

MORE TIME DOESN'T ALWAYS MEAN MORE SAY

It can be heartbreaking. It can be amicable. It can be really challenging. No separation is the same - but disentangling two lives that have been intertwined emotionally and financially is rarely straightforward. Separation is difficult for everyone involved, especially when arrangements need to be made involving the care of children.

Fathers are sometimes left feeling like they have drawn the short straw when it comes to the amount of time they can spend with their children or the influence they have over their lives.

Time and time again, we have had fathers complain to us about injustice in the family law system when it comes to determining issues surrounding children. Fabricated allegations of domestic violence, mental health problems, and child abuse are just some of the issues these men have had to deal with. Relocation by the mother with the children is another good example. In these cases, having a solicitor that intimately understands the law and will stand up and be your voice is vitally important.

It is also not uncommon for shared-care arrangements to involve children spending more time with one parent than the other. For practical reasons, this can often be the mother - particularly if she retains the family home close to school, or if the father was the primary earner before the separation and needs to maintain a job away from the family home. In uneven shared-care situations, sometimes the parent who has more time ends up believing they are entitled to a greater say in decisions affecting the children. But this is simply not the case. It is important for fathers to understand that while they may not spend as much physical time with their children, they still have a voice.

Regardless of whether an 'equal time' order is ultimately made by the Family Court of Australia, the court must consider making an order for equal 'shared parental responsibility', which means both parents are legally bound until the child turns 18 to consult with each other and try to reach an amicable agreement about decisions concerning the children's long term, health, care and wellbeing. This could



involve decisions on religion, education or medical procedures. The intention of the court behind the concept of equal shared parental responsibility is to encourage co-operative shared parenting between separated parents and lessen solo decision-making on major issues affecting the children by one parent without the knowledge or consent of the other.

If you need more information or help to navigate your way through the complexities of a separation, please get in touch with us. We are open to all parents who need help to manage and overcome their family law challenges and are always here to talk.

Call us or connect with us on social media.