About the Network

The care of children whose parents have separated and defining appropriate family practices post-separation raises questions in ethics, law and social policy.

For instance:

- How can equitable distribution of family responsibilities and privileges between parents be achieved?
- How can meaningful relationships, perhaps including wider kin networks, be promoted within this distribution?
- How should the interests and well-being of children be defined, safeguarded and prioritised?
- Should judges be able to order trial periods of shared residence if parents cannot agree about where the child should live?
- Does the age of the child have a bearing on the type of care arrangement parents arrive at?
- Should public and/or political preferences for certain care patterns be reflected in judicial decision-making?

This project will explore these questions from an interdisciplinary perspective, including the perspective of non-academic stakeholders.

Open all sections

More...

It will concentrate on one proposed model for post-separation family life: shared residence (where children divide their family life in roughly equal measure between the two households of their separated parents [1] .

Shared residence has become increasingly complex, and has generated debates among judges, academics, pressure groups and policymakers in the UK and beyond [2]. The concept of shared residence is multi-faceted and can vary according to whether it is being considered as a family practice, a judicial decision, an administrative framework, an aspiration, an ideology or a political tool [3]. Empirical and theoretical research in Europe on shared residence is limited by a focus on lone parenthood in which designation of the non-resident parent as 'absent' can mask the extent to which non-resident parents (fathers and, increasingly, mothers) continue to engage in the lives of their children [4] .

References

[1] for prevalence see, for example, Skinner, C., Bradshaw, J. and Davidson, J. (2007), Child support policy: An international perspective, Research Report No. 405, Department for Work and Pensions: HMSO.

[2] see, for example, Rhoades, H. and Boyd, S.B. (2004) 'Reforming Custody Laws: A Comparative Study', International Journal of Law, Policy and the Family, 18, 119–46

[3]Masardo, A. (in press), 'Negotiating shared residence: the experience of separated fathers in Britain and France', in C. Lind, J. Bridgeman and H. Keating (eds) Regulating Family Responsibilities. Aldershot: Ashgate

[4] Masardo, A. (2009), 'Managing shared residence in Britain and France: questioning a default 'primary carer' model', in K. Rummery, I. Greener and C. Holden (eds) Social Policy Review 21: Analysis and debate in social policy, 2009, Bristol: Policy Press

Aims and Objectives...

The aim of this project is to develop a coherent, interdisciplinary research agenda for the ethical and legal issues raised by post-separation family life in general, and shared residence in particular.

This will be achieved by:

1. Exploring, through a series of themed workshops, the ethical, legal and policy issues raised by post-separation families, including:

- the increasing role of shared residence, how it is defined and measured, how effectively it can be justified as a means of establishing post-separation families and the extent to which it challenges lone-parenthood as a model for post-separation families;
- the equitable distribution of parental responsibilities and privileges; the ethical and legal obligations to their children of parents who have separated, and how, if at all, these differ from those of non-separated parents; and, the promotion of meaningful relationships including with wider kin;
- the use of the welfare of the child as a driving principle in determining post-separation arrangements;
- the legal frameworks in different jurisdictions and how their success can and should be measured;
- the obstacles to successful post-separation families and how these can and ought to be removed.

2. Stimulating discussion between academic and non-academic stakeholders with a view to promoting and prioritising future, interdisciplinary research in this field.

3. Establishing the preliminary principles, tools and methods for this research and disseminating these using an open access website alongside conventional academic publications.

© University of Birmingham 2015