settlement proposals, legal negotiations or court proceedings.

Many lawyers experienced in family law will give you an initial free or reduced-rate consultation and negotiate on your behalf about parenting arrangements, property and finance if you instruct them to.

You can also contact your state or territory Legal Aid office to check whether you're eligible for free services.

Where to get legal advice

- Contact your state law society or law institute for family law specialists.
- Call the Family Relationship Advice Line on 1800 050 321.
- Visit the Federal Circuit and Family Court of Australia website at www.fcfcoa.gov.au
- Visit nationallegalaid.org/contact to find the Legal Aid office in your state or territory.



6 I was unaware of my choices and obligations and also the fact that I could negotiate.'

PL, aged 38
5 years after separation

Preparing for legal advice

Lawyer fees can be expensive, so it's important to do your research into the process and which areas different lawyers specialise in.

As a first step, you might also consider trying family dispute resolution (see page 29), which is generally a more affordable option. You, more than anyone else, stand to benefit from understanding the family law process. Look for a lawyer who is experienced in family law and who you feel comfortable with.

Many lawyers will give you a free initial consultation. Think about the sort of information your lawyer might need, such as details about your situation, children and/or finances, and prepare some written questions before you first meet.

When meeting with your lawyer:

- take notes so you can read over them later
- seek help or advice to understand the family law process
- explain your budget to your lawyer, and ask for clear information about costs and payment options
- use your lawyer as a consultant – you decide how you wish to proceed
- get a clear understanding of the likely outcomes
- if something is unclear, ask questions.



Don't be afraid to change lawyers if you feel you don't have a good working relationship with your legal representative.



Read: A fair share: Negotiating your property settlement.
See 'Recommended resources', page 48.



If I'd known more about law, many decisions would have been different. Get advice early.'

TF, aged 47
4 years after separation

Negotiation methods

Negotiation can be hard work, but if you don't attempt it, you may find yourself with:

- parenting arrangements that don't work for you
- child support payments that don't reflect your co-parent's income accurately
- expensive legal processes
- increased resentment and the feeling that you've been exploited.

Ask your lawyer or another support person to help you to negotiate if you don't feel confident or objective about your situation.

Sometimes, it's impossible to discuss things directly with your former partner.

Family dispute resolution can assist you to make decisions about your relationship and develop a workable plan for the future. This can include sorting out assets and financial matters, as well as future parenting responsibilities through the preparation of a parenting plan.

Don't give away too much, too soon

- Don't commit to an agreement immediately after separating just to get it over and done with.
- Don't sell yourself short – or go for too much.
- Be clear and realistic about what you want.
- Get legal advice before signing any document.



6 If you instruct lawyers to act on your behalf, they will work hard to obtain the best outcome for you. However, don't forget that your former partner's lawyer will be doing the same thing.'

GF, aged 37
3 years after separation

Formalising property arrangements

Using a lawyer

It's wise to seek legal advice before negotiating any agreement with your former partner about property. That way, you know what your rights are.

If you can then reach agreement about the division of property, you can instruct your lawyer to prepare formal 'consent orders' for the court. These are formalised and become 'court orders' which are binding. Your lawyer can usually do this without you needing to attend court personally.

For married people, proceedings for the division of property must start within 12 months of a divorce order becoming absolute. For people in de facto relationships, proceedings for the division of property must start within 2 years of the breakdown of the relationship. If you do not make an application for financial orders within the timeframe applicable to your circumstances, you will need to seek permission of the court to apply for financial orders.

Preparing your own consent orders

If you don't want to use a lawyer, you can file consent orders on your own behalf.

Applications must be in the required form, explaining how the assets and debts will be divided between you and your former partner. After you have both signed the proposed orders, they are processed by the court and are legally binding. You may need to provide further written information if the court is not satisfied with either the information or the asset division.

Consent orders for property are necessary, otherwise your former partner may ask to change your property settlement in the future.

If you're unable to reach an agreement over property, your lawyer will negotiate on your behalf with your former partner's lawyer. This may involve going to court, which can be costly and take some time (see page 39).

Documenting parenting arrangements

There are a number of ways parents reach agreement about how to raise their children after separation.

Parents may choose to:

1. **keep making decisions** ('agreements') about their children together without writing them down
2. **write their own notes** about what they've agreed to
3. **create a parenting plan**, with support from a service known as family dispute resolution (FDR). Plans are signed by both parents and can be updated if/when needed, but can't be legally enforced.
4. **get a parenting order** from a court, with the support of lawyers. Parenting orders can be made with both parents' agreement (by consent) or decided by a judge. They can be legally enforced.

Support is available

A third party, such as an FDR service (see page 29) or lawyer (see page 30), can also be useful for parents who need help to reach agreement about parenting arrangements and/or parenting plans. Read more on page 35–36.



“Once family dispute resolution started, things began to fall into place for me.”

MV, aged 27
one year after separation

Parenting plans

Australian family law encourages parents to set out arrangements in a signed parenting plan. This can be a good option for parents who want to document their parenting decisions without going to court.

The plan may cover:

- who the child lives with
- the amount of time the child spends with each parent
- how parents share the parenting and decision-making responsibility
- financial maintenance of the child
- other important considerations (e.g. holidays, communication, grandparents' involvement)
- how long the plan will last.

Plans can be changed easily according to changing needs and circumstances, but both parents must agree to the changes.

Parenting plans are not legally enforceable. However, if you need to go to court at a later date, the court may consider the most recent parenting plan and how much both parents have followed it.



Read: Share the care: Parenting plan – Collaborative parenting apart. See 'Recommended resources', page 48.

Parenting orders (by consent)

Some parents decide to make their agreement or plan into a legally enforceable 'parenting order by consent'.

This involves asking the court to formalise what both parents have agreed on. Parents can ask the court to consider their current parenting arrangements, as well as future arrangements that both parents agree will be in your child's best interests as they grow and develop.

The parenting order may include flexible parts which can change as your children grow or family circumstances change. It may also have specific sections that make sure that both parents understand what you need to do to follow the court order.

A family lawyer can help you understand and manage the process of requesting a parenting order.

If an existing parenting order no longer meets your child's needs or is no longer in their best interests, you can attend FDR or ask a lawyer for advice about your individual situation.

Parenting orders (decided by a judge)

If both parents can't agree on parenting arrangements, or you're concerned about your child's wellbeing or safety in your co-parent's care, you can ask the court to decide what is in your child's best interests.

It's a good idea to get advice from a lawyer if you're thinking about starting this process. You can also read more about going to court on page 39.

Protecting your children

If your children are at immediate risk of harm from the other parent or any other person who is currently caring for them, contact your state-based welfare organisation immediately. You can find their contact details online: dss.gov.au/child-protection/reporting-child-safety-concerns



Focusing on children's best interests

You should consider what is in the best interests of your children as the paramount consideration and act in the best interests of your child by applying the considerations found in s60CC(2) and (3) of the Family Law Act 1975 (Cth).

They include the following.

- What arrangements would promote the safety (including safety from being subjected to, or exposed to, family violence, abuse, neglect, or other harm) of:
 - the child; and
 - each person who has care of the child (whether or not the person has parental responsibility for the child).
- Any views expressed by the child.
- The developmental, psychological, emotional and cultural needs of the child.
- The capacity of each person who has or is proposed to have parental responsibility for the child to provide for the child's developmental, psychological, emotional and cultural needs.
- The benefit to the child of being able to have a relationship with the child's parents, and other people who are significant to the child, where it is safe to do so.
- Anything else that is relevant to the particular circumstances of the child.
- In relation to Aboriginal and Torres Strait Islander children:
 - the child's right to enjoy the child's Aboriginal or Torres Strait Islander culture, but having the support, opportunity and encouragement necessary:
 - to connect with, and maintain their connection with, members of their family and with their community, culture, country and language; and
 - to explore the full extent of that culture, consistent with the child's age and developmental level and the child's views; and
 - to develop a positive appreciation of that culture.

Child support payments

Services Australia is an Australian Government agency that uses a formula approved under Australian law to work out how much child support should be paid or received.

Several factors are considered in calculating child support, including:

- the combined incomes of the parents
- the number of children you have and their ages
- how many nights per year they spend with each parent.

The amount of child support may also be determined by a court order, or the parents may make a child support agreement.

Services Australia can collect and transfer child support, or the parents can work out how and when payments are made between themselves.

Within Services Australia rules, parents have flexibility and a range of options.

Contacting Services Australia

For child support enquiries, call Services Australia on 131 272 or visit www.servicesaustralia.gov.au/separated-parents



Services Australia also has an online calculator to help you work out the level of child support available in your case. Visit <https://processing.csa.gov.au/estimator/About.aspx>

What happens if you can't reach agreement?

If you're unable to reach agreement on particular issues, you may need to make an application to the Federal Circuit and Family Court of Australia.

The court will continue to encourage you to come to agreement to avoid a trial. Sometimes an order is made to attend family dispute resolution if the court considers it will be helpful, or the parties themselves decide to try it. However, if you still cannot reach agreement, a trial may be needed where a judge will determine the parenting or property issues in dispute.

In a parenting matter, you must file a certificate stating that you have attempted family dispute resolution unless your circumstances fit within one of the exceptions. You may need to consult a lawyer, a Family Relationship Centre or a family dispute resolution practitioner to work this out.

Court proceedings happen in only a few cases. It means asking someone who doesn't know you or your children to decide what's best for your children and what is fair in financial terms. Think carefully before deciding whether to start court proceedings. Sometimes, the court process can be more damaging than the issue. Once the court action is over, you will need to continue co-parenting. On the other hand, if the issue is the safety of your children, then court action may be the only way to ensure this.

Getting a sense of how the court system works

Going to trial can be costly and stressful, but sometimes it's the only option. Consider attending the Federal Circuit and Family Court of Australia as an observer to get a feel for how the court system operates. Visit fcfcoa.gov.au to learn more.



“ I'm still paying for my court battle, but there were no other options in my case.'

JM, aged 40
3 years after separation

Dealing with institutions

Remember that all institutions are acting according to legislation and are not trying to make things difficult for you.

- Be courteous and respectful with the employees of institutions you deal with – this often results in helpful responses.
- Ask questions if you don't understand – understanding new information is especially difficult if you're under stress.
- Avoid blame or accusations towards your former partner or 'the system'.
- Be patient if you have to wait your turn.
- If you're unhappy with the service you've received, speak to a supervisor or use the service's customer complaints procedure.
- Gather all relevant information before you act or make decisions.
- Seek advice from the Family Relationship Advice Line on 1800 050 321 or your lawyer.
- Talk about counselling with MensLine Australia on 1300 78 99 78 or Relationships Australia on 1300 364 277.
- Talk about family dispute resolution with Relationships Australia on 1300 364 277 or your lawyer.

Remember

The more that you and your former partner can agree on, the less you'll need to engage with family law processes. However, don't jeopardise your children's safety or your safety, or be pressured into making an agreement that you think is unsafe or unfair.



The future



Further down the track, many men report positive and healthy changes in their lives following separation. Some things may still not be easy, but many men discover aspects of themselves they never knew existed.

Life changes after separation, and in adjusting to those changes many men talk of finding inner strengths and resources. Some men take up self-development courses, where they establish new and important social and recreational networks that sustain them for many years.

New relationships and moving on

Close relationships are important to everyone. Often after separation, there's a great need to reconnect and feel wanted and cared for again.

Some men jump straight into a new relationship which may seem to ease the pain initially. While this can often be a healing experience, it may not allow enough time and space to sort through some of the feelings from the last relationship.

Some men enjoy companionship but stay unattached. Others establish a committed relationship that involves a blended family with children from more than one relationship, living in one or more houses. There isn't one 'right' way. Choose wisely and find out what works for you.



Read: Partners – A guide to successful relationships.
See 'Recommended resources', page 48.

Whatever happens for you, we suggest you take it easy.

- Make sure you have time to grieve the loss of the relationship.
- Join a men's separation group to reflect, learn and grow.
- Re-establish your own interests, pastimes and social networks.
- Look after yourself.

“ I think I am better at building a sound relationship based on openness and communication. I have gained a new partner, at the moment things are really good.

JR, aged 41
4 years after separation

Research about men and separation



Australian research and census results found that:⁴

- there were 674,059 one-parent families with dependent children (10%)
- one-parent families with dependent children, as a proportion of all families, were under 9% in 1981 and 1991, increased to 10.7% in 2001, but have remained at a similar level since then
- although most single parents with dependent children were single mothers, single fathers as a proportion of single parents with dependent children increased slightly from 14% in 2006 to 18% in 2021.

Studies from 2015 revealed:

- Men are much less likely to experience financial hardship after divorce than women.⁵
- Separation and divorce are recognised as factors contributing to anxiety and depression.⁶
- Men are less likely than women to seek help for anxiety and depression.⁶

Data from the Federal Circuit Court of Australia in 2015 revealed that:⁷

- most people who divorce resolve their post-separation issues between themselves. This may involve family dispute resolution, counselling and/or lawyer-assisted negotiations, but does not involve going to court
- most cases that start in the court aren't actually decided by a judge
- between 2014 and 2015, 71% of family law applications filed in the Federal Circuit Court were resolved without a final court hearing, with the help of external family dispute resolution services, court conciliation conferences or negotiations between the parties' legal representatives.

Data from the Australian Institute of Family Studies in 2019 revealed that:

- 97% of separated parents don't go to court.⁸

Where to get more support



National

These national organisations can refer you to services in your area.

Relationships Australia

Australia-wide relationship support services for individuals, families and communities.

Call 1300 364 277 or visit www.relationships.org.au

Beyond Blue

Learn more about anxiety, depression and suicide prevention, or talk through your concerns with Beyond Blue's 24/7 support service. Trained mental health professionals will listen, provide information and advice, and point you in the right direction so you can seek further support.

Call 1300 224 636 or visit www.beyondblue.org.au/get-support

MensLine Australia

A free national 24/7 phone and online counselling service for men concerned about relationships, mental health and wellbeing.

Call 1300 78 99 78 or visit mensline.org.au

Family Relationship Advice Line

A free helpline to assist with family law problems for those unable to attend a Family Relationship Centre. Provides information about options and locations of family services for separating families, including Family Relationship Centres. Call 1800 050 321.

Family Relationships Online

Provides information about and services to assist all families to manage relationship issues, including agreeing on appropriate arrangements for children after parents separate. Includes a national directory of support services, including Family Relationship Centres. Visit familyrelationships.gov.au

Family and parenting support

Australian Government Department of Social Services

Information about programs and services administered by the Department, including programs for families and children.

Visit dss.gov.au/families-and-children/programs-services

Australian Government – Services Australia

Helps separated parents to provide the necessary support for their children's wellbeing. The website includes information about legal services, services in your local area and calculators for child support.

Visit servicesaustralia.gov.au/separated-parents

Carer Gateway (Carers Australia)

Family carer support and counselling in each state and territory. Visit carergateway.gov.au or call 1800 422 737.

Community Legal Centres Australia

Links to organisations in each state and territory that may be able to assist you with a legal problem. Visit clcs.org.au/legal-help

Federal Circuit and Family Court of Australia

Information and procedural advice, forms and brochures, and referral advice to community and support services. The website includes a free, live chat option. Visit fcfcoa.gov.au or call 1300 352 000.

Family and Relationship Services Australia

The national peak body for family and relationship services provides a directory of member services and locations. Visit frsa.org.au/member-directory

Raising Children Network

Provides parenting videos, articles and apps backed by Australian experts. Visit raisingchildren.net.au

Family violence

1800RESPECT

1800RESPECT is the national domestic, family and sexual violence counselling service. It supports people experiencing, or at risk of, sexual or family violence, their family and friends, and front-line workers and professionals. It also provides information on family violence, legal, housing and finance and other support services in your state or territory.

If you need an interpreter, you can call 1800RESPECT and ask them to organise this, or contact the telephone Translating and Interpreting Service on 131 450 and ask them to contact 1800RESPECT.

Visit 1800respect.org.au or call 1800 737 732.

Men's Referral Service

The national counselling, information and referral service for men who use violence and abuse and want to change their behaviour.

Visit ntv.org.au/mrs or call 1300 766 491.

Financial counselling

MoneySmart

Free online resources and tools to help you manage your money.

Visit moneysmart.gov.au

National Debt Helpline

Free financial counselling and online advice about debt and managing your money. Visit ndh.org.au or call 1800 007 007.

First Nations services

13YARN

Talk 24/7 with an Aboriginal or Torres Strait Islander crisis supporter. This is a confidential, culturally safe space to yarn about your needs, worries or concerns, without judgement. Visit 13yarn.org.au

Health

Health Direct

A government-funded service, providing quality, approved health information and advice. Visit healthdirect.gov.au

Healthy Male

A national organisation that provides easy access to the latest scientific and medical research on male health. Visit healthymale.org.au

LGBTIQ+ services

QLife

Provides anonymous and free LGBTIQ+ peer support and referral for people in Australia wanting to talk about sexuality, identity, gender, bodies, feelings or relationships. Visit qlife.org.au

Mental health services

Kids Helpline

Free, confidential telephone and online counselling for children and young people aged 5 to 25. Visit kidshelpline.com.au or call 1800 55 1800.

Lifeline

24/7 crisis support and suicide prevention services. Visit lifeline.org.au or call 13 11 14.

Suicide Call Back Service

A free nationwide service providing 24/7 phone and online counselling to people affected by suicide. Visit suicidecallbackservice.org.au or call 1300 659 467.

Multicultural services

Embrace Multicultural Mental Health

Provides resources and links to services for people from culturally and linguistically diverse backgrounds. Visit embracementalhealth.org.au

Translating and Interpreting Service (TIS National)

An interpreting service for people who do not speak English and for agencies and businesses that need to communicate with their non-English speaking clients. Visit tisnational.gov.au or call 131 450.

Recommended resources



Many books and resources can help you with parenting and separation. Some are available online, while others can be borrowed from a local library or community centre or bought at a bookshop.

Booklets by Relationships Australia

- A fair share: Negotiating your property settlement
- On being a dad
- Partners – A Guide to Successful Relationships
- Renovate your relationship: A manual for men
- Share the care: Parenting plan – Collaborative parenting apart
- What about the children?

Visit relationships.org.au/ra-information-booklets for details.

Books

BIFF for coparent communication: Your guide to difficult texts, emails and social media posts (2020) Eddy B, Burns A & Chafin K. Unhooked Books.

Calming upset people with EAR: How statements showing empathy, attention and respect can quickly defuse a conflict (2021) Eddy B. Unhooked Books.

Mom's house, dad's house: Making two homes for your child (2006) Ricci, I. Fireside Books.

Parenting after separation: Making the most of family changes (2002) Burrett J. Finch Publishing.

Rebuilding: When your relationship ends (2016) Fisher B & Alberti RE. Impact Publications.

Online resources

Beyond Blue – beyondblue.org.au/resources

Raising Children Network – raisingchildren.net.au

MensLine Australia – mensline.org.au

Podcasts

Guiding Growing Minds – Pop Culture Parenting – guidinggrowingminds.com/popcultureparenting

Research

Research on post-separation parenting – Australian Institute of Family Studies – aifs.gov.au/research/post-separation-parenting

Family dispute resolution: What the research says – Relationships Australia Victoria – rav.org.au/about/research-evaluation/fdr/

- FDR for clients intending to go to court: More than just a tick-box exercise?
- Analysing the costs and benefits of FDR
- FDR outcomes for Relationships Australia clients
- Can post-separation co-parenting apps help families avoid conflict?
- How are communication technologies used and misused after separation?
- Legally-assisted FDR with community legal centres
- Hearing children's voices: Supporting child-inclusive practices in FDR
- AccessResolve property dispute resolution for court-ordered clients: Satisfaction and outcomes

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Notes



Use this section to note down important thoughts. For example: 'Keep the kids' future in mind'.





1300 364 277

www.relationships.org.au

Relationships Australia is a leading, not-for-profit provider that supports individuals, couples, families and communities to have safe and respectful relationships.

We provide counselling, family dispute resolution, trauma support, mental health services, and a diverse range of other family and community support, professional training and education programs. These are delivered through a network of over 100 service locations across all Australian states and territories. Our work is informed by our 75 years of experience and our knowledge of the crucial role of relationships in protecting and enhancing mental health and wellbeing.

As a community-based organisation with no religious affiliations, our services are for all members of the community, regardless of religious beliefs, age, gender, sexual orientation, cultural background or economic circumstances.

MensLine Australia

1300 78 99 78

www.mensline.org.au

A free national 24/7 phone and online counselling service for men concerned about relationships, mental health and wellbeing.