

# 6

## DAYTIME-ONLY CONTACT

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## FOCUS GROUP PARTICIPANTS WHO SPEAK IN CHAPTER 6 DAYTIME-ONLY CONTACT

### Five resident mothers

**LEONIE** separated from her former partner five years ago. She has two daughters aged 19 and 16 years. Leonie's former partner comes to her home every Saturday to have contact with their younger daughter.

**MARILYN** separated from her former partner before their son, now aged two-and-a-half, was born. Her former partner began having contact with their son when Marilyn moved to Melbourne from interstate around 12 months ago.

**MEREDITH** has been separated for nine years. She has two daughters aged 13 and 16 years, who spend time with their father each Sunday.

**SHIRLEY**, aged 39, has been separated from her former partner for seven years. She has a seven-year-old son, Daniel, who spends four hours with his father every Sunday.

**TESS**, aged 48, has been separated for seven years. She has two daughters aged 21 and 13 years, and two sons aged 18 and 16 years. The children's father now lives more than a two-hour drive away, and the two younger children have dinner with him each Wednesday evening.

### Five non-resident fathers

**DEREK**, aged 53, has been separated for five years. He has a 14-year-old daughter whom he sees on alternate Saturdays and Sundays.

**GRANT** separated from his former partner five years ago. He has an 18-year-old son and a 16-year-old daughter. He lives very close to his former partner and sees his children at their residence several times a week.

**JOHN** has been separated from his former partner for three years. He has two daughters aged six and five, and an 18-month-old son. He spends one or two days with his children every third weekend.

**RICHARD**, aged 41, has been separated from his former partner for eight years. His ten-year-old daughter lives a three-hour drive away and he sees her once every three weeks. He also has a son with his new wife, and two stepsons.

**RUSSELL**, aged 53, has been separated from his former partner for ten years. He has a 13-year-old son whom he hasn't seen for the past three months. Prior to this, he had daytime-only contact for seven years.

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*In order to protect the identity of all participants and their significant others, the names of people and places used in this report have been changed. To enhance the readability of the report, minor grammatical changes have been made to some of the quotes used.*

## 6 Daytime-only contact

Catherine Caruana and Bruce Smyth

*“Seven years ago, when Francis was about six, I moved in with my new partner, Kim. My son has never stayed there overnight in seven years.” [Russell]*

According to resident parents, almost one-third (30 per cent) of children with a natural parent living elsewhere rarely or never see their other parent, typically their father (ABS 1998). Of those who do see their non-resident parent, a significant minority (34 per cent) never stay overnight (Smyth and Ferro 2002; see also Parkinson and Smyth 2003).

These figures paint a stark picture of the potentially high stakes of divorce for children, and hint at the nature and quality of the contact that is occurring in a significant number of cases. However, wider questions remain. Why is daytime-only contact so pervasive? Is it a variant of maternal obstruction or the result of paternal disinterest and a lack of responsibility in men for their offspring? Maybe it is simply a question of economics, with the cost of accommodating children comfortably in two households proving prohibitive for many separated families? Perhaps daytime-only contact is indicative of a more fragile post-separation relationship moving in the direction of contact ceasing altogether (Maccoby and Mnookin 1992)? Or might it merely reflect a cooperative parenting arrangement whereby both parents are equally involved in their children’s lives, live close to each other, but, for reasons of convenience and choice, the children have one primary residence?

Whatever the reasons for its occurrence, the prevalence of daytime-only contact is certainly high enough to warrant special research attention.

### Night and day

The distinction between daytime-only contact and overnight stays is important for several reasons. To begin with, there are notable qualitative differences between daytime and night-time parenting. Overnight stays help foster the development of close emotional bonds between children and non-resident parents (Lamb and Kelly 2001; Warshak 2000b). Time is usually less constrained and structured, allowing the dynamics that typically characterise family life to occur – such as putting children to bed, reading to them, saying good night, waking and dressing children, and starting the day with them over breakfast. By contrast, daytime contact is typically more time-limited and thus tends to be structured in ways that foster participation in mutually rewarding activities. While these activities are important for building and maintaining emotional bonds, they are only one slice of a multiplicity of contexts necessary for children’s social, emotional and cognitive development.

Furthermore, it can take time for parents and children to get re-acquainted after not seeing each other for a while – even after a week or two. Overnight stays can help this process. They can also: encourage children to feel that they have two homes, and that they are not just “visitors”; affirm non-resident parents’ self-identity as a “parent” (Lamb and Kelly 2001); and allow resident parents to gain respite from the immediate responsibilities of care giving (Funder 1993; Ricci 1997).

Another reason that the distinction between daytime and night-time parenting is important is that each pattern of care may have different degrees of durability. For instance, Maccoby and Mnookin (1992) found that overnight stays remained relatively stable over time whereas day-only contact did not. There was a shift from no contact to day-only contact by some non-resident mothers, while the reverse was the case for some non-resident fathers (who shifted from day-only contact to no contact). Day-only contact might thus reflect a more fragile or transitional relationship structure than overnight care, acting as a stepping-stone to or from disengagement.

A fourth reason that the day–night distinction is important is that different patterns of care might foster different psychosocial outcomes. Much of the academic debate on the question of care arrangements for small children has occurred within the context of developmental psychology and in particular, concerns that absence from the primary caregiver may cause disorganised attachment and separation anxiety (Altobelli 2003; Gould and Stahl 2001; Kelly and Lamb 2003; Lamb and Kelly 2001; Solomon and Biringen 2001; Warshak 2000a; Younger 2002). This issue is of significant import to separated parents with young children, as well as legal professionals and clinicians.

Finally, each pattern of care can involve different financial costs. Regular overnight stays, for instance, usually necessitate separate bedrooms for children (Woods and Associates 1999) while day-only contact does not. Overnight stays also typically require more meals, furniture, bedding, toys, clothes, games, and so on. Recently there has been increasing emphasis on the need to recognise the costs of contact to non-resident parents who have ongoing and regular contact with their children (FaCS 2000). Distinguishing between day-only contact and sleepovers is a necessary prerequisite in any attempt to obtain reliable estimates of these costs. Thus, the distinction between daytime-only contact and overnight stays has important implications in terms of bonding, costs and outcomes.

Why might so many children not stay overnight? Smyth and Ferro (2002) suggested several possibilities: some parents may seek to promote stability in a child’s life (“one home, one bed”); others might have concerns about a child’s safety; and in some cases, non-resident parents may not be in a position to provide suitable accommodation to facilitate overnight stays. Moreover, a lack of knowledge or self-confidence about parenting skills on the part of the non-resident parent (especially in relation to very young children) might also underpin daytime-only contact, as might possible emotional friction between parents or between a child and a new partner of a non-resident parent. Thus, in many cases, reasoned Smyth and Ferro (2002), daytime-only contact might act as a marker for deeper contextual issues that need to be explored in terms of family dynamics. But all of this is little more than speculation.

## Some recent data

Data from an Australian Institute of Family Studies survey<sup>31</sup> of 971 separated parents suggest that daytime-only contact occurs for a range of disparate reasons. These reasons are summarised in Table 1, and cluster mainly around relationship and structural issues, as well as being a function of choice (often guided by children's developmental stages). While some respondents provided several reasons, the first reason offered was treated as the most salient reason in most cases and coded accordingly.

Table 1 shows that more than a quarter of separated/divorced parents (28 per cent of resident parents and 31 per cent of non-resident parents) pointed to the developmental needs of either very young or teenage children as the main reason for daytime-only contact occurring (15 per cent of resident parents and 8 per cent of non-resident parents referred to children's young age; 13 per cent of resident parents and 23 per cent of non-resident parents referred to teenager's inclination to prefer to do their own thing with friends). The tendency for mothers to report a focus on the needs of young children, and the tendency for fathers to attribute daytime-only contact to teenage children's need for independence, is perhaps not surprising.

<b>Table 1. Main reason that youngest child does not stay overnight with non-resident parent: Separated/divorced parents' reports where face-to-face parent-child contact is occurring but sleepovers are not (n=148)</b>		
<b>Main reason</b>	<b>Resident parents<sup>#</sup> (n=109) %</b>	<b>Non-resident parents<sup>##</sup> (n=39) %</b>
<b>Children's age or choice</b>		
Child is very young/breastfeeding	15	8
Teenage child does his/her own thing	13	23
Choice of child (middle childhood)	3	3
<b>Non-resident parent's choice</b>		
	17	3
<b>Relationship dynamics</b>		
Resident parent's choice/obstruction	1	23
Concerns for child's wellbeing/safety	12	0
New partner(s)/new children <sup>###</sup>	6	5
<b>Structural factors</b>		
Unsuitable accommodation/no space	10	10
Physical distance between households	6	10
Non-resident parent's work schedule	6	0
<b>Other</b>		
Other	9	10
Unlimited day contact/stability for child	2	5
<b>TOTAL</b>	<b>100</b>	<b>100</b>
<small>Notes: <sup>#</sup> Includes 12 fathers (excluding this group makes little difference to these patterns reported in Table 1);  <sup>##</sup> Includes 5 mothers (excluding this group makes little difference to these patterns reported in Table 1);  <sup>###</sup> New partner(s)/new children in non-resident parent's house.  Source: Caring for Children after Parental Separation, Australian Institute of Family Studies 2004.</small>		

31. The sample from which these data are drawn comprises 971 parents (56 per cent women; 44 per cent men) who were separated or divorced, and who had at least one biological or adopted child under 18 at the time of interview. This sample was obtained through random digit dialling (RDD), and was stratified by gender and geographical location from the population of Australian households with landline telephones. The sample includes parents who either (a) had never lived together, (b) had never married, or (c) had married but subsequently separated or divorced.

Other examples of a clearly gendered pattern of perceptions in relation to attributions were also evident. Non-resident fathers were inclined to report obstruction on the part of resident parents, whereas resident parents were inclined to point to a concern for children's safety or a lack of desire for overnights stays on the part of non-resident parents as the main reason that sleepovers did not occur. This disparity is understandable in relation to safety issues in that some mothers may not articulate their concerns directly to fathers for a range of reasons, leaving fathers perhaps to perceive any reluctance by mothers as obstruction.

Not surprisingly, structural factors in the form of money, distance, and non-resident parents' work schedules, also featured as inhibitors of overnight stays. It is noteworthy that aside from concerns about the age of the child only a few parents reported a focus on the stability of place for children as the main reason for daytime-only contact.

While the above empirical snapshot is informative, more qualitative data has the potential to shed light on issues related to the context and diversity of daytime-only contact. It is to these data that we now turn.

## The focus groups

*Profiles of each of the focus group participants in this chapter are presented on page 68.*

The following analysis is based on the comments of ten separated or divorced parents (five non-resident fathers, five resident mothers) whose children had varying degrees of contact with the parent they did not live with but rarely, if ever, stayed with that parent overnight. None of these parents was from the same former union. Only two of the parents (both men) had repartnered.

Most parents lived in the same city as their former partner, and therefore relatively close by. For two families, however, contact necessitated a drive of over two and a half hours.

Eight of the ten participants (both mothers and fathers) were dissatisfied with the contact arrangement they had in place. Most fathers wanted more time with their children, and for it to include overnight contact. Most mothers also wanted more paternal contact, both for the sake of the children and to provide themselves with some respite from the burdens of sole parenting. There was one exception to these broad patterns, however: one mother was glad that the children never stayed overnight with their father as it alleviated her concerns about their safety when with him. (This concern appears to resonate more broadly, as evident in Table 1.)

For one participant the absence of overnight stays was primarily a function of distance. Only one out of the ten arrangements appeared to be the result of a cooperative arrangement whereby the children had one primary residence, with the father living within close proximity and having frequent and flexible daytime contact, primarily in the former family home. (Table 1 suggests that this type of arrangement is unusual with respect to daytime-only contact.)

While dissatisfaction with contact was evident across both the men's and the women's groups, accounts of the reasons for why such a situation had evolved were clearly split along gender lines: mothers, despite considerable efforts to

encourage contact, decried a lack of paternal interest in, or responsibility for children, and fathers felt they had been deliberately prevented by their former partners from maintaining a relationship with their children. However, a closer reading of the transcripts suggests complex reasons.

## Vignettes

The following vignettes hint at both the diversity of the initial motivations for daytime-only contact and also at the complexity of the dynamics at play.

### *John*

Unlike the other fathers in the group, John's children are relatively young – two daughters aged six and five years, and a son aged 18 months. John generally spends the day with the children on the Saturday and Sunday of every third weekend – they do not stay with him overnight. According to John's account, the nature, amount and frequency of the contact he has with his children is largely determined by two factors – his work patterns (he is a shift worker) and what he sees as the openly hostile attitude of his former wife to that contact. This means that he can never be sure if he will be allowed contact on the weekends that he is not working.

In John's case it is not difficult to discern other possible reasons for the lack of sleepovers. Soon after the separation, the children's mother moved interstate to be closer to her family. John's monthly visits in the following two years established a pattern of daytime-only contact that persists, even though he has since relocated to be closer to them. The fact that he currently "lives with a mate" suggests potential problems with the suitability of his accommodation to cater for a sleepover of three young children. The relocation has also meant that his relationship with his youngest child, conceived during a brief reconciliation but born after the mother had moved, is somewhat tenuous. John is distressed by the fact that his parents have never met his young son.

John obtained a court order several months previously to prevent the mother from acting on her threats to move overseas with the children. However, the existence of the order has not improved the level of his former wife's cooperation and John was still having trouble seeing the children at the times stipulated. Like many of the non-resident fathers in other focus groups, he expressed fears that contact with his children may cease at any time:

*"Every time I have any contact with the kids, I say 'I love you' because who knows when I'm going to see them next? And I always want them to know how much I care about them. So no matter what happens, they always know that . . . that their Dad loves them."*

Through his struggle to maintain contact with his children, John has developed his own personal ethos of self-preservation:

*"I'm going to keep getting [on with] my life, doing things. And then if I can't . . . because of her, I can't get to see the kids, I'm not going to let that stop me living my life. You've still got to live it. And the kids will fit in when it's available to fit in when she allows me to have them. And everything [else] will get put on hold when I have the kids but I'm going to still live my life and enjoy it and hopefully the kids can be a part of it in the process."*

## *Tess*

Tess is the mother of four children, two over the age of 18, and a son and daughter aged 16 and 13 respectively. She separated from her husband when the youngest child was six years old. His contact with the younger two children is confined to a couple of hours on a Wednesday night when he takes them out for dinner. Tess describes this as a “token” effort.

The former couple have a highly conflictual relationship which in the past has involved litigation in the Family Court, and an incident in the early days of their separation when Tess was arrested for breach of orders. Nonetheless, now that conflict with her former spouse has subsided, Tess would prefer it if her children, particularly her son, had more contact with their father, both for the sake of their emotional development and to provide her with some respite.

According to Tess, her ex-husband has, over the six years since separation, changed from being a “brilliant” and dedicated father to a man whose interest in the children “really isn’t there.” She sees the current situation as being primarily a matter of choice for him, despite the fact that he initiated litigation in the Family Court for contact. She believes that his gradual disengagement was triggered initially by him entering a new relationship.

“And when he finally left, then he made huge noises about “He didn’t leave the kids – he’d left *me*”, you know, and all that sort of stuff. And he really made the effort at first. He’d set up the house near where we lived and he did everything and he was going to have the kids there every second weekend. But then he met another woman and little bit by little bit, the resolve that he had to still keep a relationship with the children just started to crumble. And eventually he moved right away, so he lives a good two and half hours or two hours drive away now from the kids. And they have had their own children. So it’s virtually that our first family has kind of been washed into the distance somewhere.”

Notwithstanding this, Tess supports the relationship the children have with their father and displays an ability to place the interests of the children above any dispute she may have with her former husband.

## **Key themes**

Seven clear key themes emerged from the stories of the parents in the daytime-only contact groups: (1) the impact of parental conflict; (2) activities; (3) the nature of the parent/child relationship and the risk of disengagement; (4) paternal disinterest; (5) children’s ages and the status quo; (6) safety concerns; and (7) repartnering and second families.

### *Parental conflict*

There was a relatively even spread among the participants across the range of levels of conflict between them and their former partners – two stated at the screening interview that they “get on really well” while two avoided all contact. However, at least half of the ten participants had been involved in litigation to resolve disputes about children (including Tess, who had been arrested for breaching an order). For some of the parents, the conflict had escalated to violence: a male participant disclosed that he had been the victim of serial

domestic assaults, and several women stated that their former spouse's behaviour had, at times, caused them to fear for their safety.

For three fathers, high levels of conflict with a former spouse appeared to be the primary reason for their inability to have the kind of contact with their children they desired. Maternal obstruction, which in several cases extended to active parental alienation, loomed large in the accounts of the men.

According to John:

*“As far as the pattern of care goes, it totally fluctuates based on her mood swings and how she wants to control me. I’m wanting to have that relationship and contact with the children but she takes it as a personal threat or vendetta that I’m having such a good relationship, that she doesn’t want me to have it. She’ll do anything to stop me.”*

In Russell’s case conflict was manifest in constant petty disputes:

*“And . . . it was like clockwork. Within three to four hours of me dropping him back home, there’d be a call from her to complain about something. ‘What do you mean you’re giving him Tea Tree Oil for a bee sting? How dare you do this? Why don’t you check with me what sort of medications?’ It was that sort of behaviour.”*

Recently estranged from his 13 year-old son after ten years of conflicted relations with his former wife, Russell is on the verge of giving up the battle. Prior to this, contact had been regular but always tenuous, with the “plug getting pulled” over “any little thing.” Having recognised the extent to which his son had become enmeshed in the conflict and the damage that was causing, it had become apparent to Russell that disengagement from the situation was the only option in the short term.

For John, a useful way to manage the conflict with his former partner is to maintain a strict child focus in all his dealings with her:

*“Getting emotionally involved with her in these fights . . . doesn’t achieve anything. It’s lose/lose – and, if anything, you come out even worse than what you started with. These days if things are getting bad, I just turn around and put it to her, ‘Has this got anything to do with the children? If it’s got nothing to do with the children, I don’t want to discuss it’.”*

Of course without the children’s views here, the accounts of parents such as John and Russell, enmeshed in hostile interactions with their former spouses beg the question – what is the experience for children whose parents are unable to manage their conflict, of moving between opposing and hostile camps? Could a schedule of daytime-only contact act to minimise a child’s experience of conflict by reducing the amount of contact and communication required of parents unable to manage conflict in more constructive ways?

The women’s accounts paint a very different picture from that of the men. Once again the lack of couple data leads one to suspect that the samples represent two distinct populations – aggrieved, involved fathers and aggrieved, supportive mothers.<sup>32</sup> According to the women in this group they themselves are not the

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32. Also without the voices of parents in the less common categories of non-resident mothers and resident fathers, it is easy to characterise this as a gender issue.

obstructors, but the facilitators, and they speak at length about the amount of effort expended keep their former spouses involved in their children's lives. The compromises made by the women to do this were significant and included allowing contact to occur in their home, forgoing child support, or letting their former partner see the child completely on their terms and at short notice. They appear to do so for the sake of their children.

In some ways these accounts of quiet manoeuvring behind the scenes to facilitate contact are eclipsed in the debate by the more dramatic stories of spiteful women preventing fathers from seeing their children.

For Shirley, the "scenes" with her former partner are not a reason to stop contact, but simply necessitate a strategy to ensure their son is quarantined from the conflict:

"My ex-husband behaved atrociously – [he] would come up and yell at me in front of Daniel. In the end I just said to him, 'Well, that's not on. I can't bring up a healthy child if you're going to behave like this to me. So if you want to see your son, you send someone else to pick him up because I'm not seeing you until you can behave like a normal human being.' And that was about four years ago and I still don't see him because he still can't behave like a normal human being. But it works. I'm happy because I don't want my son exposed to that sort of crap. So there's always a way around something to get what you need."

The overriding motivation for most of the mothers in facilitating contact was to ensure that their children developed some sort of relationship with their father. Shirley never wanted her son to be "one of those kids who doesn't know their dad."

Shirley reflects:

"I think that's how it works in the end. As a mother you sacrifice whatever you need to sacrifice so your children can spend time with their father."

Leonie in particular believes the outcome was worth the sacrifice:

"I do believe it's because I pushed constantly for them to see him and allowed him the freedom to see them whenever that I think maintaining that continuity on a really regular basis, rather than a fortnight here and a fortnight off . . . I think maintaining that contact actually has had a benefit – an enormous benefit for the children."

#### Conflict: cause or effect?

Restricting contact to daytime-only is one way that a resident parent can act as gatekeeper to contact. But while some non-resident parents feel that gate keeping is motivated by hostile intentions, it may also be an important strategy for a concerned parent to ensure the relative safety of the child. Daytime-only contact may also be a way of minimising conflict as it reduces the amount of contact and communication required between parents.

### *“Doing stuff” with Dad*

For most of the parents in the “daytime-only contact” group, father–child contact predominately involved activities outside the home – shopping, sporting activities, playing in the park, eating out, going to the movies, visiting family and friends and so forth. While many of the five non-resident fathers expressed dissatisfaction with the amount of time they had with their children, the quality of the contact was not raised as an issue of particular concern. But it would be unwise to presume that a lack of complaint was consistent with satisfaction with the contact they had. Involved fathers who have limited contact with their children will make the most of the little time they have with them.

As one of the fathers in the group, John, stated:

*“Whatever time I have with the kids, whether it’s with the grandparents or anyone, is quality time and something worth remembering.”*

For Russell, the inability to have his son overnight has been particularly difficult. With a portion of his contact time consumed by his son’s sports commitments, activities with which his former wife was also involved, Russell rarely had the opportunity to enjoy one-on-one time with his son. This has made it difficult for him to establish himself as an alternative influence in his son’s life.

Russell recalls:

*“I used to have a Saturday or a Sunday. But . . . what was starting to frustrate me was that my Saturdays were not my Saturdays because half the day I’d have to spend interacting or around her because she was the orange lady or the scorekeeper or whatever. And I didn’t find that to be very fair. So it wasn’t my time.”*

Richard’s arrangement involves a six-hour return trip every three weeks to spend time with his ten-year-old daughter. The main misgiving he has about the contact is that, by necessity, it occurs in a vacuum, outside the context of his wider family network.

Another non-resident father, John, enjoys an emotionally close and involved relationship with his daughters and was particularly enthusiastic about the time he spends with them. But because his contact is limited and tenuous, John puts a lot of effort into planning child-centred activities. He talks about the importance of creating memories for the children of the time they spend together:

*“But your kids will always remember it. I know people that . . . that they’ll pick up their kids and take them home and whack the video on and then go off and do their own thing. [With us] the TV doesn’t go on, the video doesn’t go on. It’s whatever you kids want to do – we’ll do it. And I don’t care if I’ve got to do finger painting and I’m bored shitless – which I’m not. I’ll create things to do so that they’ve got a memory of something they can hang up, and something they can stick on the notice board at home, or take home with them – so they’ve got a memory of that day with Dad in some shape or form.”*

It is evident from the above excerpts and from the accounts of other participants, that one of the advantages of daytime-only contact is that it allows non-resident parents to focus all their attention on the interaction with the child, while engaged in fun activities and away from the complications of new partners, second families and domestic routines. For all the shortcomings of his contact arrangement, when Richard visits his daughter in country Victoria, he devotes the allocated six hours solely to her.

And Tess's children enjoy the Wednesday night dinner with Dad because "it's like he comes back to *their* situation", but feel uncomfortable going into their father's new family environment. While there is some suggestion in the literature that sleepovers offer greater opportunity for parents to develop strong emotional bonds with their children (Lamb and Kelly 2001; Warshak 2000b), the responses from these parents indicate that persistence, effort and consistency can help make daytime-only contact a valuable experience for non-resident parents.

The contrasting experience for the resident mothers in the group, as in the holiday only and no contact groups, is that of unrelenting responsibility as the primary caregiver, with no respite afforded by contact that is longer than a few hours in duration and with no nights "off".

Shirley has little time for fun activities:

"I'm the one's who's doing all the cooking, all the washing, all the shopping whatever, whatever. In reality sometimes I don't actually have much one-on-one time with my son because I never get a break. He's there the whole time and I really have to make an effort to just down tools and at least spend an hour or so with him. Because it's just so easy not to because there're so many balls that you're juggling, between trying to earn some money and trying to pay some bills and trying to keep a house that looks like responsible people live there. It's a big job."

INSIGHT

What a difference a day makes ...

Contact limited to daytime activities may deprive children of important familial contexts in their contact with the non-resident parent. However, daytime contact can nonetheless be rewarding for parents and children in as far as it fosters focussed time with children.

Resident mothers with daytime only contact arrangements do not benefit from the respite afforded by overnight stays.

***Impact on the parent-child relationship***

For three of the ten participants from the groups, the relationship between the child and the non-resident parent could be characterised as precarious, with one father teetering on the brink of disengagement. Emerging from these cases and the accounts of other participants are a number of factors that the literature suggests vitiates against strong father-child connections following separation. Factors such as high conflict between parents, perceived maternal obstruction,

perceived lack of paternal responsibility and motivation, concerns for the safety of children, and the establishment of second families by fathers dominate the accounts. Other factors such as distance, work commitments and children's ages and wishes, play a lesser role. Where there is more than one of these factors at play, as in the stories of Russell and Tess (see below), the risk of paternal disengagement is particularly real.

Russell's 13 year-old son, Francis, has refused to see his father for the last three months and has had no overnight contact at his father's home in seven years. Parental conflict and the ongoing obstruction of contact by his former wife seem to be the major factors described by Russell. The trigger event that saw the end of sleepovers occurred seven years earlier when Russell moved in with his new partner. At the time of interview, Russell is on the verge of abandoning years of effort to maintain a relationship with his child, primarily for reasons of self-preservation:

"It's a bit like being a cancer patient I suppose. If this is not good for my life, then I have to put it aside. And I'm now facing that issue. Whether I have to put aside my son, which is extremely painful, for his welfare – as best as it can be, although I know he's getting polluted. But also my sanity. And my partner's sanity, because everyone's getting f...ed up."

He approaches this prospect with a degree of resignation:

"So I've mentally started to shift to a balance . . . where I say 'that's life' and I have to accept it. That's what I get on with. As hard as that is . . ."

As a last resort, Russell sought assistance from the court, making an application for overnight contact and to establish an educational trust to allow for his son to be educated at the same private school he himself had attended. Although he was successful in both applications, the priority for him was the latter. Anticipating his son's withdrawal, Russell reasoned that having some choice in the school his son attended would allow him to establish a form of vicarious care or supervision via the school pastoral care system:

"I hold a lot of faith in the pastoral care system of the school he's going to. Where I have two or three of my old teachers and two or three new friends I've made there who actually are looking after my son, or they're keeping an eye on him. And I find that sort of interesting – that they've become the parent in that sense."

The feelings of disempowerment expressed by Russell and the other fathers who felt their contact had been obstructed, were exacerbated by a perception of bias in the "system" in favour of mothers (mirroring a view held by many of the fathers in the "little or no contact" focus group). This is true for Russell even though he was successful in his application and to a large extent felt vindicated by the counsellor's report prepared for the Family Court proceedings.

From the women's standpoint, there is a prevailing sense of disappointment and resignation about the reduced role their former partner plays in their children's lives. They too are disempowered by a situation over which they have no control.

Tess puts this simply:

*“The whole point of that is that they [the fathers] have to want to, don’t they? And there’s no way under any law or anything, you can make it happen that they have to do it, is there? It’s just that the father has to want to do that.”*

Once again, the voices missing in this discussion are those of the children. While we have no data from the focus groups on how children view their relationship with their father, there are hints in the parents’ accounts of how children are faring.

For Francis, embroiled in his parent’s fight, the impact is obvious. For Tess’s children there is a sense of disappointment in a father who is becoming a stranger to them. And Leonie’s son feels the absence of his father as he navigates adolescence. There are numerous references in the transcripts to the reluctance, on the child’s part, to spend time with their father. All but one of the women talked about the great amount of effort required to encourage or cajole reluctant children to see their fathers. Several fathers had personal experience of this and two of them attributed the child’s attitude to the brainwashing by the other parent. None of the accounts sheds much light on what might be motivating the children’s reluctance. There is obviously a wider story to be told.

INSIGHT

**One step away from disengagement?**

The absence of overnight care which allows a child to become part of the non-resident parent’s household, even if only for a short period, may make it harder to consolidate the father–child relationship after separation. This is especially so where the other parent is not supportive of, or has an openly hostile attitude to, contact.

***“His interest just wasn’t there anymore”***

The predominant reason given by the women for the absence of overnight care by fathers was a lack of paternal responsibility and commitment – that fathers choose it to be so. For Marilyn, this is attributed to her former partner’s relative youth and erratic working hours as a musician in a band. Meredith doubts the depth of her former husband’s emotional commitment to the children and strongly asserts that he doesn’t “deserve” them, while Tess sees her former husband’s diminishing role in his children’s lives as a matter of personal choice triggered by a new relationship which “seemed to take his focus altogether”. Where feelings about the separation remain unresolved, withdrawal from the child by a non-resident parent can also be a deliberate strategy used to hurt or inconvenience a former partner.

These accounts of fatherly disinterest are in direct contrast to the stories of the male participants, most of whom were responsible and involved fathers desperate to play a meaningful role in their children’s lives. Once again the absence of couple data limits our ability to make sense of the motivations underpinning behaviour within these families.

However, Tess’s account of her ex-husband’s reduced involvement in their children’s lives provides some insight both into the complexity of the dynamics at play and the gulf in understanding between the sexes. Reading between the lines it is not difficult to discern something more than just paternal indifference

in action. Her story contains a recipe of factors which has been characterised as a “potent force militating against post-divorce parental contact” (Kruk 1993: 74) and conducive to paternal disengagement. Foremost amongst these is the high level of conflict between the parents, evidenced by the history of police intervention in the enforcement of court orders. Against this backdrop of conflict is the discomfort of the children in spending time with their father’s second family – the “other little kids now that they barely know calling their dad ‘Dad’.” Add to this the problem of geographic distance, felt particularly keenly by teenagers busy building a social life, and the dwindling of contact to a mid-week dinner becomes more understandable.

Tess reflects:

“My kids quite like my ex- coming down Wednesday night because it’s like he comes back to their situation so that’s what they like to do. In school holidays, he wants them to come up and stay with him, but they just don’t want to do that because – number one, they don’t have any friends in that area. And, you know, they want their own bed. They don’t particularly like going into that new family scene. And sometimes I’ll actually force them to go but they ring up saying, ‘Can we come back? We hate it up here.’ It just doesn’t work. I’m lucky if they want to go one night.”

INSIGHT

Disinterested or defeated?

Contact that does not involve overnight stays may be a convenient arrangement for fathers who are disinterested in their parenting obligations. However, for some fathers, what may appear as disinterest may be the result of a layering of inter-parental conflict and bad feelings.

*Trigger factors and the status quo*

One scenario that is suggested by the focus group narratives is that circumstances existing at the time of separation, such as the young age of the child, relocation by a parent, or initial concerns about the safety or welfare of the children, may set the stage for limited or daytime-only contact and that with the deterioration of the relationship between the parents, or perhaps just with the passage of time, this becomes an entrenched pattern. This formula seemed to fit most of the cases, all but three of which had been daytime-only at the outset.

This certainly seems to be the case with John who had two children under five at the time of separation, and one child born subsequently. The mother’s relocation interstate with the children and the enduring conflict between the parents has seen the daytime-contact regime persist, even though John has moved to be closer to the children. For Marilyn and Shirley, whose children were babies at the time of separation, it was a given that contact would not extend to overnight.

According to Shirley:

“Whenever Marc came down to Melbourne I’d make a point of being available, and because Daniel’s only a baby, I would always be there. But when Marc hadn’t seen him for, you know, like a month or something, I could hardly hand him over and go away.”

Leonie fled with the children from a potentially violent situation and, while not denying him contact with the children, kept her whereabouts secret from her husband. As such, overnight care was initially out of the question.

For Russell, the difficulty of having contact with his son has not only meant lost time but also a missed opportunity to establish a relationship base strong enough to withstand the teenage years:

*“It’s very sad when you really think that through. I’ve missed out on a lot of years. Now I’m probably going to miss out on a lot of his teenage years because he’ll be off and he won’t want to see the old Pa. He’ll want to be off with the boys or the girls, or whatever.”*

It is noteworthy that the three parents (two fathers and one mother) whose contact arrangements initially included overnight contact which was subsequently reduced to daytime-only care expressed the most dissatisfaction with the father–child relationship and appeared to involve the greatest risk of paternal disengagement.

INSIGHT

**Night may not always follow day**

Daytime-only contact established at the outset, when children are particularly young, or where relocation of one party occurs, may persist as the status quo. Entrenched conflict between the parents or even just the passage of time may make it difficult for the non-resident parent to negotiate anything beyond this.

***Children’s safety and paternal competence***

Another significant factor raised by several women, two in particular who had experienced violent outbursts from their former partners, was their concerns for the welfare of the children when in the father’s care. In both these cases, the option of daytime-only contact, which would be more likely to involve activities outside the home, allowed them to achieve their stated aim of fostering the relationship between child and father while at the same time not compromising the safety of their children.

Meredith’s veiled concerns about the children’s wellbeing when with their father (whom she describes as “strange” and “a weirdo” and as someone who makes her “uneasy”) goes some way to explaining the contact arrangement that has evolved. That she remains philosophically committed to fostering the relationship between her daughters and their father notwithstanding these concerns perhaps suggests that the absence of overnight contact adequately addresses her disquiet and is testament to her ability to place the needs of the children before her own.

Three of the fathers in the group had been accused of abusing their children – allegations that remained unsubstantiated. For Derek, a paraplegic, it was his former wife’s concerns about his daughter’s safety in the car when driving with him that posed a problem. And many of the fathers agreed with Russell’s comment that this perception of the incompetence of fathers was pervasive in the community:

“There’s a real theme there which I think a lot of us have talked about . . . we have been painted by our ex-spouses to be incompetent or dangerous or potentially dangerous dads or whatever. But agencies across the board always, with family-related issues, tend to believe that dads are incompetent, are incapable et cetera. We have to prove ourselves in a different way.”

Leonie’s former husband was stymied by a lack of confidence:

“He would consult me all the time about the best activities or where he should take them and what he should do. And in the end he didn’t do anything because he couldn’t make a decision.”

INSIGHT

**Obstructive or protective?**

Concerns raised by one parent about the safety of the child when with the other, whether founded or unfounded, and general views about the competency of fathers to care for children, can be motivations for limiting contact to daytime only.

***New partners and second families***

None of the mothers in this group (nor any of the former partners of the fathers) had entered a new relationship, while only two of the fathers had repartnered. Recall that for Russell (opening quote) that event was the central reason for overnight contact ceasing.

Tess also felt that the establishment of a new relationship and family had eroded her former partner’s commitment to their children and drastically changed their experience of contact:

“They don’t like to go to his place very much because it’s a whole new set up there. There’s other little kids now that they barely know calling their dad ‘Dad’ and it’s . . . just too weird. They just don’t like it at all.”

Richard speaks of the difficulty in assimilating the trips to see his daughter with the daily demands of his second, blended family:

“So in terms of what I found difficult is the expectation, I guess, that I am to become their [stepsons’] father, one hundred per cent to fill that role . . . I just probably found the responsibility – whilst coming to grips with separating from my daughter at the same time – you start a new relationship with new children and stepchildren involved so . . . that hasn’t been easy to balance too . . . You feel guilty because you spend more time with your stepchildren than you do with your own child.”

INSIGHT

**Starting over**

The complexity of family relationships in second and blended families can also cause disruptions to contact with children of a prior relationship.

### *Structures or processes?*

The focus group data suggest that relational factors, such as inter-parental conflict, perceived paternal apathy and repartnering, play a more dominant role in many cases than practical concerns, such as work and money. While the data presented in Table 1 support such an assertion, this hypothesis warrants testing in a large, representative national sample. More research is clearly needed on daytime-only contact.

#### INSIGHT

##### **Relational rather than structural?**

Long-term inhibitors to maintaining contact that includes overnight stays may be predominately relational (such as conflict, disinterest, disenfranchisement, and repartnering) rather than structural factors (such as income, distance or work).

### **Summary**

Recent Australian data suggest that three sets of factors feature prominently in the reasons that parents give for children not staying overnight with their non-resident parent: child age-related factors (most notably the presence of a young or teenage child); relationship issues (perceived obstruction or disinterest by a parent, or the presence of a new partner or new children in the non-resident parent's household); and/or structural issues (unsuitable accommodation, geographical distance, or work schedules). A marked gender disparity tends to cut across these factors, such that mothers tend to emphasise the tender age of children, concerns about children's safety, or paternal disinterest whereas fathers tend to emphasise maternal obstruction, teenagers' autonomy, and work demands. Many of these issues surfaced in the focus group interviews.

Parents in the daytime-only focus groups pointed to a number of reasons for this pattern of care, including geographic distance, inter-parental conflict, safety concerns and mutual consent. Again the gender divide emerged: fathers felt they had no choice in the face of maternal gate keeping; resident mothers felt they had no choice in the face of paternal disinterest. The common thread that bound these different views was a pervasive sense of dissatisfaction with the arrangement. This level of dissatisfaction was especially pronounced for fathers.

The stories of these parents appear to support the view that father-child contact that does not include sleepovers may face a greater risk of disengagement. For a number of fathers, the sense that they were losing their place in their children's lives was very real. Russell's story was a clear case in point. Many mothers also lamented their former partner's diminishing involvement in their children's lives. Both mothers and fathers talked of the child's reluctance, at times, to see their father. Here, as in other groups, the most corrosive ingredient in the post-separation recipe was unresolved conflict between the parents.

But the news was not all bad: for several fathers, daytime contact provided a special opportunity for child-focused time, engaged in fun activities. Grant's story in particular stood out as an account of a more positive experience. His was the only arrangement that appeared to be the preferred set-up for all involved. Grant lived within walking distance of the former matrimonial home and saw the children, both teenagers, almost every day. The combination of low parental conflict, older children and close proximity made Grant's story a notable exception.