

## VIC NEWS

# Parents 'damage kids' when separation proceedings turn bitter

**Kids are being significantly hurt and traumatised because of the horrific behaviour displayed by their parents during petty divorce disputes, but a new short film hopes to give kids a voice.**

Catherine Lambert, Herald Sun

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Bickering over everything from coathangers to lemon squeezers is just one of the ways that the mental health of children is being put at risk, family lawyers warn.

Family lawyer Darren Mort said parents need to step up and focus on their children rather than their own needs and feelings of dissatisfaction.

“They bicker over things that mean something to them but they tend to be household items that aren’t worth much, money wise,” Mr Mort said.

“It’s never about the items, it’s about issues bubbling underneath. It’s about hurting someone and asking how can I get to that person and make them feel bad about themselves? The greater the passion, the greater the hate.”



 A girl listens to her parents fighting. Picture: iStock

Mr Mort said he once had a female client who insisted the sex toy she bought for her husband be returned to her even though, as the case ensued, there was no such toy and the demand was only made to embarrass her husband.

“I acted for a man four years ago whose second marriage was ending and his wife got almost everything but then asked for the grand piano that was his family heirloom,” he said.

“When I asked him why he was willing to let that go on top of so many other things he had already given, he said there’s an old Chinese proverb that you should always keep the door slightly ajar to allow dignity to pass through. I always tell that to clients who are arguing about pots and pans.”

But Mr Mort said there were deeper ramifications to trivial arguments over possessions and children were suffering.

“There’s an army of children on the horizon that are the victims of family separation who are waiting to be heard,” he said.

“We are damaging our children and we are damaging our future.

“Children are being so torn by their loyalties to each parent and I really think, although they don’t want to be brought into the proceedings as a decision maker, they want their view to count.”

Mr Mort has been so horrified by the behaviour of some clients that he has made a film, *Tommy*, told entirely from the child’s point of view. The film has been accepted by the Sydney Family Court to include in training for family consultants but he also wants it to be part of police training, shared among child psychologists and shown to parents before their first day in court.

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Family Court Chief Justice William Alstergren wants every litigant presenting at the court to see the 20-minute film.

“It may allow them to absorb the message rather than lawyers and registrars trying to tell them,” Mr Alstergren said.

“We have to look at our whole environment in a different way. We have to change the architecture of the conversation about family law. Part of the change in architecture is to ask where we’re coming from and that must always be what is in the best interests of the children.”

He said the stress and pressure of a court case can often distract parents, and grandparents, from the most healthy course of action even though they believe they are doing the right thing.

“*Tommy* provides an opportunity for people to look objectively at a process that can often bring out the worst in everyone,” he said.

“The whole process and emotion of it can bring out terrible behaviour that has led to the most important element – the child – being significantly hurt and traumatised.”

MELCA Collaborative lawyer Marguerite Picard has also recently released a film, *Family is Family*, in an effort to prevent warring couples from proceeding to court.

“Part of what you sign up for when you’re a parent and an adult is that you’re going to be required to stand up, act in ways that are appropriate and look after your kids,” Ms Picard said.

“In the family law system the majority of parents – 70 per cent – work out their parenting arrangements without going to court but that doesn’t mean they’re 100 per cent happy with it but probably means they didn’t go to war.”

### **SOME OF THE THINGS SEPARATED COUPLES HAVE FOUGHT OVER**

Dining tables

Dozen champagne flutes

Chicken shed

Tinnie boat

Cutlery

Tart dish

Lemon squeezer

Coat hangers

Paintings

Bric-a-brac

The most common items to fight over are: Photographs (even denying access to digital photos), cars and pets.