

Taylor Family

Martin and Jane Taylor, both aged 37, have been separated for 2 years. They have three children – Anna, age 12, Jeremy, age 9, and Susan, age 4.

The parents had one separation and reconciliation shortly before Susan was born. The children were exposed to numerous arguments between the parents which frequently included demeaning and impulsive comments, particularly from Martin toward Jane, and periods when Jane would retreat to her bedroom crying or stop speaking to Martin for several days at a time. Jane was diagnosed with depression in 2010 and 2012, which responded well to courses of antidepressants prescribed by her GP.

Both Anna and Jeremy report that Martin has said very hurtful things to them. The marriage ended after Jane discovered that Martin was having an extramarital affair. On two occasions, toward the end of the marriage, Martin and Jane pushed one another. On the last night he was in the home, Martin punched a hole in the bedroom door. He immediately left the house, and two days later Jane responded to Martin's request to see the children saying "never, over my dead body". Jane refused all requests to participate in Family Dispute Resolution so Martin commenced proceedings approximately 3 months after separation.

At the first interim hearing, 10 months ago, Jane was unrepresented. Martin engaged a solicitor and a barrister and Orders were made for the children to spend time with Martin overnight each Wednesday and from Friday afternoon to Sunday evening each alternate weekend. Martin agreed to enroll in counselling to address Jane's concerns about his anger.

Prior to the separation Martin worked full time and Jane worked part time. Although Martin was involved in the children's activities such as coaching Anna's swim team, the parents are in dispute about his level of involvement in daily parenting. Jane viewed him as incompetent and disorganised and would frequently "take over" making arrangements with other parents, taking the family's turn to carpool, etc. Since the separation she has been working full time and frequently appears overwhelmed and exhausted.

Both parents report spanking the children when they were younger and now primarily use privilege restrictions. They have had particular struggles with Jeremy who has demonstrated both academic and behavioral difficulties at school and acts impulsively. His behavior has begun to remind Jane of Martin, which has increased her punitive responses toward him. She is worried about how she will cope with Jeremy once he is physically bigger than her. The school has recently suggested that he be assessed for the possibility of Attention Deficit Hyperactivity Disorder (ADHD). Martin has opposed such an assessment. He says he had similar problems as a child and turned out fine and says that Jeremy acts better with him, although Jeremy continues to miss routine homework assignments after time at each home. Jeremy says he hates school and would rather be at his dad's. Jane has a close relationship with Jeremy's

teacher who is sympathetic to the issues with Jeremy and engages in very limited communication with Martin, directing him to the school principal instead.

Two months ago, Jane consulted a lawyer and filed an interim application for the appointment of an ICL and orders that Jeremy be formally assessed by an appropriately qualified pediatrician nominated and engaged by Jane. That application is yet to be heard and the wait for a pediatrician's assessment is approximately 6 months.

Anna is extremely protective of Jane and is "outraged" at Martin's betrayal and treatment of Jane. She is aware of the reasons her parents separated and believes that both Martin and Jeremy cause excessive stress to Jane. This has led to intense conflict between Anna and Jeremy as Anna has attempted to "help" her mother and discipline her brother. Conversely, she frequently retreats into engaging only with her mobile phone when she is in Martin's care and is often openly dismissive and defiant toward her father. She states that she was "traumatized" by the event with the door at separation.

Six months after the interim orders were made Martin began requesting that the children spend more time with him, expressing concerns that Jane was undermining his relationship with the children and becoming increasingly angry at Jeremy. Anna directly confronted her father about this, leading to an argument in which Martin attempted to restrict Anna's use of her phone. At some point during this argument Anna's phone landed on the floor and was broken. Anna says that Martin twisted her arm in an attempt to physically take the phone from her; Martin states that Anna simply dropped it and then blamed her father. He believes that this incident was "set up" at Jane's behest. Jane called the Department of Child Safety (DCS) to report Martin for child abuse. The investigation was closed with no finding of abuse, but with a recommendation that both parents complete parenting and co-parenting classes and that family counseling be undertaken. Anna has begun to refuse transitions to her father's home, stating that she sees no reason to forgive him for what he did and anyway she would rather be at her mother's home so that she can keep track of her homework and better prepare for swim meets. Although she describes a chronic level of stress and conflict for which she blames Jeremy, she is fiercely protective of her mother, sympathetic to the techniques Jane uses to manage Jeremy's behaviour and won't acknowledge any difficulties in her mother's home.

Susan has always been a quiet child and eager to please both parents. She tended to retreat to her room whenever there was conflict among other members of the family. Despite his tendency to be authoritarian with the older children, Martin has always been gentle with Susan. He recently found Susan hiding under a table with her fingers in her years in response to what he observed to be a fairly routine argument between Jeremy and Anna. Both parents report that Susan is now wetting her bed at night and exhibiting tearfulness and clinginess at parenting transitions. Each parent blames the other for this behaviour, often in the children's presence.

Martin states he was shaken by the incident with Anna and her phone and promptly took both parenting classes and an anger management course. He believes that the situation in Jane's home is out of control and that he needs to take a more active role in parenting the children. He is seeking equal parenting time with the children. He believes he has learned better parenting techniques and has attempted to have a family counseling session to apologize to Anna but she refuses to participate and Jane refuses to require that Anna do so – Jane's position is that Anna should not have to engage with her father "until she is ready to." Anna regularly turns her back on her father and walks away when he attends her swim competitions.

Jane is angry that she has been asked to take parenting and co-parenting classes. She states that she isn't the violent one and that if Martin hadn't opposed the ADHD assessment for Jeremy, she wouldn't be having such difficulty with him now. She believes Martin opposes the ADHD assessment because everyone knows that children with ADHD should have only one household during the week. Martin has formally opposed the orders sought for Jeremy's assessment (although he agrees with the appointment of an ICL) and now wants to file an interim application seeking orders for equal time and orders mandating that Jane participate in and ensure the children cooperate with Family Therapy. . Martin is open to the ADHD assessment for Jeremy as long as someone other than Jane controls it so that he can have equal access to teachers and doctors. As the day of the hearing approached, both parent spent some time on the internet. Jane has concluded that Martin has Narcissistic personality disorder. Martin has included that Jane has borderline personality disorder.