

This fact sheet is for parents who have separated. It has information on:

- things you need to consider about your children's wellbeing
- how the age of your children affects your parenting arrangements
- how the Victoria Legal Aid Family Dispute Resolution Service can help
- other support services that can help you.

It will help you work out parenting arrangements with the other parent that are in the best interests of your children.

What are the things I need to know about my children's development?

Each child is different. However, your children's needs and wellbeing are directly related to how old they are. The things you need to consider when working out parenting arrangements are listed below according to how old your children are.

Birth - 2 years

- Children are very dependent on those who look after them.
- From six months old, children are able to become emotionally attached to people other than the people who look after them the most (called the 'primary caregivers').
- Children need regular and more frequent contact with you, the other parent and other important people. Being away from their primary caregiver can be very upsetting.
- Children have a different concept of time – a few hours may seem like a very long time. They may not understand that people still exist even if they can't see them.
- Children are sensitive to disagreements between parents. They may be too young to understand an argument but they are sensitive to loud voices and pick up on tension in adults.
- Children of this age are especially vulnerable to high levels of conflict and to trauma. Exposure to conflict and trauma may affect a child's development.
- Children need a stable routine such as the same sleeping and feeding routines when with each parent.

2 - 5 years

- Children will start to become a little more independent.
- Parenting arrangements still need to be stable and consistent.
- Children may show they are upset by changes in their behaviour. For example, they might fall back in toilet training or act younger than they are.
- Children have very little or no understanding of other people's needs and mostly think about themselves.
- Children might feel responsible for events and may blame themselves for your separation.

- You can have a longer separation from your children without causing too much stress. Phone calls and photos may help children feel comfortable when they are separated from you.
- Children need you to explain things simply. When they do not understand something, or are not told what is happening, they might make up a story. They may talk about what they wish for as if it is the truth.
- Children may get confused about time and the days of the week. They may still feel that a short time is a long time.

5 - 8 years

- Children will start school and start making friends.
- Children start to talk about their feelings, but may find it hard to talk about their worries. If they are worried, this may be shown by them becoming more angry, aggressive or withdrawn.
- Children will start to understand time.
- Stable routines are still important but can be a bit more flexible.
- Children might feel very strongly that they want you and the other parent to get back together again.
- Children may feel very strong loyalty towards both you and the other parent. For example, they may want to stay at home with the parent they spend the most time with. Or they may not want to leave the other parent at the end of their time together. Sometimes after returning from one parent, they might show their confusion by becoming angry or upset.

8 - 12 years

- Children will generally be able to speak about what they want and how they feel.
- Children become more aware of other people's feelings.
- Some children may try to look after their parents by taking on jobs such as cooking and cleaning.
- Your children may experience a conflict of loyalty to each parent, especially if you and the other parent cannot agree or you put each other down. They may try to cope by not wanting to see or speak with one parent. This may change over time and can affect both parents.

- Children feel strongly about what is fair. This can play out in many ways – such as wanting to spend equal time with both parents.
- Your parenting arrangements should take into account your children's wishes, interests and activities, such as sport or hobbies.

12 – 16 years

- Children generally become more independent. They are more able to look after their own physical needs, but they will still rely on adults for emotional and financial support. They start to make their own choices, decisions and mistakes.
- Children at this age are trying to find out who they are, separate from their parents. They start developing their own values and they try new things that widen their experiences.
- Friends their own age are important to them. Your children may choose to spend time with friends over family.
- Children will develop their own sense of right and wrong. They might be critical of your or the other parent's behaviour. They might question your values.
- Your children may take a lot of responsibility for a parent, for brothers and sisters or for household jobs. They will do this if they feel you or the other parent are under pressure or are overwhelmed.
- Children of this age will need time and space to work out their thoughts and feelings.
- You and the other parent will need to set limits, such as telling children what time they need to be home by, and explaining what you expect from them.
- Your children might try to play one parent off against the other. They might do this to escape a parent's control, for example they may want to move between households.
- Children may want to have a greater say about parenting arrangements.

How can the Victoria Legal Aid Family Dispute Resolution Service help?

Family dispute resolution practitioners at Victoria Legal Aid Family Dispute Resolution Service (called 'Chairpersons'), help people who are separated reach agreement about the children. This happens at a 'conference'.

Our conferences can be set up in different ways. You and your former partner may be in the same room, different rooms or buildings, or on the phone. Our clients have a case manager who helps them prepare for family dispute resolution.

You can get more information about the service from your lawyer or from Victoria Legal Aid's Legal Help service.

See Where to get help.

What other support services are available?

There are a range of other support services available:

- parenting orders program (for families with a lot of conflict)
- parenting groups for after separation
- family dispute resolution
- Family Relationship Centres.

Family Relationship Advice Line

Tel: 1800 050 321 or visit www.familyrelationships.gov.au for locations of Family Relationship Centres and other services that can help you reach agreement about the children.

Where to get help

Victoria Legal Aid

Legal Help

Tel: 1300 792 387

Open Monday to Friday, 8.45 am to 5.15 pm

You can get legal information and help regarding separation, divorce, children, property and residency issues.

For more information about children, adults and separation, see our other information sheets:

- Being a parent after separation
- How will our separation affect the children?
- Caring for yourself after separation
- Family violence – how Victoria Legal Aid Family Dispute Resolution Service can help

For your nearest community legal centre:

Tel: 9652 1500

www.communitylaw.org.au

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