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**CHILDREN AND LEGAL PROCESSES**

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One of the challenges for policymakers and practitioners across the western world, in recent years, has been how best to support parents who separate or divorce and their children to maintain positive, constructive relationships so that both mothers and fathers remain involved in their children's upbringing. For the most part, received wisdom suggests that parents know best what is in their children's best interests and that it is far better for everyone if parents work out parenting arrangements for themselves. However, the UN Convention on the Rights of the Child requires that children should be provided with information about issues which affect them and that their voices should be heard. These principles relating to children's rights are especially important when families break up, and they are enshrined in family law in the UK and elsewhere. Yet our legal processes relating to separation and divorce regularly rely on parents to inform children about what is happening to the family and to ascertain their children's wishes and feelings. In other words, parents are usually the gatekeepers to their children's rights. Recent research we have conducted in England and Wales (Walker (ed) 2001) indicated that parents frequently find it difficult to talk to their children about the painful topics of separation and divorce and that they are inclined to regard ignorance as in their children's best interests, thereby hoping to protect them from the trauma of family break-up. This paper challenges some of the existing assumptions that parents always know best when it comes to making decisions about the future arrangements for their children. We know that many arrangements, particularly relating to contact between non-resident parents and their children, break down and, increasingly, courts are asked to resolve bitter parental disputes. Using the legal process to sort out intensely personal and emotional conflicts is not always helpful, however, and it can make matters worse. In this paper, I am focussing on the perspectives of parents. It complements the work of Dr Constance Ahrons who has followed the lives of children of divorce into adulthood. Her findings (Ahrons, 2004) are strikingly similar to our own and tell a consistent story about the challenges inherent in post-divorcing parenting.

## **Picking Up the Pieces**

In the mid-1990s, the Family Law Act (England and Wales) 1996 sought to address some of the inadequacies of the existing divorce process by introducing new measures such as the mandatory provision of information for divorcing couples and for children, and access to counselling and to mediation. I and colleagues evaluated the information meeting pilots and our report was published in 2001 (Walker, ed, 2001). The British Government subsequently decided not to implement Part II of the Family Law Act, thus rejecting a move away from fault-based divorce, mandatory attendance at an information meeting, and the offer of a meeting with a counsellor. We were asked, however, to follow-up those people who had received information in the pilots, in order to find out what decisions they had taken and how they had lived their lives in the following 2 to 3 years. The report of that follow-up study was published by the Department for Constitutional Affairs in April 2004 and is available from them (Walker, et al, 2004).

In this paper I have drawn on the findings from one aspect of that follow-up study which is concerned with parenting and contact after separation and divorce. It sheds a good deal of light on the sheer complexity of family life after such a major transition and on the difficulties parents face in making sense of parental roles in changed circumstances. It led us to conclude that more could be done to help parents and children who experience family break-up and to support them through the changes they have to make in order to move into new futures.

The follow-up study referred to here involved a survey of almost 4,000 people who had been involved in the information meeting pilots, and in-depth interviews with 131 of them. These illustrate in considerable detail, the enormity of the changes some families have had to deal with. We entitled our study 'Picking up the Pieces' because each family member picks up the pieces of divorce and creates their own new pattern. Connie Ahrons, in her 20 year follow-up of children of divorce, describes this as creating 'a complex quilt of good and bad experiences' (Ahrons, 2004 p 24). Part of the task is to make sense of the pieces and fit them together to create some kind of coherent whole. Some parents and children weave rich patterns in the fabric of their lives, while others do not always manage to get the pieces to fit. There were people in our study who had clearly not yet come to terms with the ending of their marriage during the 2 or 3 years following the break-up. Quite simply, they had become stuck. One mother described this graphically as follows:

I can tell you my feelings. I feel rejected, inadequate, humiliated, jealous, lonely and hurt.

Of course, each family is different, and each child within a family is different. Children may have the same patchwork pieces to work with, but they will undoubtedly assemble them in ways which differ from their parents. We found that parents also struggle to put the pieces together to create some kind of meaningful whole. They frequently have to discard larger chunks of their life and work with what is left. This can be very stressful and it can take many years, as it was doing for the mother quoted above. We know, of course, that one of the factors which can protect children from the risks associated with parental divorce is parents' ability to adjust to the changes. When parents do not cope with the ending of the marriage it is more

likely that their children will find it difficult to adjust. Very few parents described the divorce transition as a constructive turning point in their lives, although some reported being happier than they ever imagined was possible once their lives had settled down again. For most parents, however, their life was simply different – no better, no worse. This outcome was not always expected, and we concluded that parents need to know that nothing will ever be the same again, and that everyone’s life is changed.

## **Two Sides of Parenting**

The majority of parents want to stay actively involved in their children’s lives after parental separation. Our research leaves little doubt that separation is a major turning point in failing relationships and it is almost always experienced as very distressing. Mothers and fathers invariably talk about the losses associated with separation, however poor the relationship beforehand, and their attachment to their children is inevitably changed. Becoming a post-divorce parent is not easy and our study shows that the majority of parents are ill-prepared for the enormity of the changes involved. For the most part, children continued to live with their mothers and fathers became the non-resident parents. This continues to be a matter of deep-seated dissatisfaction for fathers and we have witnessed somewhat spectacular attempts by Fathers4Justice in England to drive their grievances home. Over the past year they have infiltrated the House of Commons and thrown purple flour over the Prime Minister; they have breached security at Buckingham Palace and scaled the building while the Queen was in residence; they have handcuffed themselves to the Minister for Children, Families and Young People; and climbed bridges and other buildings in their attempts to gain sympathy for their demands for equal parenting time. Theirs is but one side of the story, however. Not surprisingly, in our interviews with parents we heard two sides of post-divorce parenting which can be summed up in the following comments:

I only really have quality time every other weekend [with my children]. The ex-wife continues to deny and disrupt contact, court orders do nothing to prevent this. I feel completely powerless about the situation. (*Divorced father of young children*)

My wife has remarried and moved 60 miles away. I am on benefit and have no transportation of my own. I can only afford to travel once a month to see my daughter for a few hours at a shopping complex. (*Divorced father of child aged 6*)

I have to do everything, make all the decisions, no help at home, I have the rough end of parenting. (*Divorced mother of children aged 7 and 5*)

The support for homework and the child’s social life seems to fall heavily on me. My son does not appear to discuss problems with his father, hence the days he sees him are more dedicated and fun, whereas I seem to have all the day-to-day responsibilities. (*Divorced mother of child aged 11*)

The perceptions and experiences of parenting are very different for resident and non-resident parents and parenting in these circumstances can be lonely for both. Although the debate is often couched in terms of ongoing conflicts between mothers and fathers, the real differences lie in the varying experiences of being either a resident or non-resident parent. As resident parents, mothers told us that they felt as

if they were carrying all the parental responsibilities by themselves. We found that their lives had changed significantly:

- they were having to work harder to maintain the family
- they were often having to manage on reduced income
- they had less time to spend with their children
- they had to fulfil the roles of 'both' parents most of the time
- they were often regarded as the 'villains' by disgruntled fathers
- they felt dumped on – picking up all the discipline and control relating to their children
- they had less fun time with their children
- many became depressed

As non-resident parents, many fathers, on the other hand, felt marginalised as parents and described how they

- had lost their parental role
- were missing out on their children's upbringing
- had to fit parenting into prescribed 'slots'
- were expected to fit regular contact arrangements around unsympathetic work demands
- were at the mercy of their ex-spouse to make contact work
- felt the legal process favours mothers

For many fathers, parenting consists of meals in Macdonalds and trying to find something to do on a rainy afternoon. Many of the everyday parenting experiences are denied to parents who never have children on overnight visits (Simpson et al, 1995). Although some families felt that they had more and better involvement in their children's lives after separation, the majority found that they had less than before. By contrast, some mothers suggested that what they experienced was more of a sharpening or enhancement of the parenting role they had prior to the separation. In other words, they were used to being the main carer anyway. Nevertheless, resident mothers said that they missed having someone to share parenting concerns with and some became overwhelmed by the extent of the responsibilities they subsequently shouldered 'alone'.

There are a minority of parents, however, where post-divorce parenting represents a dramatic shift, when fathers become the resident parent and mothers the non-resident parent. We talked to parents for whom new parenting responsibilities had consumed their daily lives. One father became the resident parent of three teenage children and took a year off work to cope, describing the experience as 'devastating':

I had to struggle to maintain a sensible cooking regime ... because I had not cooked and shopped consistently week in and week out ... they treat me, if you like, as their mother. And you have to fill both roles ... it's something I hadn't experienced ... they just treat you as both parents almost and you get both sides of it.

Another man who had been bringing up five children who were aged 15 to 27 when we talked to him five years after he and his wife separated, described how he had been 'traumatised' by it all and had felt he was never accepted socially as a single father.

By contrast, non-resident mothers felt very guilty when their children did not live with them. Six years after she separated from her husband and 4 year old daughter, one mother told us:

If I'd known what it was going to be like I wouldn't have left, because its been awful. The actual transition was very, very difficult. Maybe if I'd known – I wouldn't have been able to do it.

This relatively small group of parents who had not followed the 'norm' had taken decisions about where their children should live which they believed were in their children's best interests – but the impact had been very traumatic for the parents and they had made substantial sacrifices in order to see the decisions through.

Comments such as those above indicate just how tough parents find it to deal with the changes in their lives and the responsibilities they carry as parents. Nevertheless, some we talked to felt that they or their ex-partner had become better parents: some fathers who had spent little time with their children during their marriage, for example, were doing far more with their children several years later, and they argued strongly for contact/visitation arrangements to evolve naturally over time rather than being rigidly determined at the time of divorce. One man with two sons aged 4 and 6 when he and his wife parted described how, four years on, he had daily contact with them:

In the early days, during the 'screaming time', contact was confused and rigid and it was virtually impossible to be a good parent. As time has gone on, my relationship with my ex-wife has improved and we can focus on the parenting aspects.

This father found a parenting plan helpful, although he did not like the inflexibility at first and worked to change that. He still described himself as a part-time Dad who used to be a full-time Dad, despite having achieved daily contact with his sons. He remained hopeful that he and his ex-wife might eventually agree a 50/50 shared care agreement as they both 'matured'. The Government in England and Wales has recently reinforced a presumption that parents have equal status as parents and this is helpful. Our research confirms that this is an appropriate focus for policy. By contrast, presumptions of equal contact (50:50 parenting time) are not helpful. Very few parents could or would wish to divide the time on a 50:50 basis. Moreover, as Ahrons has found, counting time is a most alien concept for children. Her study found that what matters for children is not an exact sharing of time and rigid contact timetables, but being able to have a relationship with both parents that meets children's needs at different ages and stages of development. Adult children in her study pointed out that 'contact', 'access' and 'visitation' are adult constructs and not a child-friendly description of everyday life as children experience it. The quality of relationships is vastly more important to children than the quantity of time spent with each parent.

It is important to note from our research that parents tend to have differing definitions of what ‘contact’ actually means in reality. It seldom means that one parent stops seeing their child at the point of separation and never sees the child again. In most cases, patterns of contact/visitation change over time, perhaps being regular for a period of time and then irregular or non-existent for a time before contact is resumed. Some non-resident parents maintain a parental relationship by sending texts, emails and cards, making telephone calls, and using videos and webcams. ‘Seeing’ children is often difficult anyway when parents reside long distances apart, so parents have to be inventive and find other ways to stay in touch with their children. We have found it helpful in debates about access/contact/visitation to distinguish between being with children physically and being in contact. Both categories of behaviour can enhance the quality of parent-child relationships. Professionals and courts could do much to help parents and children by regarding contact as a multi-dimensional set of activities and behaviours with no one single definition of what contact means. An emphasis on ‘seeing’ a child ‘every other weekend’, for example may not be conducive to maintaining parent-child relationships and may limit the options parents consider. Each family needs to work out what will work for them. There should be no hard and fast rules and arrangements need to be adapted as situations change and children get older. Assumptions about contact can result in increased conflict when those assumptions are unrealistic and unworkable.

### **The Challenges of Post-divorce Parenting**

The most difficult task for parents in the early years following separation is working out how they will live separately yet still continue to be a committed parent. We concluded that disentangling the emotional ties of marital relationships while reformulating parental ties is a demanding transition which very few parents are prepared for, expect or manage well. In the words of some of the parents in our study:

It was my decision for a separation and eventual divorce. There could be more information about the stress that is caused by guilt, especially the guilt of feelings where children are concerned ... (*Divorced mother*)

It needs someone to explain the total devastation and feelings that attack your body. That the hurt you felt is usual and explainable. (*Divorced father*)

There is a need for information on how hard emotionally and physically the whole process is ... (*Divorced mother*)

And, in regard to parenting, we were told:

Post-divorce parenting is an up and down roller-coaster. You have a stage when you get on, talk, and you think everything’s going to plan. But everybody goes through the stage of anger, bitterness and arguing, and the relationship gets worse, the children suffer, and then there’s a new partner and it all starts over again. (*Divorced mother of three young children*)

There needs to be somewhere to allow angry partners to vent the pain, because it’s a bereavement, and that pain just takes over your whole being. (*Divorced mother of 12 year old daughter, 4 years after separation*)

I think the main problem is dealing with your own emotions, and at the same time being rational about theirs [the children]. That is so hard ... (*Divorced mother of two daughters 10 and 12 when husband left to live with another woman*).

Parents told us that they wished someone had told them just how difficult it would be to pick up the pieces – they would have liked to have known what they were going to have to face and where to get help. Being co-operative as parents when they are feeling hurt, rejected, angry, sad as partners is a tough assignment. Yet neither the information they received, nor the lawyers or mediators or judges they met had explained to them that the transition to being a post-divorce parent would be complex, emotionally demanding and would take time. Nor did they realise just how poor the communication with their ex-partner could become. However conciliatory they wanted to be, there were periods when this was impossible. Most parents who separate are concerned about their children, but they do not necessarily find it easy to be co-operative especially during the ‘screaming time’. Parenting arrangements are subject to a constant process of negotiation and renegotiation, and maintaining positive channels of communication is not a straightforward task for parents.

Information of itself is unlikely to have a significant impact on behaviour – on what people do. Nevertheless, it can help people to understand how they and their children might be affected, to make better informed decisions and choices, and to address the chaos in their lives when families split up. Information about the needs of children is particularly helpful, as is information about the different roles played by mothers and fathers, resident and non-resident parents. There is also a need for advice and guidance about how to move from a couple relationship to one in which the focus is primarily about parenting. We discovered that, even years after the divorce, it is difficult for parents to lose sight of the other parent as a former partner, and the couple relationship that existed in the marriage remains ingrained in people’s consciousness. The manner in which parents talked to us about parenting two or more years on was heavily influenced by the quality of the couple relationship during the marriage and at the time of divorce. Ongoing conflicts relating to children tend to be heavily influenced by parents’ views of each other as partners, rather than as parents. Our study suggests that:

- parenting relationships change over time: some parents begin co-operatively and this may deteriorate
- parents might experience severe conflict to start with, but this may diminish over time, making it possible to co-operate with each other at a later stage
- it may not be realistic to expect the majority of separated parents to be able to establish and sustain a co-operative parental relationship, particularly during the early and highly-charged emotional process of divorce
- contact can still work well when parents are unable to communicate with each other, provided that both are committed to their children having an ongoing relationship with each parent

Our research has found that there are a number of elements which are necessary if parents are going to be able to make contact work in a spirit of co-parenting and joint parental responsibility. These are that they:

- maintain good communications between themselves
- are able to talk about issues concerning their children without arguing
- are willing to compromise over and accept differences between themselves in order to promote the best interests of their children
- put the needs of their children first, even when this means they have to make personal sacrifices
- are prepared to be flexible and consistent
- can negotiate about contact arrangements
- have commitment to making contact work
- have social support networks
- both engage in parenting tasks
- can look forward rather than back

Two of the most important factors in this list are good communication and flexibility. We found that two to three years after separation/divorce nearly a third of parents described communication with the other parent as poor or non-existent:

- 20% said communication between parents was very good
- 20% said communication was fairly good
- 25% described communication as adequate
- over 33% said communication was poor or non-existent

What is clear is that lack of trust and poor communication go hand in hand. However civilised parents try to be, trust is often the vital ingredient which has been lost before and/or during separation which is why many children get caught up in their parents' attempts to undermine the other parent. We are in no doubt that each parent's attitude towards the other parent is a critical factor in enabling children to maintain a positive relationship with both parents. We were not aware that lawyers, counsellors or mediators enabled parents to make the critical transition from partner to co-parent nor did they do much to rebuild trust and improve communication.

### **Going to Court**

Another key factor is the ability to be flexible. We found that resident parents (usually mothers) want order and predictability of contact/visitation times, whereas non-resident parents (usually fathers) want fluidity and spontaneity. Mothers usually do not want their ex-spouse calling unexpectedly or 'dropping by' to see the children, but being able to behave in this 'natural' way was exactly what non-resident fathers want to achieve. Both parents do have to make sacrifices, and many in our sample had learned that – often the hard way! Ongoing conflicts frequently end up in court but, usually, by the time a judge is involved the relationship between the parents has deteriorated, trust is non-existent and communication impossible. Court processes appear to do little to help parents achieve co-operation. Judges seek to strike some sort of balance between these conflicting positions although they can rarely ameliorate the 'fixed' positions which have been taken without one or both parents feeling aggrieved. Moreover, parents in our study described going to court as an unfamiliar, somewhat intimidating experience in which they could feel overwhelmed and unable to express their concerns. Since the courts rarely meet the demands of both parties to a dispute, compromise solutions often foster dissatisfaction and disappointment.

Eventually, parents realise that going to court is unlikely to give warring parents what each of them wants particularly as court orders tend to become increasingly prescriptive as disputes return over and over again. Yet, the more rigid parenting arrangements are, the more likely they are to fail. There is a real paradox here for judges who are faced with highly conflicted couples demanding court orders when arrangements break down. The tendency is to make orders which are more and more rigid, thereby increasing the likelihood that one or other parent will breach the order and trigger yet another court hearing. There is a sense in which court orders are viewed as increasingly punitive rather than as facilitative.

Not surprisingly, perhaps, the majority of those parents in our study who went to court to sort out contact difficulties were disappointed. Usually, the experience increased conflict and distress for everyone concerned. Since court decisions are usually unenforceable, they usually fail. Indeed, many parents described court outcomes as no-win situations. They looked for tailored solutions and ended up with standardised arrangements - set contact/visitation times - so that a non-resident parent being late collecting or returning a child becomes the catalyst for the resident parent withdrawing contact altogether.

Parenting by arrangement is not how parenting takes place when parents live together. Parents in our study who managed flexible contact arrangements mirroring the patterns prior to the separation, were far more satisfied and generally more co-operative. The more rigid the arrangements, the less tolerant and communicative the parents were and the greater the opportunities for everything to break down. We must never assume that one kind of arrangement suits everyone or that one size fits all, or that there is some kind of magic formula which can be applied by the courts. As Ahrons found:

... the most difficult task for parents in the early years after divorce is figuring out how they will live separately and still continue to parent. (Ahrons 2004, p 164)

The 'figuring out' inevitably takes time, patience, tolerance and a real belief in the value for children of co-parenting.

Because accommodation to the multiple transitions takes time and people move on at varying paces depending on individual, personal and social circumstances, formulaic presumptions about contact appear to be unhelpful. Rather, parents argued that more attention needs to be given to ameliorating emotional distress; understanding that parenting can be a lonely task; improving the quality of parental relationships; being sure divorce is the only option (23% did not want it, 21% more uncertain); and helping people deal with emotional issues during the divorce process.

We concluded that it is the quality of relationships which is of utmost importance to children and parents; flexible guidelines are needed to enhance these relationships rather than legal adjudications about how families ought to behave/manage their lives and meet their responsibilities. Most families experienced periods when contact worked and periods when it did not – arrangements are rarely static, which is another argument in favour of flexibility and tailored legal solutions. Most parents would

have liked guidance, understanding and support. They did not want court-imposed solutions.

### **Messages For the Future**

There should be nothing that is particularly surprising in our findings, but they do present challenges in the search for ways to help families through the provision of better information and more tailored services. It is essential to acknowledge that each family is different and each child in a family is different. What works well for one child or one family may well not work at all for another. Parenting apart is usually lonelier and harder than parenting together, however poor the couple relationship has become. In summary, then our conclusions from our follow-up study are that:

- the majority of parents are ill-prepared for the enormity of the tasks facing them after marriages are dissolved and more needs to be done to help them make the transitions, deal with the past and face the future
- expectations that all parents can achieve cooperative relationships are unrealistic particularly in high conflict cases – it is important for each family to strive for what can work for them and to adapt their arrangements as situations change and children get older
- co-parenting is the rhetoric for measuring successful post-divorce parental relationships, but it is not necessarily a concept which has much meaning for parents
- the distinction between resident and non-resident parents involves a clear imbalance in the way parental care and authority are allocated between parents, largely reflecting the gendered parenting roles which operated prior to separation – these distinctions need to be acknowledged and understood
- developing, managing and maintaining effective contact/visitation arrangements places considerable demands on both parents and their children
- how parental relationships are preserved and strengthened is more important than who does what as a parent
- putting emphasis on promoting and maintaining relationships is more constructive than focusing exclusively on formulating rules and presumptions in an effort to make contact work and to encourage cooperative parenting

We can send messages to parents about how to put their children's best interests first, and we can provide information, support and advice about how to be a good parent. We cannot legislate for how families live their lives. As one father in our study put it:

‘There's always something that can upset the apple-cart’

It is not enough to tell parents that they must put the best interests of their children first. They need to know how to do so. Nor is it reasonable to expect parents who are emotionally distraught to be able to fully support their children and provide

appropriate information for them. Parents need to know how and what to tell them, how to handle their children's emotional responses, and how to listen to their children's wishes and feelings.

From the accounts of adult children of divorce, Ahrons (2004, p 193) composed a 'winning formula' for minimising the stress of divorce for children. She urged parents:

- be supportive and nurturing
- don't involve your kids in your conflicts
- stay involved in their lives
- respect each other's rights as parents
- communicate with each other about the children's needs
- provide a stable and secure family environment

Our research indicates that, normally, parents want to follow these guidelines but do not find it easy to manage their own emotions and needs at the same time. This is where many need support, advice and guidance. Parents and children need more time and more support to pick up the pieces. Not all children do well, but parents can foster resilience and most children do survive their parent's divorce and do well as adults. Children often play a pivotal role in the way parental arrangements are managed after separation. Yet their voices are rarely heard, it seems. Only when courts order investigations into a child's living arrangements does there appear to be an opportunity for children to express their views and seek appropriate support. In a current study of how family lawyers support their clients it is clear that the needs, wishes and feelings of children are rarely discussed - they are the silent and absent objects of legal processes rather than being key players in their own right. Given the difficulties parents face it is highly likely that children are not being given appropriate information and support. Separation and divorce are viewed as adult business and children are mere recipients of the decisions adults make. We would do well to hear the powerful voices of children of divorce in Ahron's study and to take note of their observations. Parents frequently need help talking to their children and when they manage to involve their children it is often the children who enhance communication between their parents and suggest appropriate solutions to seemingly intractable problems.

### **For the Sake of the Children**

Dr Ahrons refers to a powerful movement in the US to reward married families and to punish divorced families. In England, we have moved away from a strong focus on marriage-saving which had remained dominant in the 1990s. Our research suggests that parents staying together 'for the sake of the children' is rarely in their children's best interests. Staying together did not mean that couples had necessarily managed to re-construct a conflict-free relationship or to 'save' the marriage. Only a very few of the 19 per cent of research respondents who were still living with their spouse at the time of our follow-up interview, believed that the relationship had grown stronger. We were able to place the marriages of this 'staying together' group on a continuum: from the marriage being secure – the couple managing their problems – the marriage being desperately unhappy – through to the marriage being bound to end eventually. Many of the so-called 'saved marriages' were messy and chaotic several years on, and

rarely did we find a joint commitment to making the marriage work. Moreover, we know little about how children fare in these unsatisfactory marriages. As one father told us:

I can't think it is positive for the children because they see things going on and, I suppose, there's more that is negative because nothing gets concluded. It [the difficulty] just continues.

This evidence reinforces the plea in Ahron's book that parents should not feel pressured to stay together for the sake of the children. Our former Home Secretary, the Rt Hon David Blunkett, MP signalled a shift in political attitude away from a 'marriage-saving' agenda to a parental-support agenda, when he commented in 2002:

The job of government is not to try to take responsibility away from the family but to provide the back-up and support to help people cope ... . I see the job of government as trying to reinforce what people want for themselves ... what we can't do is determine who lives with whom, what their relationships are and how they manage things because that's down to us all as individuals.

The challenge is knowing how governments can provide the necessary support. Measures taken in England so far do not appear to have been very effective and little of substance has changed since we completed our follow-up study. The political rhetoric and the reality for divorcing parents are somewhat different. Children continue to be caught in the middle of their parents' conflicts and with few real opportunities to make their voices heard. A recent debate on the issue in the House of Commons (Hansard, 13 December 2004) demonstrated how easily concerns about post-divorce parenting become divided along party-political lines and rarely provide for legislative change that might reduce hostility and promote greater understanding about how parents and children might better cope with the emotions and painful transitions when parents split up. Post-divorce parenting is a humanitarian issue and children's rights and welfare must remain paramount.

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